

18 QUESTIONS WITH NOTICE

18.1 Question with notice: Councillor Larkins - Tasman Drive Gerringong

Clr Stuart Larkins has submitted the following question with notice for consideration:

Question

Could Council please advise what compliance actions have been taken on Tasman Drive, Gerringong in the past 12 months? Given the significant increase in parking and traffic concerns on and around the street, could Council advise what actions could be taken to improve safety as well as improve pedestrian, parking and traffic management in the area? Lastly, have any discussions or suggestions been made by the Tourism and Economic Advisory Committee regarding Tasman Drive, Gerringong?

Councillor information provided

Background

For at least the past 12 months, Tasman Drive, Gerringong, has become a viral sensation on social media both in Australia and internationally as coined 'The Most Beautiful Street in Australia.' The location is a beautiful spot, with the adjacent Gerringong Headland as well as overlooking Werri Beach.

It is understandable that there are many visitors, as well as locals, who appreciate this location and the attention should be welcomed. It has also increased visitation to the Gerringong township and surrounding areas.

However, there have been concerns raised via media, social media and with Councillors from local residents about pedestrians, parking and traffic management on the street following the significant increase in visitors. Additionally, I understand that a number of tour companies and bus-coaches are now utilising the street to drop tourists off and around the street. I have had concerns raised with me by local residents, who wish to access the adjacent Gerringong cemetery to visit loved ones and have found there are difficulties with access to parking.

Tasman Drive is also connected to Belinda Street, Gerringong. As Council is aware, Belinda Street has had significant traffic and parking issues for years, particularly in certain sections and areas and I have concerns about the impact on the street and on Tasman Drive.

I have also seen footage of pedestrians as well as drivers stopping in the middle of Tasman Drive to take photos and undertaking unsafe behaviours.

Noting there would also need to be involvement with NSW Police on any dangerous or illegal behaviors occurring on the street, it would be appreciated being advised of what compliance or parking ranger actions have been taken on Tasman Drive to ensure that parking management is being done.

I understand that social media in particular can cause temporary sensations, and the interests with Tasman Drive could also be temporary, but given there has been 12 months of increased visitation in the street and adjacent areas, could Council also

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advise whether there can be improvements or actions taken to improve parking and traffic flows in the area?

Chief Executive Officer response

Tasman Drive is a local public road under Council's management. The current road width is 6.3 metres from kerb to kerb and expands a further 2.6 metres in width from an indented parking lane on the eastern side along the majority of the road's 415 metre length. A pedestrian pathway runs the full length of the western (residential) side of the road, while the eastern side forms the boundary of the South Werri Headland Public Reserve.

The road was constructed in 2008 and provides a link between Geering and Belinda Streets in the north and south respectively. There are two existing raised threshold speed humps adjacent to the Armstrong Avenue pedestrian pathway and the Osborne Street intersection that reduces vehicle speeds on this relatively steep road.

Previously the road was considered a low speed, low traffic volume environment which is reflected in the fact Council had received very little complaints about traffic or parking on this street. The existing road widths and parking lane were sufficient to allow for vehicles to pass each other uninterrupted. In instances where vehicles were parked on the western side, there is sufficient sight distance for oncoming vehicles to see each other and slow, or informally give way to allow the other vehicle to pass.

However, following the recent increase in popularity on social media, reports have been received of a substantial increase in vehicle traffic along the road including unsafe practices by pedestrians of walking and stopping within the roadway for photos.

The following answers are provided to the questions asked above.

1. *What compliance actions have been taken on Tasman Drive, Gerringong in the past 12 months?*

Over the past 12 months, Council's Compliance Officers – Parking have patrolled Tasman Drive twice a day on weekdays and multiple times a day on weekends.

As there are currently no signposted parking restrictions in Tasman Drive, Council's Compliance Officers are limited to enforcing instances of unsafe or illegal parking, ie double parked, parking on footpaths or across driveways.

Council's Compliance Officers have issued countless verbal warnings for not parallel parking or not parking in the direction of travel.

To date, since January 2025, Compliance Officers have