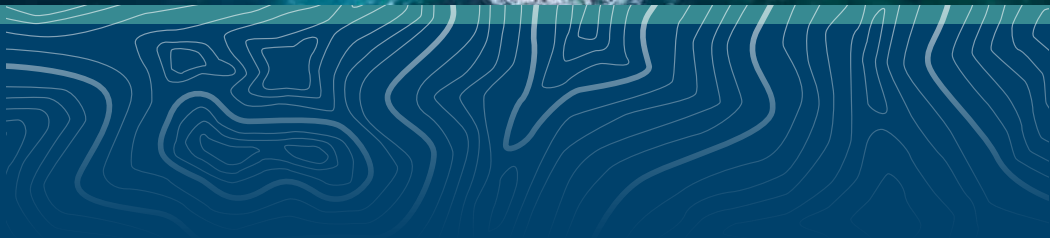




KIAMA MUNICIPAL COUNCIL
your council, your community

Community Land Plan of Management



Item 14.1

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This mural was created at SENTRAL Youth Services with Aboriginal and Torres Strait Islander community parents and children during a workshop that was coordinated by our Aboriginal Liaison Officer. "When the wattle starts to flower we know that the whales are beginning to migrate".

Contact us

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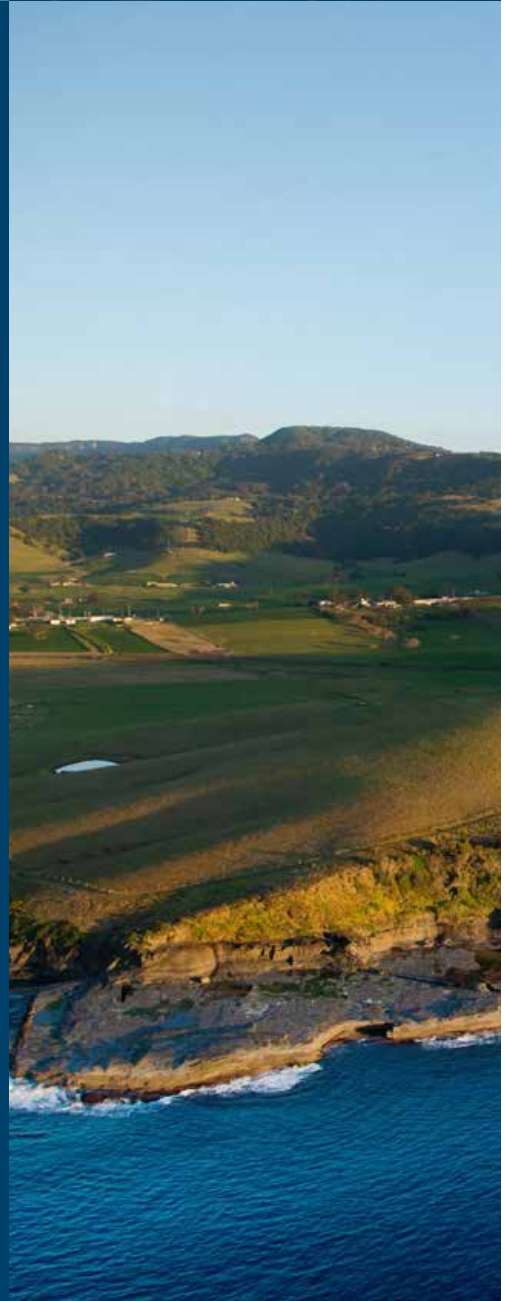
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open 8.45 am to 4.15 pm
Monday to Friday
(excluding public holidays)



Acknowledgement Of Country

Kiama Municipal Council acknowledges the Wodi Wodi and Dharawal people 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.

When the wattle starts to flower we know that the whales are beginning to migrate



Contents

1.0 Introduction	6
1.1 Background	6
1.2 Community land covered by the plan	6
1.3 Category of Land	6
1.4 Core Objectives of Categorisations	8
2.0 Natural Areas	10
2.1 Introduction	10
2.2 Categorisation and Core Objectives	10
2.3 Development and Use	13
2.4 Management Framework	13
3.0 Sportsgrounds	14
3.1 Introduction	14
3.2 Categorisation and Core Objectives	14
3.3 Development and Use	15
3.4 Management Framework	15
4.0 Parks	16
4.1 Introduction	16
4.2 Categorisation and Core Objectives	16
4.3 Development and Use	17
4.4 Management Framework	17
5.0 General Community Use	18
5.1 Introduction	18
5.2 Categorisation and Core Objectives	18
5.3 Development and Use	19
5.4 Management Framework	19
6.0 Area of Cultural Significance	20
6.1 Introduction	20
6.2 Categorisation and Core Objectives	20
6.3 Management Framework	20
7.0 Legislation, Policies and Procedures	22
7.1 Further acquisition of Community Land Parcels	22
7.2 Preparation of Plans of Management	22
7.3 Community Participation	22
7.4 Reclassification	23
8.0 Council's Management Principles and Priorities	24
8.1 Aim of this Plan of Management	24

8.2 Council Plans, Strategies, Policies and Procedures	24
8.3 Planning Principles	24
8.4 Development of New and Improvement of Existing Facilities	24
8.5 Maintenance Principles	25
8.6 Usage Fees	25
8.7 Leases and Licence	25
8.8 Authorisation of Future Leases and Licences	26
8.9 Prohibited Activities	26
8.10 Easements (Other Estates)	26
8.11 Use of Community Land for Roads	26
8.12 Fencing	26
8.13 Companion Animals	27
8.14 Public Safety	27
9.0 Management Objectives, Issues and Strategies	28
9.2 Management Issues	28
9.3 Maintenance	28
9.4 Fees and Charges	28
9.5 Grants	28
9.6 Volunteers	28
9.7 Wet Weather	29
9.8 Parking	29
9.9 Temporary Access over Community Land	29
10.0 Action Plan	30
Schedule 1: Reserve Type - Natural Area	34
Kiama	34
Jamberoo	34
Saddleback Mountain	34
Schedule 2: Reserve Type - Parks	45
Kiama	45
Kiama Downs	46
Kiama Heights	47
Werri Beach	48
Gerringong	48
Gerroa	50
Jamberoo	50
Schedule 3: Reserve Type - General Community Use	131
Kiama	131
Gerringong	131
Jamberoo	131

1.0 Introduction

1.1 Background

The Local Government Act 1993 requires the classification of all Council land as either community or operational. Community land generally refers to property which Council retains for use by the general public. Operational land may be otherwise developed, disposed, leased etc. without any specific requirements as to how the land should be managed on a day to day or longer term basis. For community land, a plan of management is to be prepared identifying how Council will manage the land and how the land can be used.

The Act allows the use of generic plans of management for community land and given the functions and uses of the parcels included within this plan of management, it is appropriate to be included within a generic plan.

This amended plan of management has been prepared considering the needs of both locals and the broader community and to meet the requirements of the Local Government Act 1993. The original Plan of Management was adopted by Council on 4 June 1996 with an amendment to that plan adopted 20 May 2014 and again on 20 December 2016.

The land comprising this plan of management is public land owned by the Kiama Municipal Council and has been classified "community" land under the provisions of the Local Government Act 1993.

1.2 Community land covered by the plan

The community land under this plan is dedicated for use by the general public. Community land may include a wide variety of properties, ranging from small recreation reserves to large parks, drainage reserves and in some instances buildings. Community land supports important aspects of community life, and is valued and appreciated by residents, workers, and visitors to the Kiama LGA. Community land is defined as a public place under the provisions of the Local Government Act 1993.

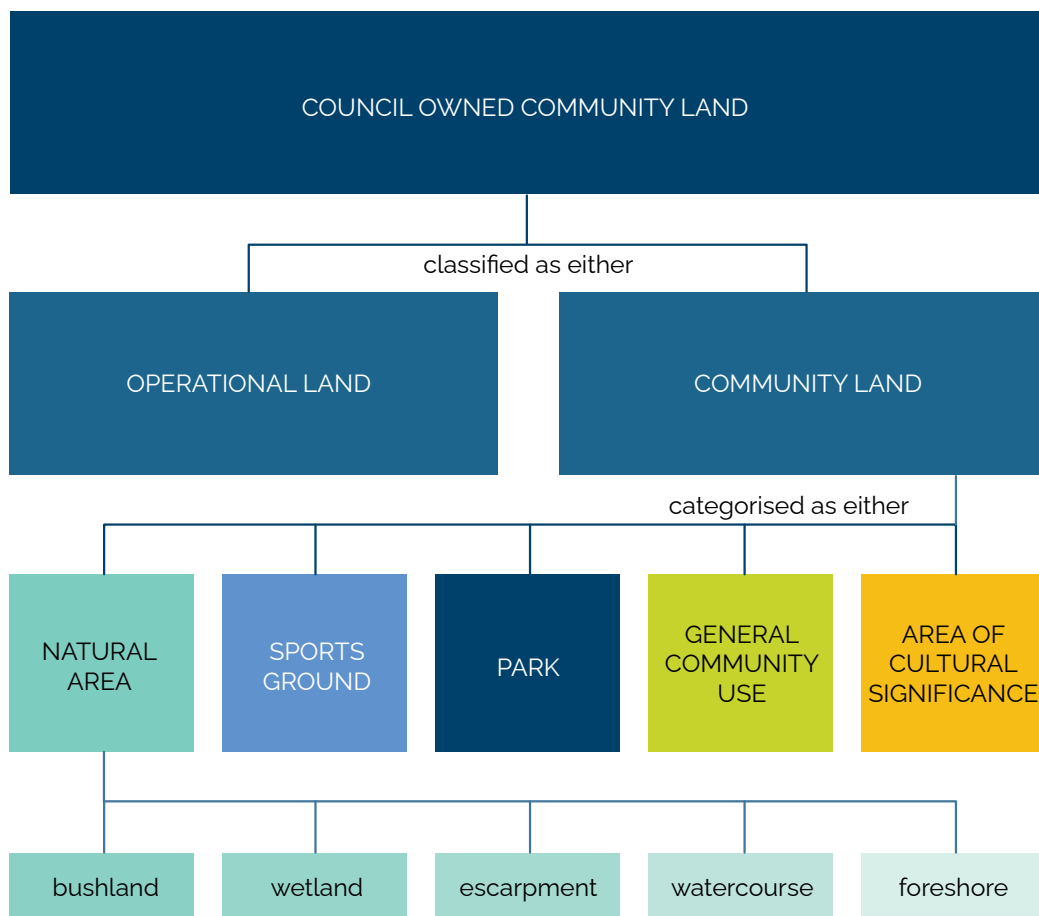
The community land included within this Plan of Management is outlined within Schedule 1, 2 & 3. The properties included within this list are subject to change as Council either acquires/ accepts dedication of new community land or reclassifies community land to operational. Future amendments to this Plan of Management will include revisions to the Annexure to update the inventory of community land.

1.3 Category of Land

Under the Local Government Act 1993 land must be categorised as one of the five nominated categories of natural area, sportsground, park, area of cultural significance or general community use. The category of natural area must be further categorised into sub-categories including bushland, escarpment, foreshore, watercourse and wetlands. The Act then sets out the core objectives for each of these categories, as a broad guide to management of the land. The categorisation of each parcel of land covered by this Plan of Management and identified in this generic plan of management categorisation is included within Schedule 1, 2 & 3.



Figure 1: Categorisation



Council holds a number of parcels of Community Land that are recorded in the Council Land Register but are not included in this Community Land Plan of Management, as they are subject to separate, site specific Plans of Management. In addition, Council manages certain Crown Land parcels. These parcels are addressed under the Council-managed Crown Land Plan of Management and are therefore not covered within this document.

1.4 Core Objectives of Categorisations

Category	Guidelines Local Government Regulation 2021	Core Objectives Local Government Act 1993
PARKS	Clause 104 Land which is improved by landscaping, gardens or the provision of non-sporting equipment and facilities, and for uses which are mainly passive or active recreational, social, educational and cultural pursuits that do not intrude on the peaceful enjoyment of the land by others.	Category Park (Section 36G) • to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities • to provide for passive recreational activities or pastimes and for the casual playing of games • to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.
SPORTS-GROUNDS	Clause 103 Land used primarily for active recreation involving organised sports or playing outdoor games.	Category Sportsground (Section 36F) • to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games • to ensure that such activities are managed having regard to any adverse impact on nearby residences
GENERAL COMMUNITY USE	Clause 106 Land that may be made available for use for any purpose for which community land may be used, and does not satisfy the definition of natural area, sportsground, park or area of cultural significance.	Category General Community Use (Section 36I) • to promote, encourage and provide for the use of the land • to provide facilities on the land, to meet the current and future needs of the local community and of the wider public: (a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and (b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities.



Item 14.1

Enclosure 1

Category	Guidelines Local Government Regulation 2021	Core Objectives Local Government Act 1993
NATURAL AREAS	Clause 102 Land possessing a significant feature that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore.	• To conserve biodiversity and maintain eco-system function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area. • To maintain the land, or that feature or habitat, in its natural state and setting • To provide for the restoration and regeneration of the land • To provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion • To assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in the Biodiversity Conservation Act 2016 or the Fisheries Management Act 1994.
AREA OF CULTURAL SIGNIFICANCE	Clause 105 Land that is an area of Aboriginal, Aesthetic, Archaeological, Historical, technical or research and social significance.	• to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and • to maintain the land, or that feature or habitat, in its natural state and setting, and • to provide for the restoration and regeneration of the land, and • to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and • to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994.

2.0 Natural Areas

2.1 Introduction

This section applies to land under this Plan of Management that are categorised as "Natural Area" under Section 36E of the *Local Government Act 1993*.

Land categorised as a "Natural Area" must be further categorised as bushland, wetland, escarpment, watercourse or foreshore under Section 36(5). For the purposes of this Plan of Management, "Bushland" and "Watercourse" are the further relevant categories applying to "Natural Area" land.



2.2 Categorisation and Core Objectives

The table identifies the core objectives for the category under the *Local Government Act 1993*.

Natural Area category core objectives

Core objectives for "Natural Area" category	
(a)	to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and
(b)	to maintain the land, or that feature or habitat, in its natural state and setting
(c)	to provide for the restoration and regeneration of the land, and
(d)	to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and
(e)	to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994.

As outlined above, land categorised as "Natural Area" must also be further categorised as either "Bushland", "Foreshore", "Escarpment" or "Watercourse" as defined in the *Local Government Act 1993*.



Natural Area further categories core objectives

Core objectives for "Bushland" sub-category	Core objectives for "Foreshore" sub-category
The core objectives for management of community land categorised as bushland are:	The core objectives for management of community land categorised as foreshore are:
a) to ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and	a) to maintain the foreshore as a transition area between the aquatic and the terrestrial environment, and to protect and enhance all functions associated with the foreshore's role as a transition area, and
b) to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and	b) to manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability, and
c) to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and	c) to restore degraded watercourses, and
d) to restore degraded bushland, and	d) to promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.
e) to protect existing landforms such as natural drainage lines, watercourses and foreshores, and	
f) to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and	Core objectives for "Escarpment" sub-category
g) to protect bushland as a natural stabiliser of the soil surface.	The core objectives for management of community land categorised as an escarpment are:
	a) to protect any important geological, geomorphological or scenic features of the escarpment, and
	b) to facilitate safe community use and enjoyment of the escarpment.

Core objectives for "Watercourse" sub-category
The core objectives for management of community land categorised as watercourse are:
a) to manage watercourses so as to protect the biodiversity and ecological values of the instream environment, particularly in relation to water quality and water flows, and
b) to manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability, and
c) to restore degraded watercourses, and
d) to promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.
Core objectives for "Wetland" sub-category
The core objectives for management of community land categorised as wetland are:
a) to protect the biodiversity and ecological values of wetlands, with particular reference to their hydrological environment (including water quality and water flow), and to the flora, fauna and habitat values of the wetlands, and
b) to restore and regenerate degraded wetlands, and
c) to facilitate community education in relation to wetlands, and the community use of wetlands, without compromising the ecological values of wetlands.

2.2.1 Purpose and Value of Natural Areas

A portion of the Kiama Municipality is covered by vegetation or watercourses. These areas are significant for their strong aesthetic appeal for local residents and visitors as well as being key natural landscapes. These areas are closely associated with the Kiama Municipality, including associated environmental and ecological benefits.

2.2.2 Status and condition of Natural Areas

Land categorised as "Natural Area" is for those parts of land that are generally undeveloped, are usually characterised by important terrestrial or aquatic biodiversity or geological land features. As such these parts of reserves have few formalised assets or improvements.

The status and condition, as well as ongoing improvements and management of natural areas, will be led by site-specific considerations due to the differing types of natural areas to which this Plan of Management relates. This will ensure the wider network of natural areas that Council manage are maintained and protected where necessary.

2.3 Development and Use

To ensure the core objectives of areas of "Natural Area" (and their subsequent further categories) are not compromised, limited facilities and activities are generally permitted in these locations. Considering the potential for impacts, individuals and community organisations wishing to undertake activities must obtain specific Council approval before commencing that activity. This process may be straightforward for some and others may require a management plan or Council's advice on undertaking activities e.g. environmental restoration works, waste management, guided tours or the like.

In addition to the requirements outlined in Section 8.7 & 8.8, specific requirements for leasing and licensing in natural areas are required under Section 47B of the *Local Government Act 1993*. In essence, a lease, licence or other estate must not be granted to authorise the erection or use of a building or structure except where the building or structure is:

- a) a walkway
- b) a pathway
- c) a bridge
- d) a causeway
- e) an observation platform
- f) a sign
- g) an information kiosk, refreshment kiosk (but not a restaurant)
- h) work shed or storage shed required in connection with the maintenance of the land
- i) toilets or rest rooms

2.4 Management Framework

An action plan for performance targets, their means and manner of assessment, is outlined within section 10. In addition a broad management framework is presented in sections 8 & 9.



3.0 Sportsgrounds

3.1 Introduction

This section applies to land under this Plan of Management that are categorised as "Sportsground" under Section 36F of the *Local Government Act 1993*.

3.2 Categorisation and Core Objectives

The table identifies the core objectives for the category under the *Local Government Act 1993*.

Sportsgrounds category core objectives

Core objectives for "Sportsground" category	
(a)	to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and
(b)	to ensure that such activities are managed having regard to any adverse impact on nearby residences



3.2.1 Purpose and value of Sportsgrounds

The prime function of reserves categorised as "Sportsground" under this Plan of Management is to provide open space for sporting facilities to allow the community to participate in active recreation endeavours. The prime value of sportsground areas is that they allow members of the community to participate in sporting activities which they enjoy, along with others with similar sporting interests.

3.2.2 Status and condition of Sportsgrounds

Sportsgrounds are predominantly spaces for active recreation hosting formal and informal sport activities and games, typically with associated built infrastructure and fields. They host a variety of recreational and sporting interests in the community from casual through to professional levels and covering codes such as the various football codes, cricket and the like.

This array of use is matched by the sportsgrounds spaces and facilities. Many of these facilities are supported by clubhouses, change rooms, seating, lighting and the like. The clubs and committees involved in these facilities often have an active role in their ongoing management and maintenance. The status and condition of these lands and facilities is monitored and managed by Council in accordance with its Asset Management Strategy and relevant associated Asset Management Plans, or the terms and conditions of an applicable lease or licence with assistance from lessees, Clubs and community groups.



3.3 Development and Use

Council may consider the granting of a lease or licence for all or part of a sportsground area to a club, organisation or individual, for the purpose of operating and managing the facility. This may require a Service Agreement with Council to document and guarantee terms of community access and to outline the maintenance works to be undertaken by the lessee and Council.

To encourage multi-use spaces and enable greater community access, various other uses or facilities also exist and are supported on reserves that are categorised as "Sportsground".

For this category of "Community" land, individuals or organisations wishing to undertake formal activities must obtain Council approval before commencing. This process may be straightforward for some and others may require a management plan or more formal approvals process.

3.4 Management Framework

An action plan for performance targets, their means and manner of assessment, is outlined within section 10. In addition a broad management framework is presented in sections 8 & 9.*

* for Sportsground specific Plans of Management see Kiama Municipal Council's website





4.1 Introduction

This section applies to land under this Plan of Management that are categorised as "Park" under Section 36G of the *Local Government Act 1993*.

4.2 Categorisation and Core Objectives

The table identifies the core objectives for the category under the *Local Government Act 1993*.

4.2.1 Purpose and value of Parks

The primary value and function of reserves categorised as "Park" under this Plan of Management is to provide open space for the community to participate in passive recreation endeavours for people of all ages. Parks also provide strong visual amenity which can be enjoyed and adds value to its surrounds. Another key value of these areas is to enable recreation pursuits and the use of spaces that are accessible and generally available to the community at all times.

Park category core objectives

Core objectives for "Park" category	
(a)	to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and
(b)	to provide for passive recreational activities or pastimes and for the casual playing of games, and
(c)	to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.





4.2.2 Status and condition of Parks

Parks are predominantly used for passive recreation and are of various size and character ranging from parks with basic improvements to larger parks with regionally significant features.

Some Parks may include extensive improvements, such as playgrounds, seasonal gardens, public art and picnic facilities, while others are more nature-based with only limited improvements, such as seating and footpaths. Parks throughout the Kiama Municipality are upgraded and maintained in response to growing seasons, tourist seasons, usage and the lifecycle of assets with thought going into plantings and materials used for long term sustainability. The status and condition of these lands and facilities is monitored and managed by Council in accordance with its Asset Management System or the terms and conditions of an applicable lease or licence.

Parks are also developed to enhance specific recreation opportunities and to consolidate opportunities within the wider area by providing access to regional through to local level facilities. Aside from recreation, land categorised as "Park" can be host to a range of events from family BBQs through to weddings and markets. These are generally welcoming, adaptable and readily accessible spaces for the community.

4.3 Development and Use

The wide variety of land use zonings, uses and types of land covered by this category means permissible activities and development need to be considered on a site-by-site basis according to their consistency with the core objectives of this category.

4.4 Management Framework

An action plan for performance targets, their means and manner of assessment, is outlined within section 10. In addition a broad management framework is presented in sections 8 & 9.



5.0 General Community Use

5.1 Introduction

This Section applies to land under this Plan of Management that are categorised as "General Community Use" under Section 36I of the *Local Government Act 1993*.

5.2 Categorisation and Core Objectives

This table identifies the core objectives for the category under the *Local Government Act 1993*.

General Community Use category core objectives

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:	
(a)	in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
(b)	in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

5.2.1 Purpose and value of General Community Use

The value and function of reserves categorised as "General Community Use" under this Plan of Management is to provide adaptable spaces that cater to a wide range of community uses, interests and needs across the "Community" land portfolio. These areas enable the community to participate in passive and active recreation endeavours, get from one place to another, provide a space for community groups, not for profits, volunteer and emergency organisations as well as commercial enterprises that provide public benefit to be based with opportunity for long term certainty and sustainability.

5.2.2 Status and condition of General Community Use areas

"General Community Use" land caters for the widest range of uses for the community and may house built infrastructure or cater for a wide range of activities and uses not otherwise covered by other categories. These areas often contain a wide range of community and recreation facilities that may or may not be managed by a lease or licence as well as a wide range of recreation, community or sporting facilities.

These "General Community Use" areas can also include land dedicated as drainage reserves or with easements that do not fit within other categories. The status and condition of these lands and facilities is monitored and managed by Council in accordance with its Asset Management System or the terms and conditions of an applicable lease or licence.



5.3 Development and Use

The wide variety of land use zonings, uses and types of land covered by this category means permissible activities and development need to be considered on a site-by-site basis according to their consistency with the core objectives of this category.

5.4 Management Framework

An action plan for performance targets, their means and manner of assessment, is outlined within section 10. In addition a broad management framework is presented in sections 8 & 9.



6.0 Area of Cultural Significance

6.1 Introduction

This section applies to land under this Plan of Management that are categorised as "Area of Cultural Significance" under Section 36H of the Local Government Act 1993.

6.2 Categorisation and Core Objectives

The table identifies the core objectives for the category under the Local Government Act 1993.

Core objectives for "Area of Cultural Significance" category	
(a)	to maintain the land, or that feature or habitat, in its natural state and setting
(b)	to maintain the land, or that feature or habitat, in its natural state and setting
(c)	to provide for the restoration and regeneration of the land
(d)	to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion
(e)	to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994.

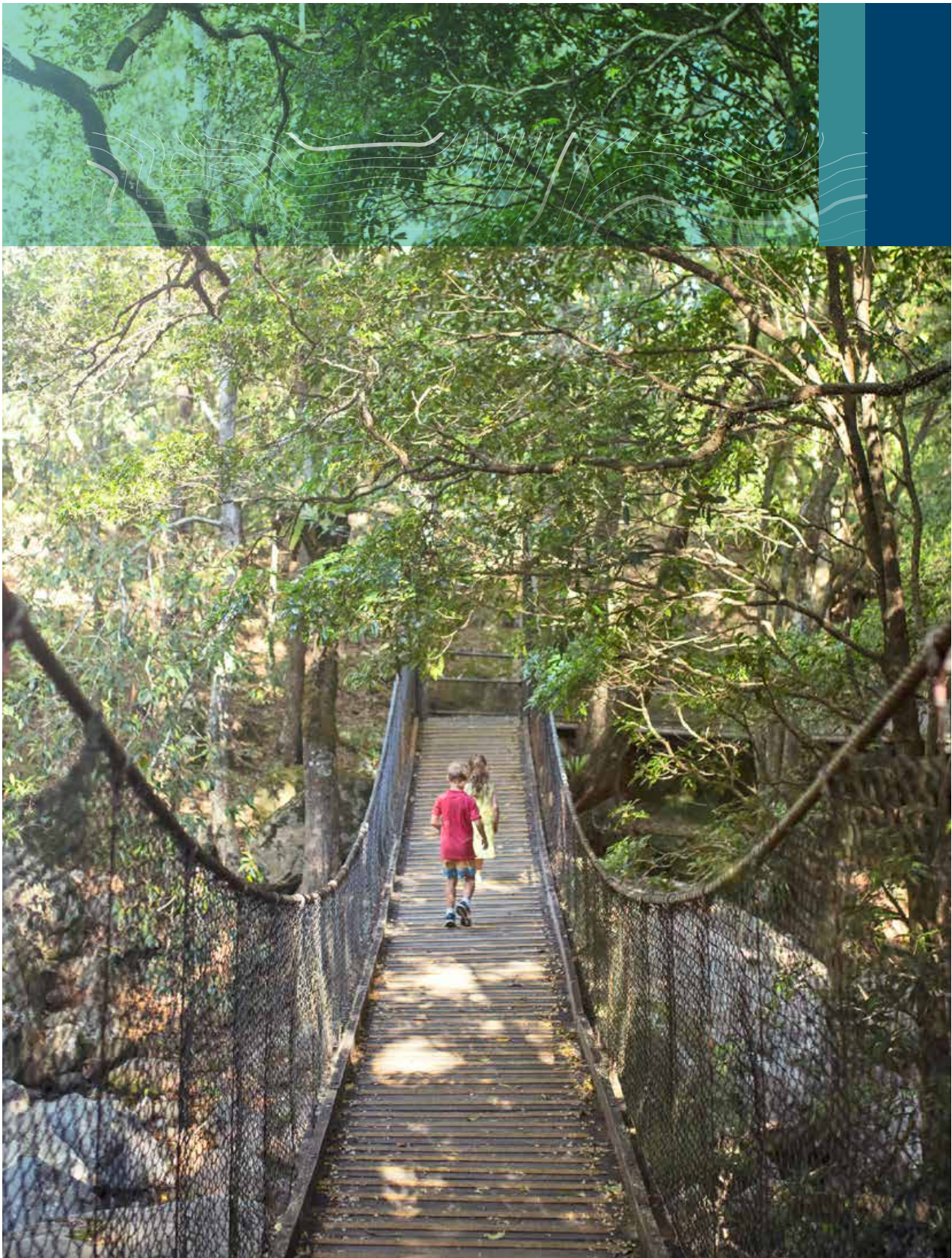
6.2.1 Purpose and value of Area of Significance

The category of cultural significance can be applied to community land in a plan of management for many reasons. As the core objectives of this category suggest, the cultural significance of the land (or any built improvement on the land) may be related to any or all of the following:

- the cultural value of the land to the Aboriginal community
- the aesthetic value of the land or any improvement upon it (so its natural beauty or its artistic or architectural merit if there is a built structure)
- for the presence or expected presence of archaeological artefacts on or under the ground
- for being the setting for historical events or the location where monuments acknowledging historical events or people who took part in historic events or achievements are installed on the land.
- For being part of technical feats or breakthroughs
- For an area's contribution to research endeavors of humanity
- For being part of the ongoing social fabric of a community

6.3 Management Framework

An action plan for performance targets, their means and manner of assessment, is outlined within section 10. In addition a broad management framework is presented in sections 8 & 9.



7.0 Legislation, Policies and Procedures

7.1 Further acquisition of Community Land Parcels

Council will continue to add land to its community land. Those parcels may come as developers dedicate land; or purchased by specific Council resolution. Before Council acquires land, or within three months after it acquires land, a Council may resolve the land be classified as community land or operational land. At the end of the three month period, if the land is not classified then it is taken to be classified as community land.

Council is required to categorise community land parcels, and to conduct a public hearing to inform the public of the land categories. This PoM proposes that a public hearing be held to consider the proposed categorisation of the community land parcels acquired during the time since the last Plan of Management update.

Until new land is categorised, the use of the land must not be used for any purpose other than that for which it was being used immediately before it was acquired.

7.2 Preparation of Plans of Management

The process undertaken in the preparation of a Plan of Management for Council owned community land must follow the steps and requirements set out in the Local Government Act 1993. These steps are:

- Prepare draft or amended plan
- Council publicly advertises the draft plan for minimum of 28 days with a total period of 42 days during which submissions may be made to Council
- Hold a public hearing if a new Plan of Management is proposed or when an amendment

to a Plan of Management proposes a different categorisation of the land

- Council considers all submissions made during exhibition of the draft plan and can either adopt the draft plan with or without amendment (major amendments and change to the proposed categorisation of land at this stage trigger new exhibition and submission period)
- Plan of Management formally adopted by Council

This plan is an amendment to the most recent version adopted by Council. As new parcels are added or taken from the plan, public notification takes place. Submissions will be accepted until the advertised date. Appropriate amendments arising from the submissions will be incorporated into the proposed final plan. The submissions and proposed final plan will be appended to a report to Council for consideration and adoption.

7.3 Community Participation

Community consultation provides a fundamental source of information necessary to create the most effective Plan of Management for community land.

Such participation creates the opportunity for interested parties to become actively involved in the development of a plan which reflects the needs and priorities of the people most affected by the plan.

Community participation will also result in an increased general awareness of Council's responsibilities, activities, policies and plans for land management.



Item 14.1

7.4 Reclassification

From a review of existing public land resources, certain parcels of community land may be identified as surplus to the existing and future needs. Those parcels of land may be suitable for reclassification and subsequent disposal.

The Local Government Act allows for the reclassification of land that has been dedicated under Section 94 (now 7.11) of the Environmental Planning and Assessment Act 1979, where the Council is satisfied that the land is unsuitable for the provision, extension or augmentation of public amenities and public services by reason of its size, shape, topography, location or difficulty in providing public access. A Council resolution must specify the grounds on which the land is unsuitable.

Land that cannot be reclassified in this way, but is still considered surplus to the municipalities needs, can be reclassified through the making of an LEP to reclassify the land.



Enclosure 1

8.0 Council's Management Principles and Priorities

8.1 Aim of this Plan of Management

The aim is to have a generic Plan of Management to comply with the Local Government Act 1993 and which is consistent with Council's corporate goals and policies. The plan should also achieve a balanced and responsible use of land and ensure that it addresses the needs of both the local and broader community.

8.2 Council Plans, Strategies, Policies and Procedures

This plan of management is to be used to align with Council's strategic direction and appropriate Council plans, policies and procedures that govern the use and management of community land.

The Kiama Council Community Strategic 2022-2032 Plan identifies its long-term mission is to "create a healthy, vibrant, lifestyle, a beautiful environment and a harmonious, connected and resilient community".

Additional Council plans, strategies and policies adopted after the date of this plan, that have relevance to the planning, use and management of community land, will apply as though they were in force as the date of adoption of this PoM and are included but not limited to:

- Community Gardens Policy
- Community Engagement Strategy
- Disability Inclusion Action Plan
- Public Land Management Policy
- Markets – Public Places policy
- Public Tree Management policy
- Acquisition & Disposal of Land Easements Policy

- Use of Public Reserves for Commercial Fitness Activities and Personal
- Strategic Asset Maintenance Policy
- Kiama Municipal Council LEP 2011
- Kiama Municipal Council DCP

8.3 Planning Principles

Council will:

- Consider and attempt to balance the need for community recreation facilities with the impact on local residents;
- Attempt to balance the provision of active and passive recreational facilities;
- Consider access to recreational facilities for young families and disabled users and integrate access for disabled users in plans for future developments;
- Attempt to provide safe pedestrian links and corridors between components of the open space network.

8.4 Development of New and Improvement of Existing Facilities

Council funds new works on community land from a number of sources, including rate revenue, loans, federal and state government grants, and for some locations, from developer contributions. Council will continue to seek opportunities to obtain funds from all sources to progress the development of new facilities and to upgrade existing facilities where appropriate.

The development of community land can include



the improvement of the land; drainage, irrigation and plantings; or the improvement of existing facilities or provision of new facilities located on the land. These improvements can be undertaken by Council or on occasion by an external group, e.g. a sporting body for a sportsground.

Dependant on the scope of works, the project will require approval through either a development consent or a State Environmental Planning Policy (SEPP). Any proposed works will need to be submitted in writing and authorised through the appropriate Council section depending on the category of land applied. Proposed projects must be in line with the relevant Council strategic plan.

All proposed works should identify whether the land is identified in the LEP as a state or local heritage listed item or is identified as a having Aboriginal cultural significance. Please refer to Appendix 9 for State and Local Listed items within the LEP and Appendix 10 for the Aboriginal Heritage Assessment Process checklist.

8.5 Maintenance Principles

Council will:

- Maintain parks generally by mowing and edging at appropriate intervals
- Inspect and if appropriate repair any assets/ structures for the continued use and enjoyment by the community
- Replacement of assets as a result of age or standard or condition will only take place following assessment of the demonstrated need for retention of the asset taking into account budget, demographics, community use and demand.

8.6 Usage Fees

Council can apply fees for the organised use of Council reserves under permit.

Application must be lodged with Council prior to an event and all fees must be paid prior to the hire/ use of the reserve.

The fees associated with the hiring of Council reserves are detailed in Council's Annual Fees and Charges, reviewed annually.

8.7 Leases and Licence

Council can allow the use of land under permit, lease or licence. Council's Public Land Management Policy, Local Government Act 1993 & Local Government (General) Regulation establishes the uses that can be permitted and considered by Council under lease or licence.

Proposals for leases, licences or other estates will be considered in accordance with Section 46 of the Local Government Act or Clauses 116 and 117 of the Local Government Regulations and may be permitted on the community land in question.

Council can approve leases and licences for prescribed purposes under s46(4) of the Act.

Council may grant easements for public utilities and works over community land under Section 46(1)(a) of the Local Government Act 1993.

The Local Government Act provides for a number of terms for leases and licences and the approval process for each, they are:

- Short term licences (under 12 months)
- Leases and Licence one year up to five years
- Leases and Licences five years up to 21 years
- Leases and Licences 21 years up to 30 years.

8.8 Authorisation of Future Leases and Licences

The approval of leases and licences will be subject to a transparent process. Before approving leases or licences Council will give consideration of, and regard to:

- The provisions of the Kiama Local Environmental Plan and other legislative requirements
- The core objectives of the subject part(s) of the specific parcel of land, in accordance with the relevant community land category
- Council's policies and procedures (e.g Public Land Management Policy)
- Any likely impacts on the access, uses and experiences of other users with a preference for leases/licences permitting a broad range of activities, and encouraging the multi-use of community assets
- Any possible impacts on surrounding neighbours
- The reversibility of the proposed uses or developments
- Resource demands to administer and monitor the lease/licence
- Any commercial implications for Council
- The future use of the land.

All existing and future leases and licences will be considered on their individual merit. Consideration to the above points, and where necessary an Expression of Interest (EOI) will be made.

8.9 Prohibited Activities

Activities which in the view of Council may be damaging, disruptive and/or may represent a danger to other users of the reserve or neighbouring properties or are not consistent with the land zoning, core objectives may not be permitted. Council in their absolute discretion are able to refuse the issuing of a lease or licence on community land.

8.10 Easements (Other Estates)

The Local Government Act 1993 outlines the manner in which an easement (or other estate) may be granted in respect of community land. Council reserves the right to grant an easement as required for utilities and in line with Local Government Act.

8.11 Use of Community Land for Roads

In accordance with Section 47F of the Local Government Act 1993, this Plan of Management expressly authorises the construction of a public road over community land and subsequent dedication of the road as public road under Sections 9 and 10 of the Roads Act 1993. In the event of a public road being dedicated under the Roads Act, the area of land affected should ultimately be reclassified as operational land to properly reflect the new usage.

8.12 Fencing

Council is not required under the Dividing Fences Act 1991 to contribute towards fencing/retaining walls to adjoining owners where the land is adjacent to Council owned community land.

8.13 Companion Animals

The Companion Animals Act 1998 and Regulations exists to provide for the responsible management of animals and with the exception of designated "off-leash" areas, animals must be controlled by a leash at all times. This Act prohibits dogs:

- within 10 metres of any playing apparatus;
- within 10 metres of any structure or equipment provided for the preparation or consumption of food by humans;
- public bathing areas including a beach that Council has determined that dogs are prohibited and upon which there are signs notifying the Council prohibition of;
- public recreation areas or areas for the playing of organised games that Council has determined that dogs are prohibited and upon which there are signs notifying the Council order of prohibition.

8.14 Public Safety

Council has developed a Strategic Asset Maintenance Program (SAMP) for all its assets. SAMP has been developed to create and maintain all assets under the care, custody, control and management of Council to a safe standard and condition for public enjoyment which is the highest standard and condition that Council can reasonably afford in all of its circumstances and having regard to financial, economic, environmental, aesthetic, social or political factors or constraints.



9.0 Management Objectives, Issues and Strategies

9.2 Management Issues

9.2.1 Maintaining sites in accordance with their original design or purpose

Issues with community land include; the change in function through time due to demographic/usage changes or other factors; vandalism and costs of repairing or maintaining to the original standard; and changes in recreational preferences in different age cohorts through time.

Land can change through time from being a vibrant passive recreation space and meeting place for local residents to an unutilised space with no practical functionality.

Council will attempt to be responsive to such changes in the community considering the original provision and embellishment and taking into account actual usage and community demand/expectations.

The inclusion of additional/new amenities and fixtures will only be considered after taking into account demand, assessed long-term usage costs and opportunities that may be foregone elsewhere in the provision of these.

9.3 Maintenance

The extent and frequency of the maintenance of open space across the LGA is governed by Council's funding constraints. Service levels are reviewed each year in the light of the annual budget allocation.

Year to year variations in weather patterns can give the impression that changes in the service levels have occurred. For example, a hot moist summer will result in more rapid grass growth between scheduled maintenance events. Additional sites brought into service during a funding year may also

have an impact of diluting service delivery levels.

Ongoing maintenance of native vegetation where it occurs in community land will include but not be limited to, access management, fire management, pest control, weed removal and mulching as appropriate.

Maintenance schedules are also developed for the built assets, which include inspection, regular and periodic programs, reviewed each year in the light of the annual budget allocation.

9.4 Fees and Charges

Council sets all fees and charges for the seasonal and casual use and hire of Council facilities on community land. These fees and charges are reviewed annually and incorporated and exhibited in Council's Fees and Charges Schedule.

Fees and charges are set to ensure fairness and equity in allocation, maximise opportunities for use and contribute to cost recovery. The fees and charges are applied by Council to all users of the facilities, and reserves.

9.5 Grants

Clubs, associations, or other groups wishing to apply for a grant from an external source for the improvement of community land or existing or new infrastructure; or for funding a special event, will be required to obtain written approval from Council (letter of in-principle support) prior to lodging an application. Council will assess these applications and determine if support and approval will be provided, as owner of the land, to the applying organisation and the grant provider.

9.6 Volunteers

Council has many voluntary groups that take on the care of particular parks or reserves.



sportsgrounds, and community buildings in their local neighbourhoods. These include community operating committees, progress associations, Neighbourhood Groups, service clubs, sporting clubs, community garden groups and landcare.

Many community groups have an interest in community land, set aside for use by the entire community. Where possible, Council encourages multiple use of community land as opposed to single use facilities. Groups working on community land are encouraged to work collaboratively in the management of any community asset.

9.7 Wet Weather

During periods of wet weather, the use of community land may be restricted for the safety of users and the/or the protection of the land from damage. Rain proceeding the days before the event and/or on the day of an event can all potentially restrict or close the use of community land. For community land that is directly managed by Council such as parks and natural areas, Council will determine if the proposed event can proceed in periods of wet weather. It is the user's responsibility to seek clarification from Council if the land will still be available for use during inclement weather. Council's decision in relation to wet weather will be final.

9.8 Parking

The requirements for parking near or on community land can vary dependant on the level of use, the connections surrounding the site (shared pathways, footpaths, public transport), and the location. Parking can include on street parking and off-street parking in designated car parks.

Peak usage periods that can occur at specific times of the day can require the need for additional parking requirements. Community land is a valuable

asset, and the use of this for designated parking should be carefully assessed.

Alternatively, the use of community land for temporary parking will be considered if the requirement arises from an event that is complementary to the category of community land. For example, if there is a community event on a park or other public land that requires part of the park or nearby park for temporary parking then this may be approved. However, if a request for temporary parking on community land due to a commercial use on private land then this may not be approved.

9.9 Temporary Access over Community Land

In specific circumstances Council will permit access over community land to allow residents or contractors to gain temporary entry to a residential or commercial property where access cannot be gained through other entry points, eg from front street access. The purpose of this access can include the installation of swimming pools, construction of extensions, sheds, retaining walls, fences or other developments.

This access is strictly for a limited period of time dependent upon the works being undertaken and will not be granted on a long term basis. An application form and applicable insurances are to be submitted for assessment. If permissible, relevant fees/charges and bonds are required before final approval will be given. Depending upon the circumstances, such access may be subject to strict conditions.

Permanent access over community land for private benefit, i.e., rear or side vehicle access to private property will not be permitted. Access for utility works, including Sydney Water, will also require an application to be completed for information purposes and insurances provided.

10.0 Action Plan

Item 14.1

Performance target	Means of assessment	Manner of assessment
FACILITIES		
Provide community facilities on community land that support the main purposes for which the land has been reserved	Community facilities are provided, maintained and improved on community land in accordance with Council's adopted strategies and programs. Sportsgrounds are provided with appropriate facilities and maintenance and are made available for the use of sporting clubs	Additional community facilities are provided and existing community facilities improved. Sportsgrounds are utilised and function as active and structured open space areas.
COMMERICAL OPPORTUNITES		
Realise appropriate commercial opportunities on community land that are permissible under the LG Act and that do not affect the main purposes for which the land has been reserved.	Options and proposals for appropriate commercial activities will be assessed and authorised on community land in accordance with Council policy and applicable legislative requirements.	Community land is appropriately used for commercial activities.
MAINTENANCE		
Maintain community land in accordance with community expectations and ensure community land is safe for the general public.	Regular maintenance is undertaken on community land as appropriate. Leases and licences granted over community land are to set out the repair and maintenance responsibilities.	Community land is consistently maintained in a good condition.
PUBLIC SAFETY		

Enclosure 1



Performance target	Means of assessment	Manner of assessment
Exclude public access from areas of community land containing public infrastructure to provide security and public safety.	Infrastructure to provide security and public safety. Infrastructure located on community land is placed and secured appropriately to minimise public risk.	Infrastructure is secured by fencing and other appropriate means.
LANDSCAPING		
Provide landscaping and embellishment of community land to enhance visual amenity.	Community land is landscaped and embellished in accordance with Council's adopted programs and strategies.	Existing landscaping is maintained and improved. Additional landscaping and embellishment are provided.
PUBLIC INFRASTRUCTURE		
Minimise the effects and detrimental impacts of installation and expansion of public infrastructure on community land.	Infrastructure proposals are assessed for their impacts on community land. Where appropriate, infrastructure is considered on a case by case basis.	Infrastructure installations on community land do not unreasonably limit the use of the land for community purposes and are considered where possible.
NATIVE VEGETATION		
Protect environmentally significant stands of native vegetation.	Significant stands of vegetation on community land are protected by public exclusion, restoration, rehabilitation, fencing and signage as appropriate.	Ecological values of significant stands of vegetation are maintained and improved.
THREATENED SPECIES		
Protect threatened species, populations and ecological communities and their habitats.	Appropriate conservation and protection are provided to threatened species and ecological communities.	Numbers of threatened species, populations and the integrity of ecological communities and their habitats are maintained or improved.

Performance target	Means of assessment	Manner of assessment
ARCHAEOLOGY		
Protect significant archaeological relics.	Significant archaeological relics are identified, managed, preserved and excluded from public access as appropriate.	Damage to archaeological relics is prevented.
HERITAGE		
Protect and preserve buildings and structures on community land that have historic significance.	Buildings and structures having historic significance are identified, managed, preserved and excluded from public access as appropriate.	Buildings and structures are maintained as functional assets and/or preserved and decay/damage is prevented or minimised.
CULTURAL AND HISTORICAL SIGNIFICANCE		
Appreciation and interpretation of the heritage significance of the site in terms of both natural and cultural components.	Undertake, where required, heritage and cultural assessment studies to identify cultural and heritage values for retention and interpretation.	Retention and interpretation of heritage and cultural values provides increased appreciation of the property and its history as measured by property users surveys.
Dedicate a name for each park, sportsground and general community use property.	Incorporate historical information on property signage to instil understanding and appreciation of the site and the history it represents.	
	Installation of public art and interpretation.	





Schedule 1: Reserve Type - Natural Area

Kiama

Lot/s & DP	Address	Reserve Name	Sub Category	Map Ref No.
Lot 52 DP 1098436	Jamberoo Road, Kiama 2533		Bushland	1
Lot 2 DP 579091	Girrawheen Avenue, Kiama 2533	Pt Bonaira Reserve	Bushland	2
Lot 1429 DP 1061892	Eugene Street, Kiama 2533	Badu Reserve	Watercourse	3
Lot 600 DP 1044512	Bland Street, Kiama 2533		Watercourse	4
Lot 20 DP 786920	Hutchison Street, Kiama 2533		Watercourse	5

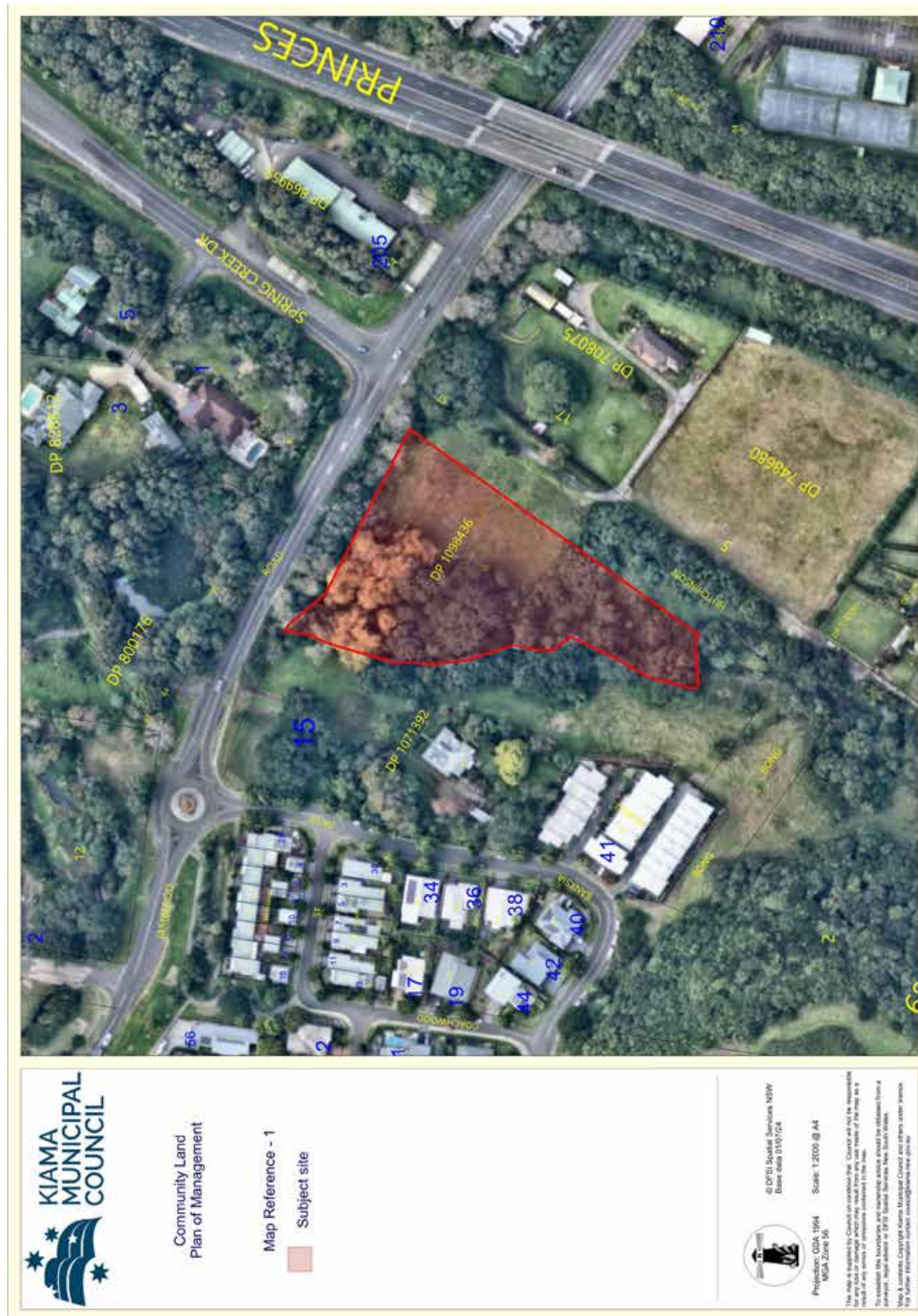
Jamberoo

Lot/s & DP	Address	Reserve Name	Sub Category	Map Ref No.
Lot 12 DP 906858	Minnamurra Falls Road, Jamberoo 2533		Bushland	6
Lot 106 DP 1046656	Nuninuna Drive, Jamberoo 2533		Bushland	7
Lot 105 DP 1046656	Nuninuna Drive, Jamberoo 2533		Bushland	8
Lot 104 DP 1046656	Nuninuna Drive, Jamberoo 2533		Bushland	9

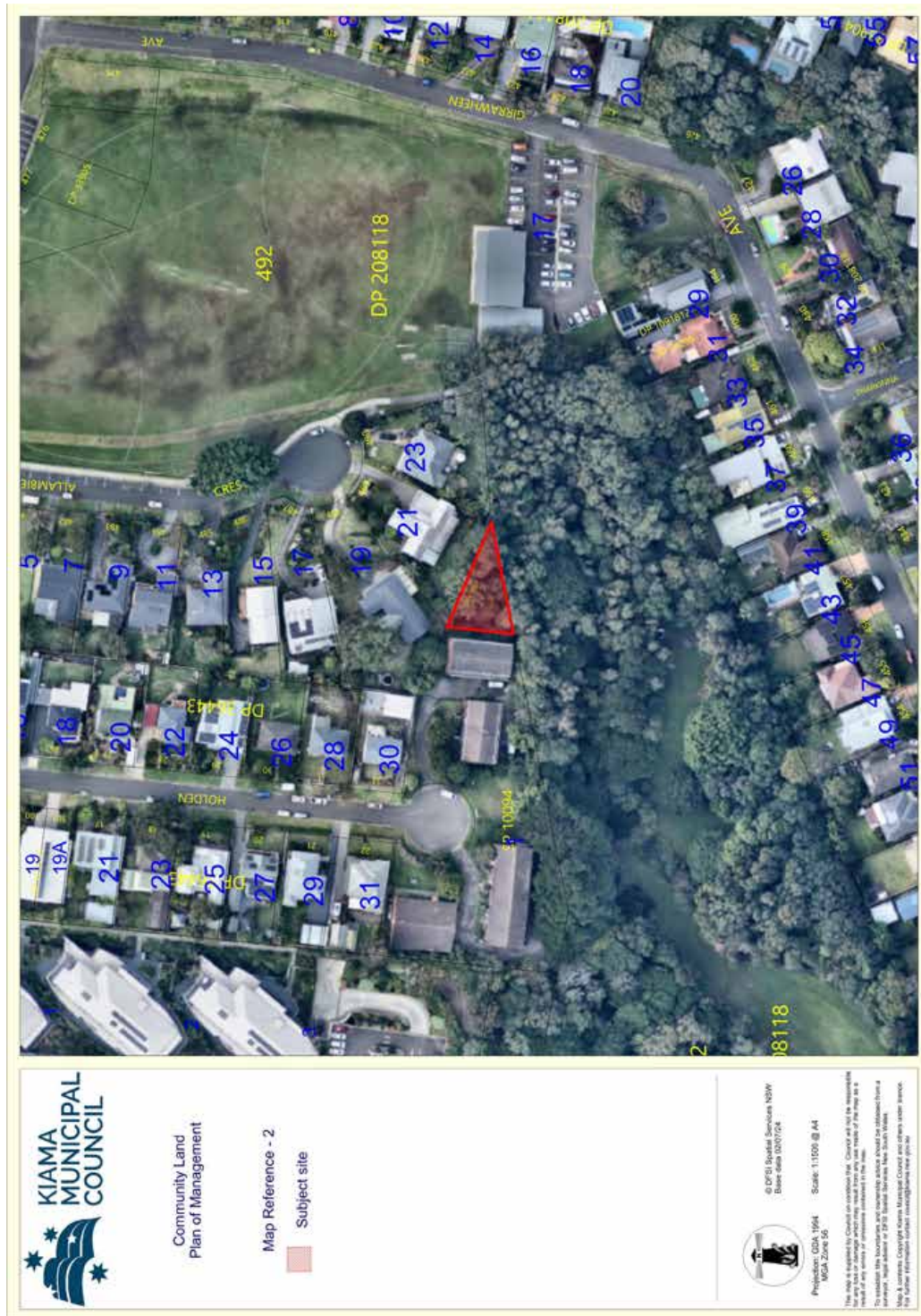
Saddleback Mountain

Lot/s & DP	Address	Reserve Name	Sub Category	Map Ref No.
Lot 5 DP 579598	Saddle Back Mountain Road, Saddle Back 2533	Saddle Back Mountain Reserve	Bushland	10

Map Reference: 01



Map Reference: 02



Map Reference: 03



Item 14.1

Enclosure 1

Map Reference: 04



38 Community Land Plan of Management Kiama Municipal Council

Map Reference: 05

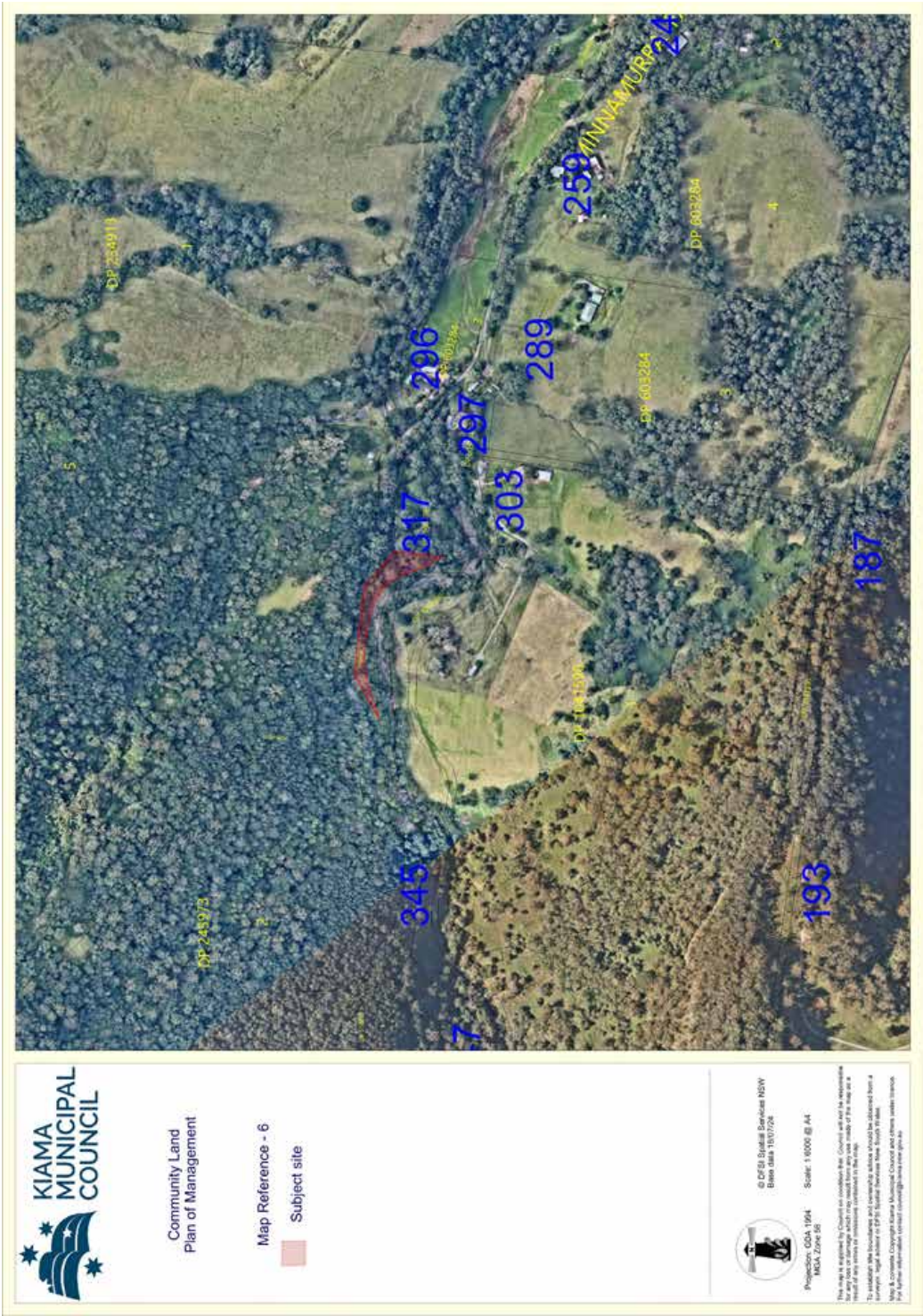


Item 14.1

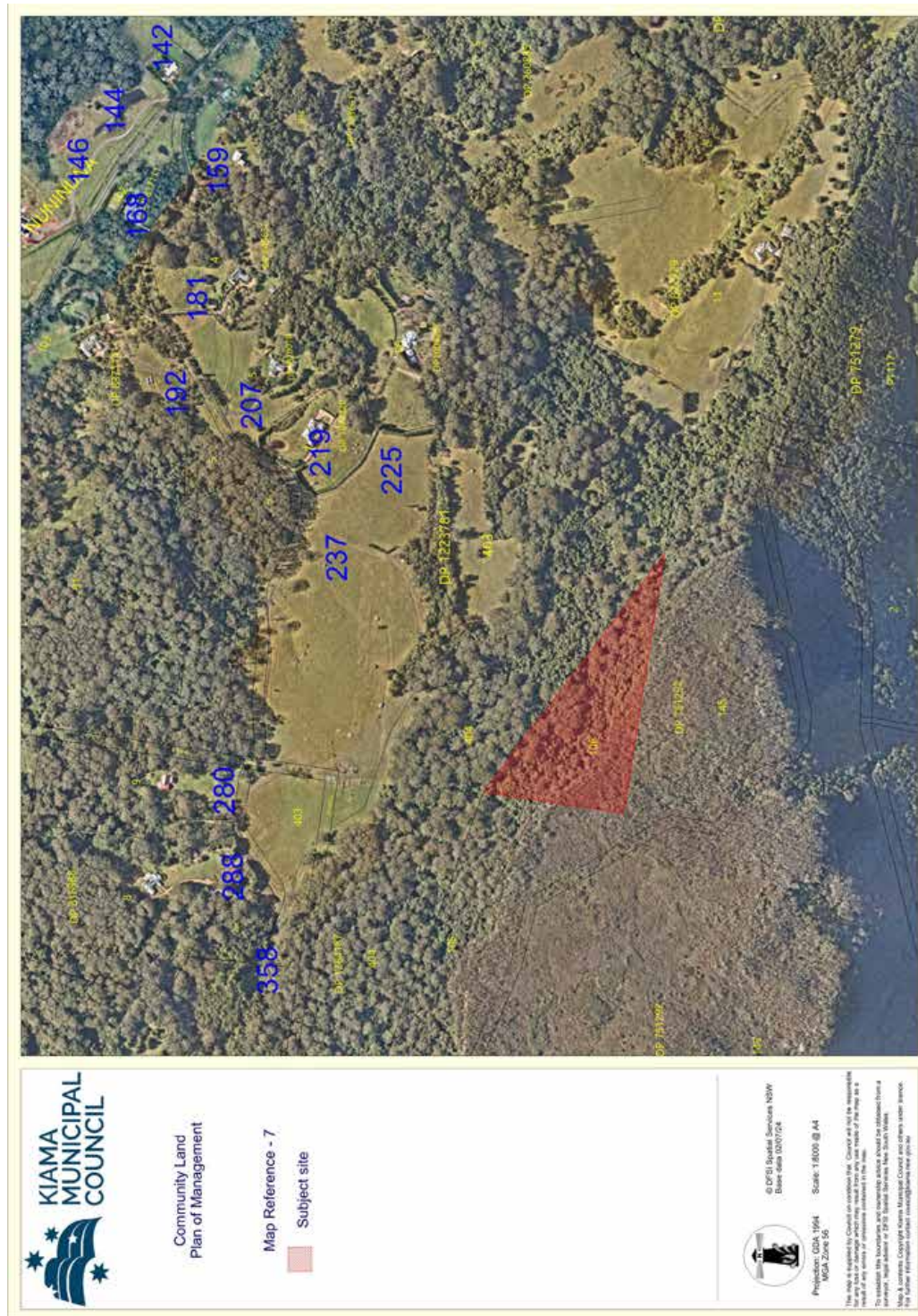
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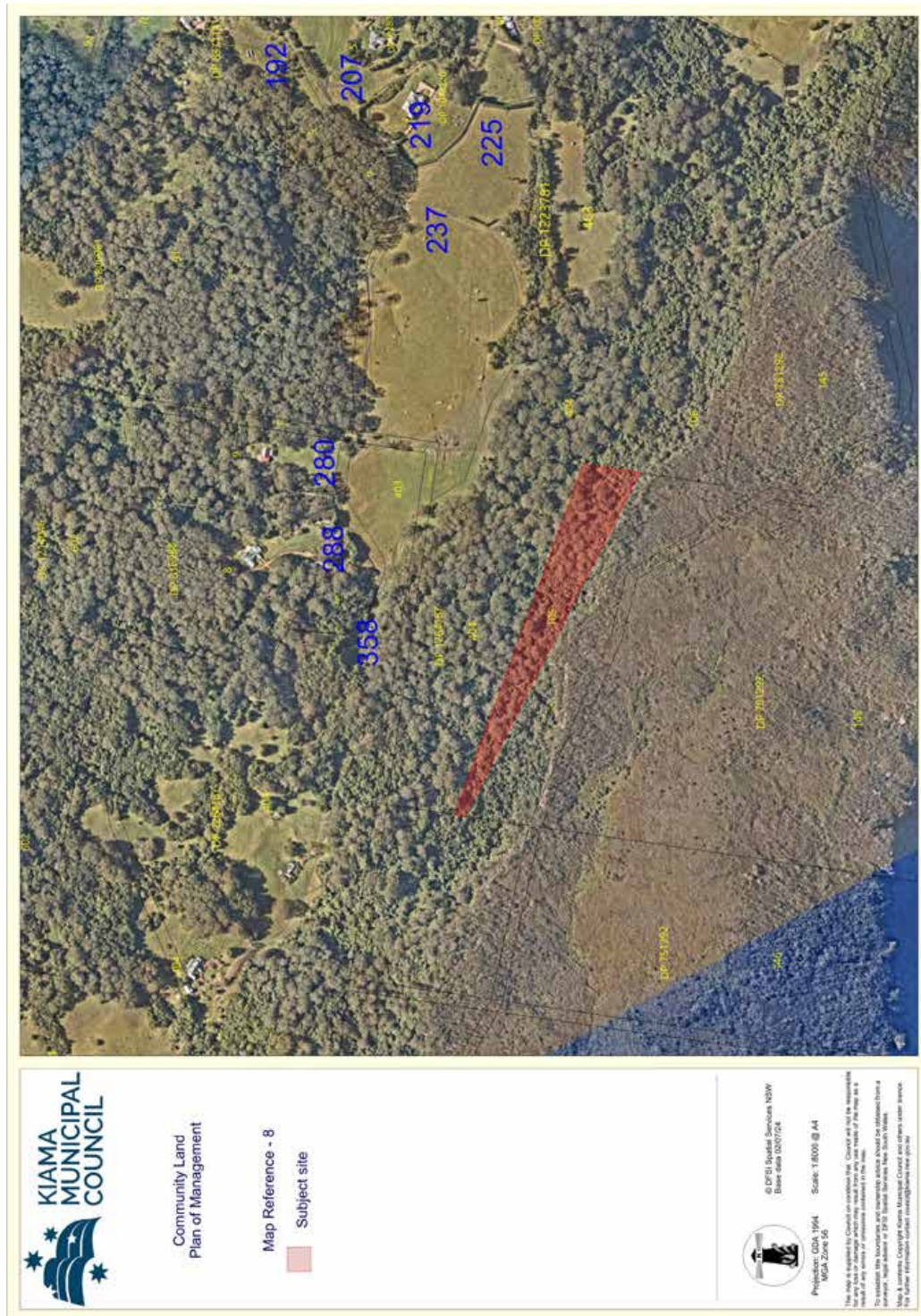
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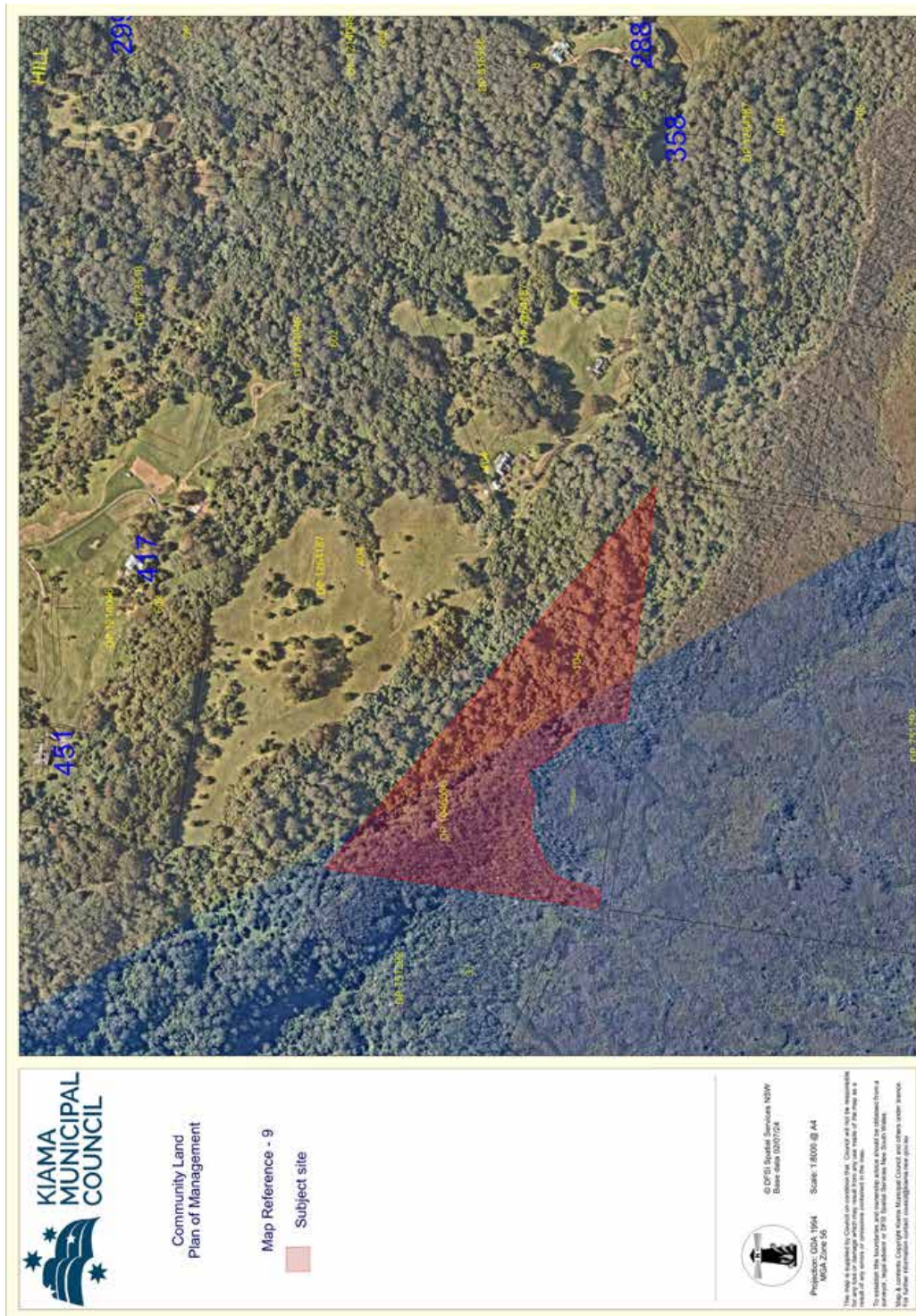


42 Community Land Plan of Management Kiama Municipal Council

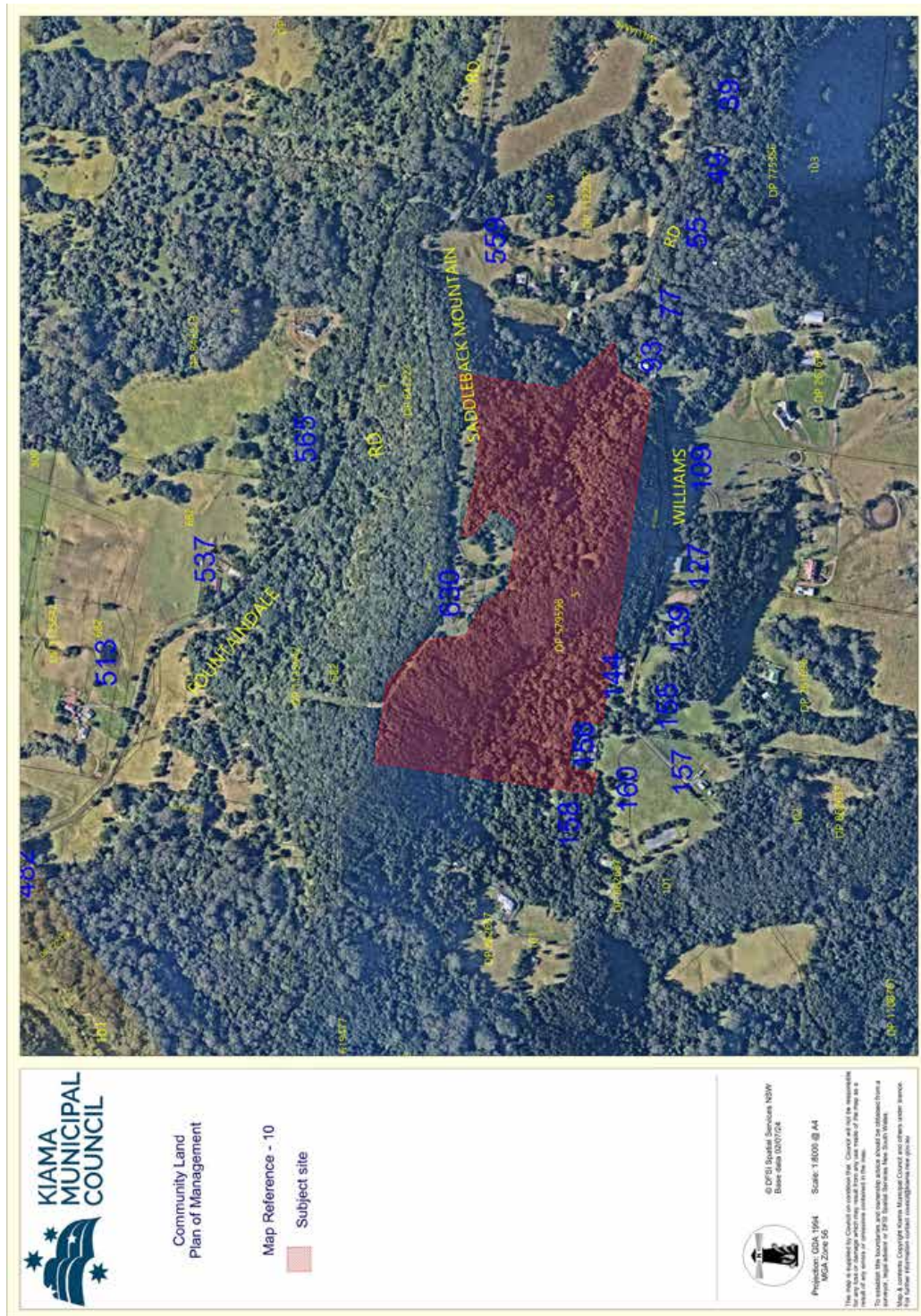
Item 14.1

Enclosure 1

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Map Reference: 10



Item 14.1

Enclosure 1

Schedule 2: Reserve Type - Parks

Kiama

Lot/s & DP	Address	Reserve Name	Map Ref No.
Lot 12 DP 710054	Meares Place, Kiama 2533		11
Lot 16 DP 244639 & Lot 14 DP 244856	Colley Drive, Kiama 2533		12
Lot 11 DP 1098810, Lot 1 DP 585279 and Lot 13 DP 38283	Manning Street & Taylor Street, Kiama 2533	Peace Park	13
Lot 4 DP 585279	Taylor Street, Kiama 2533		13a
Lot 21 DP 264151	Tanner Place, Kiama 2533		14
Lot 4 DP 263286	15 Weston Place, Kiama 2533		15
Lot 8 DP 850163	Elouera Place, Kiama 2533		16
Lot 112 DP 245502	Hillview Circuit, Kiama 2533		17
Pt Lot 2 DP 707300	Hillview Circuit, Kiama 2533		18
Lots 113 & 117 DP 245502	South Kiama Drive, Kiama 2533		19
Lot 15 DP 208118	19 Tharkinna Avenue, Kiama 2533	Tharkinna Reserve	20
Lot 426 DP 208118	22 Girrawheen Avenue, Kiama 2533		21
Lot 8 DP 839577	7 Bland Street, Kiama 2533		22
Lot 20 DP 800229	6 Charmain Clift Place, Kiama 2533		23
Lot 3 DP 833140	Keppell Street, Kiama 2533		24
Lot 3 DP 800229 and Lot 229 DP 33902	41 Tombonda Drive, Kiama 2533	Tombonda Drive Reserve	25
Lot 22 DP 264151	1 Weston Place, Kiama 2533		26

Lot/s & DP	Address	Reserve Name	Map Ref No.
Lot 1319 DP 1060995	Greyleigh Drive, Kiama 2533		27
Lot 1310 DP 1060995	Old Saddleback Road, Kiama 2533	Daranggara Reserve	28
Lot 499 DP 1064140	Old Saddleback Road, Kiama 2533		29
Lot 9 DP 1232541	Belvedere Street, Kiama 2533		30
Lot 100 DP 1206414	Merrick Circuit, Kiama 2533		31
Lot 20 DP 1182859	Danube Street, Kiama 2533		32
Lot 199 DP 1042913	Greyleigh Drive, Kiama 2533	Waabie Reserve	33
Lot 100 DP 1042908	Greyleigh Drive, Kiama 2533	Waabie Reserve	34

Kiama Downs

Lot/s & DP	Address	Reserve Name	Map Ref No.
Lot 249 DP 30200	North Kiama Drive, Kiama Downs 2533		35
Lot 251 DP 30200	North Kiama Drive, Kiama Downs 2533		36
Lot 243 DP 30200 & Lot 34 DP 28122 & Lot 1 DP 509019	Riverside Drive & North Kiama Drive, Kiama Downs 2533	Iluka Reserve	37
Lot 821 & 822 DP216533	27 Hoolong Avenue, Kiama Downs 2533		38
Lot 1012 DP 236616	145 North Kiama Drive, Kiama Downs 2533		39
Lot 830 DP 219105	Gibraltar Avenue, Kiama Downs 2533		40
Lot 41 DP 261909	Moreton Bay Place, Kiama Downs 2533	Eureka Reserve	41
Lots 328 & 329 & 330 DP 703905	Hollings Drive & Gray Street, Kiama Downs 2533		42

Lot/s & DP	Address	Reserve Name	Map Ref No.
Lot 380 DP 263272	Barton Drive, Kiama Downs 2533		43
Lot 5002 DP 631336 and Lot 107 DP 816711	Meehan Drive, Kiama Downs 2533		44
Lot 622 DP 815672 & Lot 539 DP 808034	Ironbark Crescent & Henry Parkes Drive, Kiama Downs 2533		45
Lot 439 DP 801403 & Lot 538 DP 808034	Newing Circuit & Henry Parkes Drive, Kiama Downs 2533		46
Lot 732 DP 830184 & Lot 176 DP 262061 & Lot 51 DP 1012601	7 Michael Crescent, Kiama Downs 2533 7 Cowell Place, Kiama Downs 2533		47
Lot 252 DP 30200	40 North Kiama Drive, Kiama Downs 2533		48
Lot 250 DP 30200	Cathedral Rocks Avenue, Kiama Downs 2533		49
Lot 707 DP 201833	Hoolong Avenue, Kiama Downs 2533		50

Kiama Heights

Lot/s & DP	Address	Reserve Name	Map Ref No.
Lot 69A DP 30126	85 Attunga Avenue, Kiama Heights 2533		51
DP818379	2 Elanora Road, Kiama Heights 2533		97
Lot 317 DP 30126	78 Attunga Avenue, Kiama Heights 2533		52
Lot 316 DP 30126	82a Kalang Avenue, Kiama Heights 2533		96

Werri Beach

Lot/s & DP	Address	Reserve Name	Map Ref No.
Lot 2 DP 1065342	33 Werri Street, Werri Beach 2534	Birriebungie Reserve	53
Lot 284 DP 14188	53 Werri Street, Werri Beach 2534	Bungulla Reserve	54
Lot 282 DP 14188	Pacific Avenue, Werri Beach 2534	James Muir Miller Reserve	55

Gerringong

Lot/s & DP	Address	Reserve Name	Map Ref No.
Lot 22 DP 200176	46 Willawa Avenue, Gerringong 2534	Arthur Campbell Reserve	56
Lot 8 DP 264539	Brook Street, Gerringong 2534		57
Lot 231 DP 1012243	Burra Street, Gerringong 2534		58
Lot 237 DP 792192	Willowbank Place, Gerringong 2534	Noble Reserve	59
Lot 26 DP 262698	Belinda Street & Greta Street, Gerringong 2534	Rest Park	60
Lot 85 DP 838437	9 Carinya Way, Gerringong 2534		61
Lot 2 DP 1065790	Croft Place, Gerringong 2534		62
Lot 87 DP 838437	8 Burnett Avenue, Gerringong 2534		63
Lots 86 and 88 DP 838437	Fern Street, Gerringong 2534		64
Lot 89 DP 838437	Fern Street, Gerringong 2534		65

Lot/s & DP	Address	Reserve Name	Map Ref No.
Lot 91 DP 838437	Fern Street, Gerringong 2534	Boxsell Reserve	66
Lot 130 DP 1052645	18 Union Way, Gerringong 2534	Bilya Reserve	67
Lot 231 DP 1060665	Neptune Street, Gerringong 2534	Birrilee Reserve	68
Lot 6 & 9 DP 871423	110 Fern Street, Gerringong 2534 120 Fern Street, Gerringong 2534	Old School Park	69
Lot 702 DP 1148475	Union Way, Gerringong 2534	Mathoura Reserve	70
Lot 747 DP 1171578	Millewa Avenue, Gerringong 2534		71
Pt 535 DP 1111492	Union Way, Gerringong 2534		72
Lot 206 DP 1180016	Union Way, Gerringong 2534		73
Lot 206 DP 1156196	Wells Street, Gerringong 2534		74
Lot 2 DP 1065338	Jupiter Street, Gerringong 2534	Boat Harbour Reserve	75
Lot 5 DP 621354	Greta Street, Gerringong 2534		76
Lot 3 DP 543599	Greta Street, Gerringong 2534		77
Lot 53 DP 884475	Fern Street, Gerringong 2534	Blueberry Hill Reserve	78

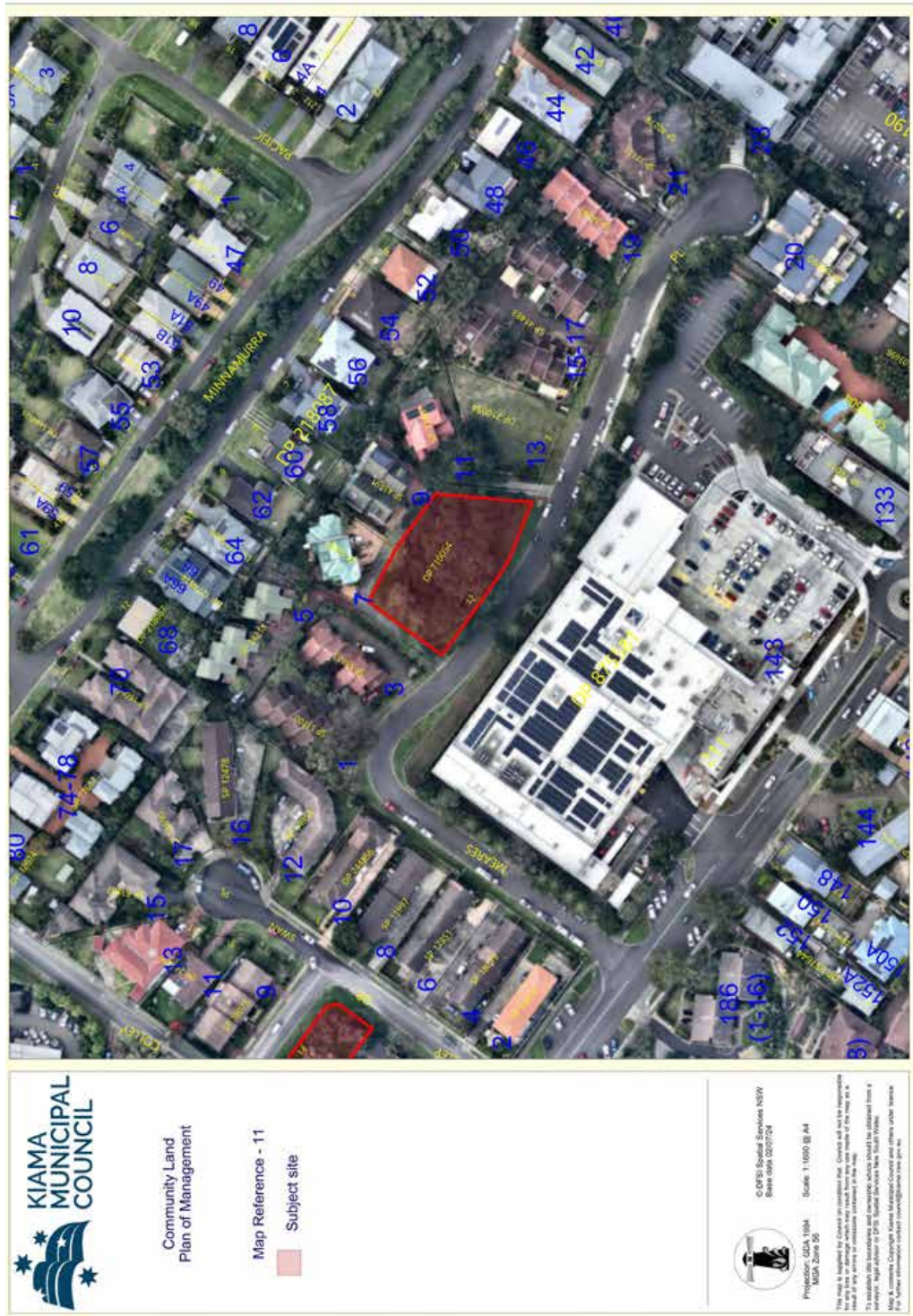
Gerroa

Lot/s & DP	Address	Reserve Name	Map Ref No.
Lot 41 DP 236273 & Lots 1 & 2 DP 27683	2 – 4 Headland Drive, Gerroa 2534	Kingsford-Smith Memorial	79
Lot 2 DP 329172 & Pt Lot 93 DP 4467 & Lot 1 DP338015	52 – 54 Burke Parade, Gerroa 2534	Ricketts Reserve	80
Lot 2 DP 1065357	Park Road, Gerroa 2534	Emery Reserve	81
Lot 1 DP 229951	37 Stafford Street, Gerroa 2534	Gerroa Neighbourhood Centre	82

Jamberoo

Lot/s & DP	Address	Reserve Name	Map Ref No.
Lot 10 DP 701896	Hyam Place, Jamberoo 2533		83
Lot 41 DP 31576	Jamberoo Road, Jamberoo 2533		84
Lot 6 DP 792543	62 Macquarie Street, Jamberoo 2533		85
Lot 43 DP 773152	Macquarie Street, Jamberoo 2533		86
Lot 10 DP 837424	Downes Place, Jamberoo 2533		87
Lot 411 DP 1209559	Gibson Crescent, Jamberoo 2533		88
Lot 251 DP 1206471	Gibson Crescent, Jamberoo 2533		89
Lot 41 DP 31576	Jamberoo Road, Jamberoo 2533		90

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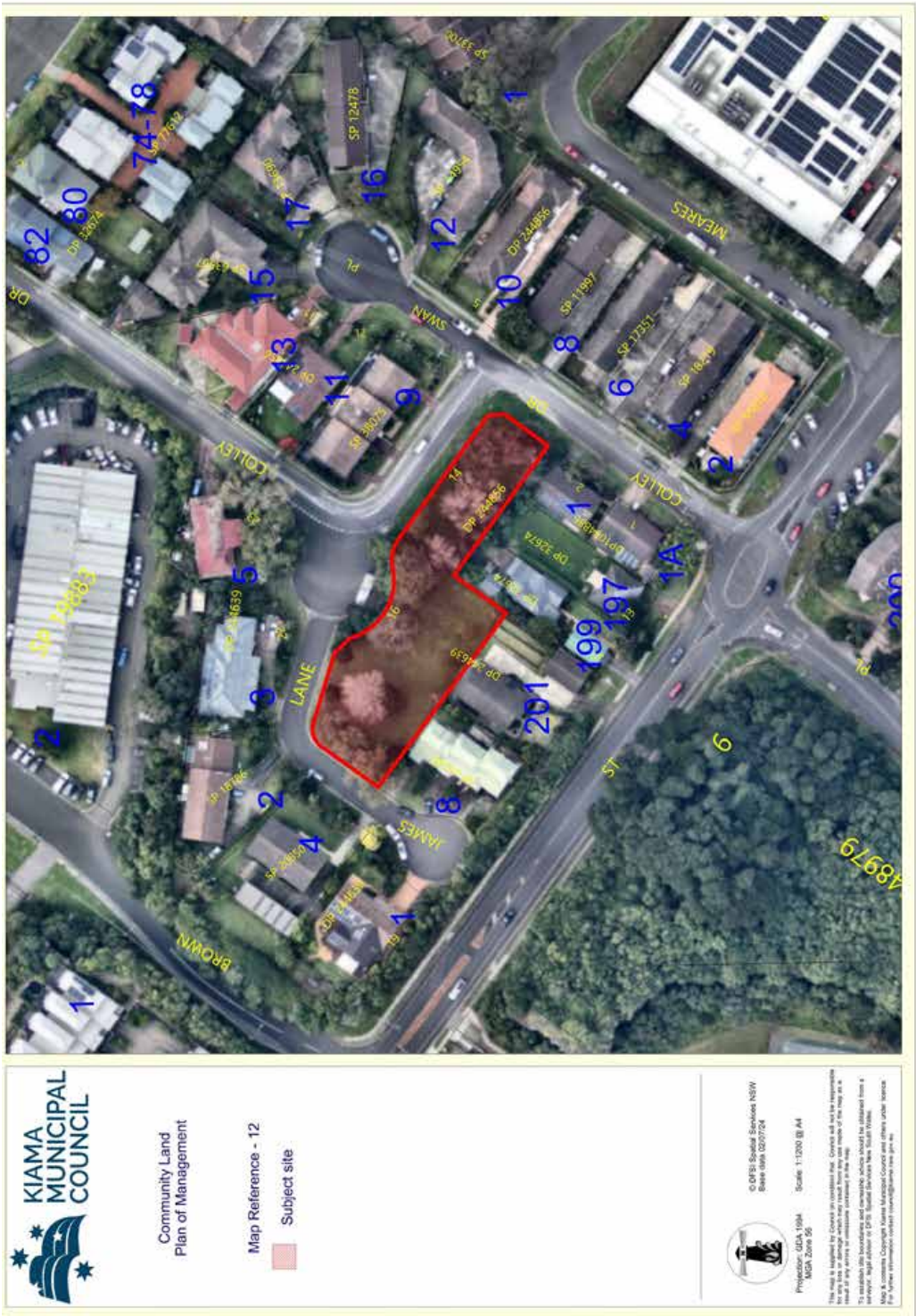


Item 14.1

Enclosure 1



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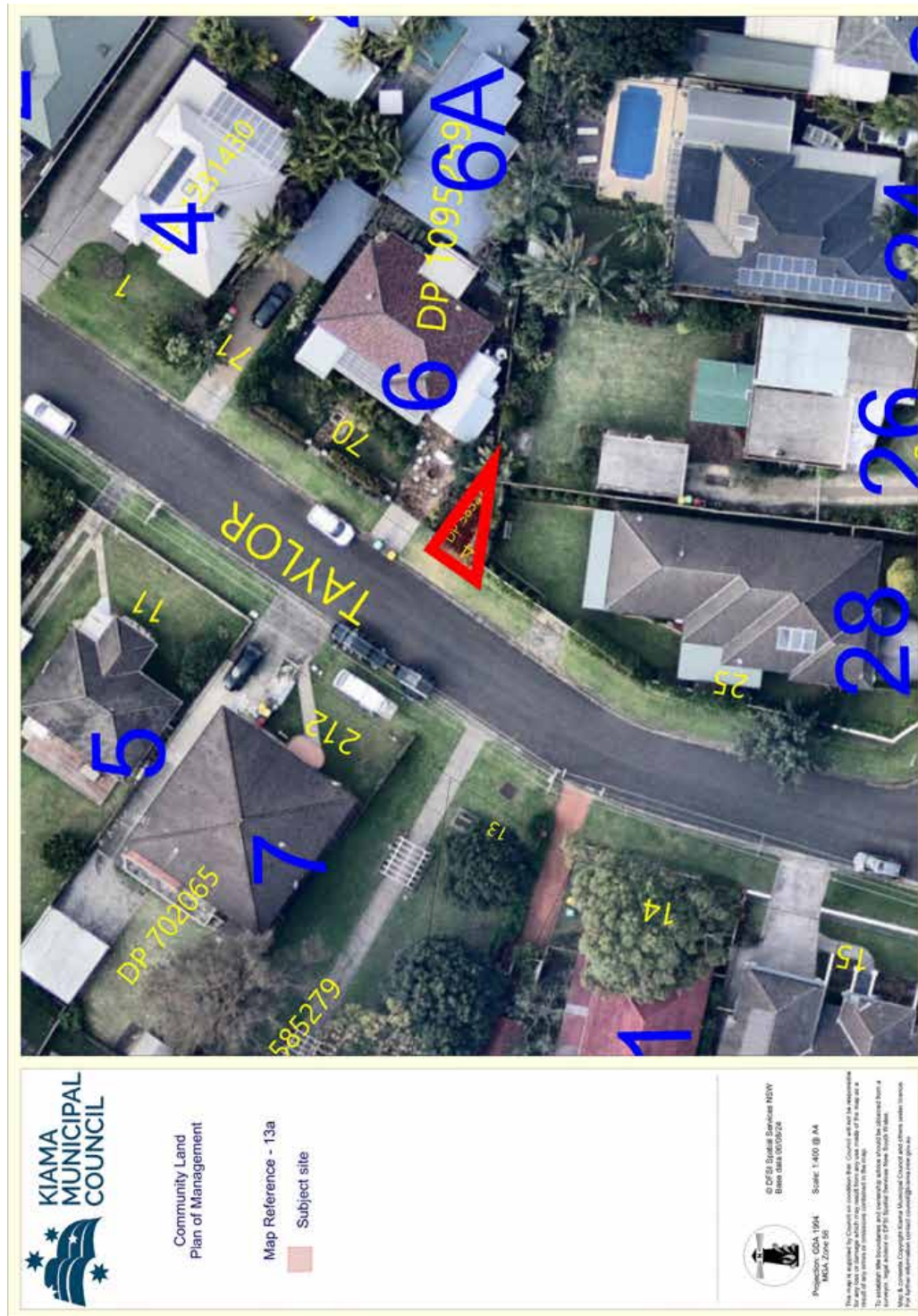
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Item 14.1

Enclosure 1

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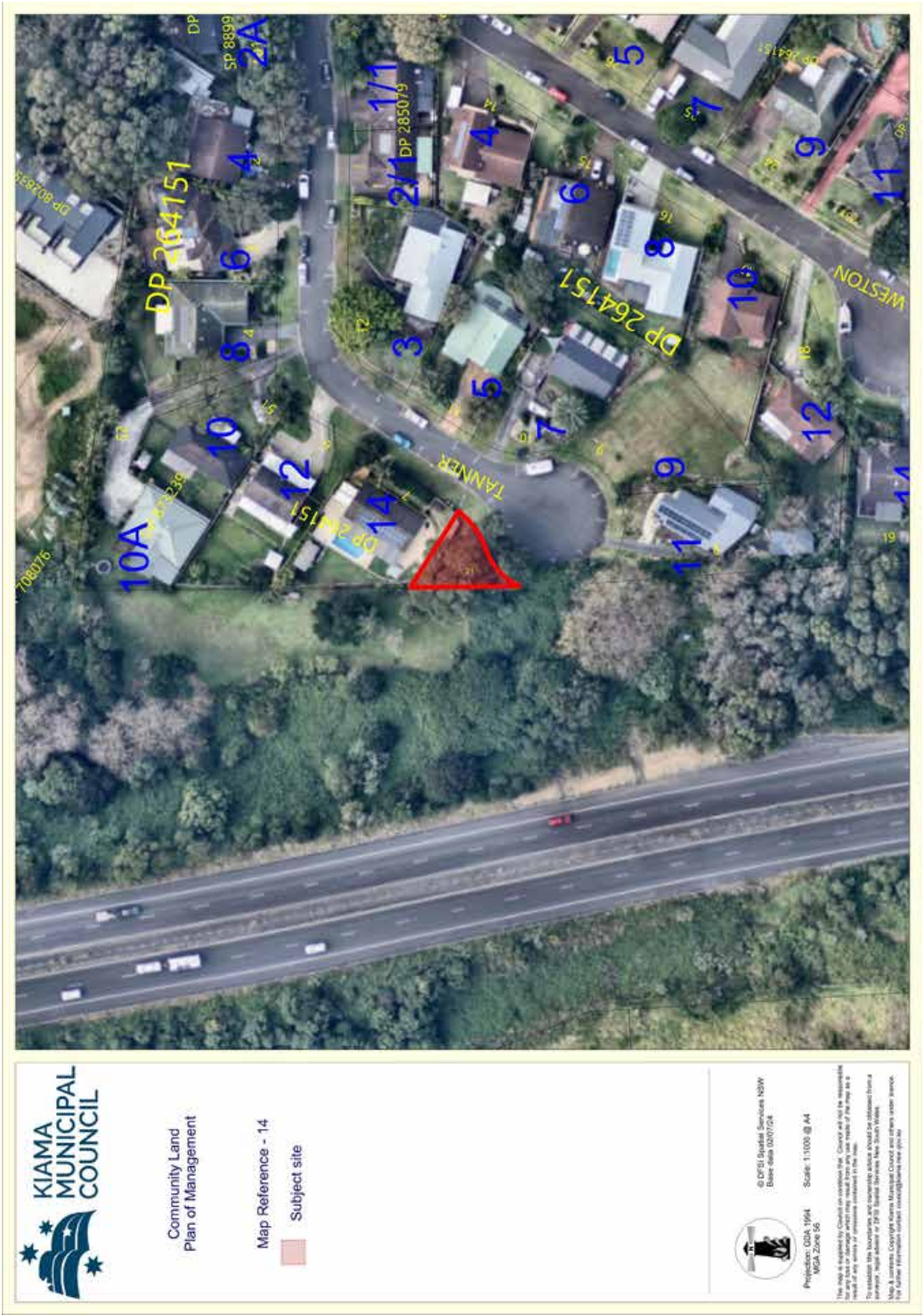
54 Community Land Plan of Management Kiama Municipal Council

Item 14.1

Enclosure 1



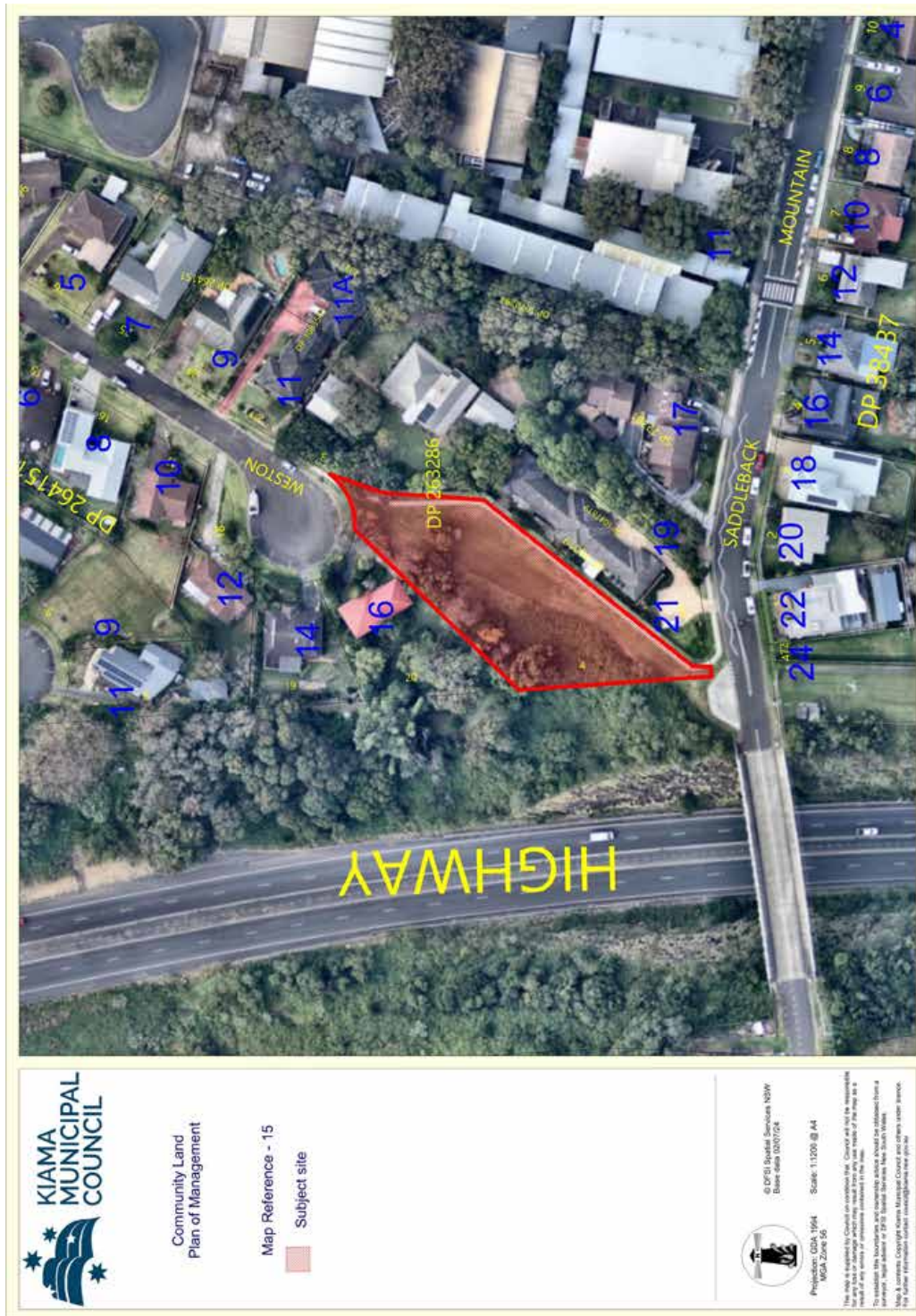
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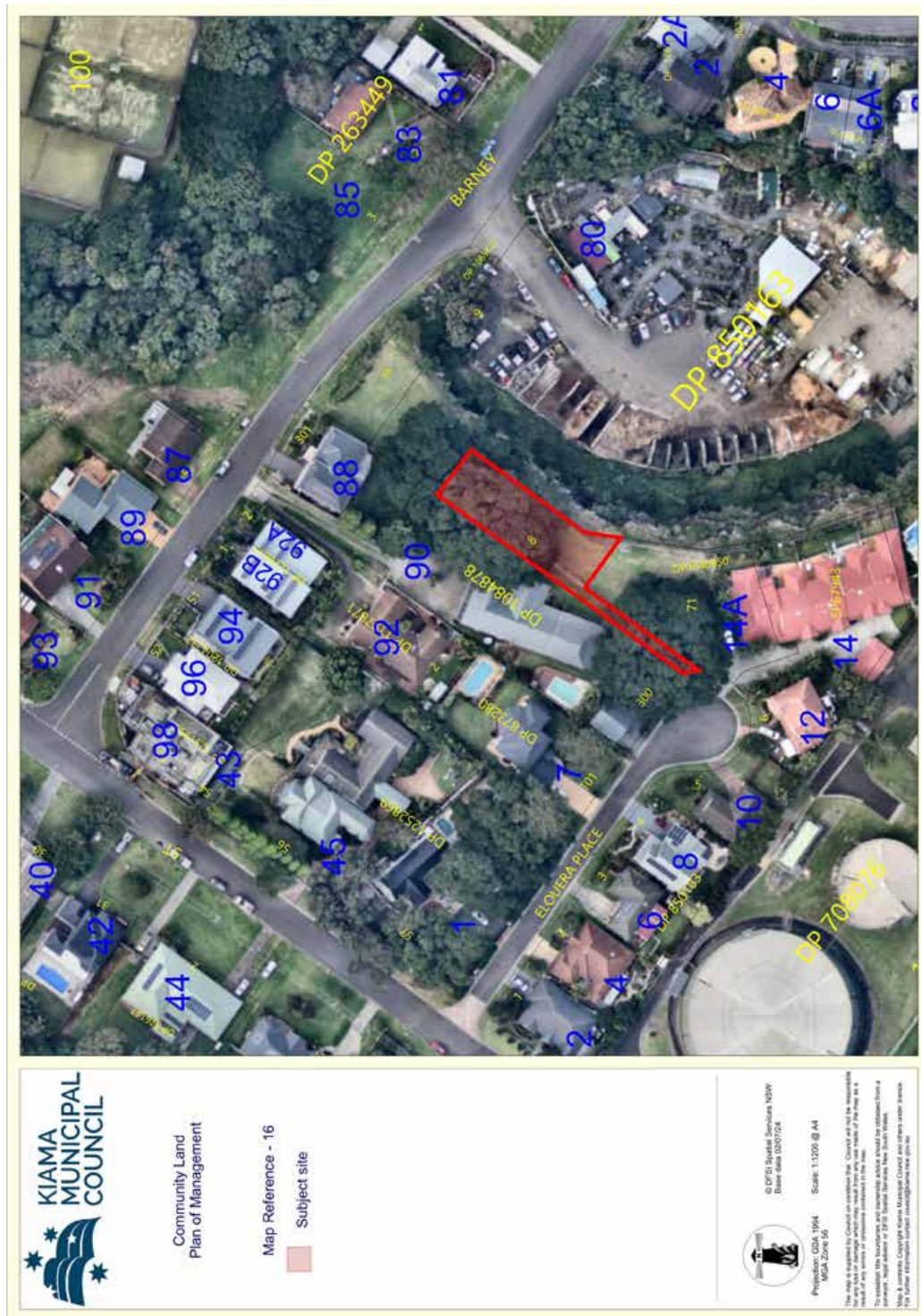
Item 14.1

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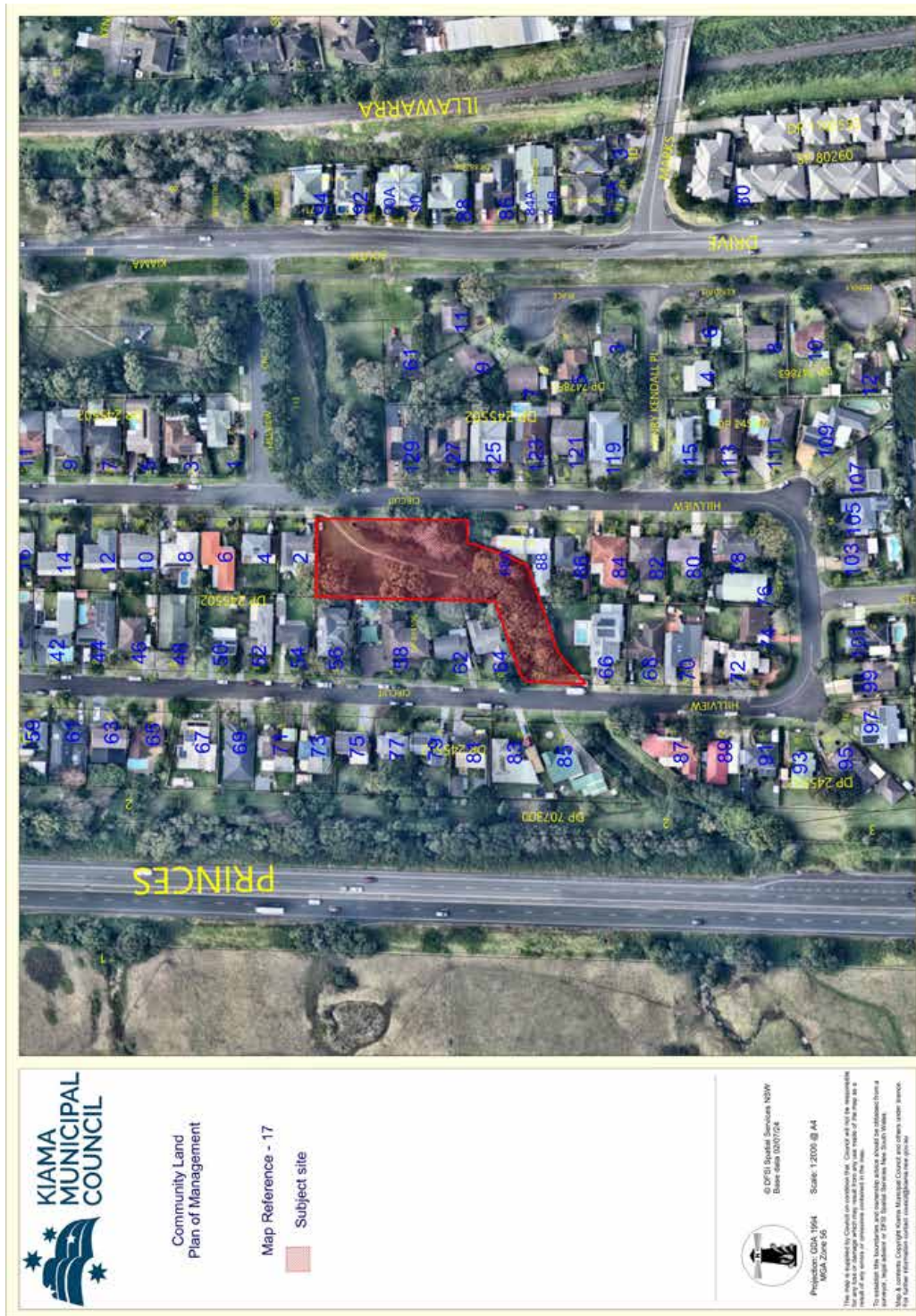
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Item 14.1

Enclosure 1

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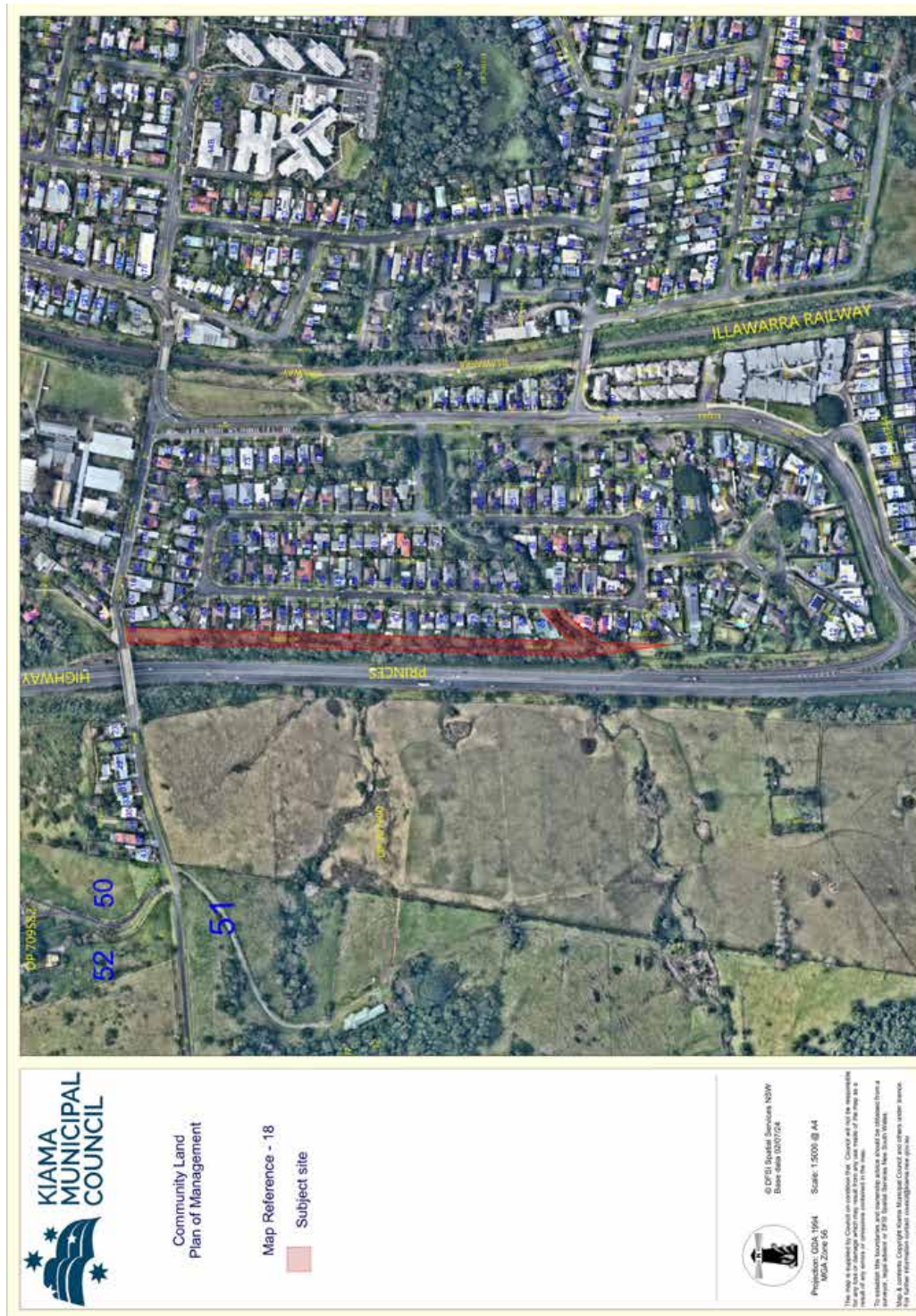


58 Community Land Plan of Management Kiama Municipal Council

Item 14.1

Enclosure 1

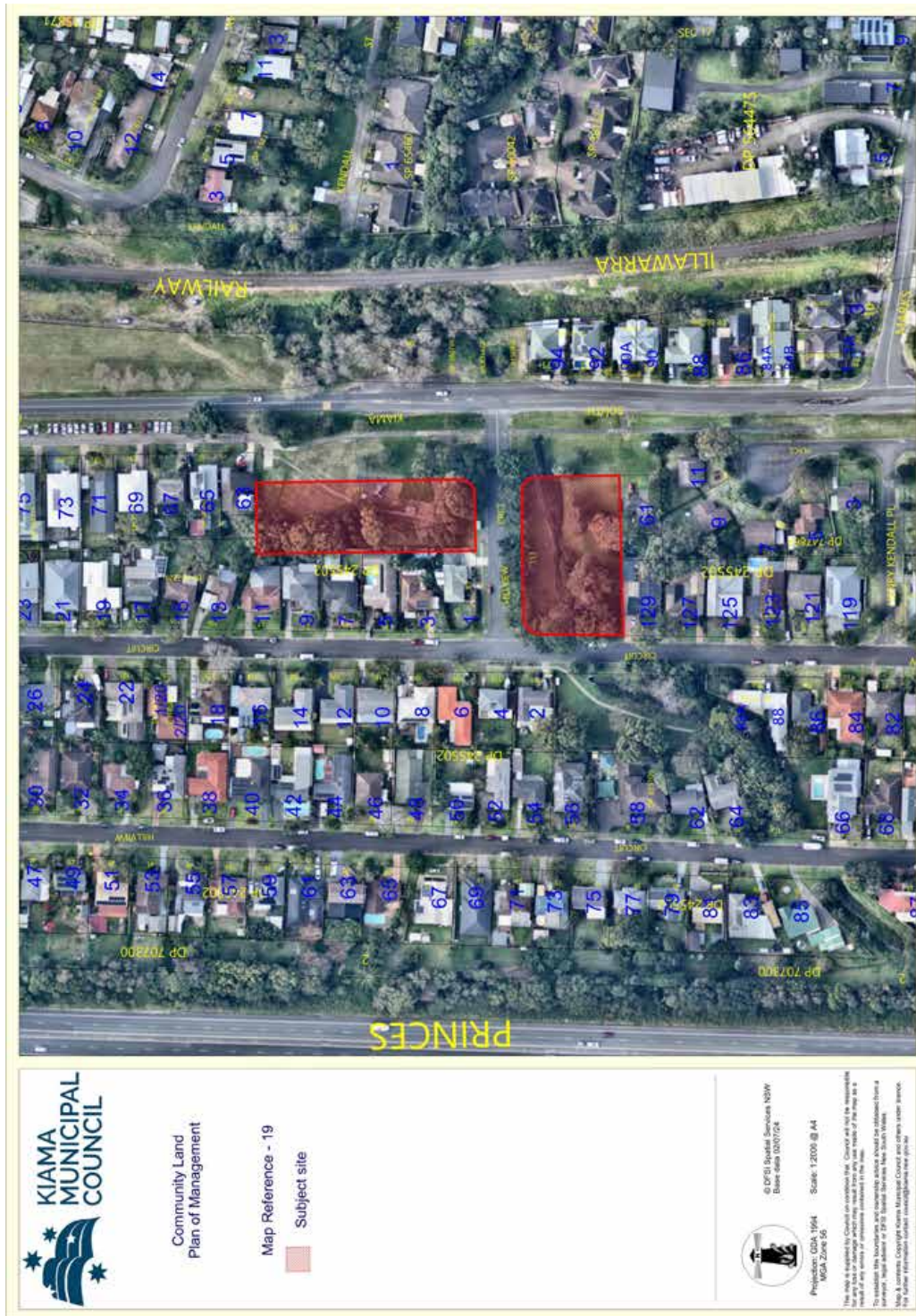
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Item 14.1

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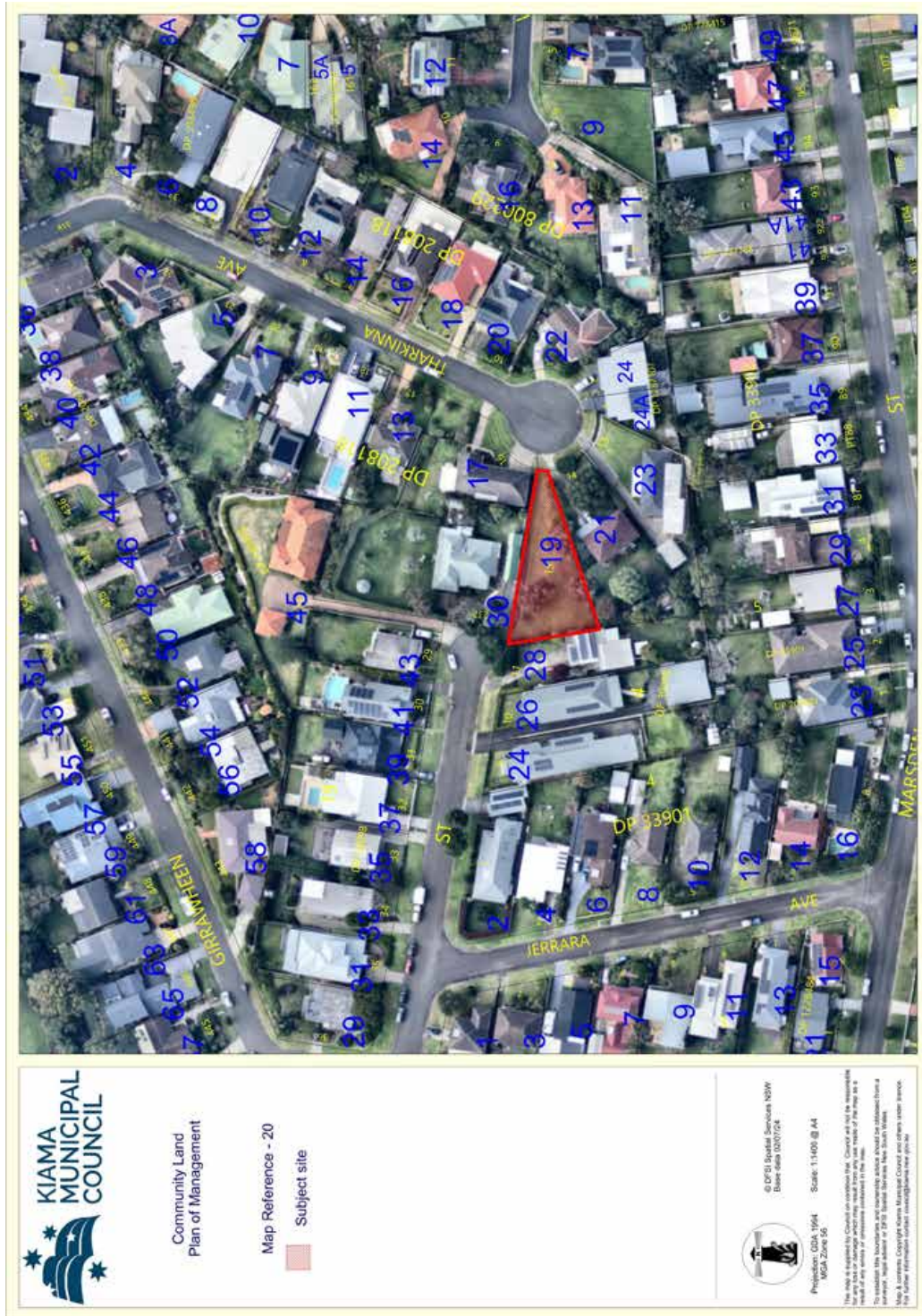
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Item 14.1

Enclosure 1

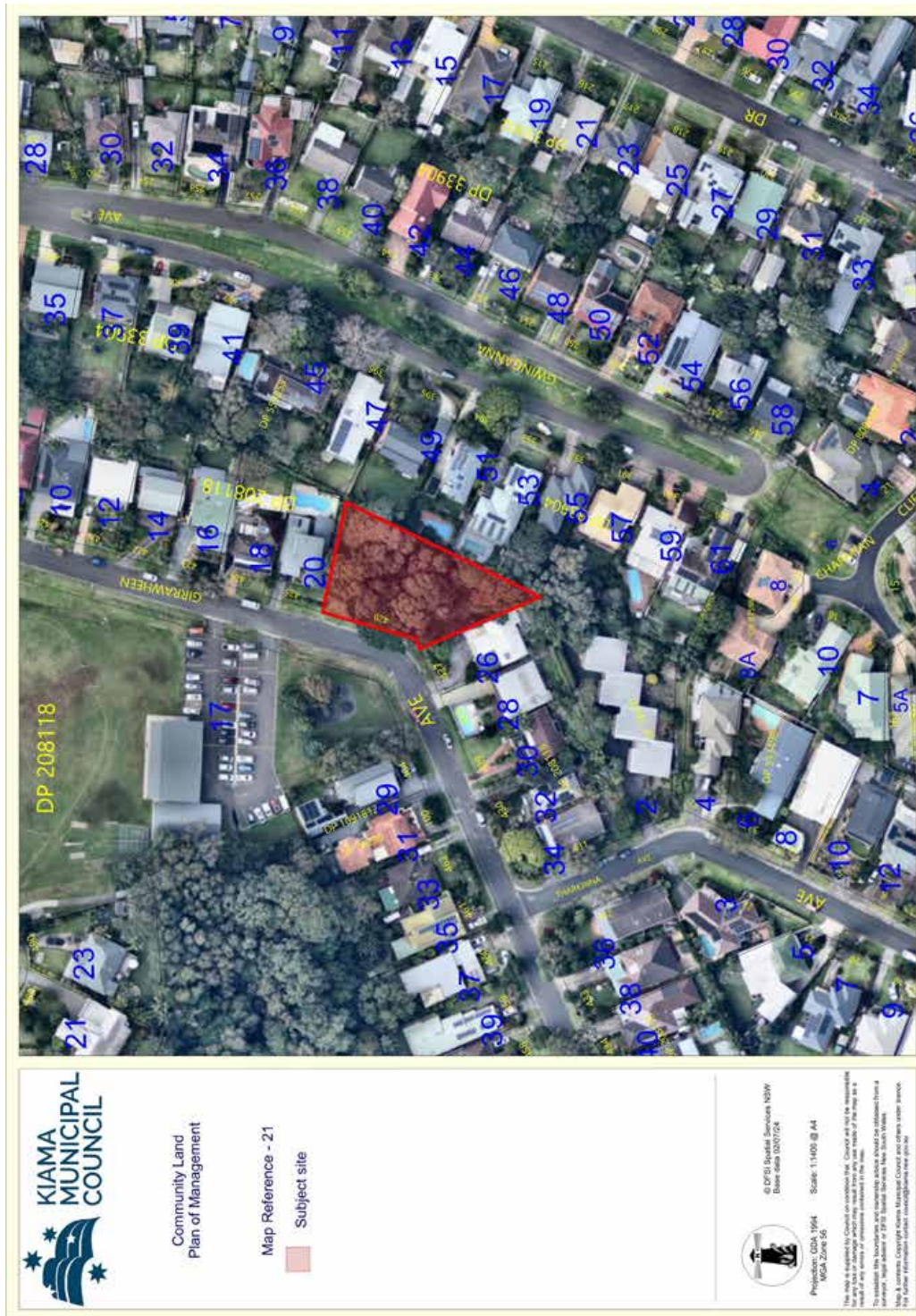
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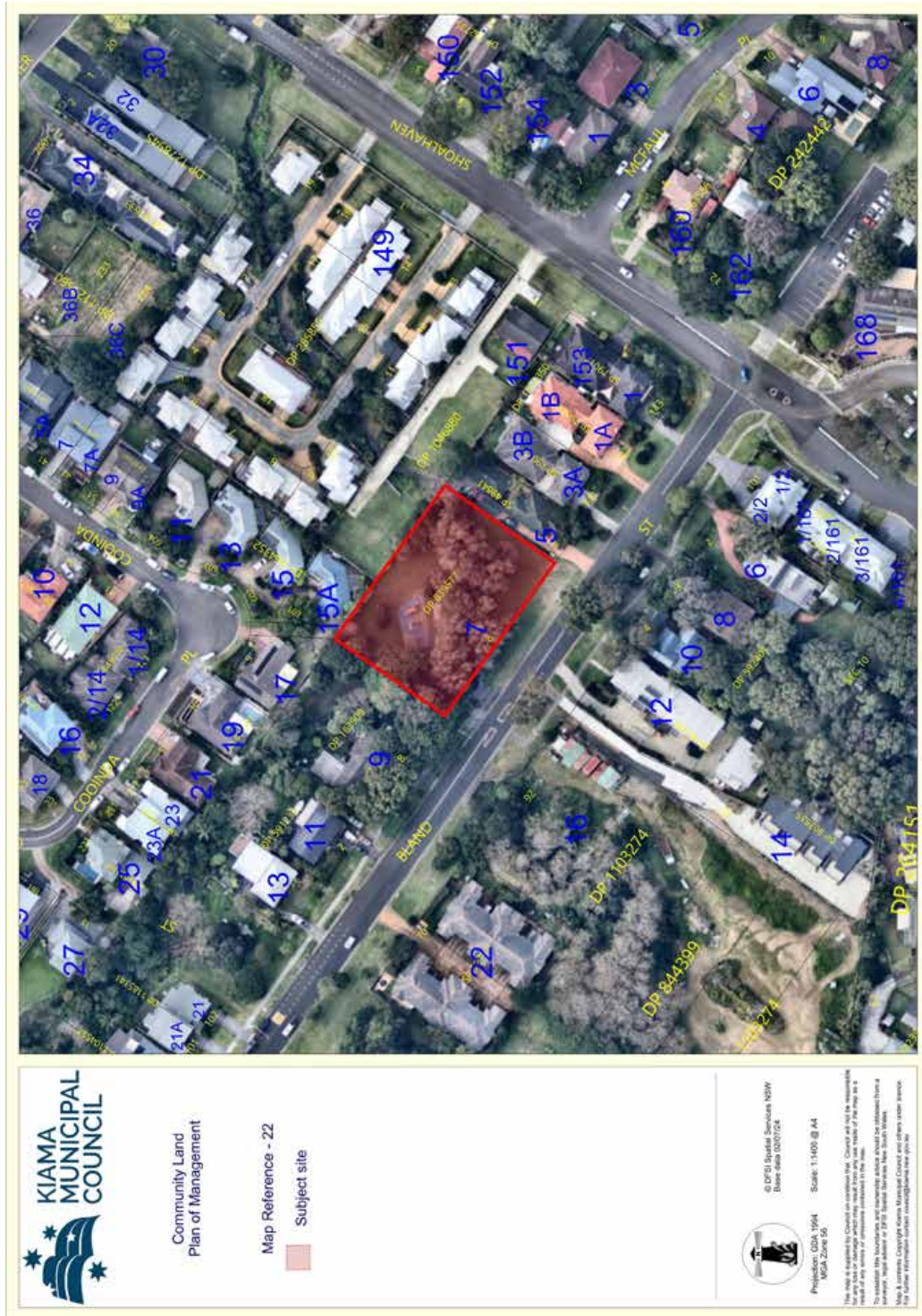
Item 14.1

Enclosure 1

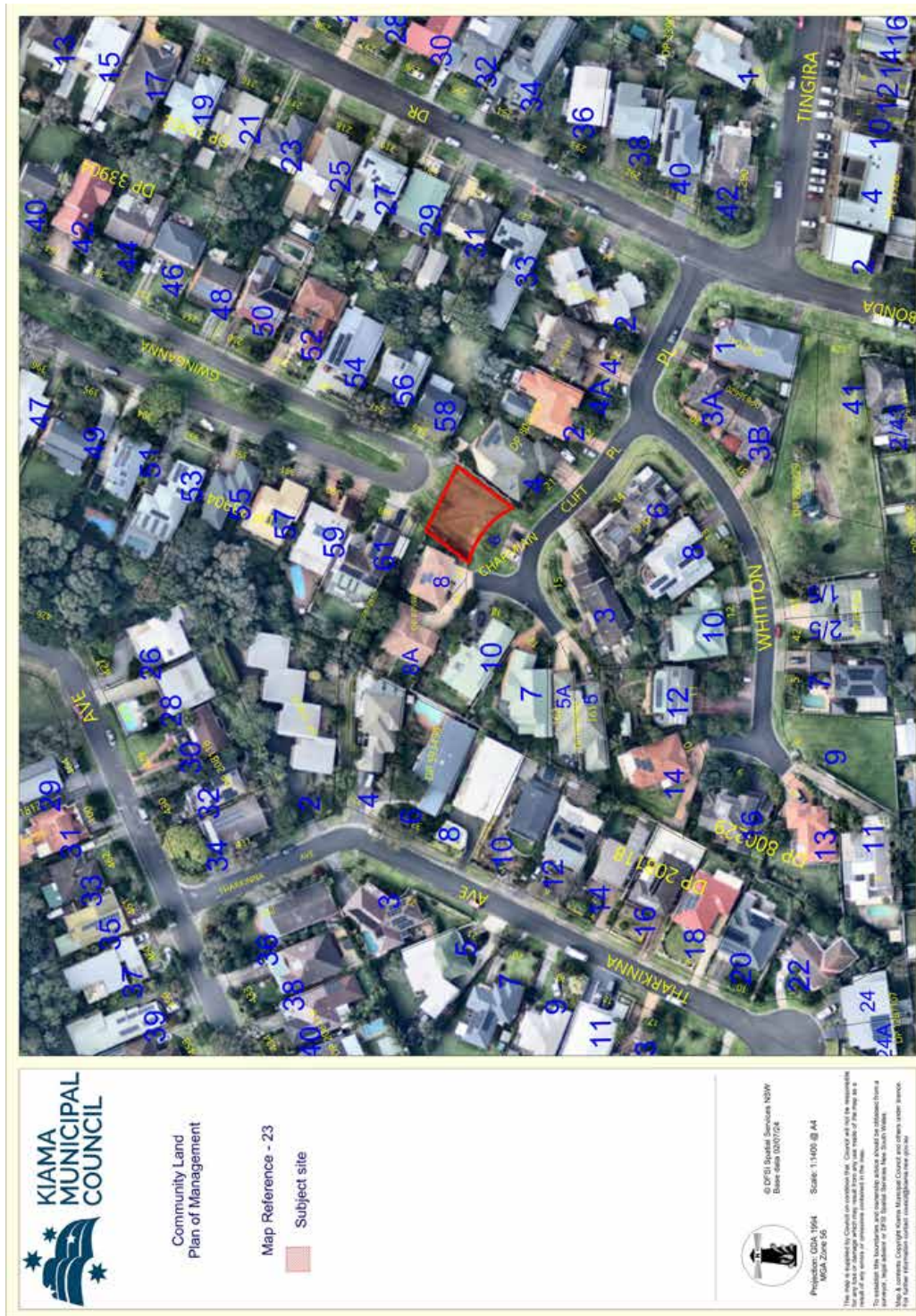
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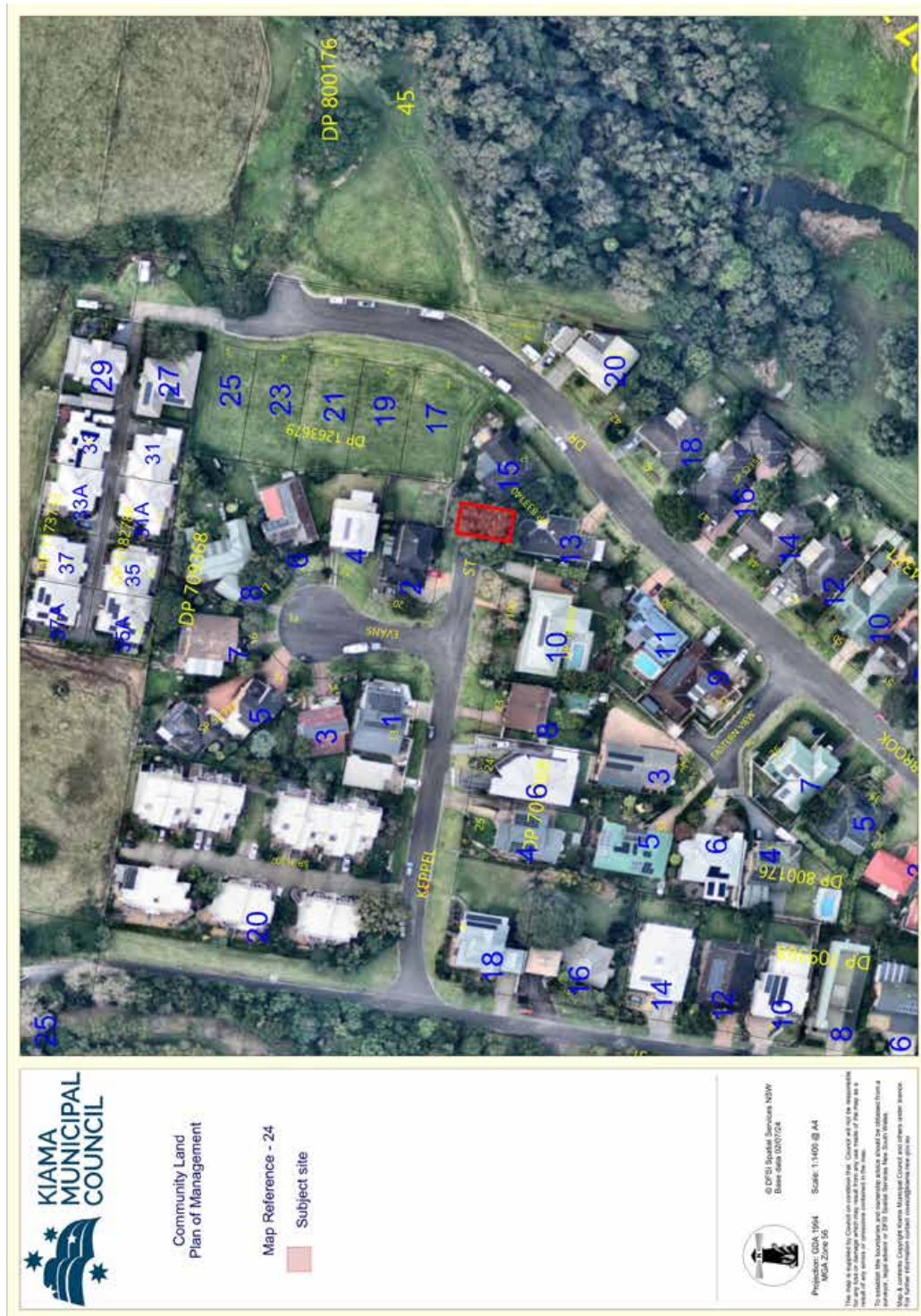
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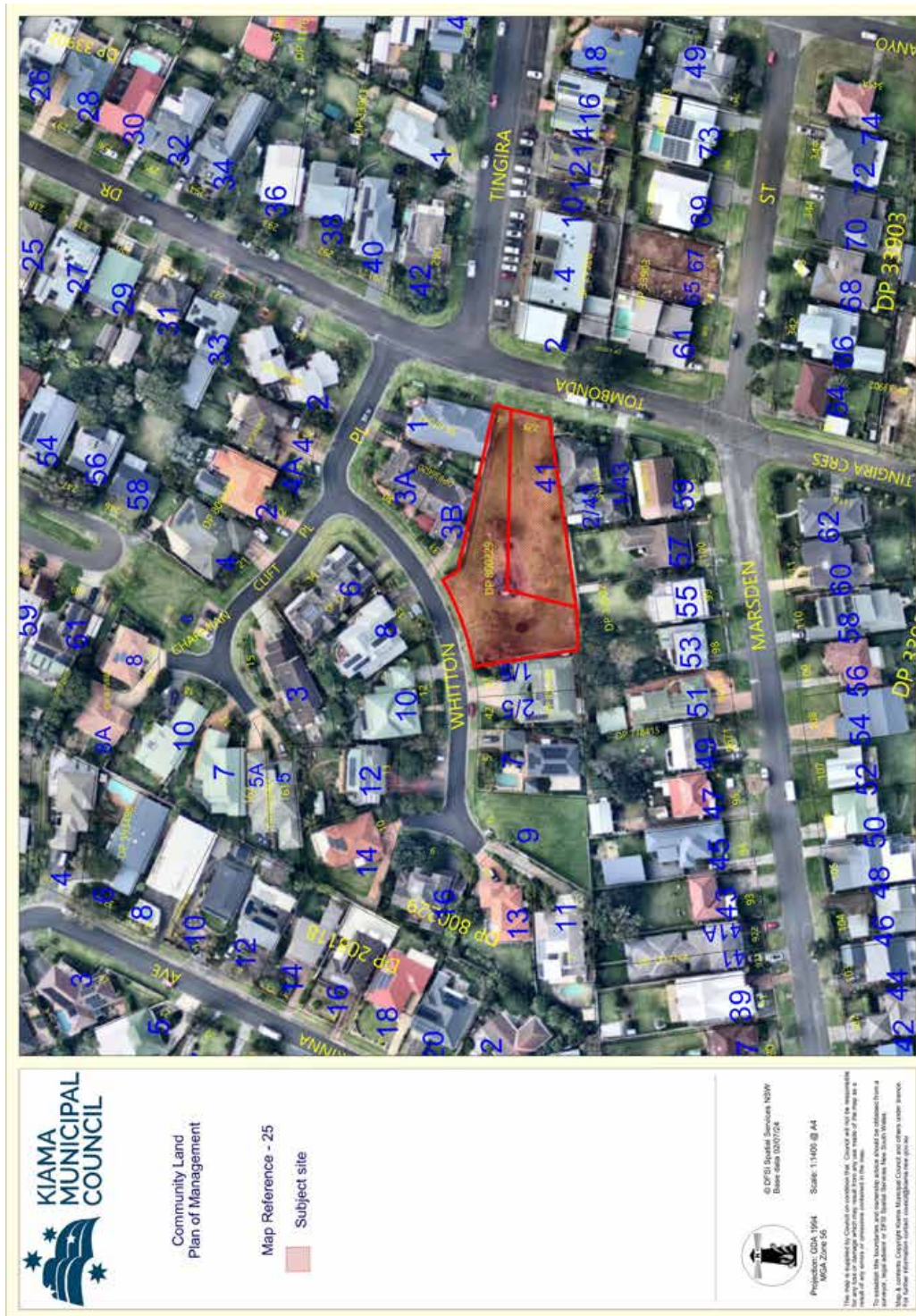
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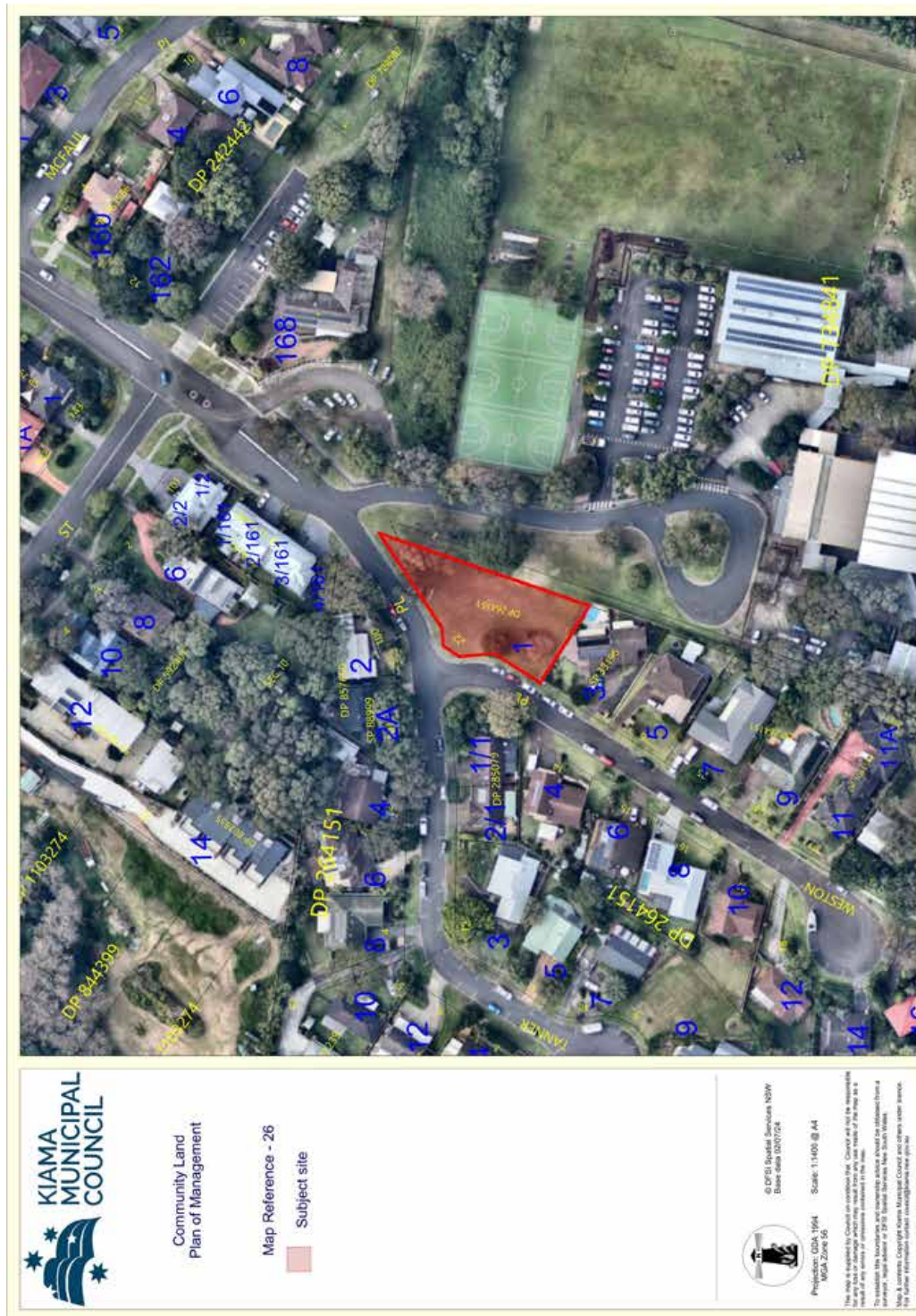
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Item 14.1

Enclosure 1

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Item 14.1

Enclosure 1

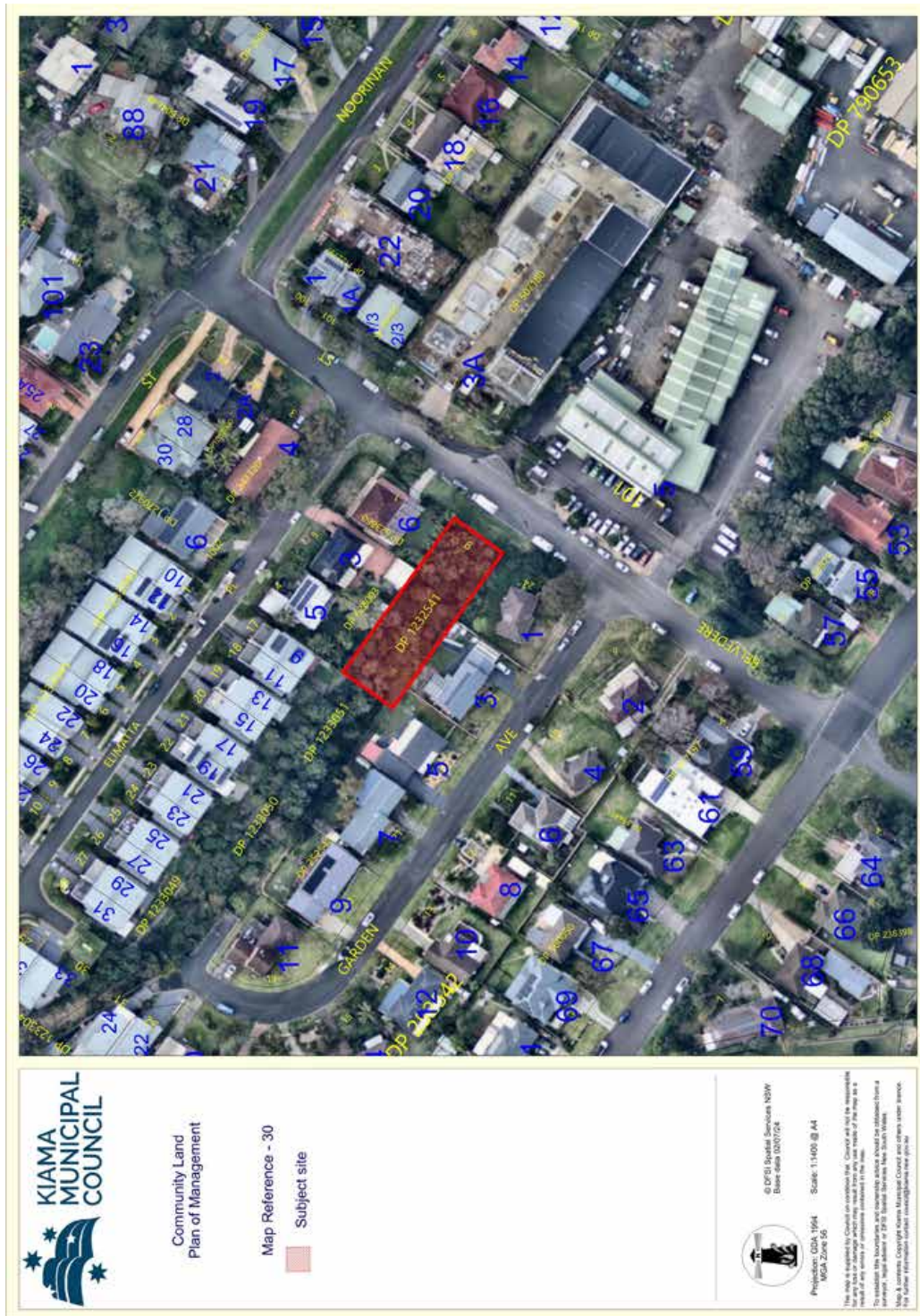
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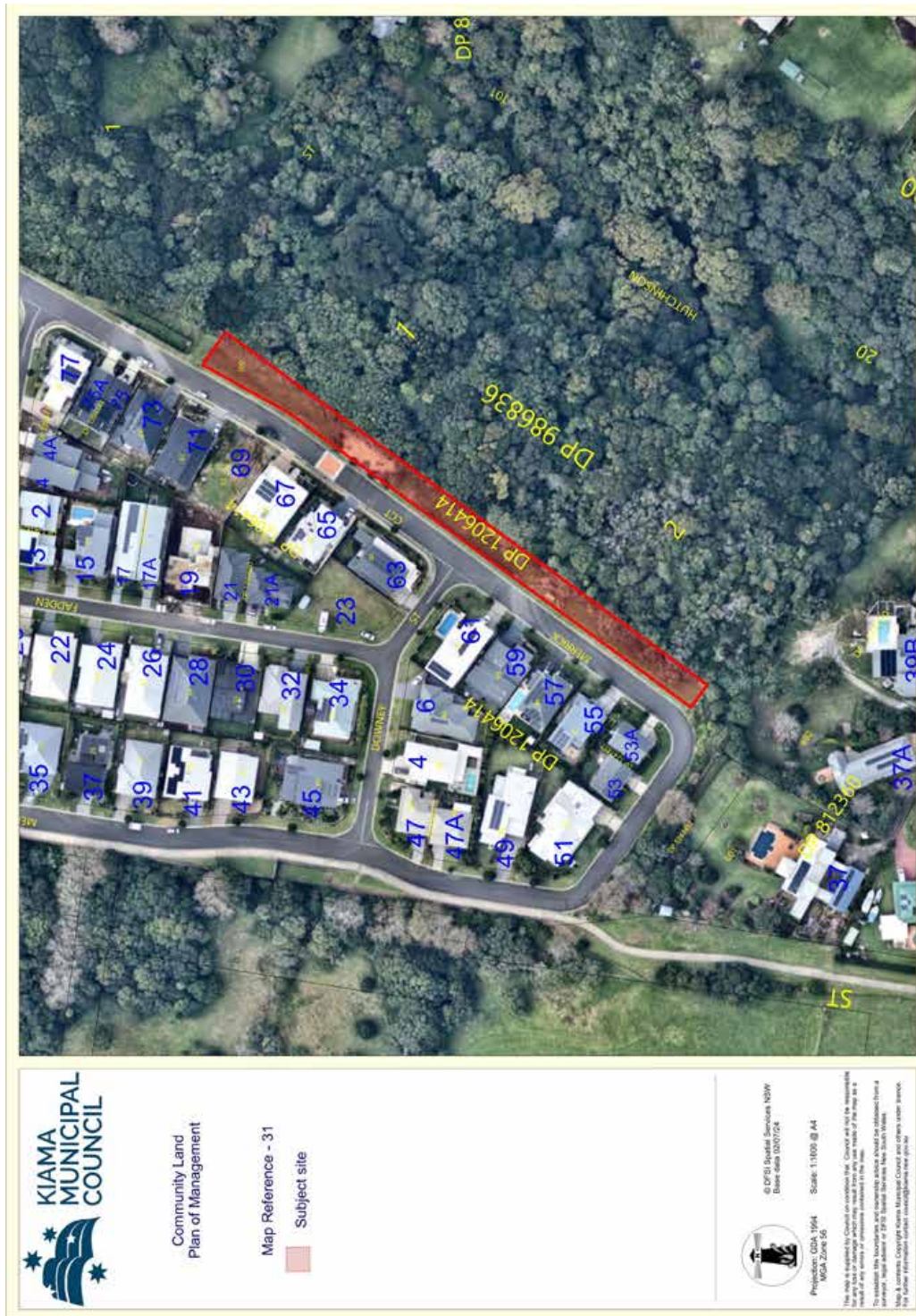
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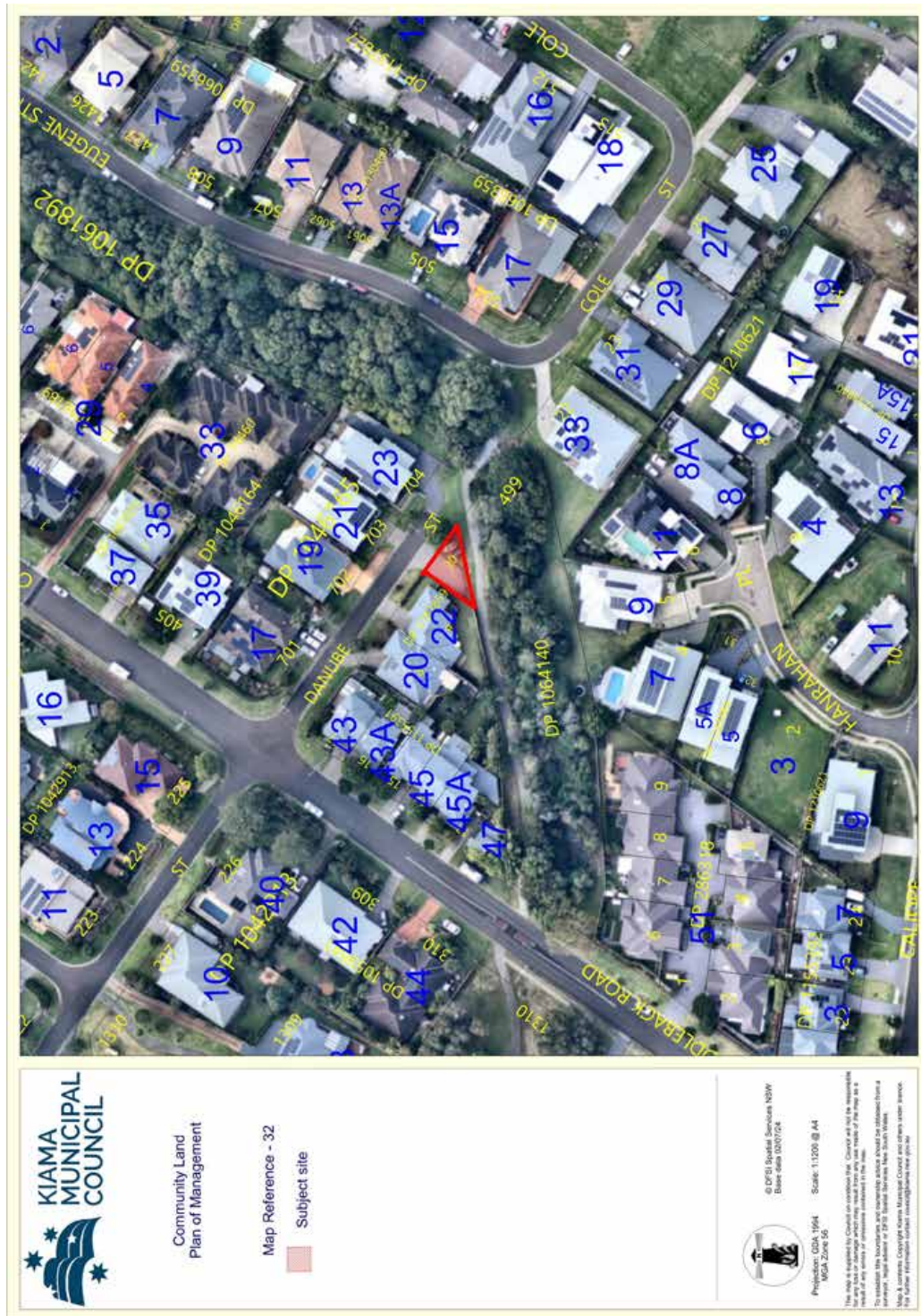
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Enclosure 1

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Item 14.1

Enclosure 1

Map Reference: 33



74 Community Land Plan of Management Kiama Municipal Council

Item 14.1

Enclosure 1

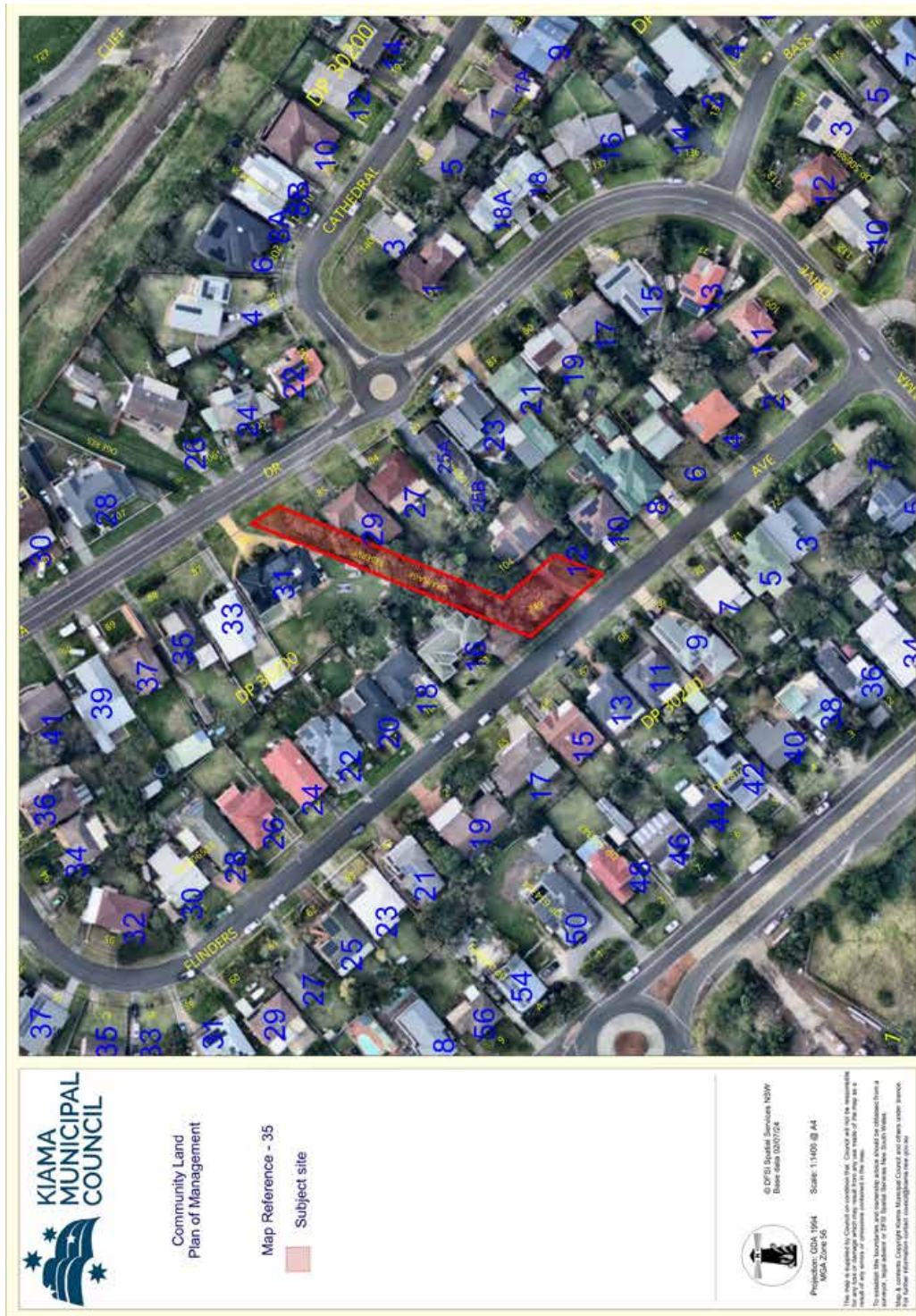
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Item 14.1

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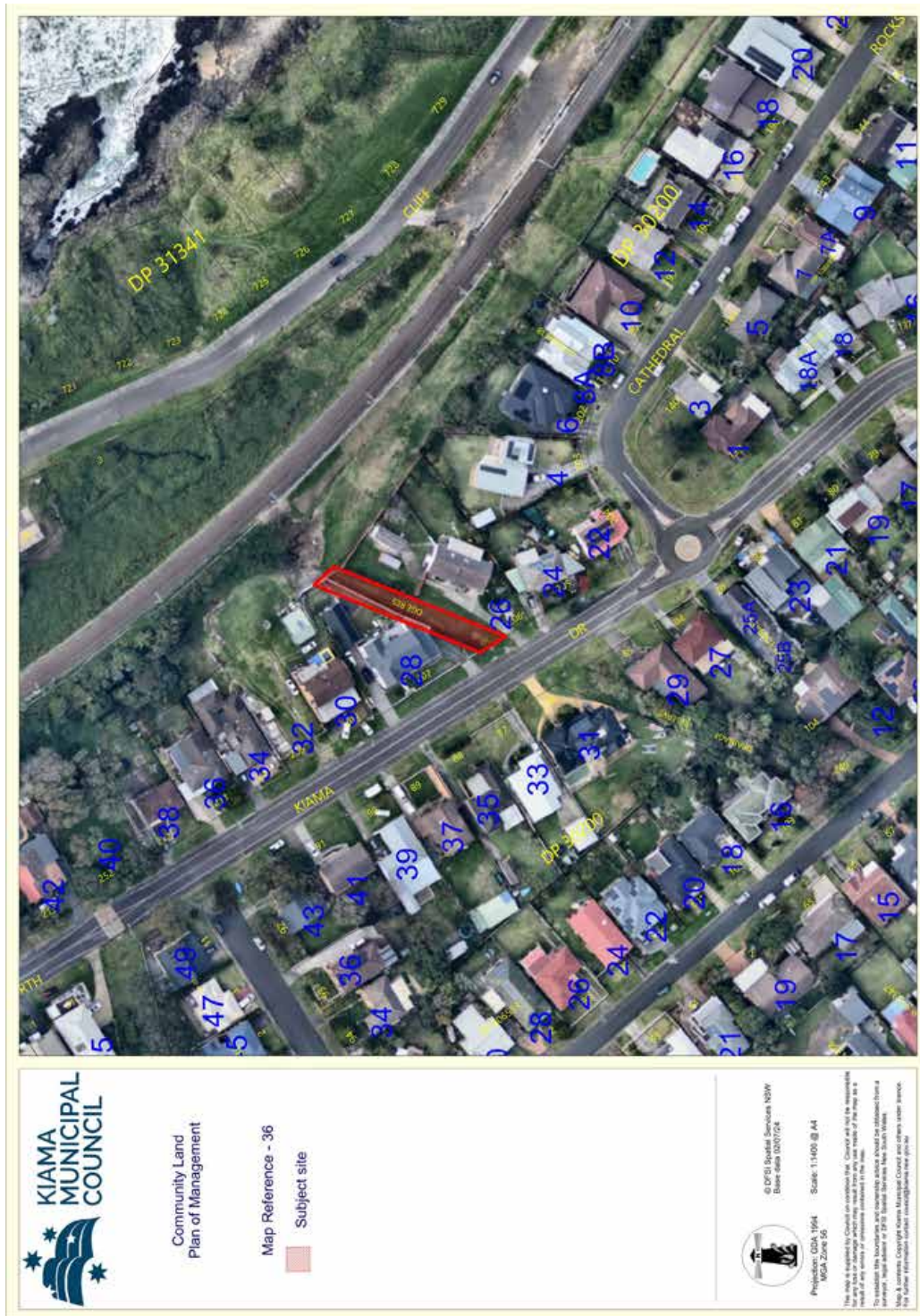


76 Community Land Plan of Management Kiama Municipal Council

Item 14.1

Enclosure 1

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Item 14.1

Enclosure 1

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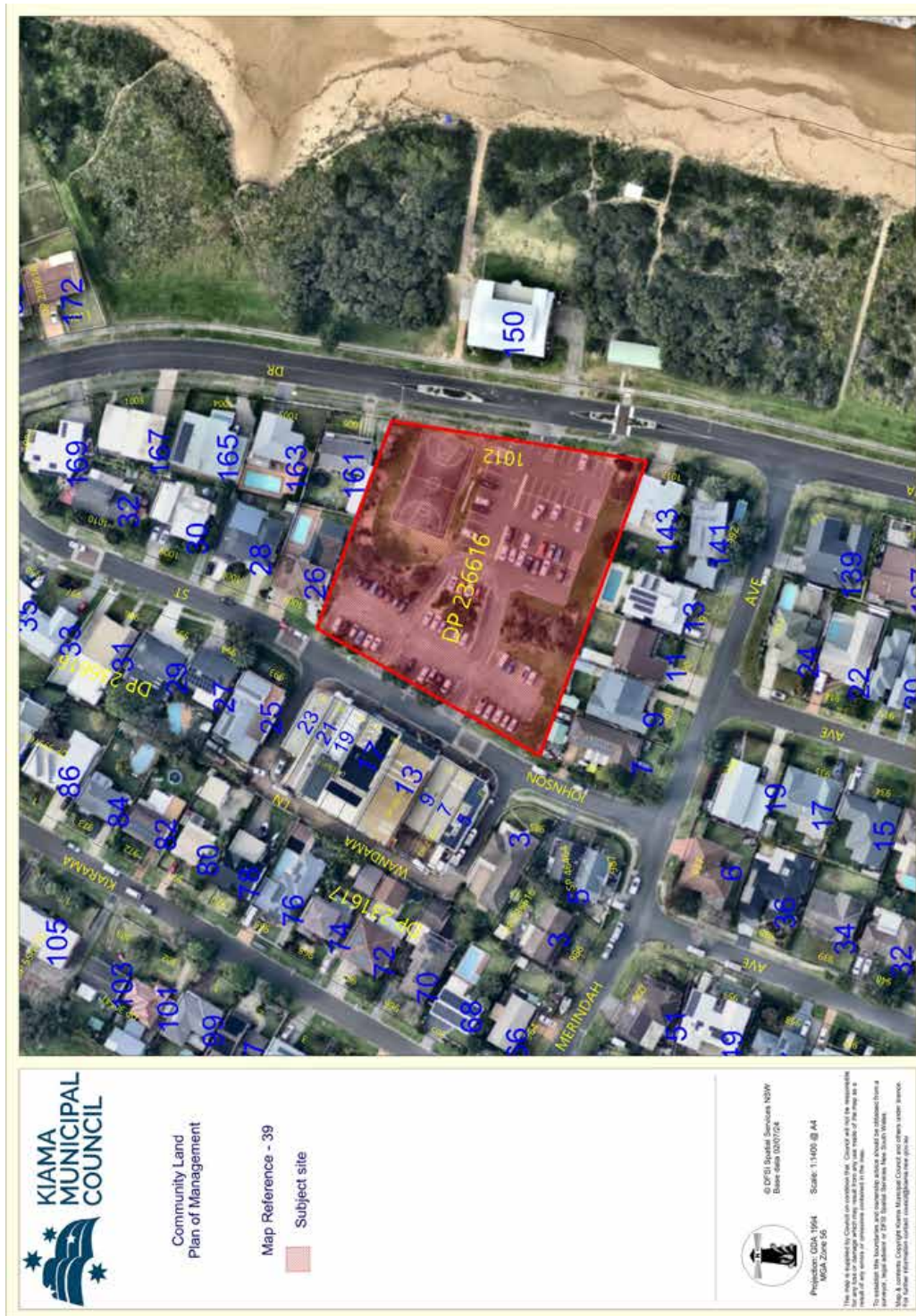
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Item 14.1

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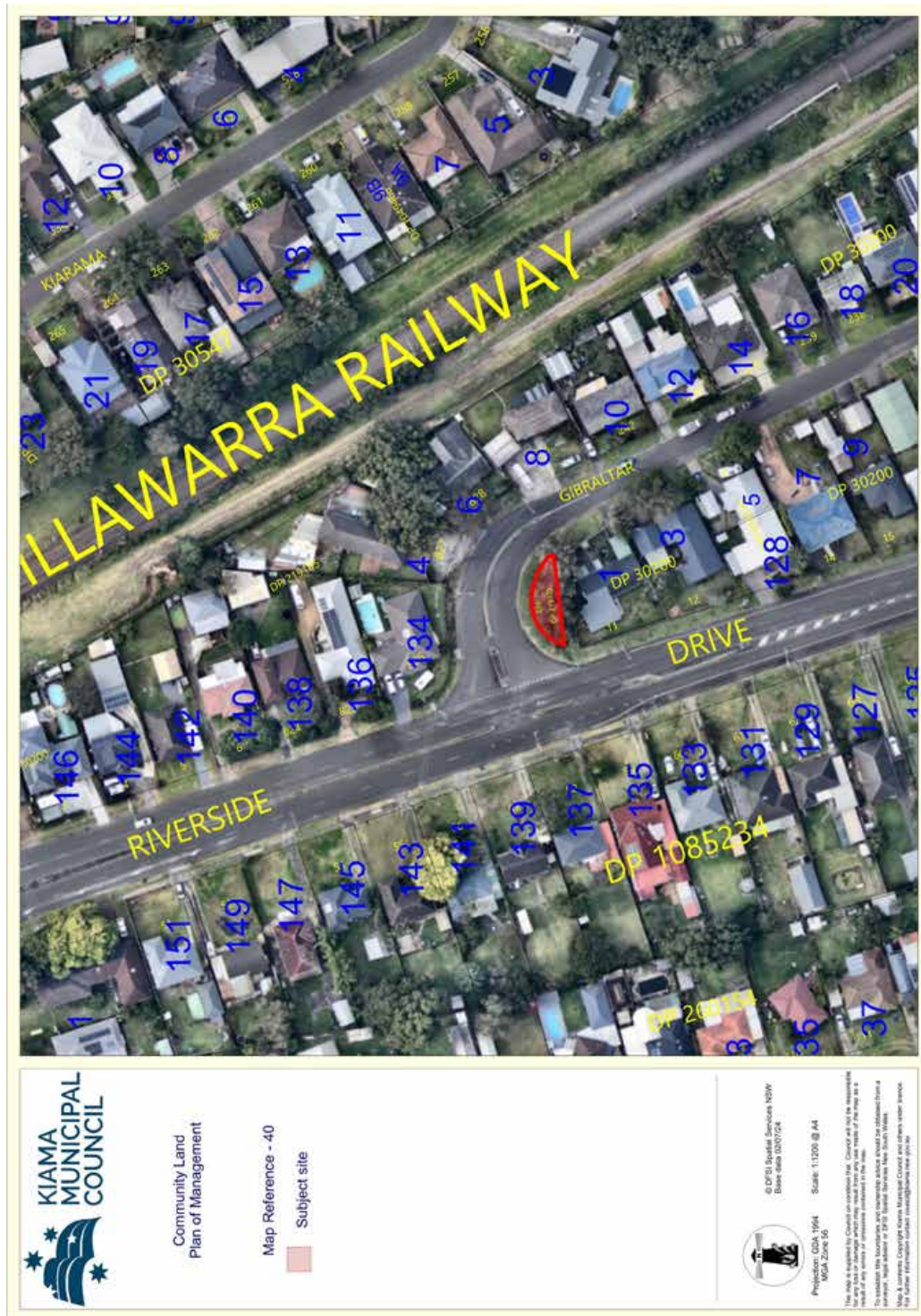


80 Community Land Plan of Management Kiama Municipal Council

Item 14.1

Enclosure 1

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Map Reference: 41



82 Community Land Plan of Management Kiama Municipal Council

Item 14.1

Enclosure 1

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Item 14.1

Enclosure 1

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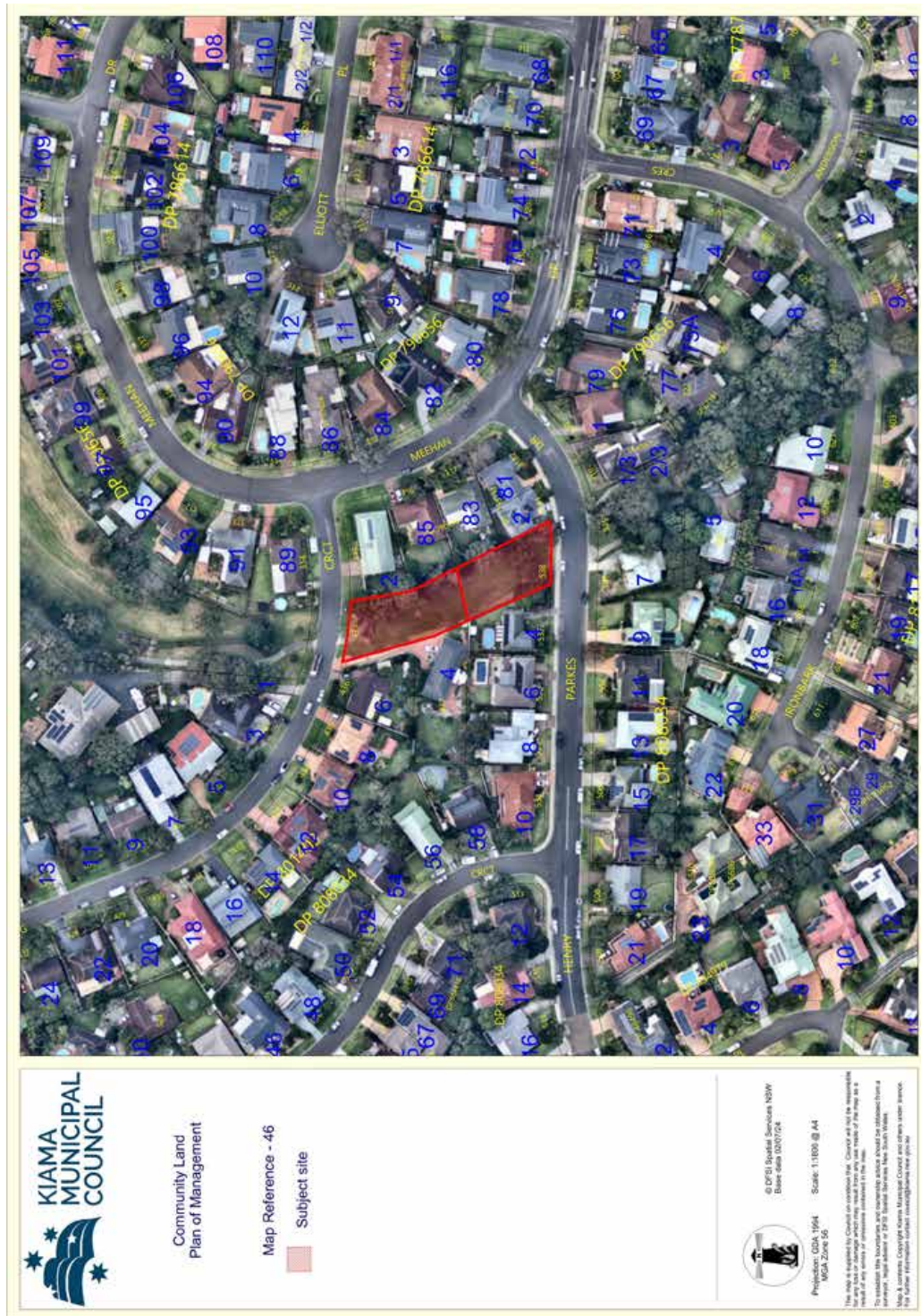
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Item 14.1

Enclosure 1

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Item 14.1

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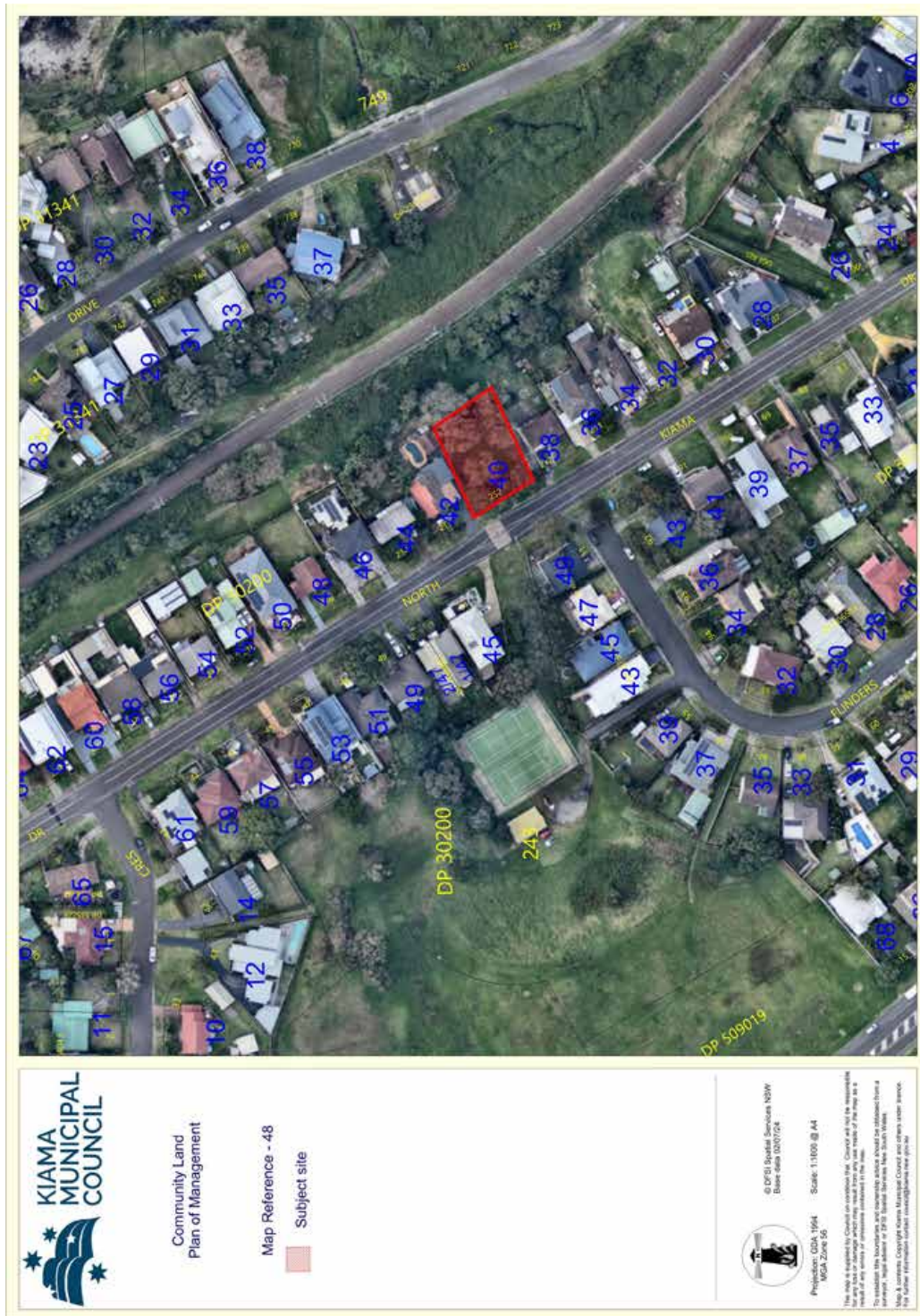
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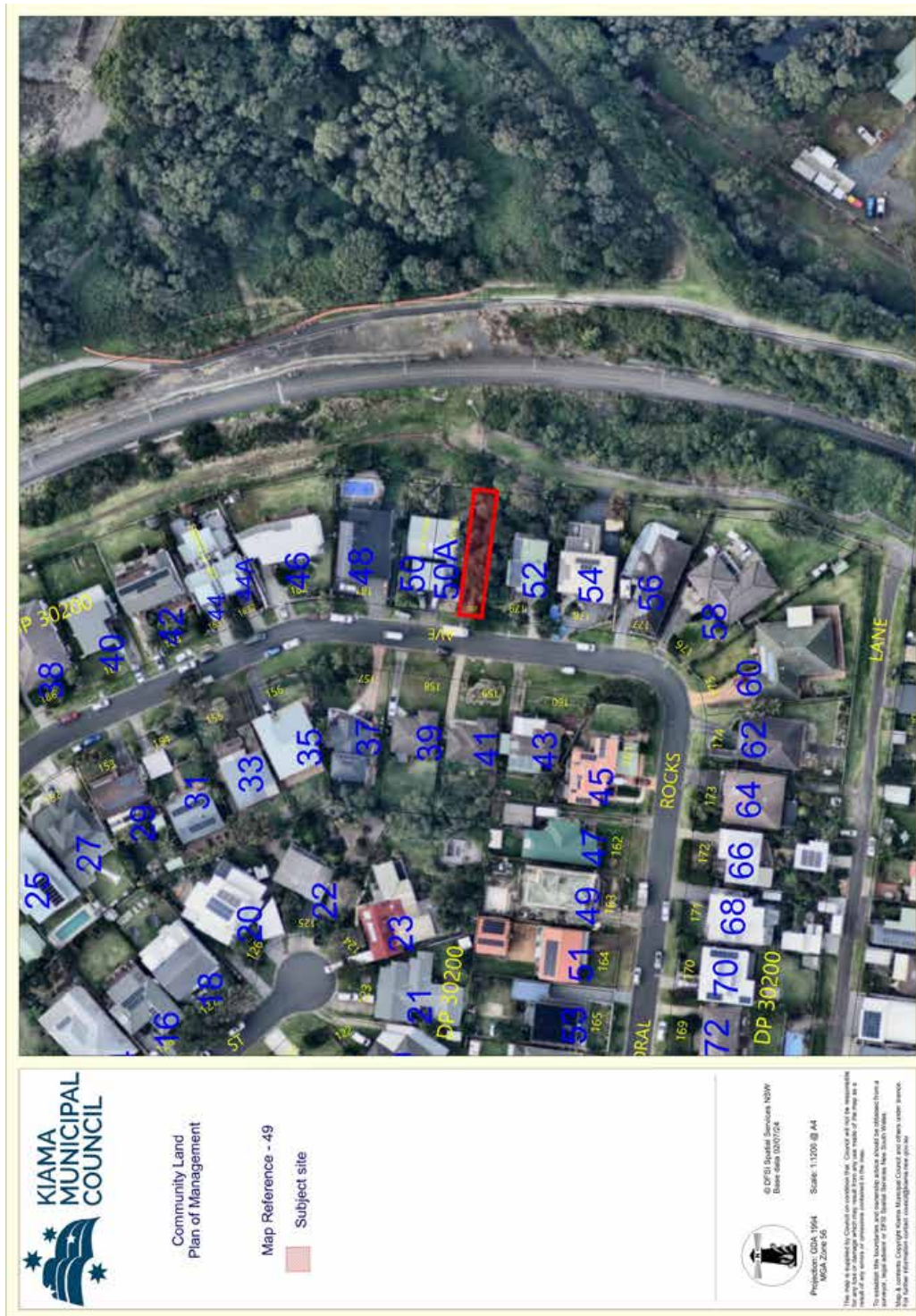
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Item 14.1

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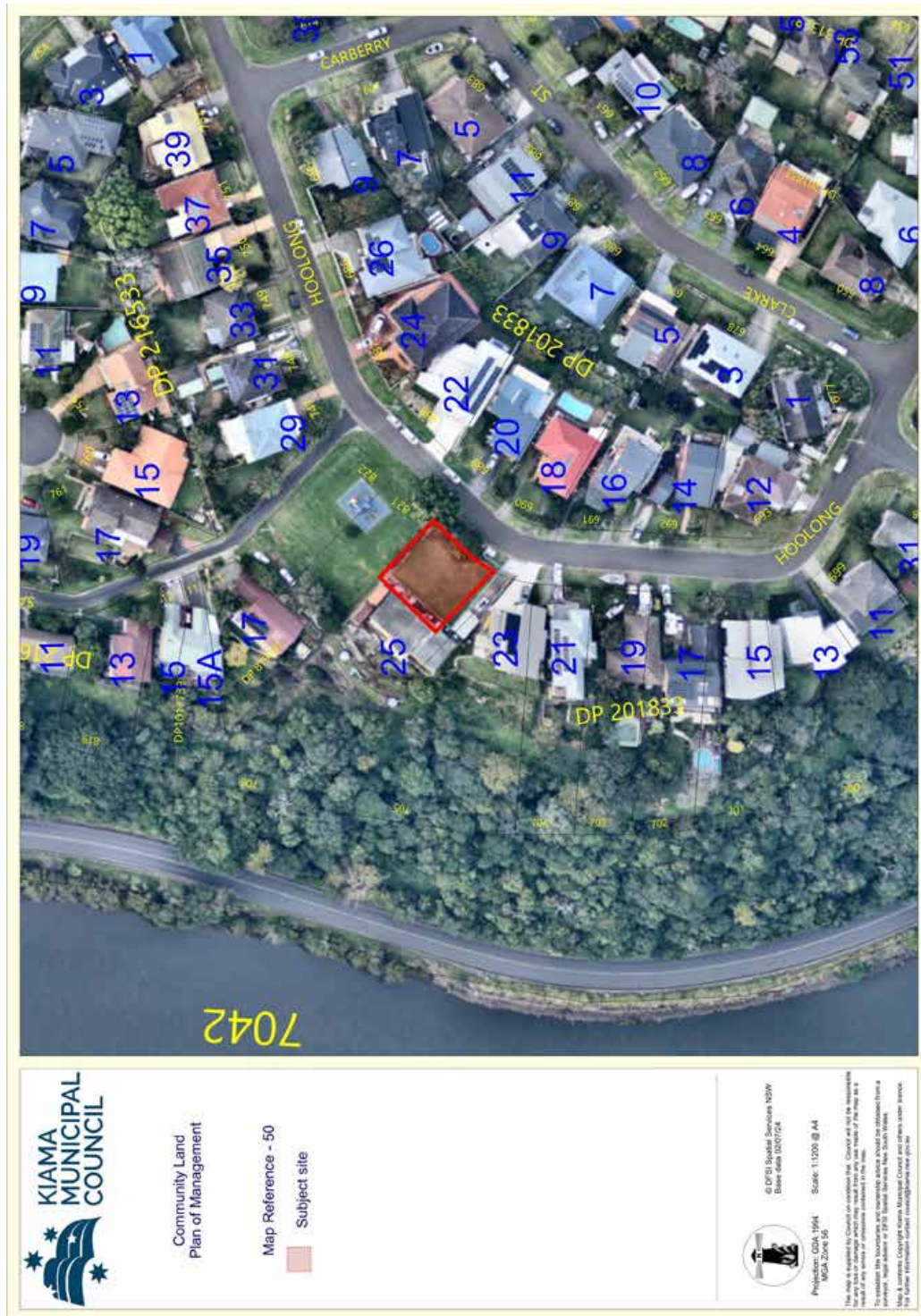


90 Community Land Plan of Management Kiama Municipal Council

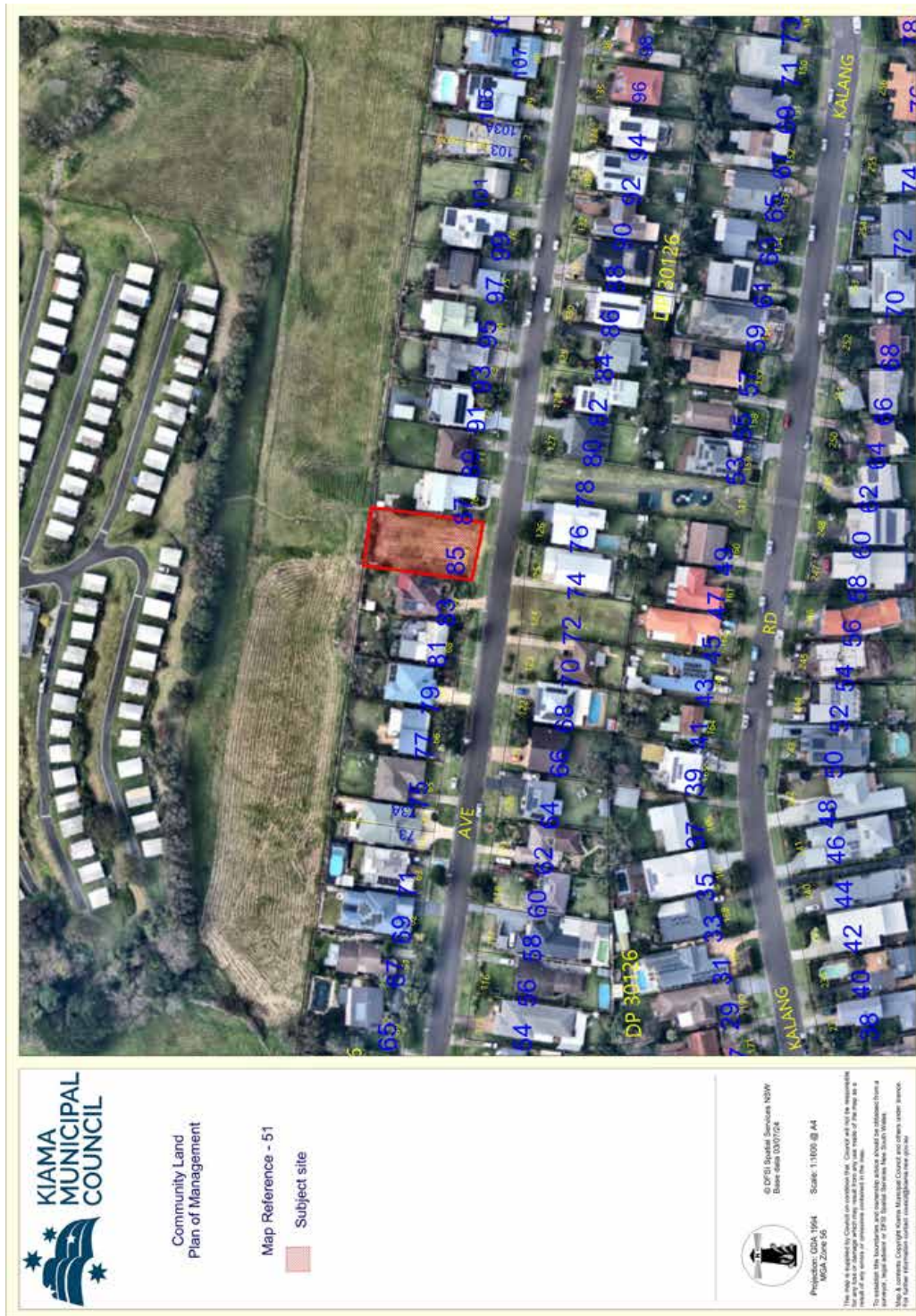
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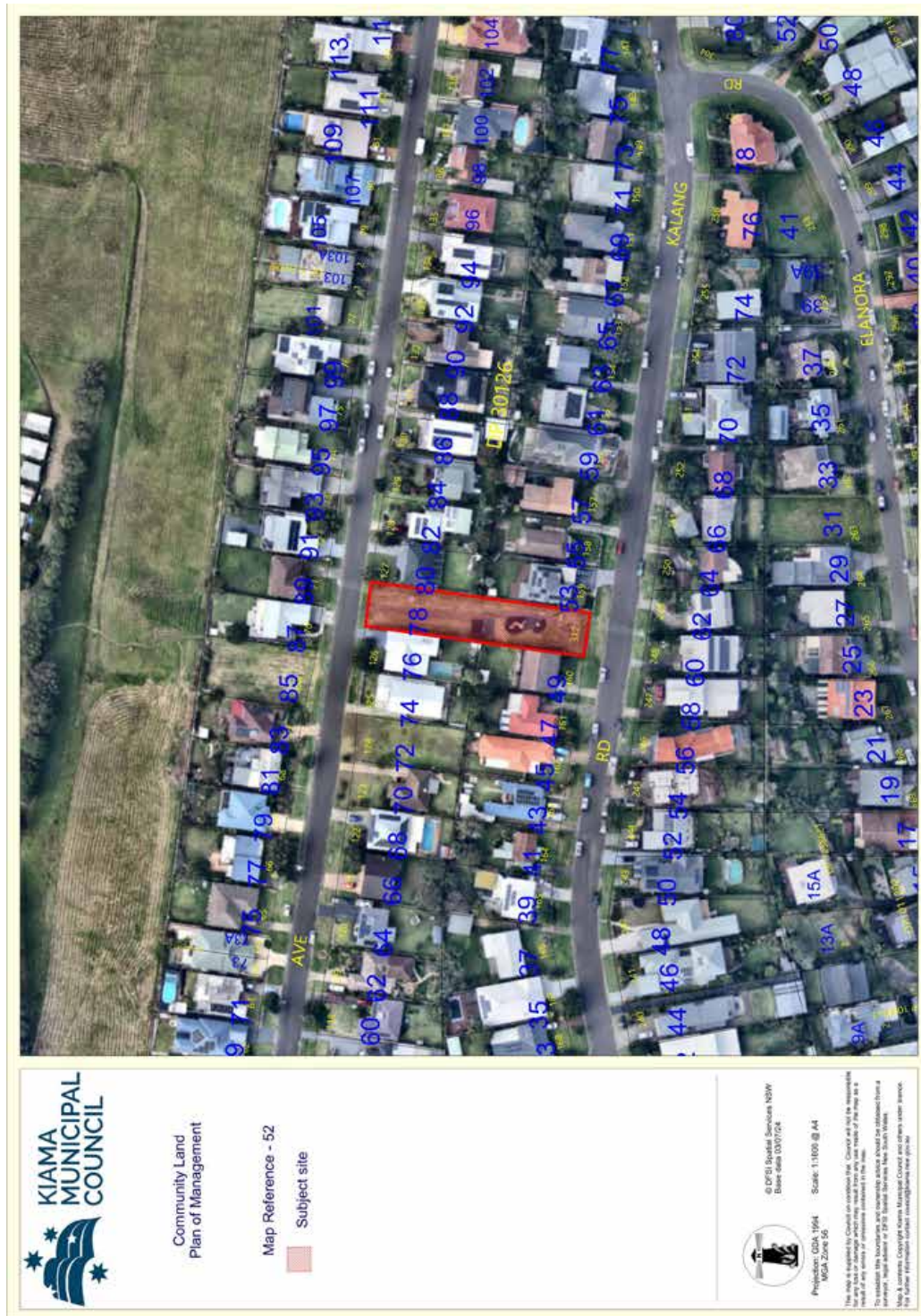


92 Community Land Plan of Management Kiama Municipal Council

Item 14.1

Enclosure 1

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94 Community Land Plan of Management Kiama Municipal Council

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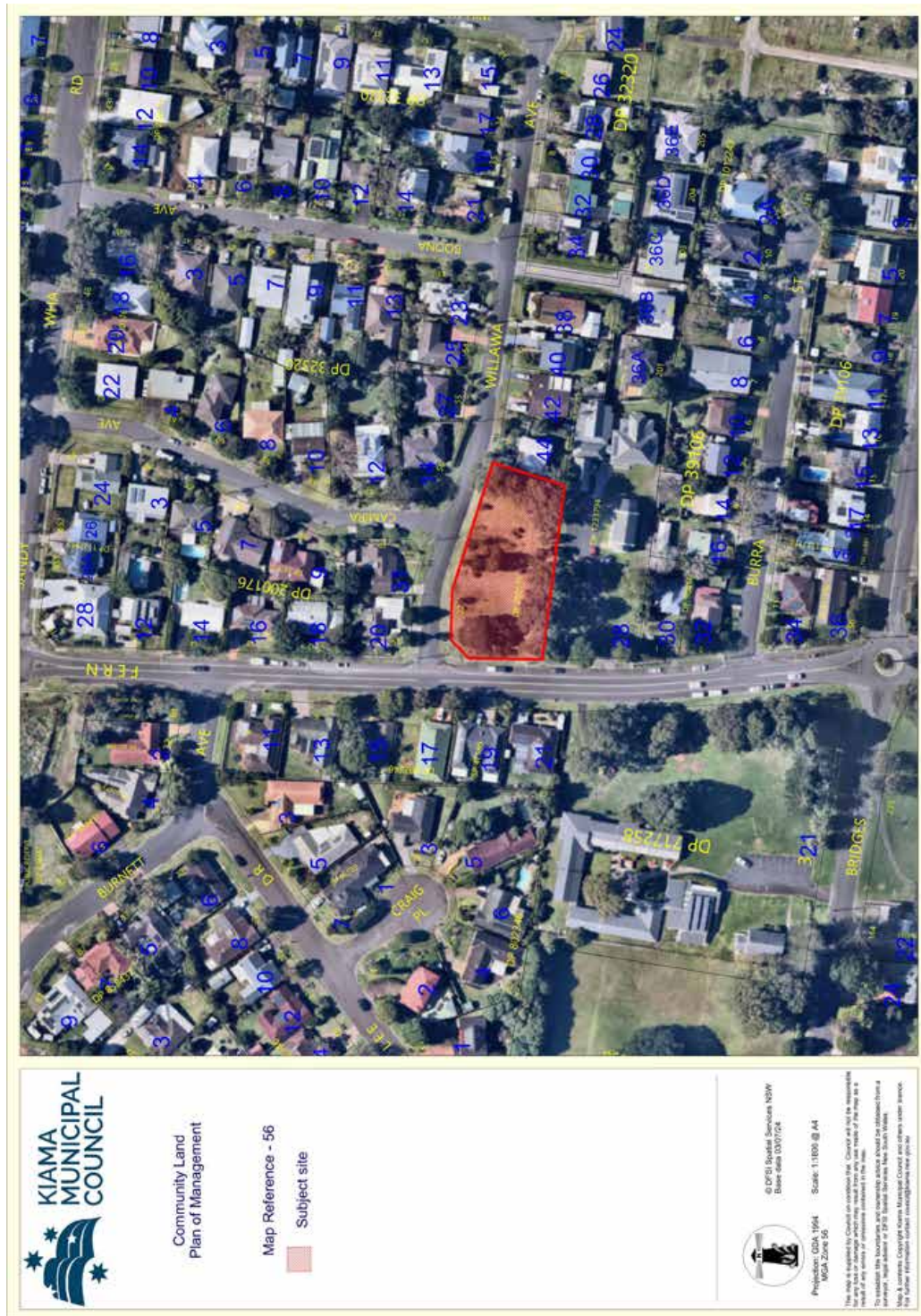


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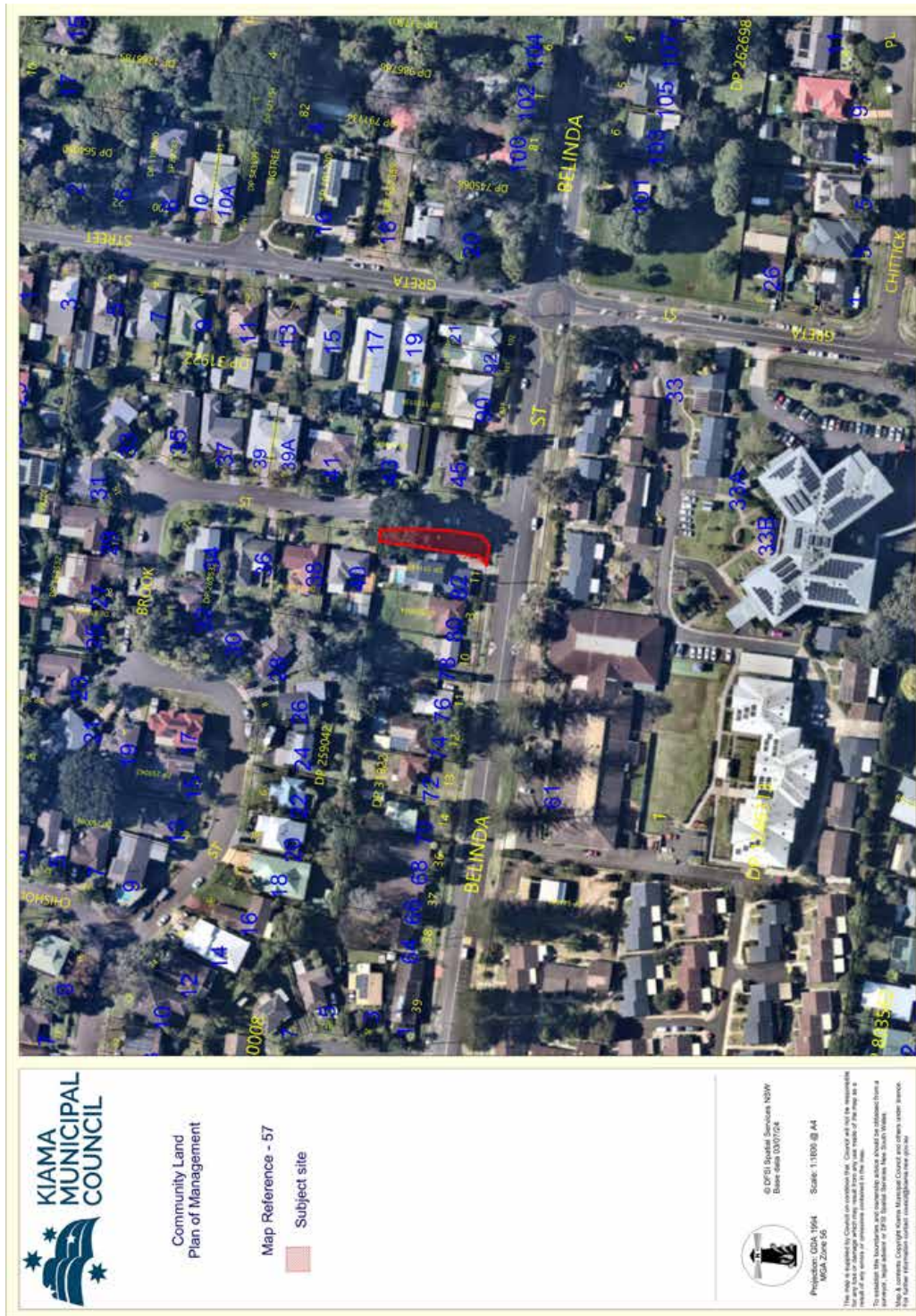
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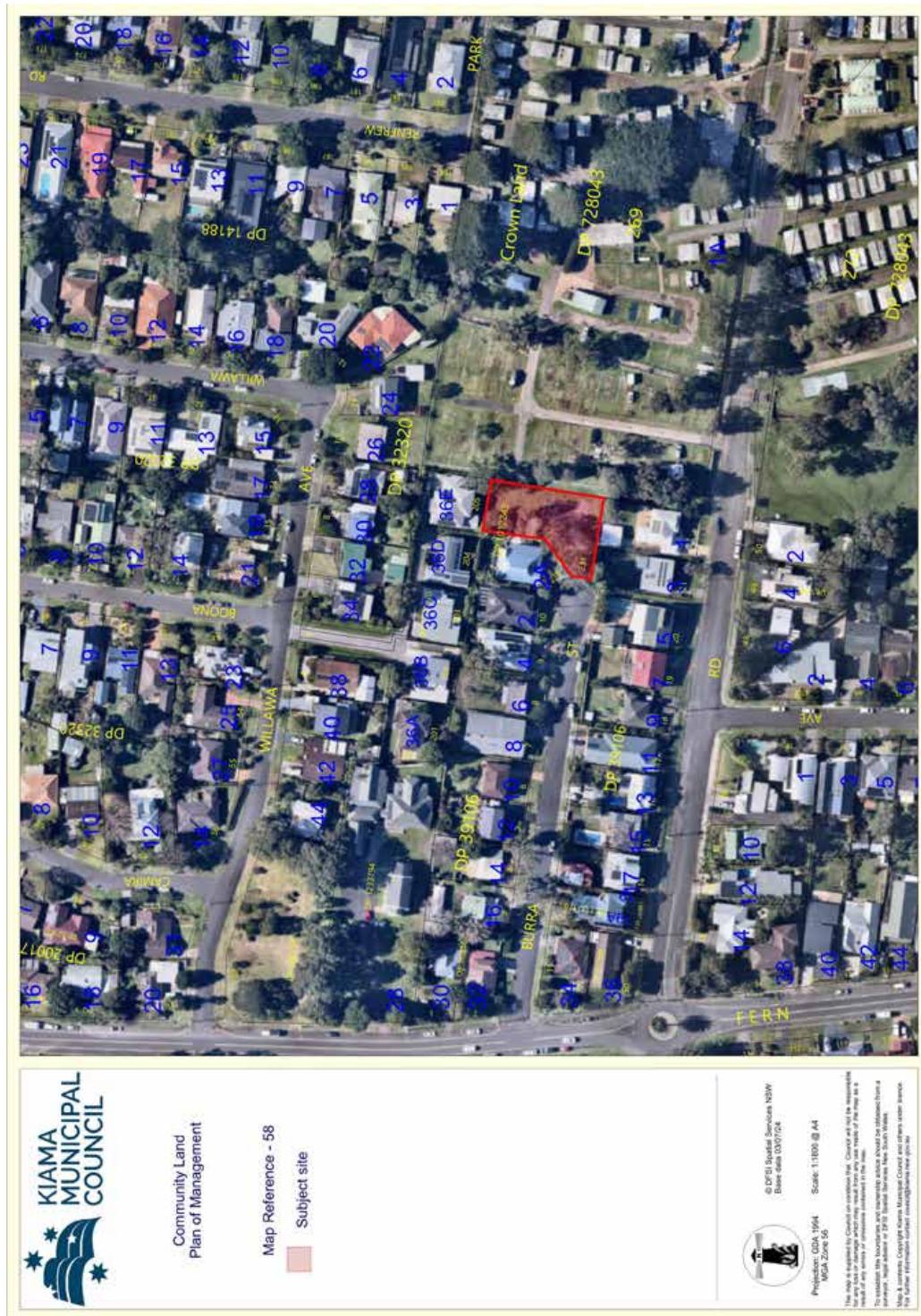
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Item 14.1

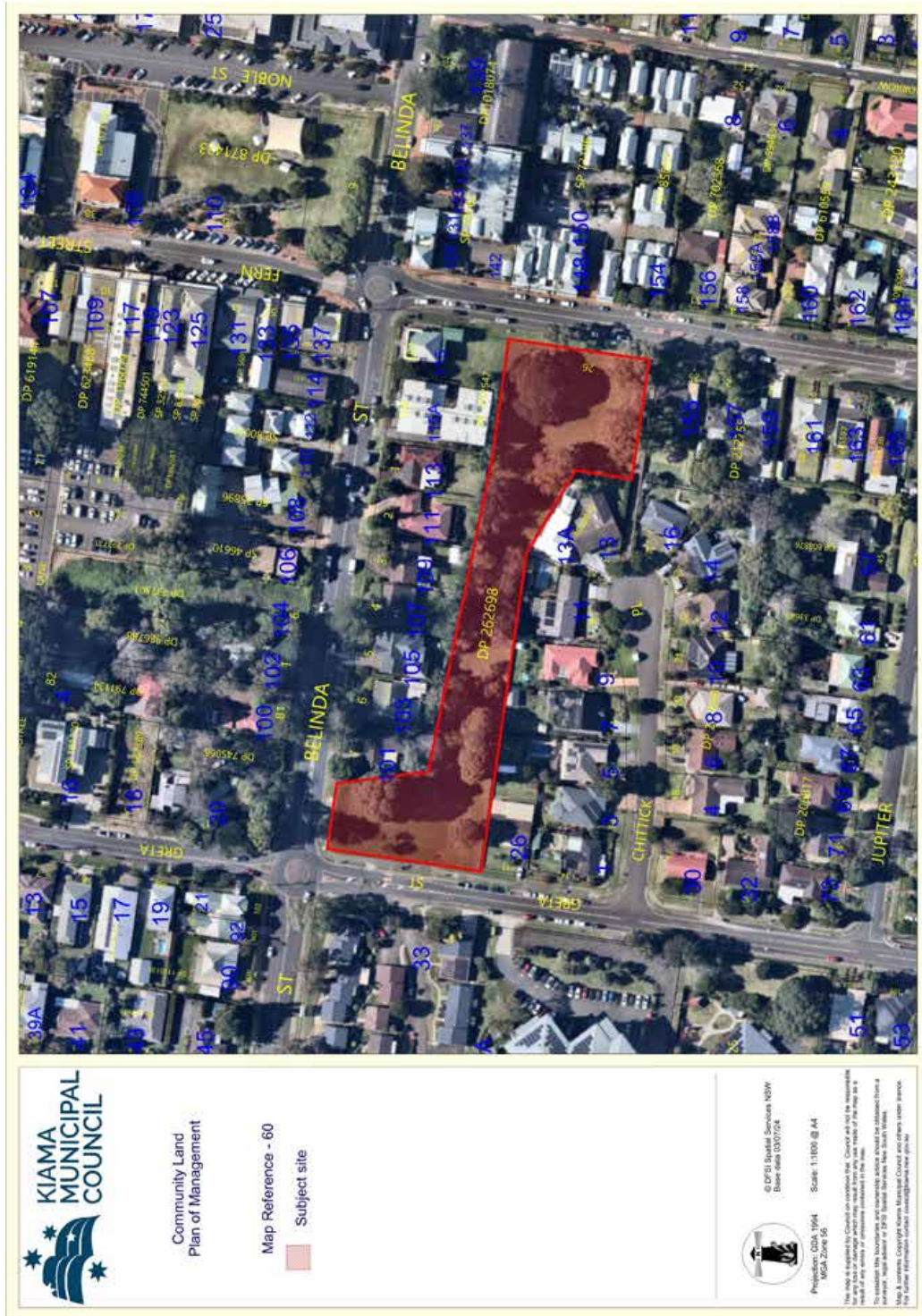
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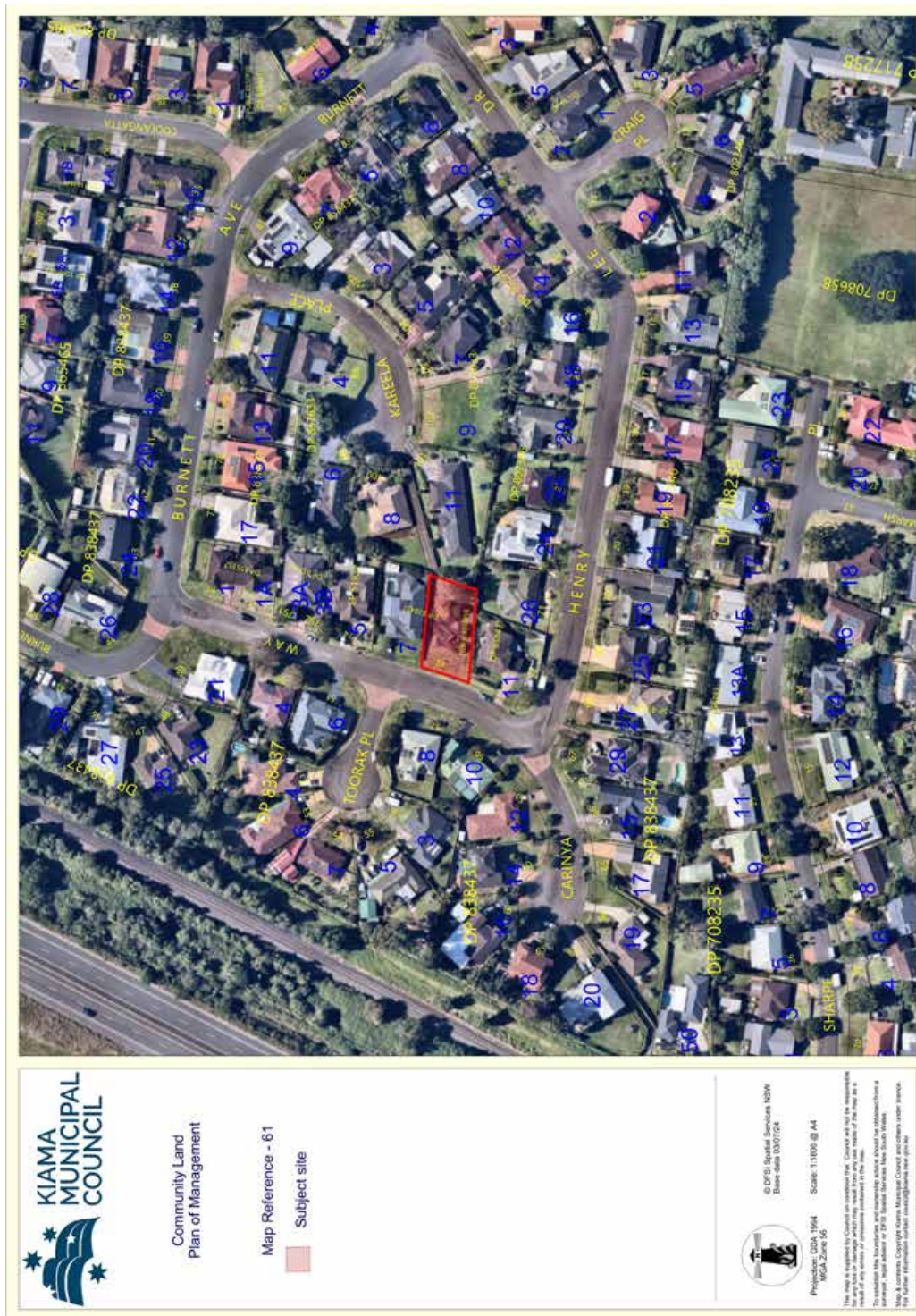
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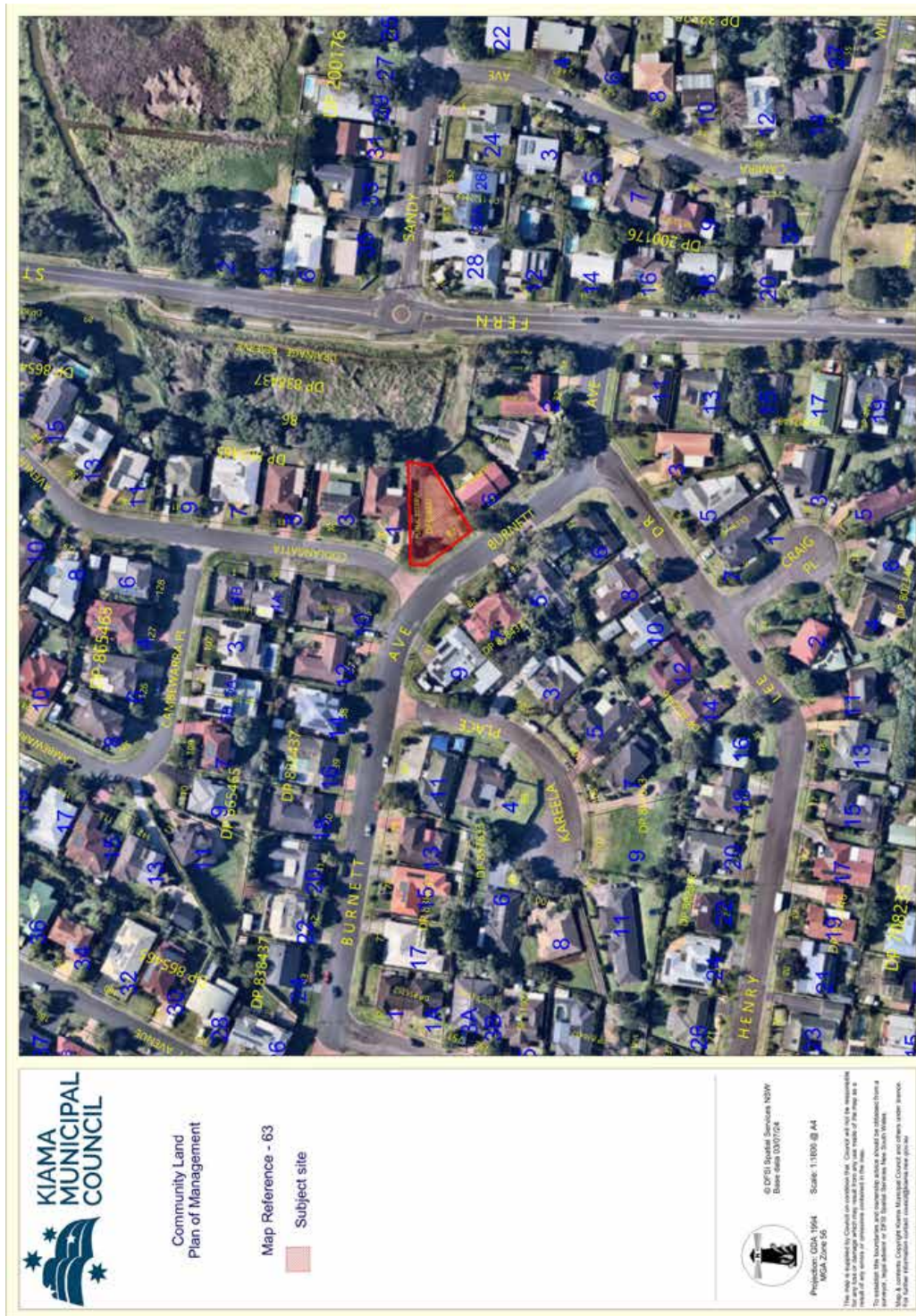
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Item 14.1

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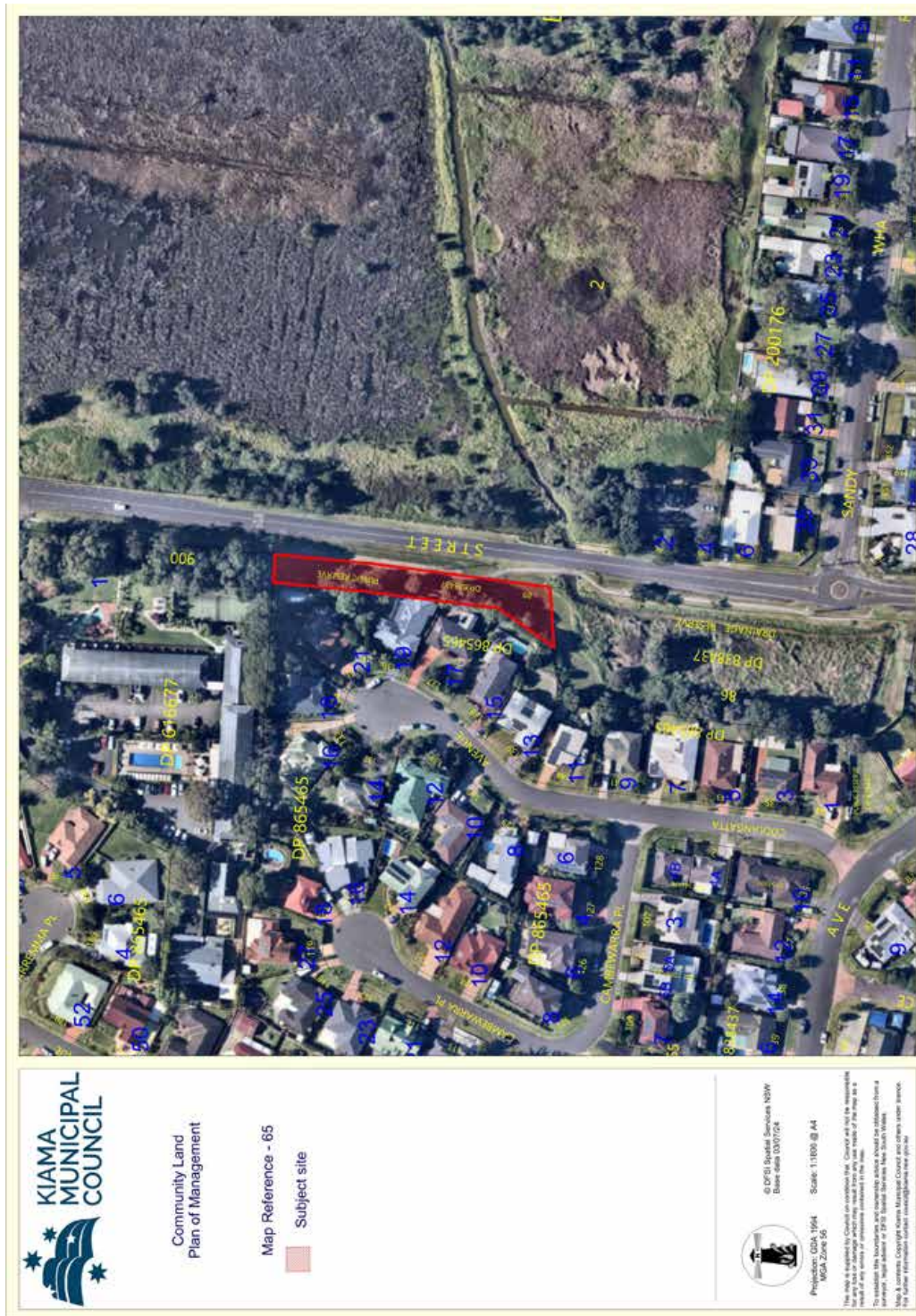
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Item 14.1

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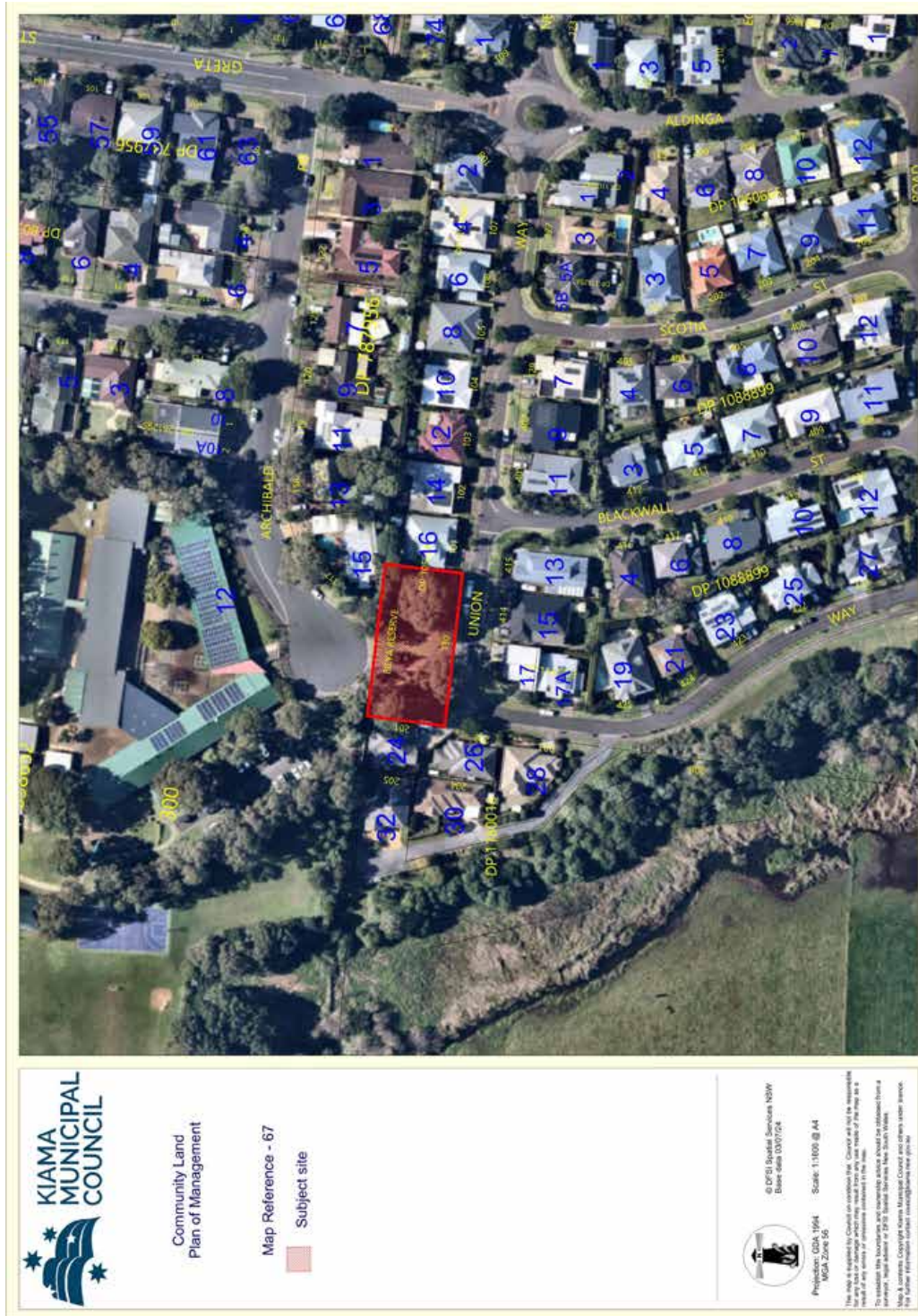
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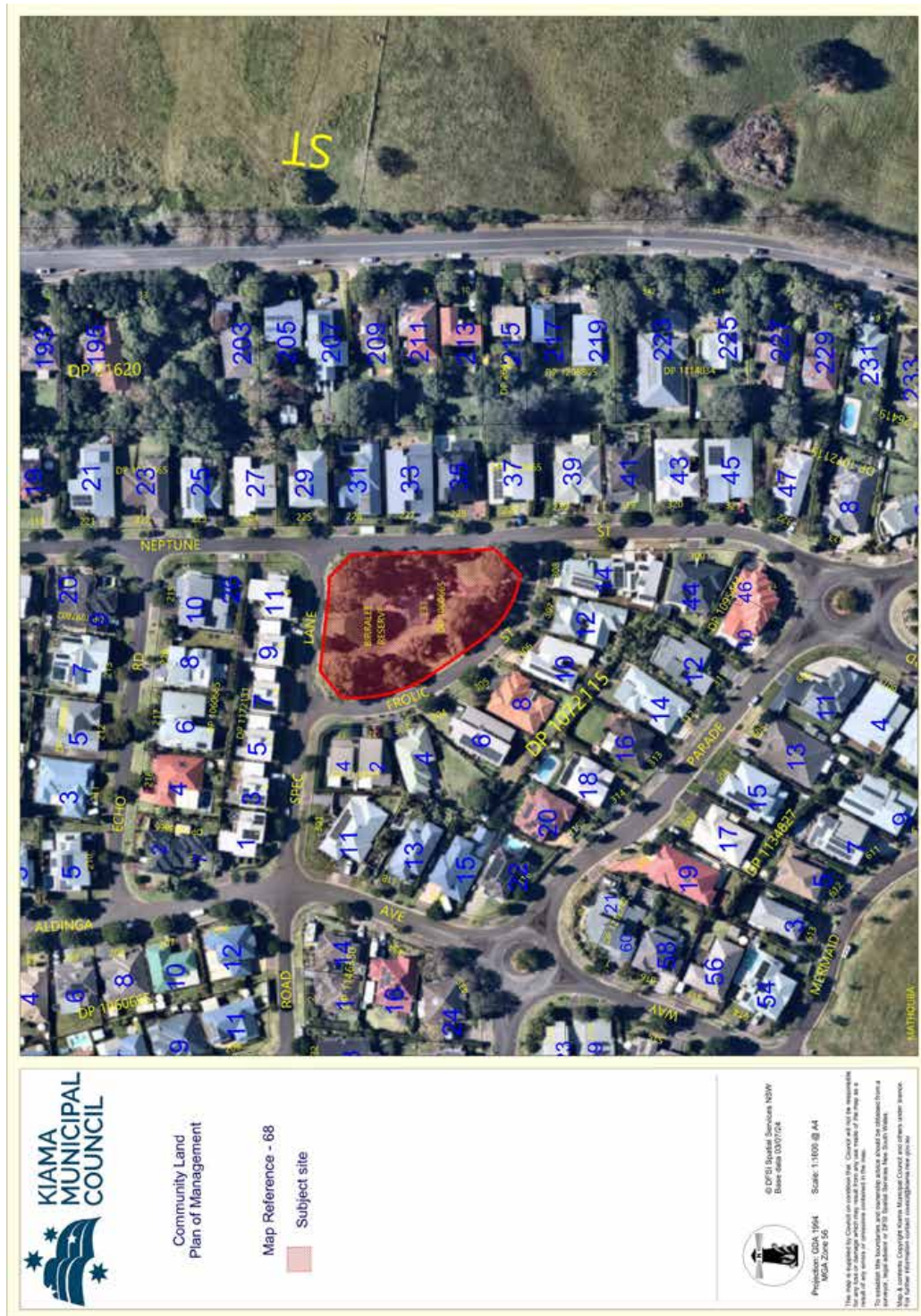
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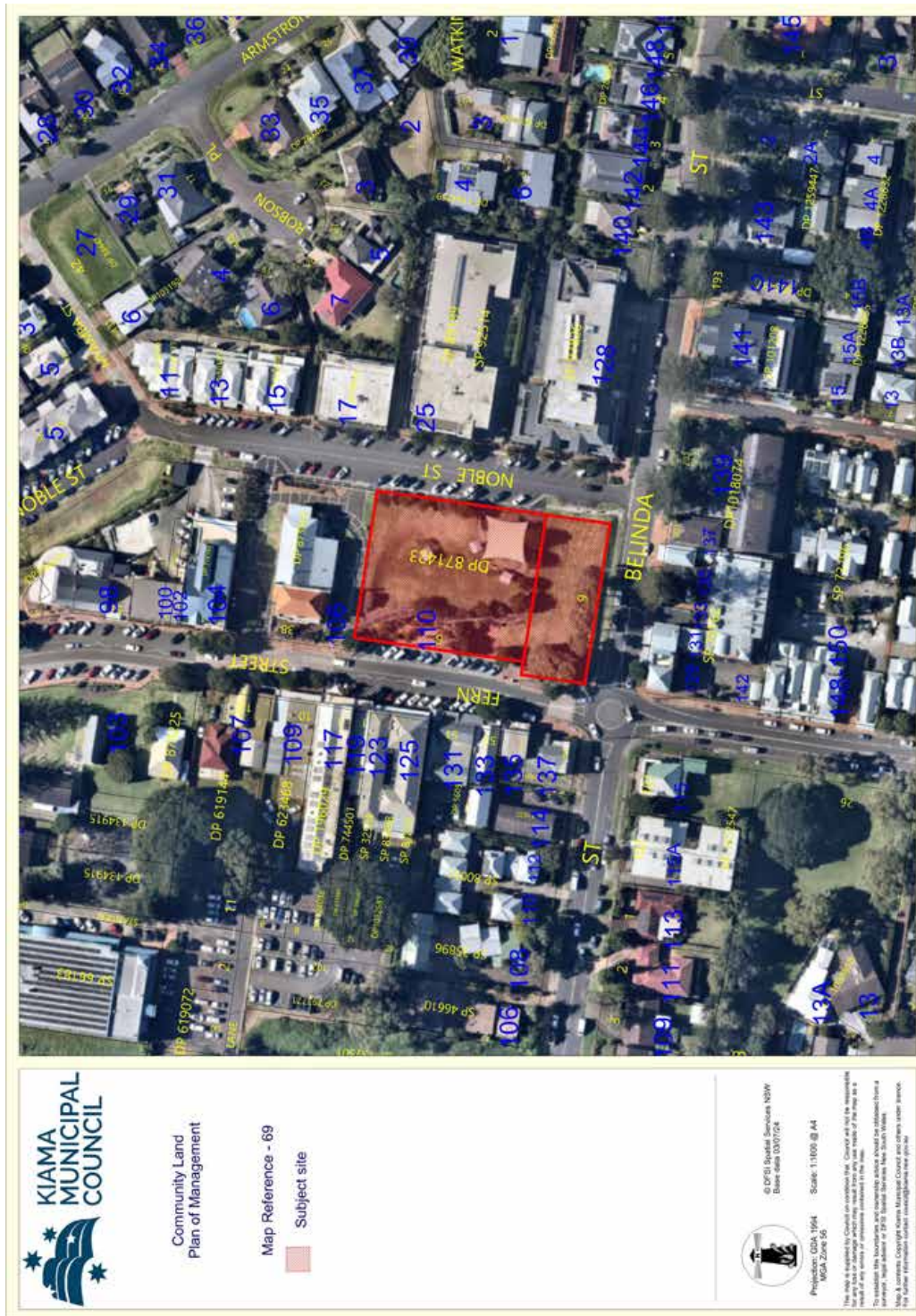
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Item 14.1

Enclosure 1

Map Reference: 69



110 Community Land Plan of Management Kiama Municipal Council

Item 14.1

Enclosure 1

Map Reference: 70



Map Reference: 71



Map Reference: 72



Map Reference: 73



Map Reference: 74



Item 14.1

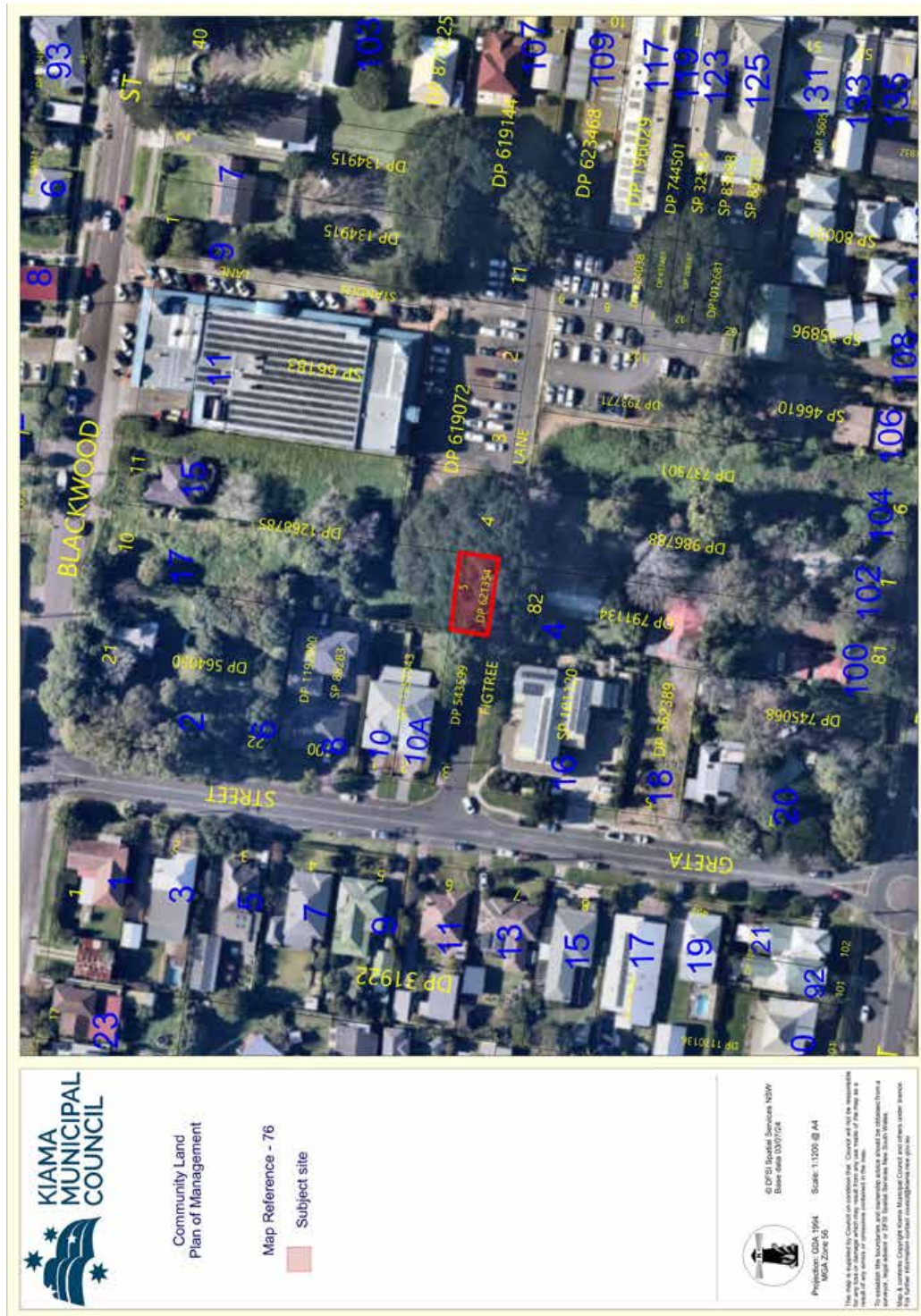
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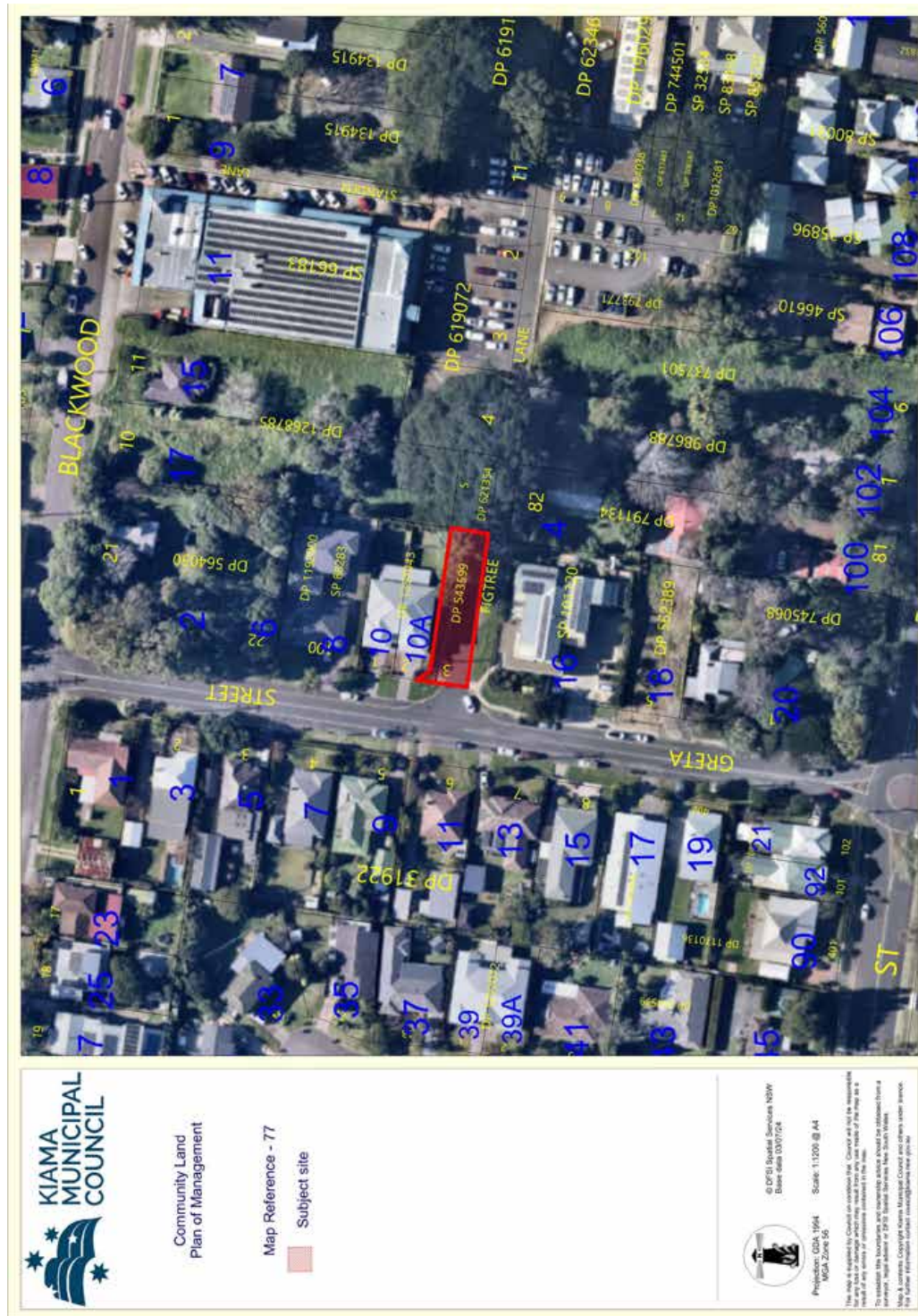


Item 14.1

Enclosure 1



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Item 14.1

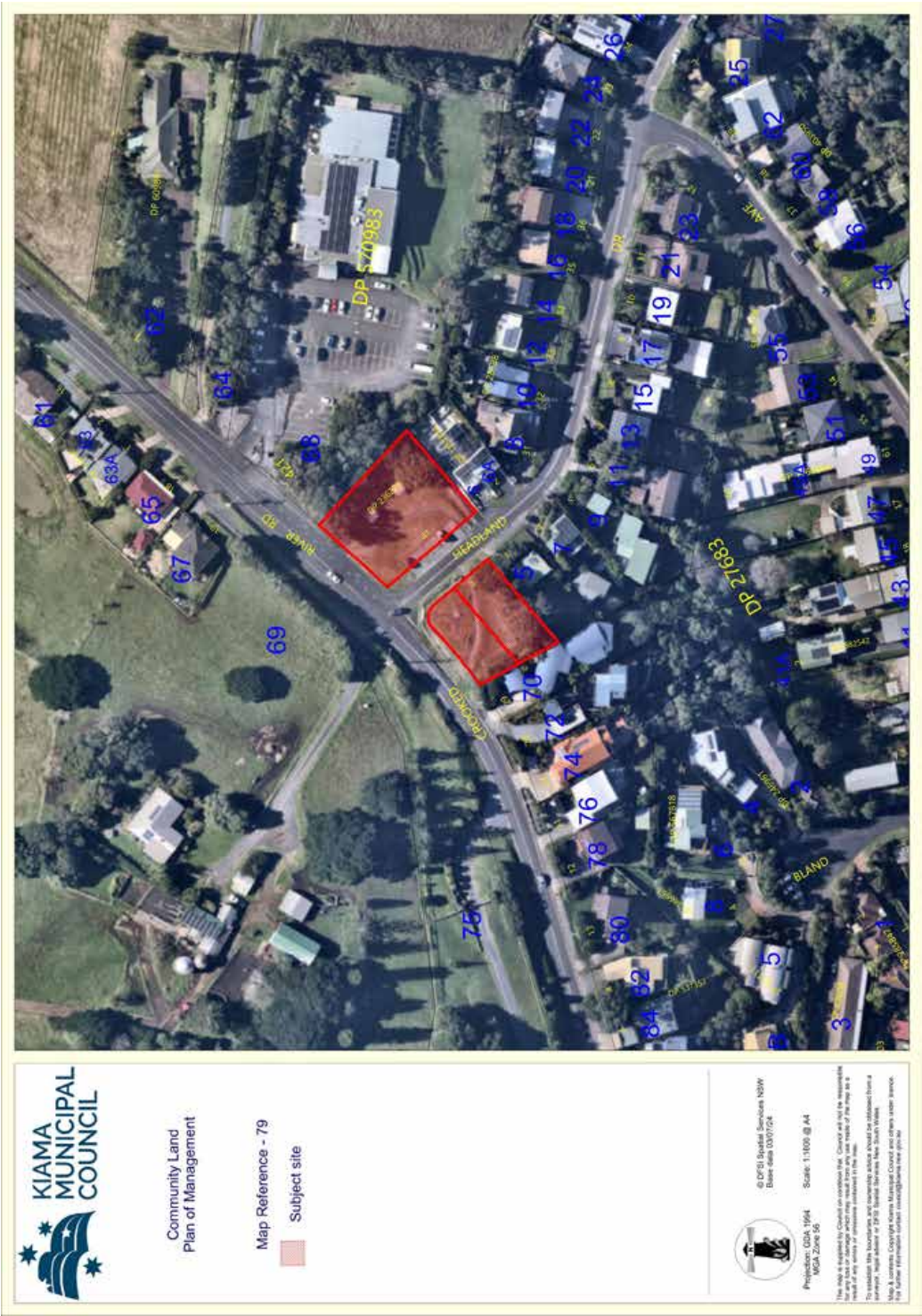
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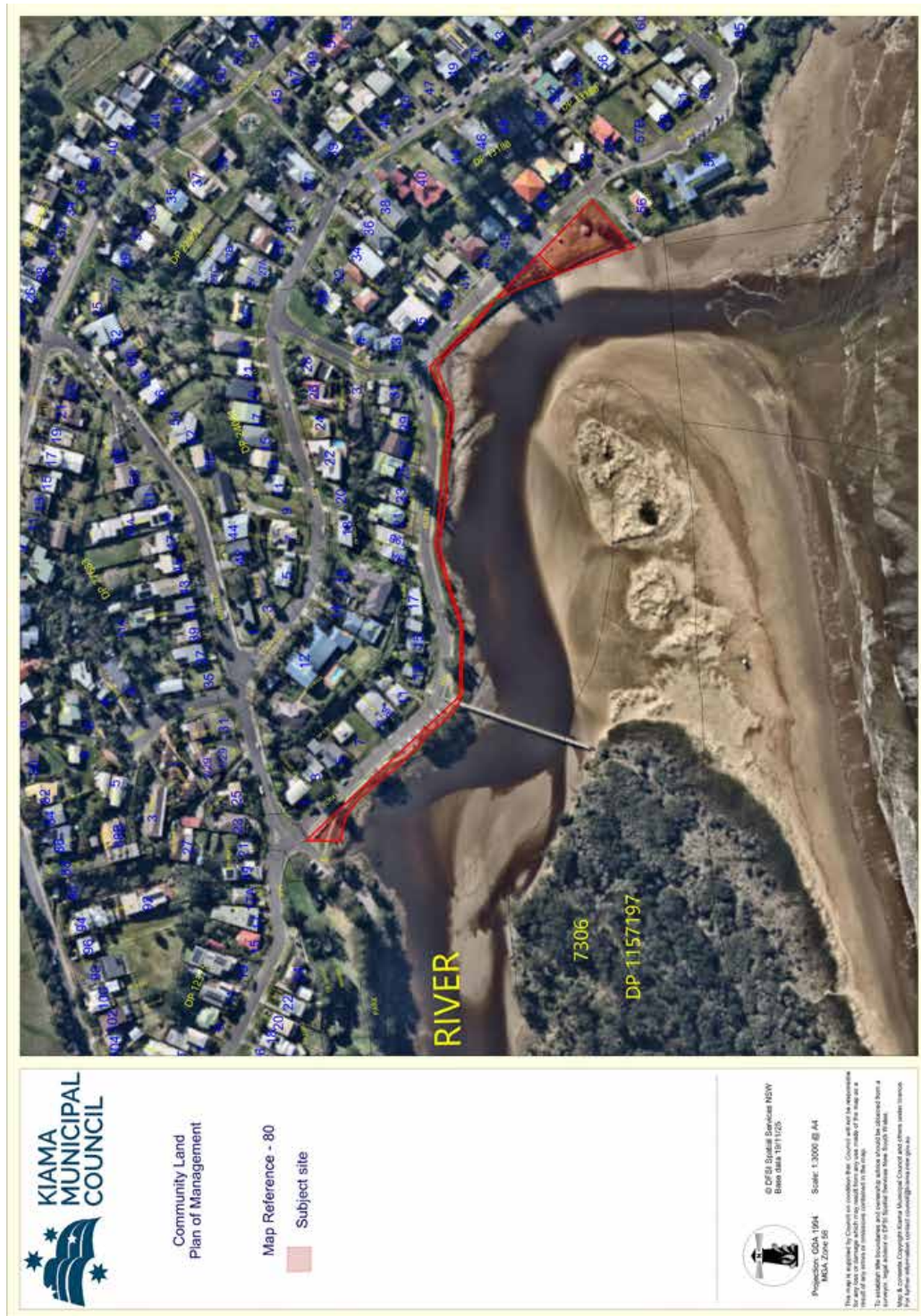




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Item 14.1

Enclosure 1

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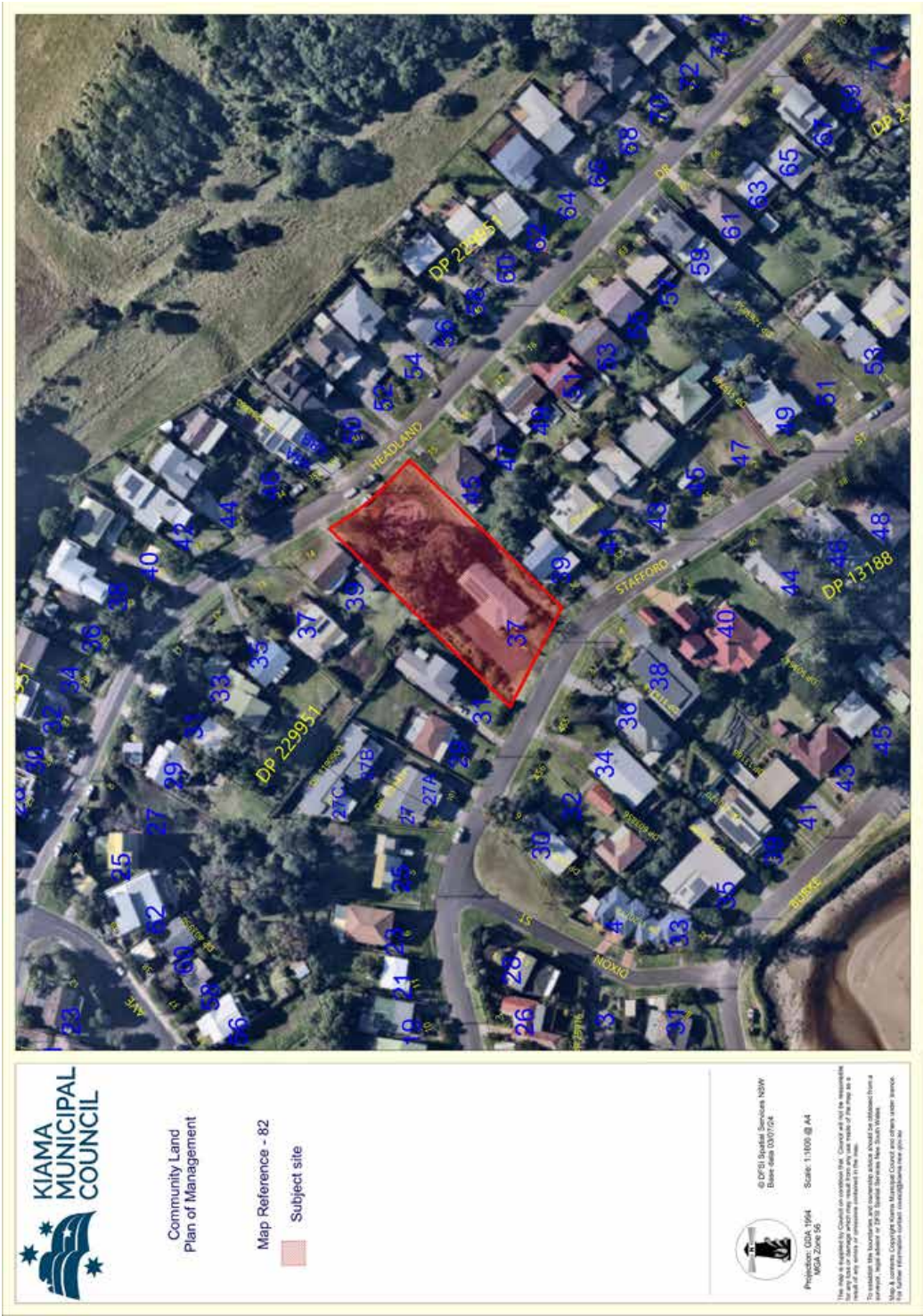


122 Community Land Plan of Management Kiama Municipal Council

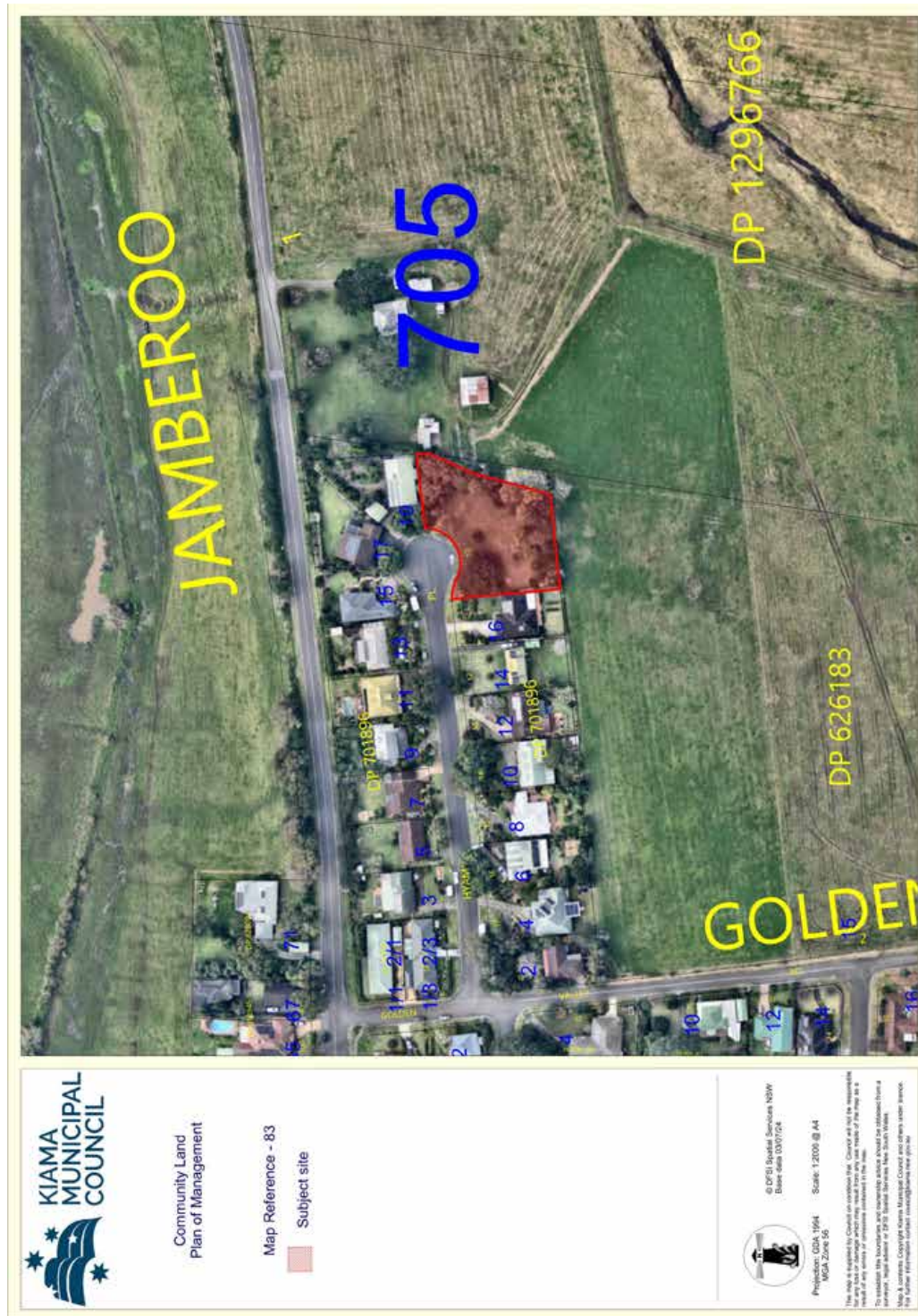
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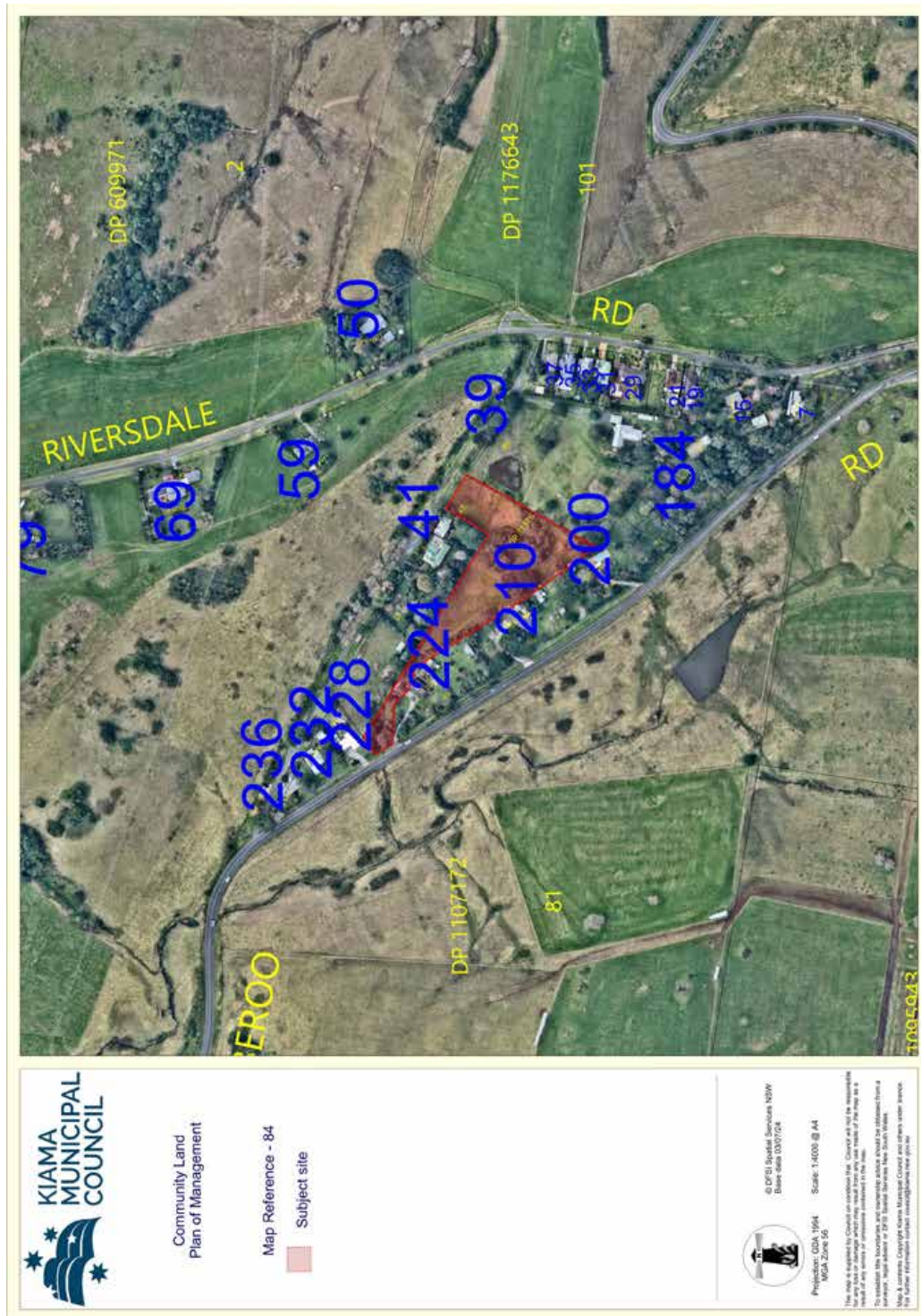
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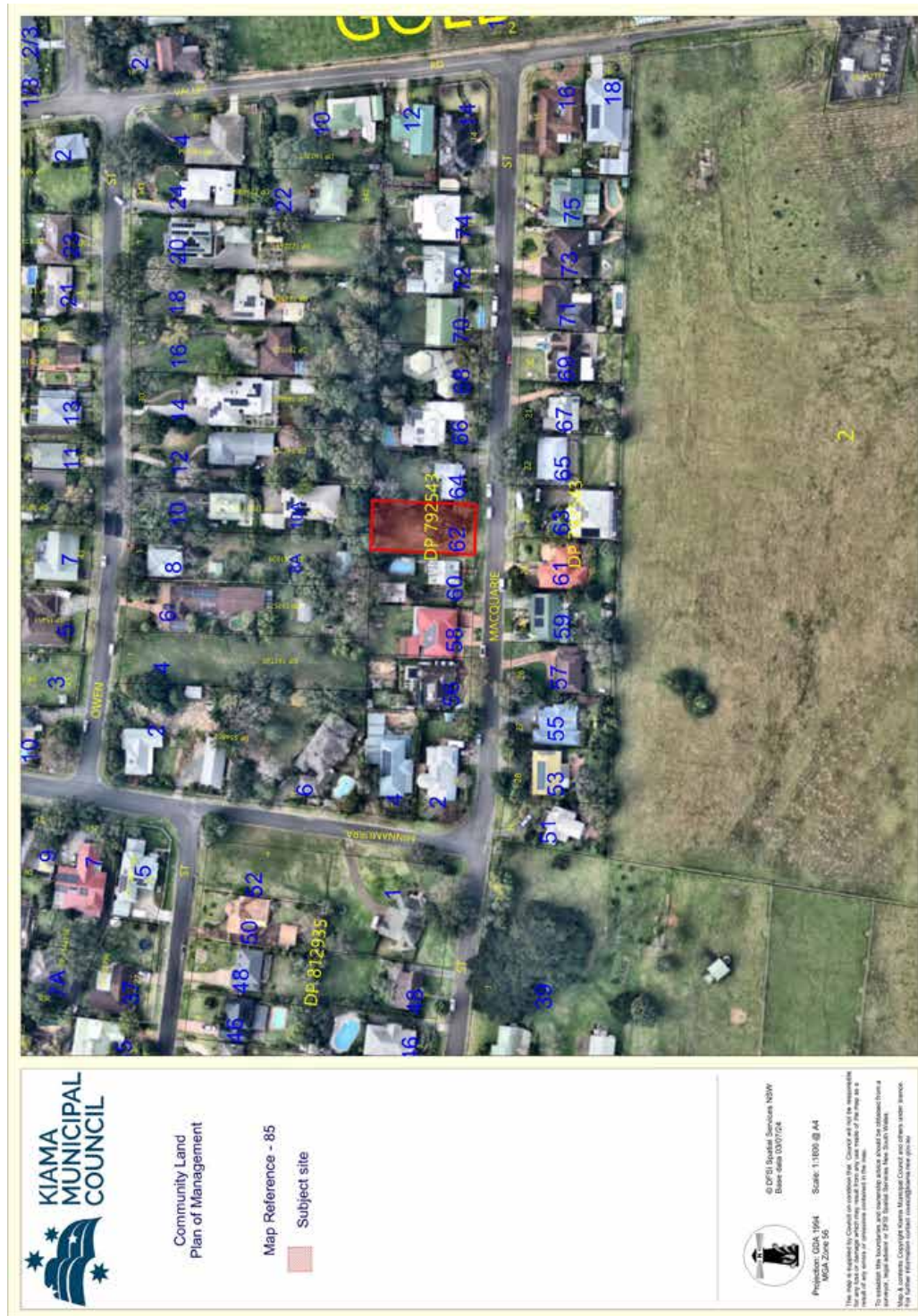
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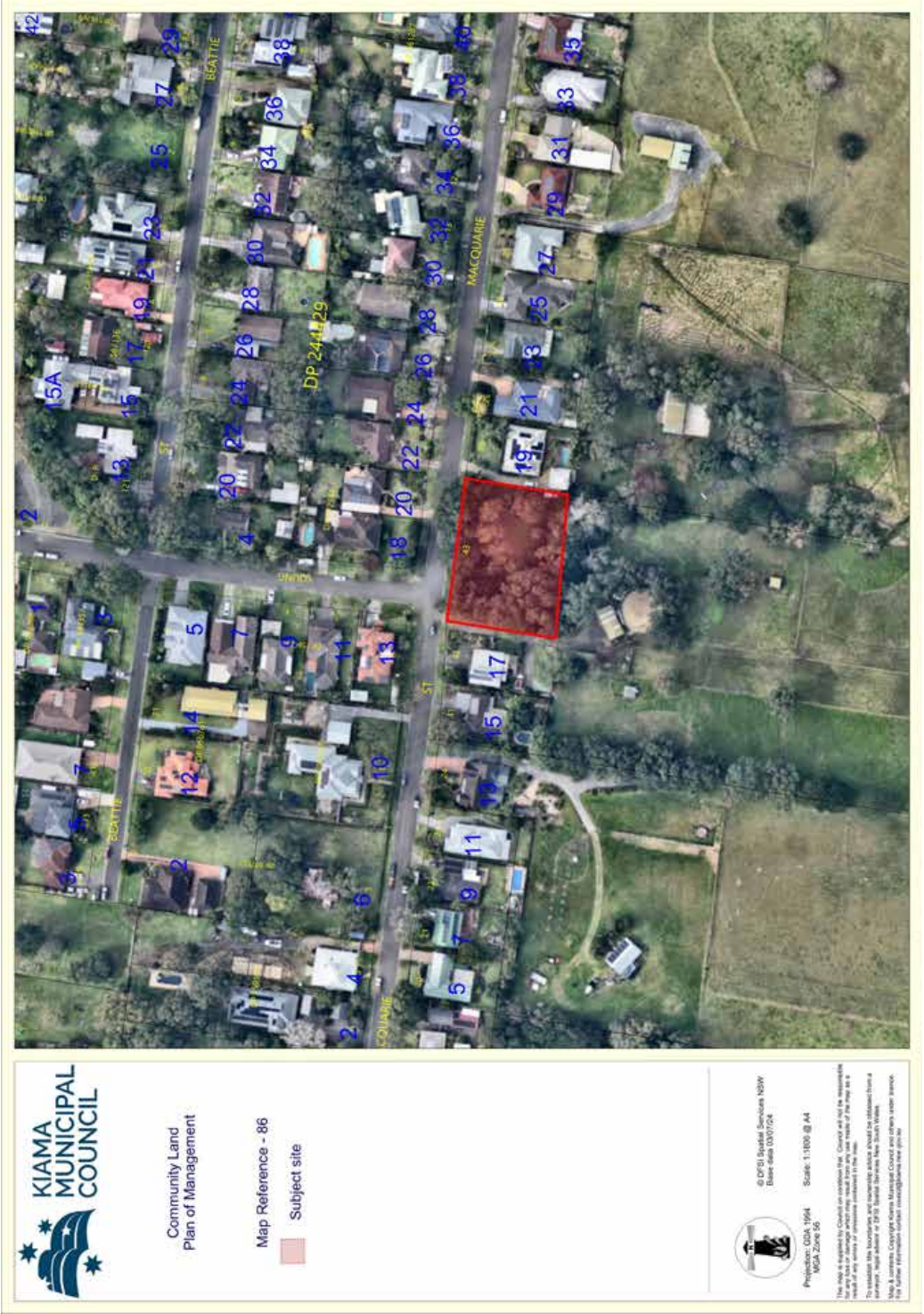
126 Community Land Plan of Management Kiama Municipal Council

Item 14.1

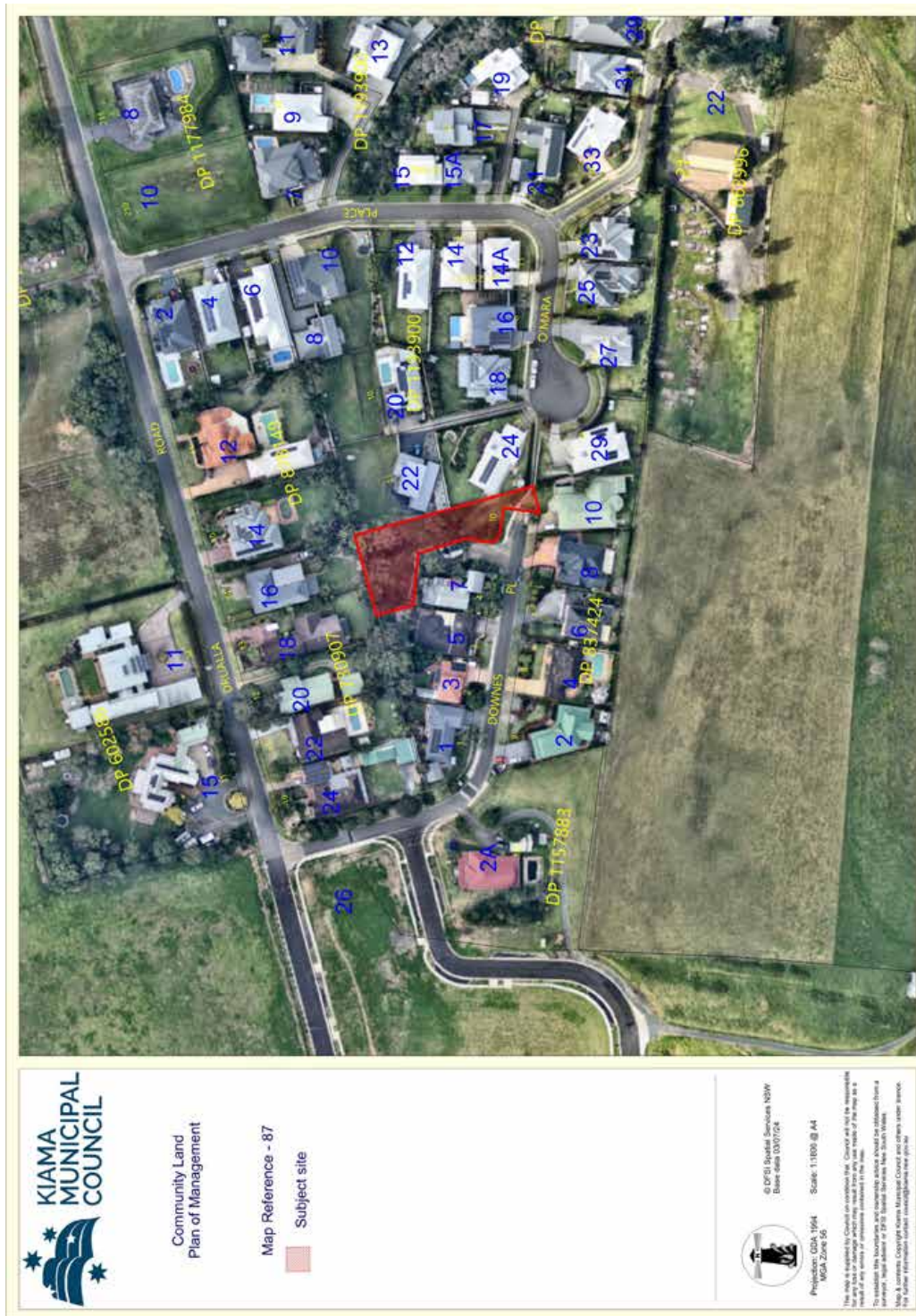
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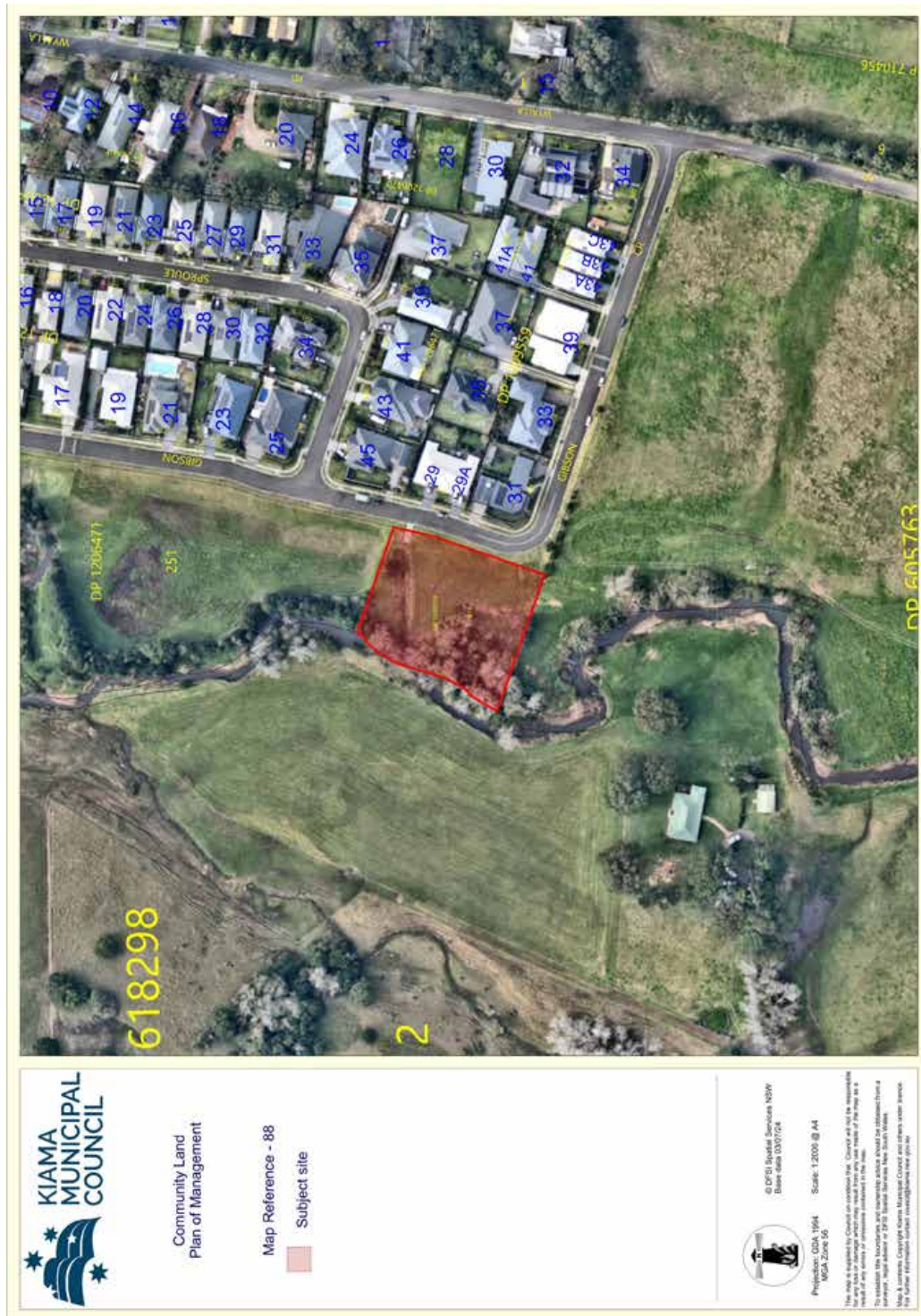
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Map Reference: 87



Map Reference: 88



Map Reference: 89





Schedule 3: Reserve Type - General Community Use

Kiama

Lot/s & DP	Address	Reserve Name	Map Ref No.
Lot 1 DP 1091690	61 Terralong Street, Kiama 2533		90
Lot 3 DP 258605	South Kiama Drive, Kiama 2533	Kendalls Cemetery	91
Lot 2 DP 935308	3 Collins Lane, Kiama 2533	Old Kiama Girl Guides	92
Lot 1 DP 917665	5 Collins Lane, Kiama 2533	Youth Centre adjacent to Hindmarsh Park	93

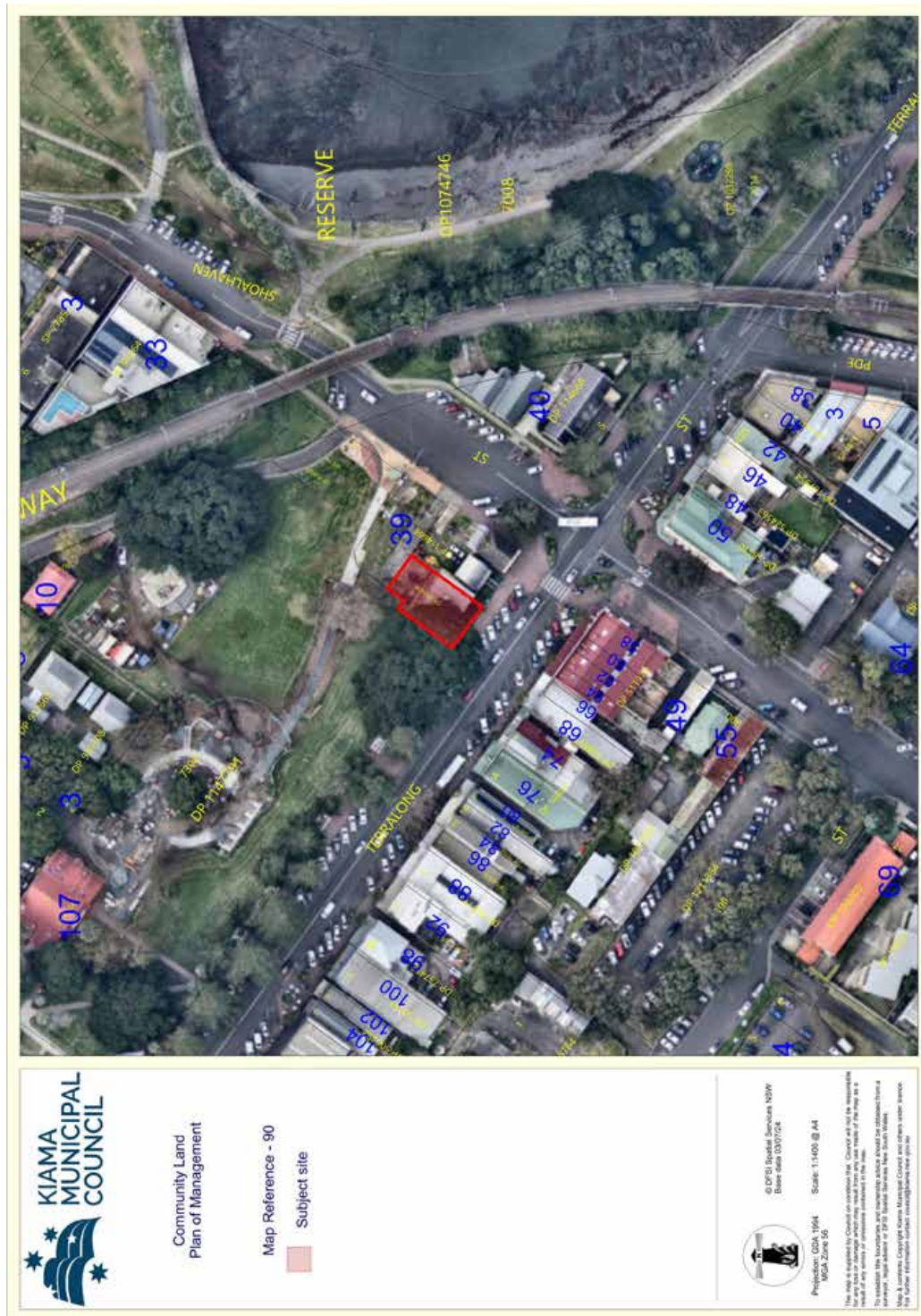
Gerringong

Lot/s & DP	Address	Reserve Name	Map Reference No.
Lot 100 DP 1230058	8 Blackwood Street, Gerringong 2534	School of Arts and Museum and Dorothy Bailey Field	94

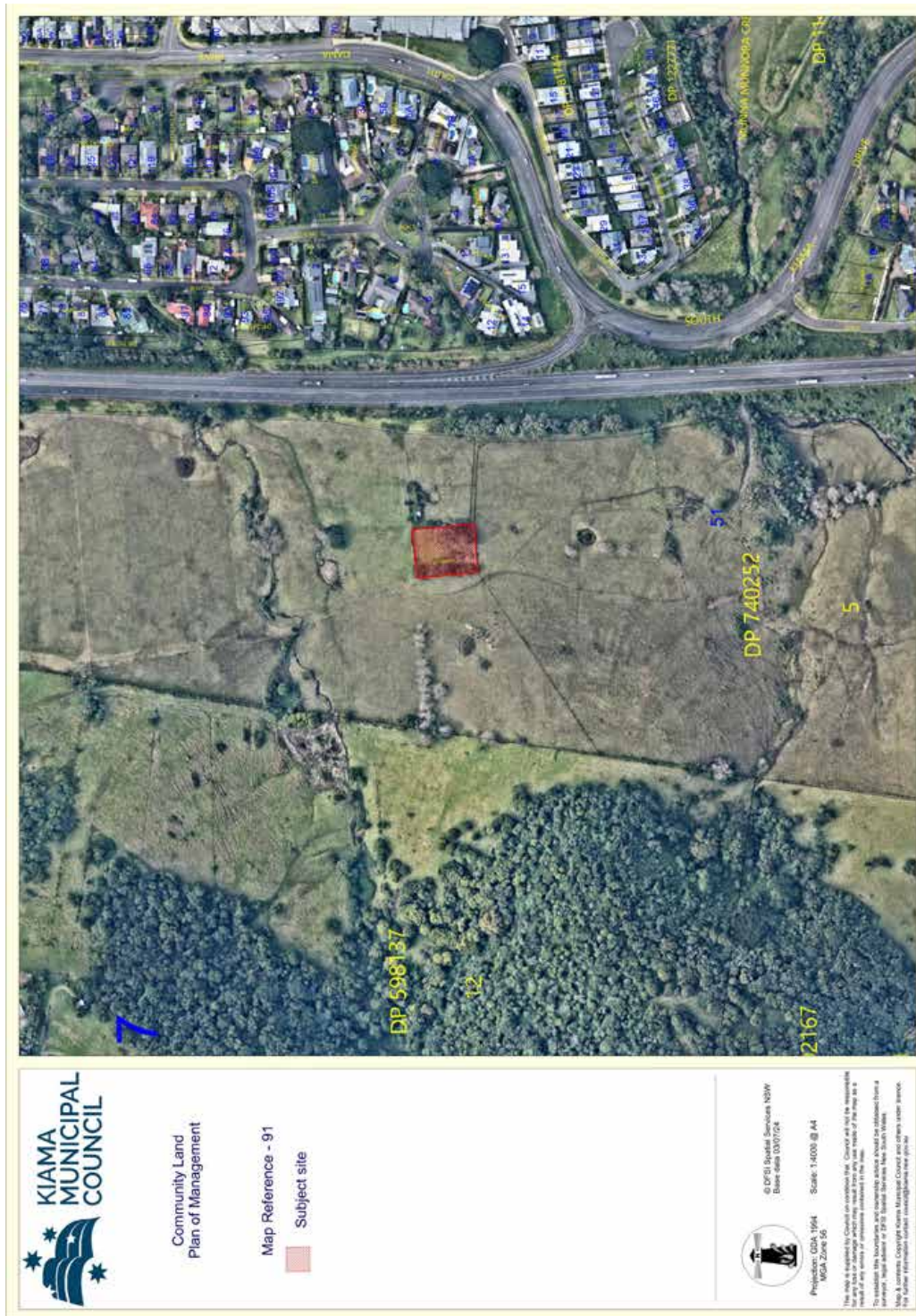
Jamberoo

Lot/s & DP	Address	Reserve Name	Map Reference No.
Lot 10 DP 626845	1A Allowrie Street, Jamberoo 2533	Jamberoo Youth Hall	95

Map Reference: 90



Map Reference: 91

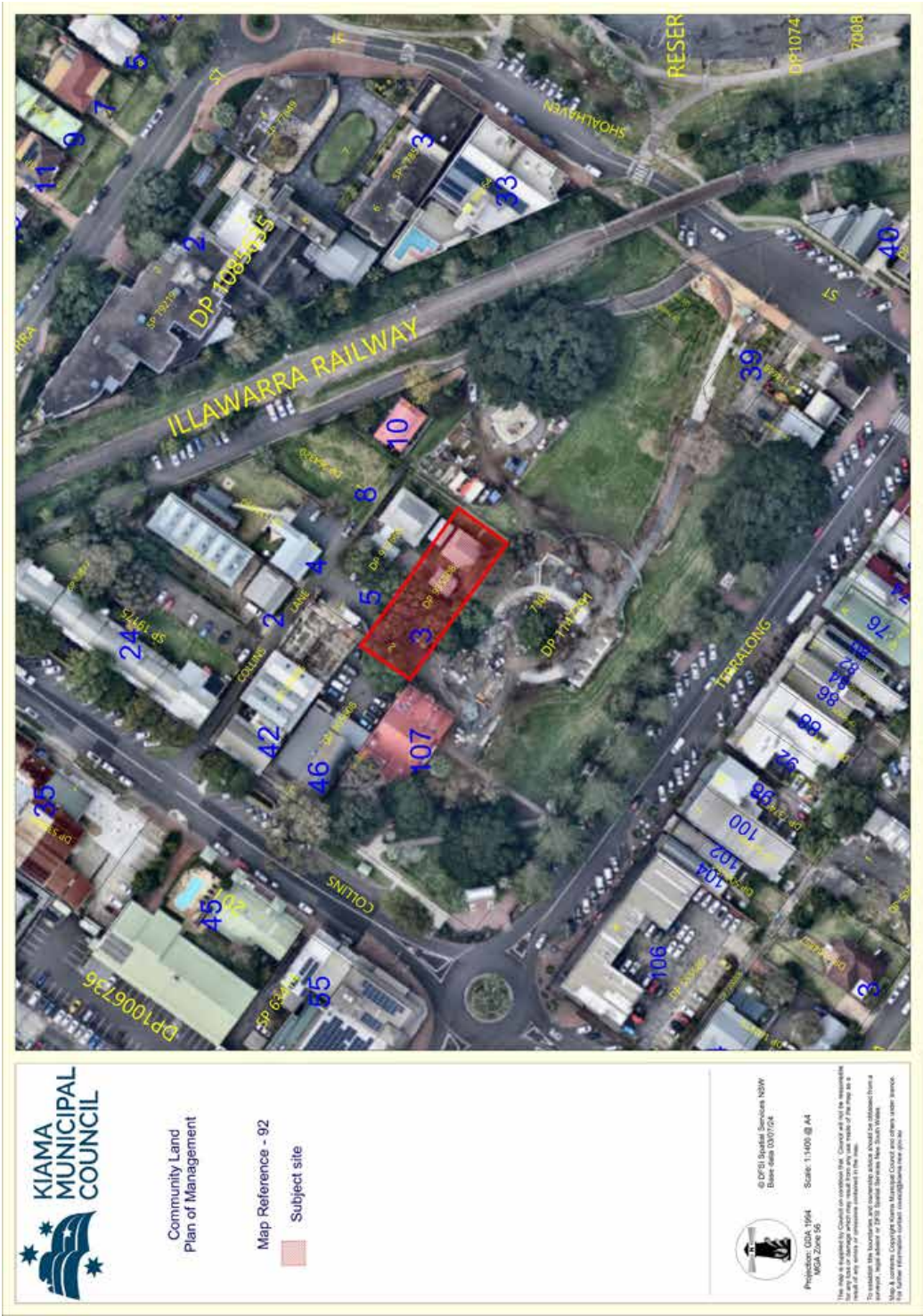


Item 14.1

Enclosure 1



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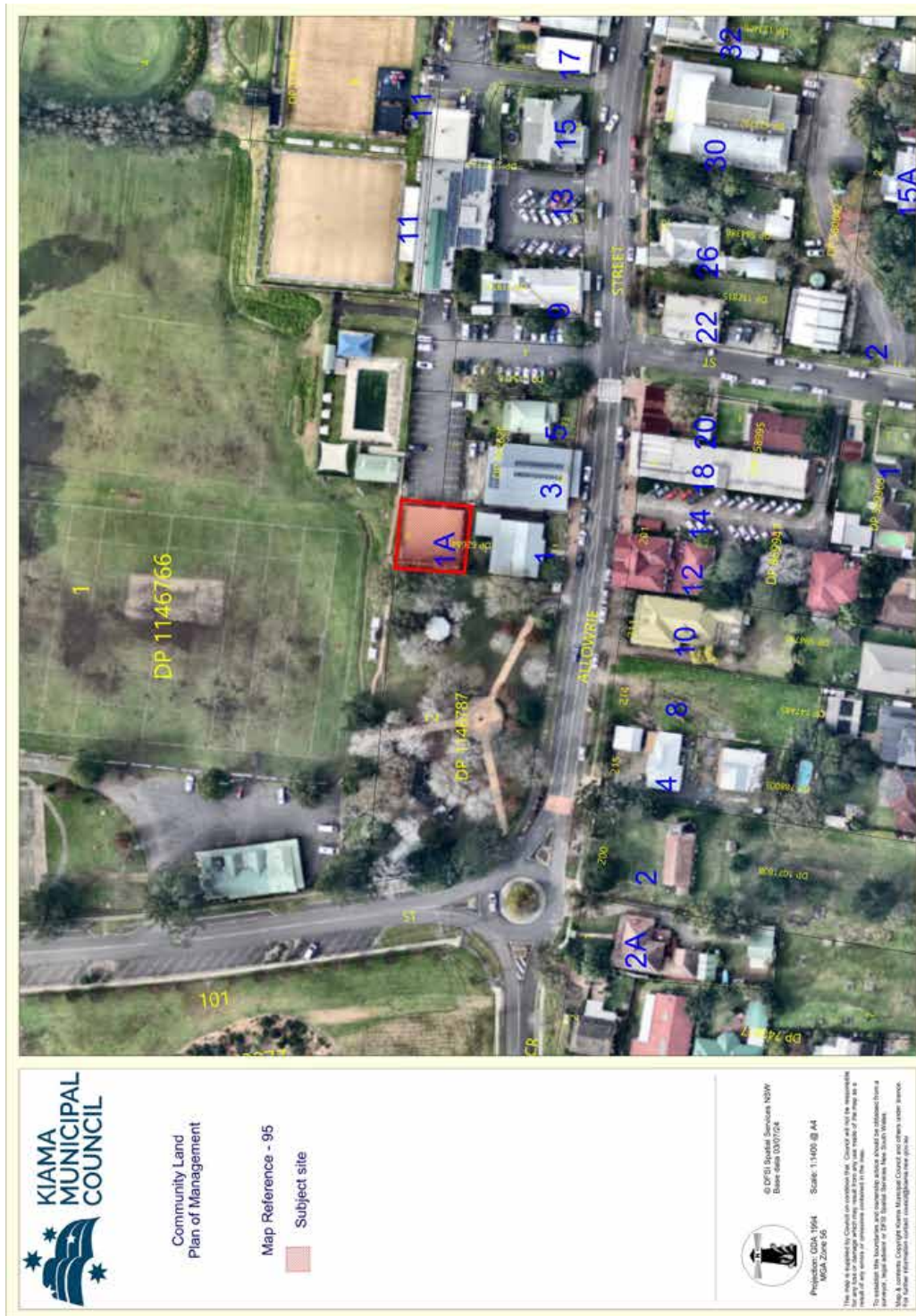
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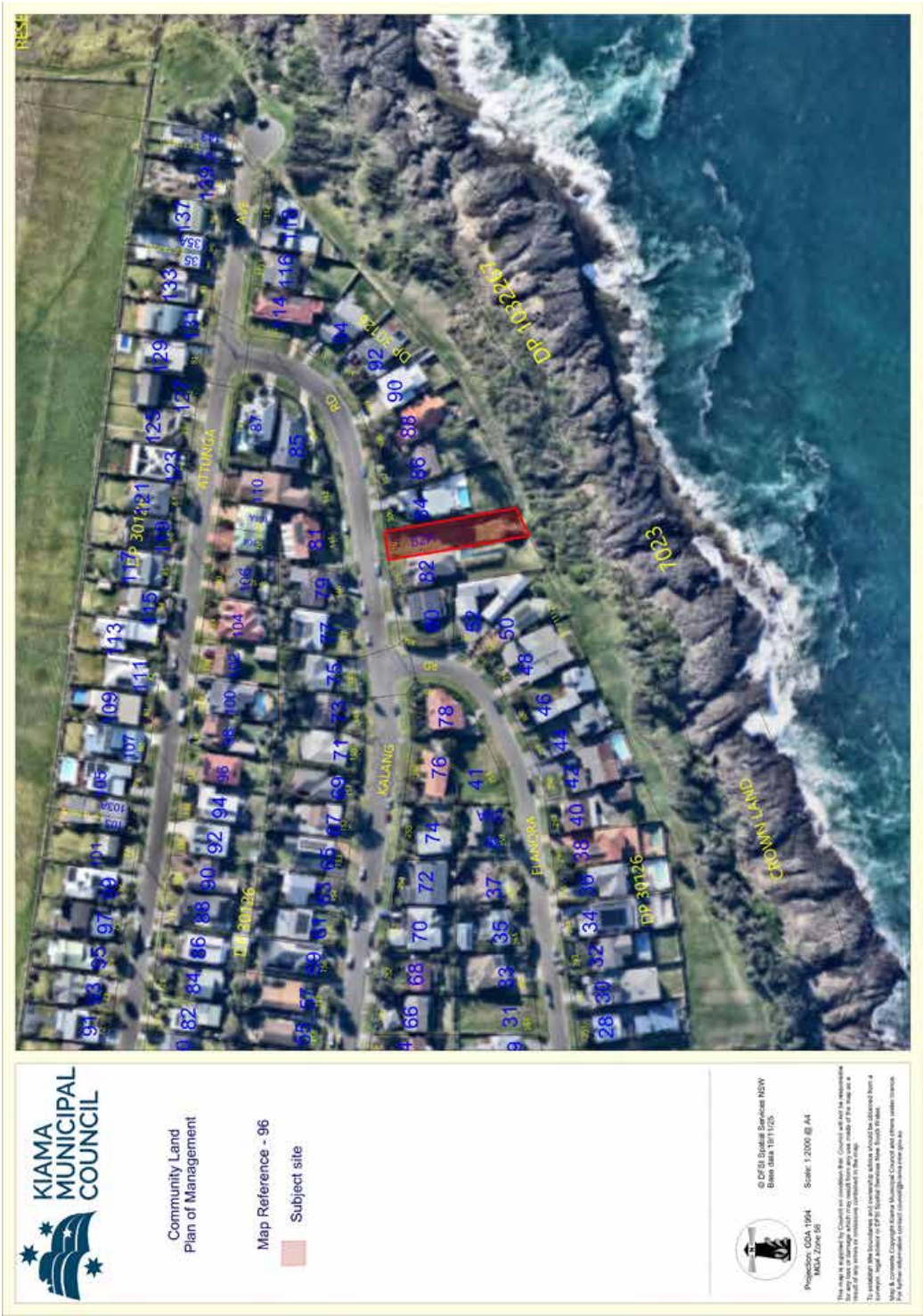


Item 14.1

Enclosure 1



Map Reference: 96



Map Reference: 97



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Monday to Friday
(excluding public holidays)



KIAMA MUNICIPAL COUNCIL
your council, your community

Date of adoption Plan of Management: 4 June 1996
Date of adoption Amended Plan of Management: 20 May 2014
Date of adoption Amendment (2) Plan of Management: 20 December 2016



Public Exhibition Engagement Report

Community Land Plan of Management

Council's Community Land Plan of Management (PoM) for Neighbourhood Parks identified areas of community land categorised as "Park."

Over the past couple of years, Council has acquired 36 new parcels of community land that were not included in the Plan of Management for Neighbourhood Parks.

To address this, a new draft Plan of Management has been created to incorporate these 36 additional parcels. The updated document has been retitled to cover all types of community land in the local government area, including those categorised as "Natural Area" and "General Community Use" in addition to "Park". This change aims to provide clearer and more accessible information for the community.



Public exhibition period

Wednesday 12 March until Wednesday 23 April 2025.

Promotional activities

Dedicated Your Say Page | Media release | Included in April newsletter | Two dedicated Social Media posts | Ten posters distributed across the municipality | Included in The Bugle newspaper double spread.

How community got involved



+7500

aware via
The Bugle
Newspaper



246

website
visitors



30

pop-up
participants



1

attended
the public
hearing



9

submissions
received

What we heard

During the public exhibition of the draft *Community Land Plan of Management*, community members raised several key concerns. The main feedback related to the omission of specific parcels of land—particularly in Gerringong (Union Way Creek) and Minnamurra—which are valued for their environmental and ecological significance. Concerns were raised about the potential for future development, the impact on local ecosystems, and the need for greater transparency in how land is categorised. Some submissions also called for a stronger long-term strategic vision for how public land will be managed and protected into the future. Overall, the feedback highlighted the community's strong interest in preserving natural areas, ensuring transparency, and protecting land for ongoing public use and environmental benefit.

Summary table of feedback received and staff responses

During the exhibition period, Council received nine submissions. Five were not in favour of the PoM, two were in favour of the PoM and two were irrelevant.

The table below is a summary of the feedback received:

Feedback received	No. of times the concern was raised in respective submissions	Council response
Peace Park should be recognised under criteria of 'Area of Cultural Significance' as well as 'Park'	1	To enable any community land to be categorised as area of 'cultural significance' it has to be the subject of a resolution by the council that declares that, because of the presence on the land of any item that the council considers to be of Aboriginal, historical or cultural significance.
Why did Bluehaven Terralong not get divested along with Bluehaven Bonaira	1	Noted - This is irrelevant to the context of draft Community Land Plan of Management.
Council should not be running Aged care facilities		
Union Way Creek in Elambra Gerringong	1	All Community Land along Union Way Elambra is categorised as Parkland within the Draft Community land Plan of Management.
Omitted a section of existing reserve from Union Way / Elambra Parade intersection to 28 Union Way Gerringong		
Dedicated parkland being excluded	1	All Community Land along Union Way Elambra is categorised as Parkland within the Draft Community land Plan of Management.
Intersection of Elambra Parade to 28 Union Parade		
Absence of detailed Natural Area land in the Minnamurra area	1	Noted – The draft Community Land Plan of Management was updated to include the 36 new parcels of land in which none were located in Minnamurra.
No category for Kiama Community Garden	1	This land is classified operational land and therefore does not require a Plan of Management.
Oppose to Springhill Development	1	Noted - This is irrelevant to the context of the draft Community Land Plan of Management.
N/A – No concerns	2	Noted.

What's next

Once endorsed by Council, we can move forward with full implementation of the Plan.



Item 14.1

Enclosure 3

Kiama Municipal Council

Public Hearing Report

Community Land Plan of Management

April 2025





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Document Control

Job Number: 2025/843
Job Name: Kiama Municipal Council – Public Hearing – Community Land Plan of Management
Client: Kiama Municipal Council
Job Contact: [REDACTED] Property Officer
Document Name: Public hearing report – Kiama Municipal Council

Version	Date	Authors / Approved	Reviewer
1	14.04.25	Cinnamon Dunsford	Emma Broomfield
2	16.04.25	Cinnamon Dunsford	Emma Broomfield

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Contents

1.	Introduction	4
1.1	Purpose of this Report	4
1.2	Background	4
2.	Subject land and plan of management	5
2.1	Subject land	5
2.2	Plan of management and exhibition process	6
3.	Public hearing format and process	7
3.1	Overview	7
3.2	Council staff and councillors present	7
3.3	Registration of speakers	7
3.4	Hearing format	7
3.5	Oral Submissions	8
4.	Conclusion & next steps	9
Appendix A Public hearing presentation		

Item 14.1

Enclosure 3

1. Introduction

1.1 Purpose of this Report

The purpose of this report is to provide a record of the public hearing undertaken in association with the Community Land Plan of Management within the Kiama local government area.

This report has been prepared by Cinamon Dunsford, Planning + Engagement Specialist at Locale Consulting, who was the independent chair of the public hearing.

1.2 Background

Council updated the Community Land Plan of Management and resolved (at its Ordinary Meeting on 18 February 2025) to exhibit the draft plan and allow public submissions for not less than 42 days, under section 38 of the *Local Government Act 1993*.

The Plan of Management has been updated as since the Plan's adoption Council has acquired through various means (including dedication and acquisition) 36 parcels of land that do not form part of the adopted Plan of Management. The details of the 36 parcels of land are included in Section 2 of this report.

A requirement under section 40A of the *Local Government Act 1993* is that Council also hold a public hearing in respect of the draft Plan of Management as the plan includes parcels of land that are either being categorised for the first time or re-categorised.

Council has advised that all land included in the draft Plan of Management is:

- classified as community land and the classification of the land is not proposed to change
- able to be dealt with under a Generic Plan of Management.

2. Subject land and plan of management

2.1 Subject land

The Plan of Management has been updated as since the Plan's adoption Council has acquired through various means (including dedication and acquisition) 36 parcels of land that do not form part of the adopted Plan of Management. These parcels of land are included in Table 1 below.

Lot & DP	Street Address
Lot 52 DP 1098436	Jamberoo Road, Kiama
Lot 2 DP 579091	Girrawheen Avenue, Kiama
Lot 1429 DP 1061892	Eugene Street, Kiama
Lot 600 DP 1044512	Bland Street, Kiama
Lot 20 DP 786920	Hutchison Street, Kiama
Lot 12 DP 906858	Minnamurra Falls Road, Jamberoo
Lot 106 DP 1046656	Nuninuma Drive, Jamberoo
Lot 105 DP 1046656	Nuninuma Drive, Jamberoo
Lot 104 DP 1046656	Nuninuma Drive, Jamberoo
Lot 5 DP 579598	Saddle Back Mountain Road, Saddle Back
Lot 1319 DP 1060995	Greyleigh Drive, Kiama
Lot 1310 DP 1060995	Old Saddleback Road, Kiama
Lot 499 DP 1064140	Old Saddleback Road, Kiama
Lot 9 DP 1232541	Belvedere Street, Kiama
Lot 100 DP 1206414	Merrick Circuit, Kiama
Lot 20 DP 1182859	Danube Street, Kiama
Lot 199 DP 1042913	Greyleigh Drive, Kiama
Lot 100 DP 1042908	Greyleigh Drive, Kiama
Lot 249 DP 30200	North Kiama Drive, Kiama Downs

Lot 251 DP 30200	North Kiama Drive, Kiama Downs
Lot 252 DP 30200	40 North Kiama Drive, Kiama Downs
Lot 250 DP 30200	Cathedral Rocks Avenue, Kiama Downs
Lot 707 DP 201833	Hoolong Avenue, Kiama Downs
Lot 2 DP 1065338	Jupiter Street, Gerringong
Lot 5 DP 621354	Figtree Lane, Gerringong
Lot 3 DP 543599	Figtree Lane, Gerringong
Lot 53 DP 884475	Fern Street, Gerringong
Lot 2 DP 329172 & Pt Lot 93 DP 4467 & Lot 1 DP 338015	52-54 Burke Parade, Gerroa
Lot 411 DP 1209559	Gibson Crescent, Jamberoo
Lot 251 DP 1206471	Gibson Crescent, Jamberoo
Lot 1 DP 1091690	61 Terralong Street, Kiama
Lot 3 DP 258605	South Kiama Drive, Kiama
Lot 2 DP 935308	Collins Lane, Kiama
Lot 1 DP 917665	5 Collins Lane, Kiama
Lot 2 DP 1108823	8 Blackwood Street, Gerringong
Lot 10 DP 626845	1A Allowrie Street, Jamberoo

Table 1: subject land*(source: Kiama Council Community Land Plan of Management)*

2.2 Plan of management and exhibition process

At its Ordinary Meeting on 18 February 2025 Council resolved to exhibit the draft Community Land Plan of Management and allow feedback and public submissions from the community.

The draft Community Land Plan of Management is currently on exhibition. The exhibition period closes on Wednesday 23 April 2025.

3. Public hearing format and process

3.1 Overview

A requirement under section 40A of the *Local Government Act 1993* is that Council hold a public hearing in respect of the draft Plan of Management as the plan includes parcels of land that are either being categorised for the first time or re-categorised.

This public hearing was independently chaired and facilitated by Cinnamon Dunsford of Locale Consulting.

The public hearing was held Thursday, 10 April 2025 from 5pm to 5:50pm at Saddleback/ Surf Beach Room in The Pavilion, Kiama. Council gave notice of the public hearing through the dedicated page for the Community Land Plan of Management on Kiama Your Community Your Say website on 12 March 2025. Additionally, Council publicised the public hearing via media release, Council newsletter, posters, social media and The Bugle newspaper.

3.2 Council staff and councillors present

The following Council staff were present at the hearing:

- [REDACTED] Manager Property & Recreation
- [REDACTED] Property Officer
- [REDACTED] Community Engagement Officer

No Councillors were present at the hearing.

3.3 Registration of speakers

Residents were asked to register to speak in advance of the hearing. Registration to attend and speak was made via the Kiama Your Community Your Say website. One resident registered to attend and speak at the hearing.

3.4 Hearing format

The format of the public hearing was as follows:

- Welcome and introduction by the Chair including an explanation of the land classification and categorisation system under the *Local Government Act 1993*
- Overview of the reason for the hearing
- Overview of the subject land parcels
- Oral submissions by registered speakers
- Overview of next steps by the Chair
- Questions

- Close of hearing

The hearing process was Chaired by Cinnamon Dunsford using a presentation as provided in Appendix A.

One person attended the hearing and asked a series of questions. A summary of the oral submission is set out in section 3.5.

3.5 Oral submissions

The local resident who attended the hearing asked the following questions that were answered by Council staff:

1. "Why does the Minnamurra region have no operational or community land listed in the Report?
2. Of particular concern/interest is the absence of detailed Natural area plots of land in the Minnamurra area, specifically watercourses, wetlands, foreshores, and bushland. Could information on all parcels of natural area plots and operational land be listed for the Minnamurra area and included in the report? Given the Council's responsibility under the Coastal Management Act 2016, this is a strange exclusion."

The local resident who attended the hearing also asked the following question that was answered by the independent chair of the public hearing:

1. "Why doesn't the plan of management have a greater overarching strategic focus on the long-term importance of public land?"

4. Conclusion & next steps

In conclusion, the public hearing has satisfied the requirement of Section 40A of the *Local Government Act 1993*.

The draft Community Land Plan of Management remains on public exhibition until Wednesday, 23 April 2025.

In accordance with legislative requirements, Council must make a copy of this report available to the community.

Item 14.1

Enclosure 3

Appendix A: Public hearing presentation





Public hearing



10 April 2025
5pm – 7pm

Categorisation of community land
Draft Community Land Plan of Management

Welcome and introduction

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Chair & facilitator



Cinnamon Dunsford



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Hearing outline



- Reason for hearing
- Purpose of hearing
- Classification of public land
- Categorisation of community land
- The sites
- Draft plan of management
- Submissions
- Next steps

Reason



Where a plan of management would have the effect of categorising, or altering the categorisation of community land, Council has a **statutory obligation** to arrange a public hearing before making a decision

Section 40(A) of the Local Government Act 1993

Purpose



The hearing is an **independent process** to hear and capture any community views about the categorisation of the land in the draft plan of management.

This helps inform Council’s decision.

Classification of public land

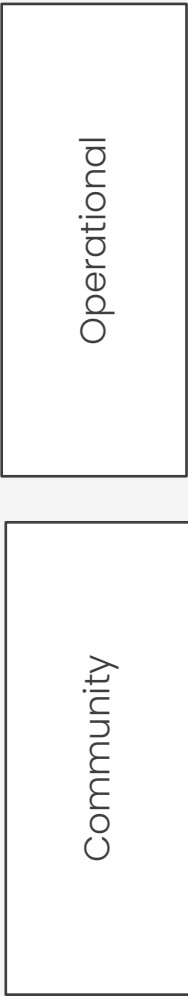
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Public land



All land in or under the control of Council is called ‘public land’ . It must be classified as either:



The controls that apply to ‘community’ land are different to those for ‘operational’ land.

Community

This is set aside for community use (e.g. parks & sportsgrounds). Its development and use is subject to **strict controls**:

- It cannot be sold
- It must have a plan of management
- There are restrictions on leasing and licensing

Note: The draft plan of management does not change the classification of any land to which it applies.



Operational

This serves a commercial or operational function (e.g. offices, works depot, car park, sewage pump station, drainage reserves).

It has **no special restrictions** other than those that may ordinarily apply to any parcel of land.



Categorisation of community land

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Community land



All the land in the draft plan of management is classified as community land.

All community land under the control of Council must be categorised as either:

- natural area
- sportsground
- park
- general community use
- area of cultural significance

Community land



Land categorised as Natural Area must be further categorised as either:

- bushland
- wetland
- escarpment
- watercourse
- foreshore
- a category prescribed by the regulations

Community land



A parcel of community land can have more than one category.

The *Local Government Act 1993* contains core objectives for each category of land.

Process



A **plan of management** is a legal mechanism local councils use to categorise and re-categorise community land.

The sites

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Lot 52 DP 1098436
Jamberoo Road,
Kiama



Lot 2 DP 579091
Girawheen Ave,
Kiamia



Lot 1429 DP 1061892
Eugene Street,
Kiama

Lot 600 DP 1044512
Bland Street, Kiamia



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Lot 20 DP 786920
Hutchison Street,
Kiamia

DP 245973

345

317

296

297

303

289

259

193

1

2

3

4

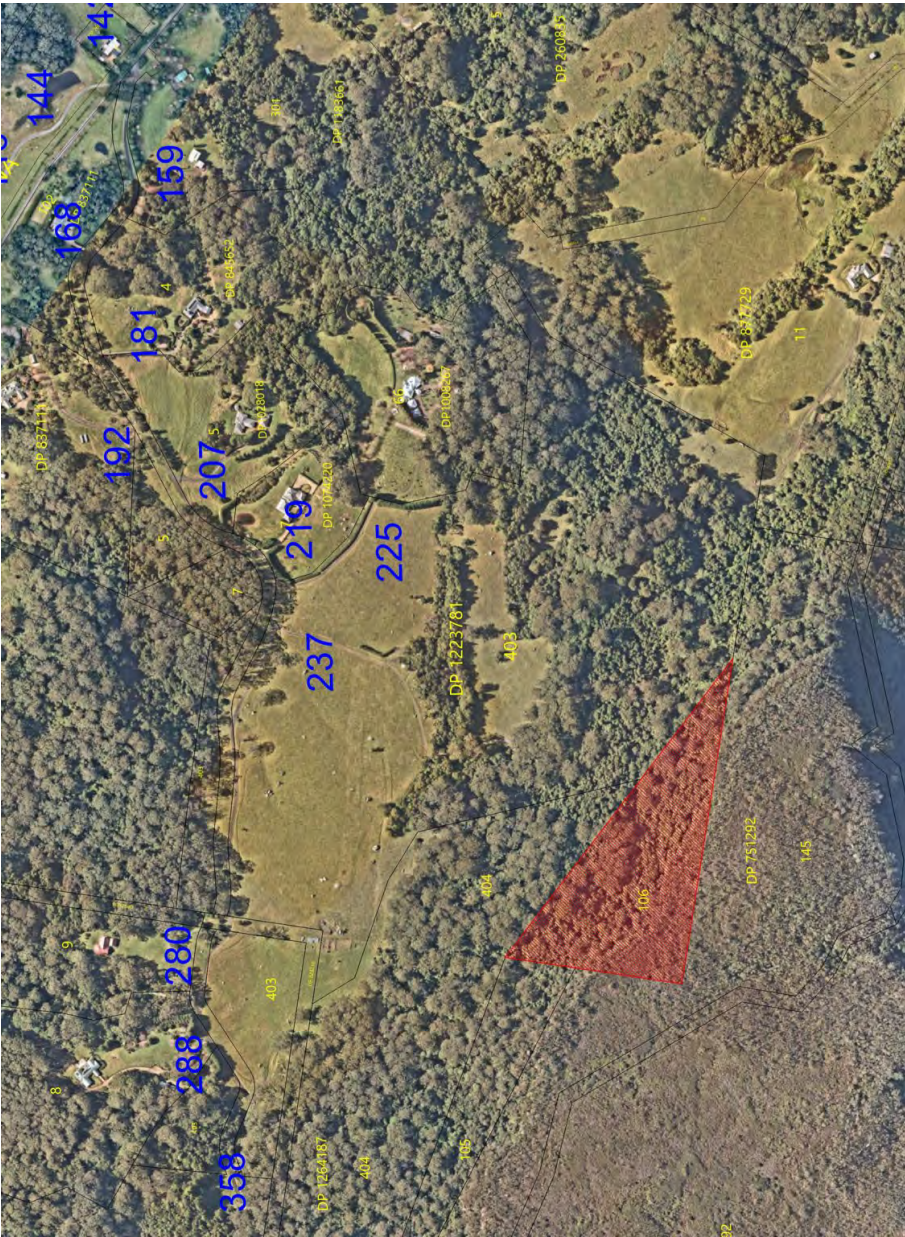
DP 603284

DP 7041503

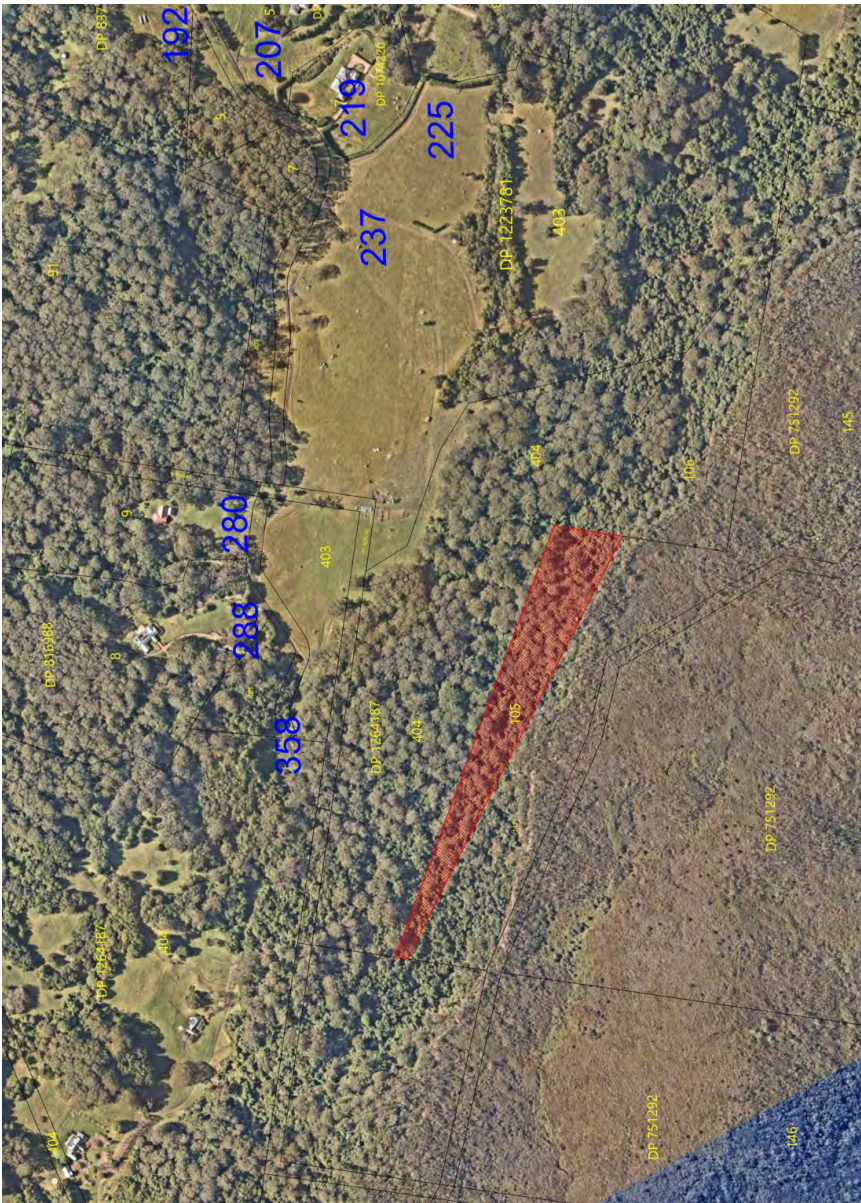
DP 7041504

ROAD

RIVER



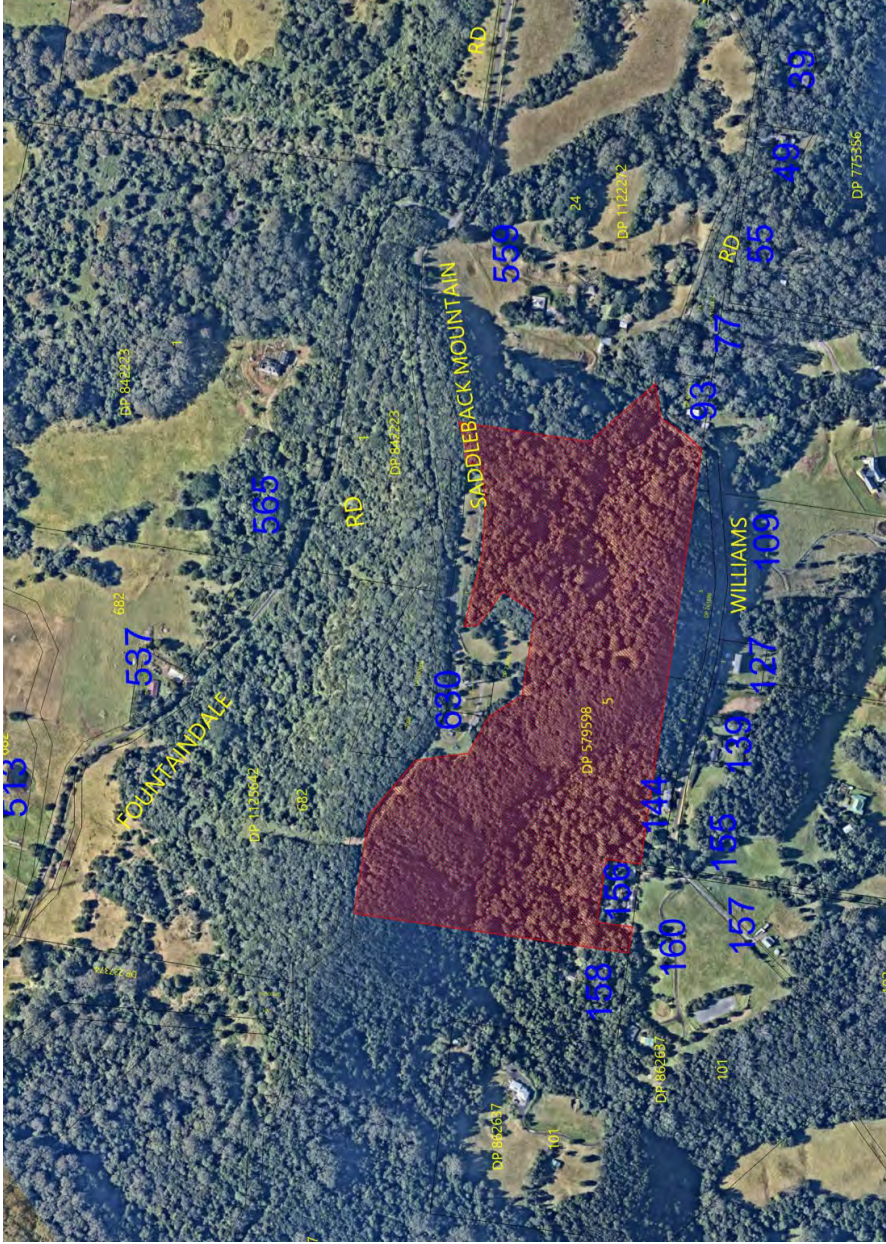
Lot 106 DP 1046656
Nuninuma Drive,
Jamberoo



Lot 105 DP 1046656
Nuninuma Drive,
Jamberoo

Lot 5 DP 579598

Saddle Back
Mountain Road,
Saddle Back



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Lot 1319 DP 1060995

Greyleigh Drive,
Kiamia





Lot 1310 DP 1060995

Old Saddleback
Road, Kiama



Lot 499 DP 1064140

Old Saddleback
Road, Kiama

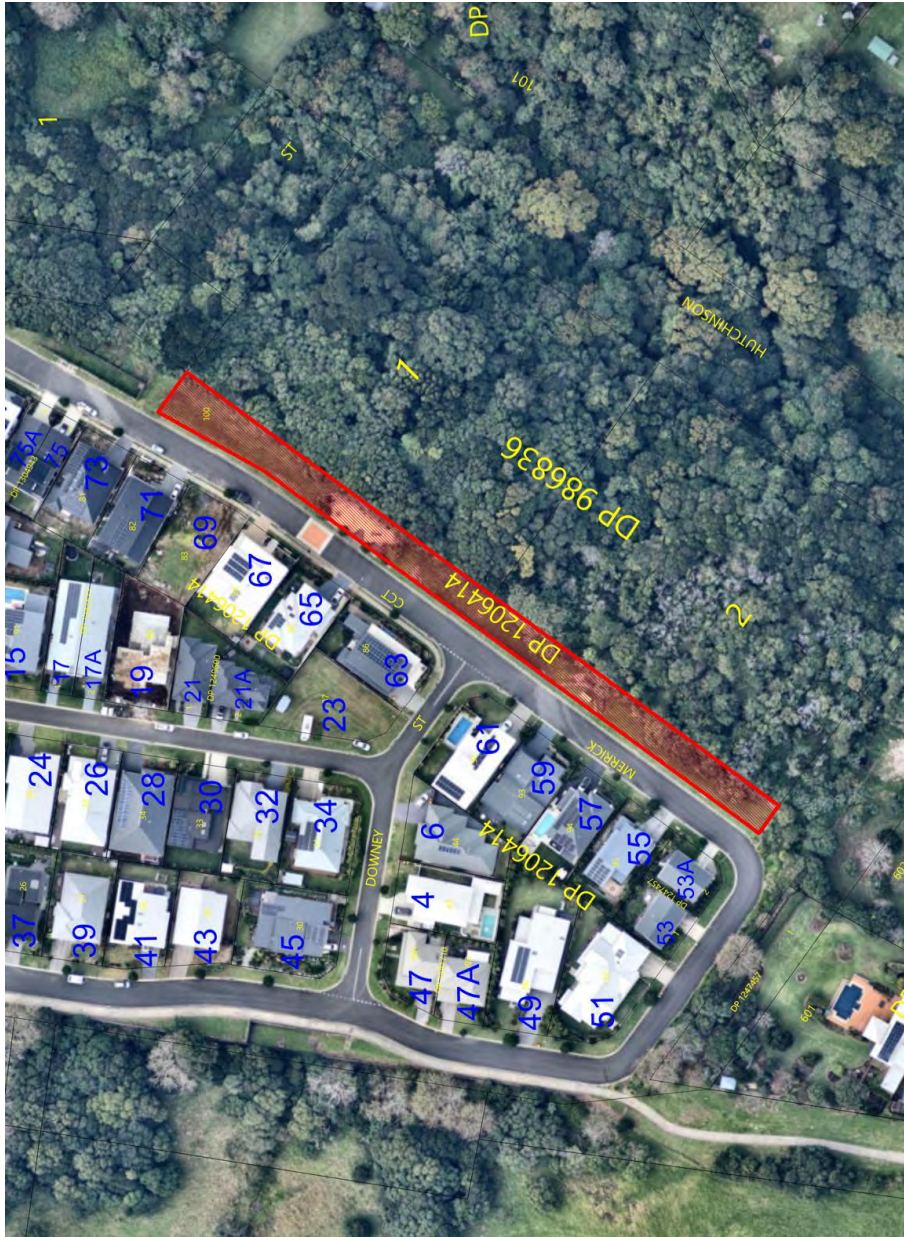


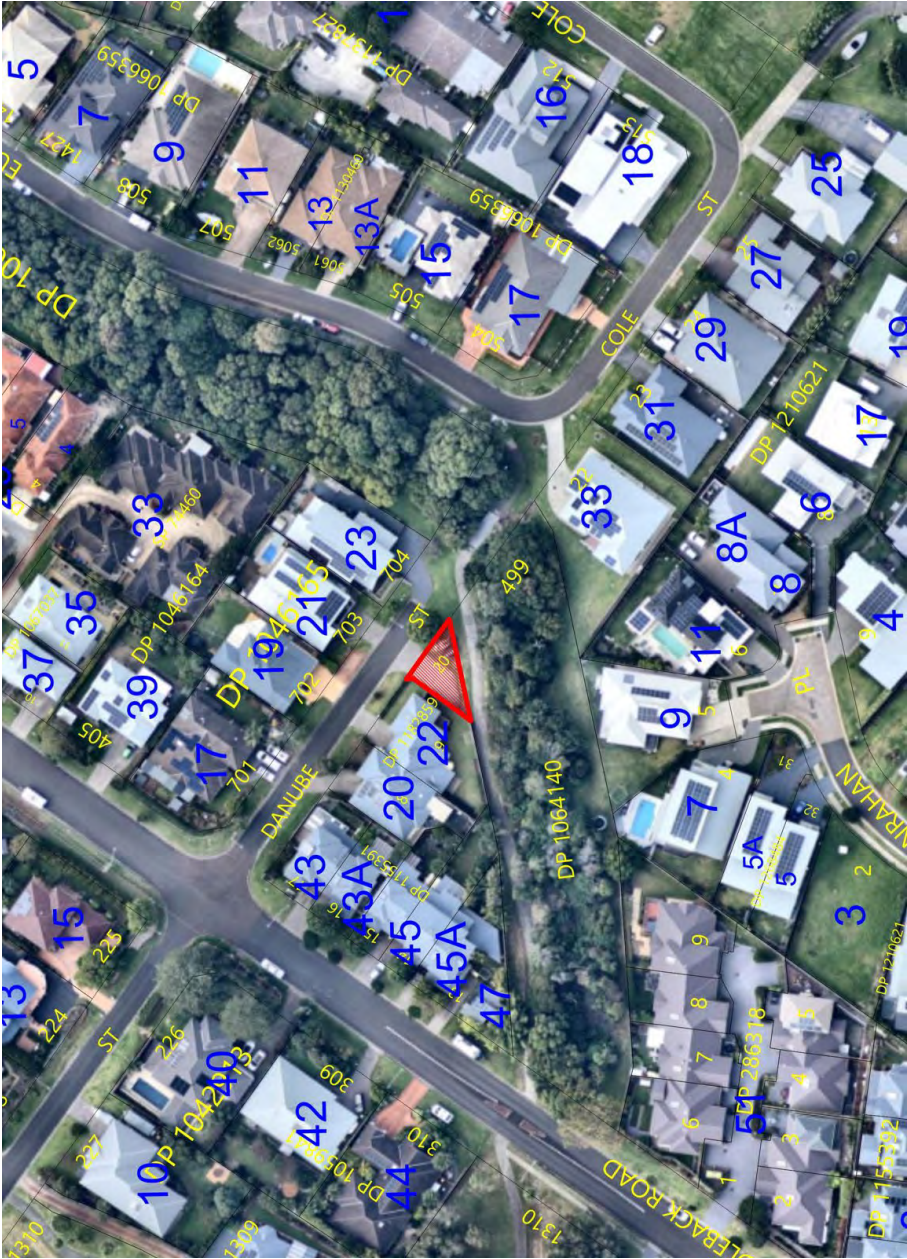
Lot 9 DP 1232541

Belevdere Street,
Kiama

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Lot 20 DP 1182859
Danube Street,
Kiama



Lot 199 DP 1042913

Greyleigh Drive,
Kiama





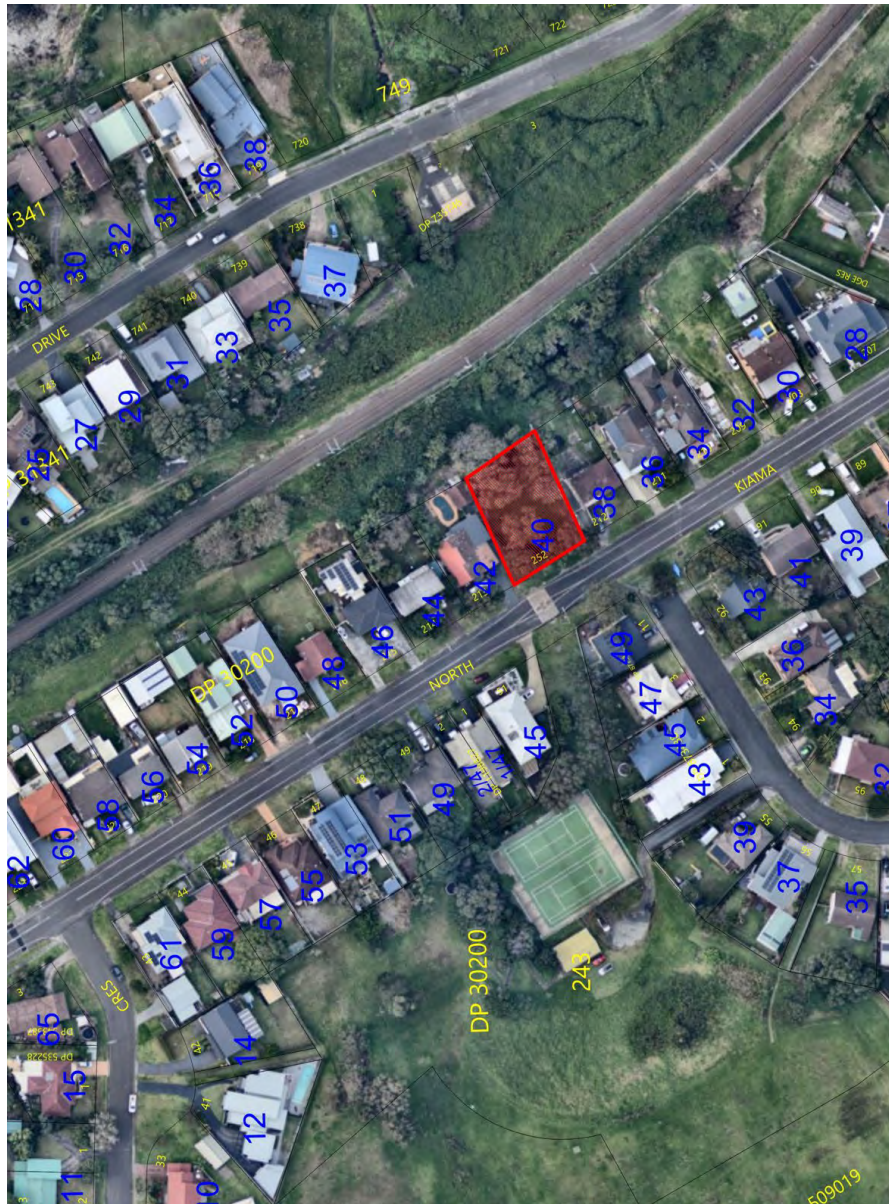
Lot 249 DP 30200
North Kiama Drive,
Kiama Downs



Lot 251 DP 30200
North Kiama Drive,
Kiama Downs

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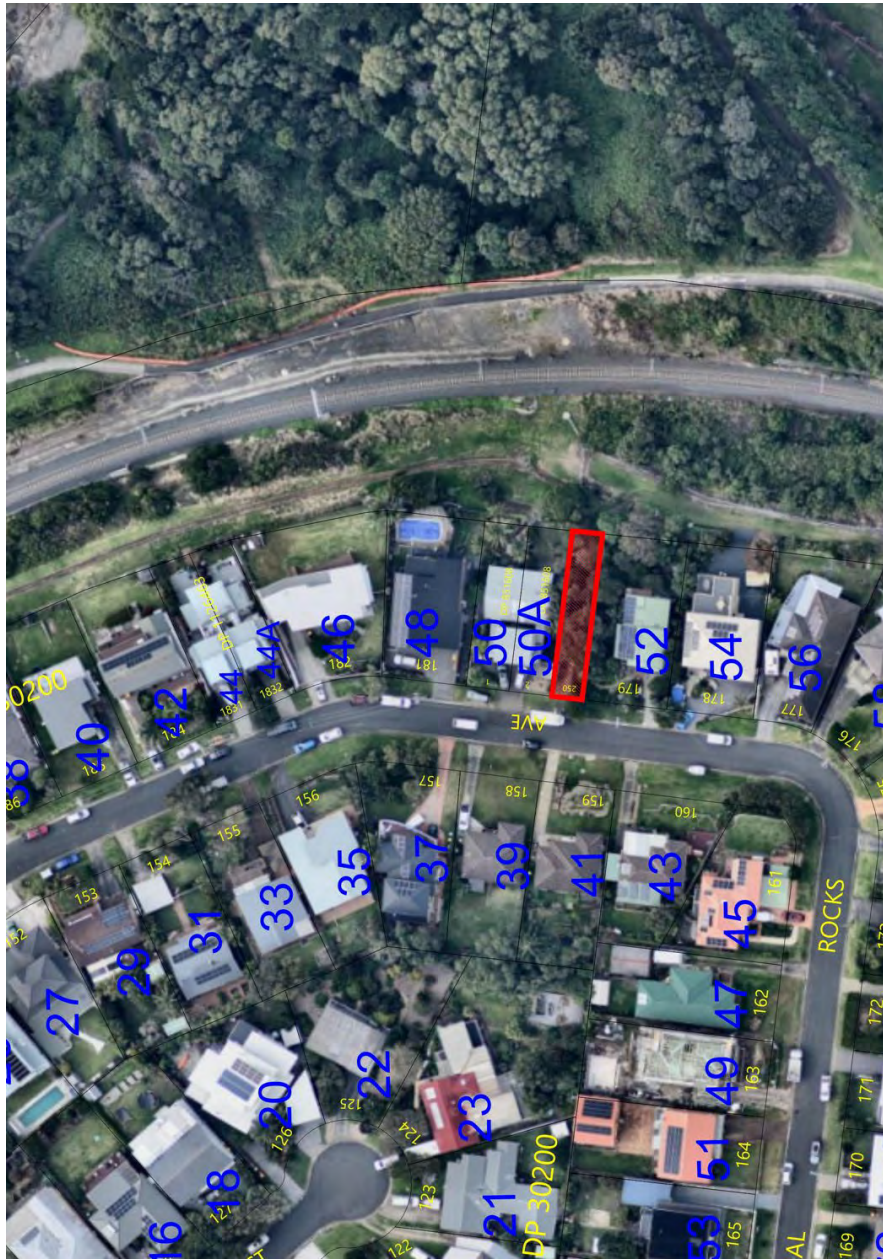


Lot 252 DP 30200

40 North Kiama
Drive, Kiama Downs

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Lot 250 DP 30200

Cathedral Rocks
Ave, Kiama Downs

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Lot 707 DP 201833
Hoolong Ave, Kiama
Downs

Lot 2 DP 1065338

Jupiter Street,
Gerringong

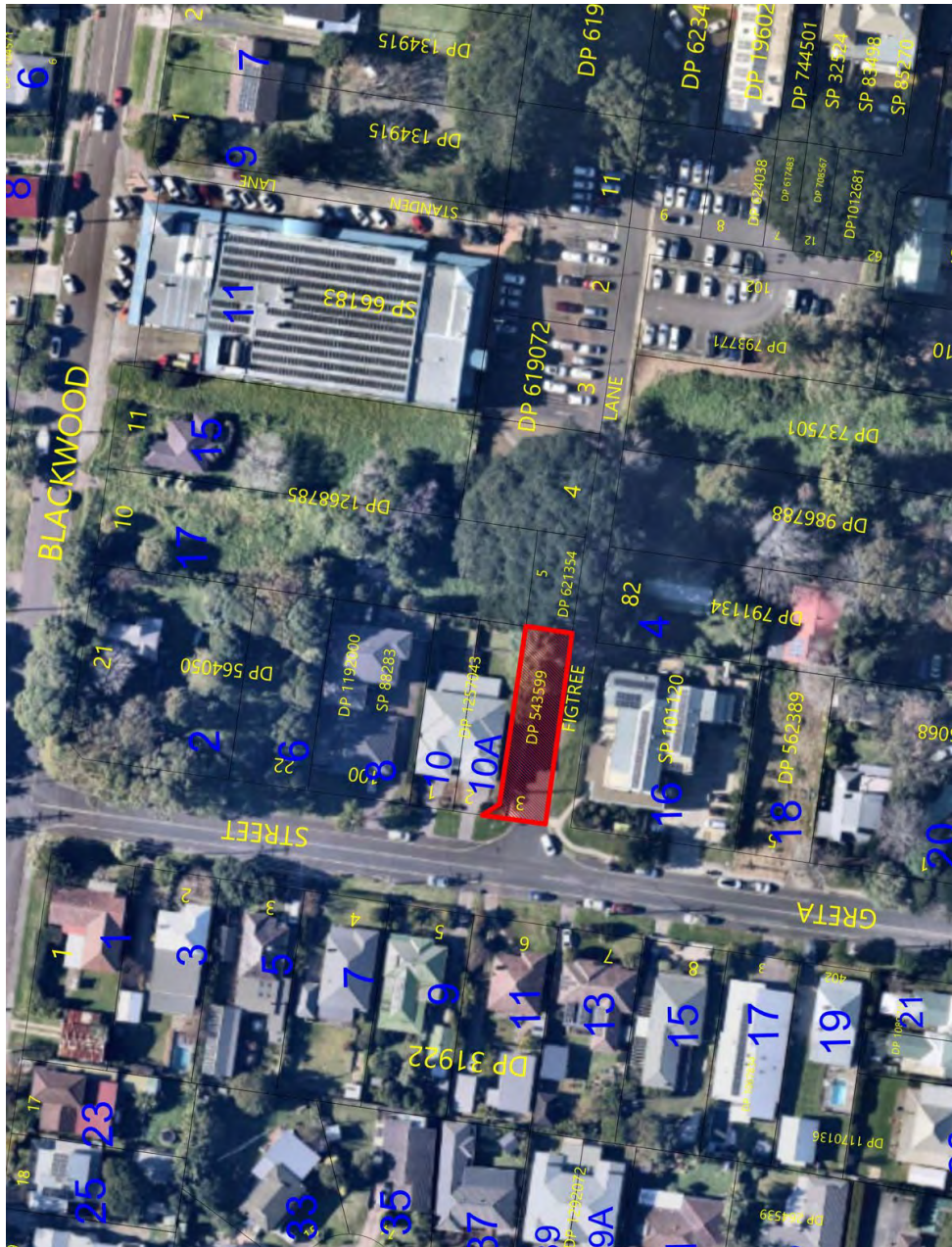


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Lot 5 DP 621354
Figtree Lane,
Gerringong

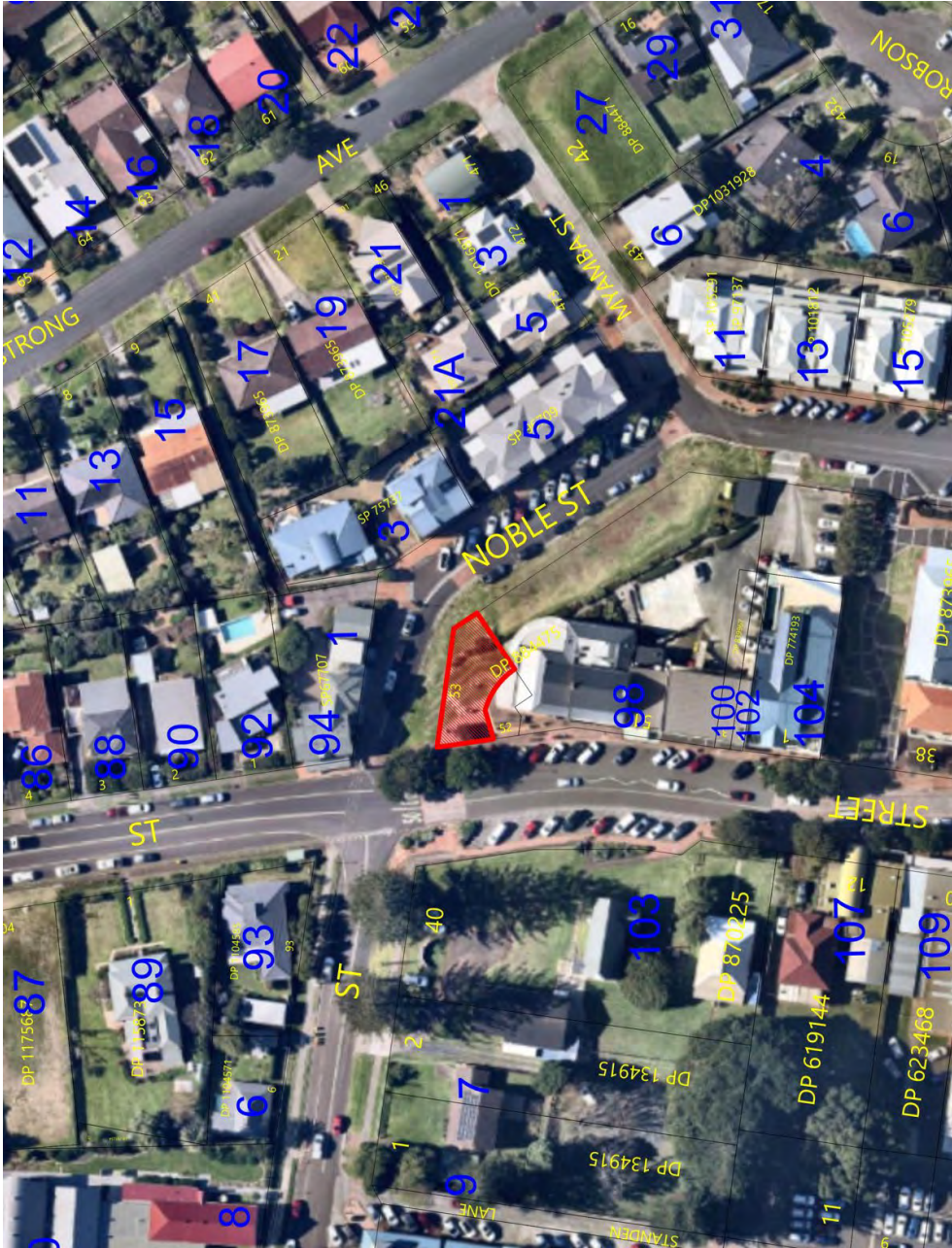


Lot 3 DP 543599

Figtree Lane,
Gerringong

Lot 53 DP 884475

Fern Street,
Gerringong



Lot 2 DP 329172
& Pt Lot 93 DP 4467
& Lot 1 DP 338015

52-54 Burke
Parade, Gerroa





8298

Lot 411 DP 1209559

Gibson Crescent,
Jamberoo

Lot 251 DP 1206471
Gibson Crescent,
Jamberoo





Lot 1 DP 1091690
61 Terralong Street,
Kiama

Lot 3 DP 258605
South Kiama Drive,
Kiama





Lot 2 DP 935308

Collins Lane, Kiama



Lot 1 DP 917665
5 Collins Lane,
Kiama

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Lot 2 DP 1108823
8 Blackwood
Street, Gerringong



Lot 10 DP 626845
1A Allowrie Street,
Jamberoo



Draft plan of management

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Council's website states:



Council's Community Land Plan of Management (PoM) for Neighbourhood Parks identified areas of community land categorised as "Park."



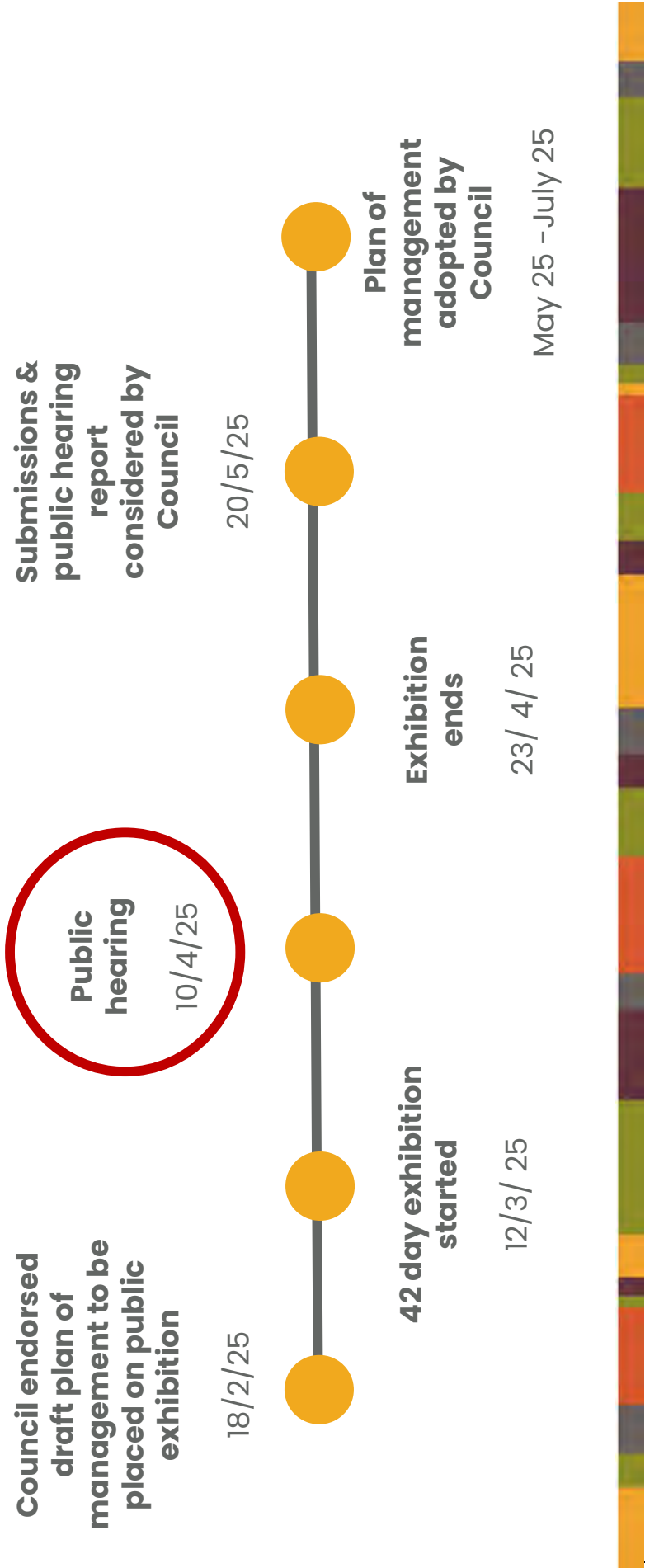
Council has acquired 36 new parcels of community land that were not included in the Plan of Management for Neighbourhood Parks.



To address this, a new draft Plan of Management has been created to incorporate these 36 additional parcels. The updated document has been retitled to cover all types of community land in the local government area, including those categorised as "Natural Area" and "General Community Use" in addition to "Park".



Draft plan of management process



Oral submissions

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Guidelines



5 minutes
per speaker

- State your interest in the plan of management and which site/s you are interested in
- State whether you are speaking in a personal capacity or as a representative of a broader group or person
- Confirm if you have already made a written submission on the plan of management
- If you agree with a previous speaker on a point, please state this rather than repeat the same point
- Refrain from making offensive, threatening or defamatory comments

Next steps

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Next steps



Written report on
hearing

Council will:

- make the report available to the public
- assess any submissions
- report all relevant submissions back to Council

locale consulting

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E info@localeconsulting.com.au / W www.localeconsulting.com.au / ABN 73 140 973 735



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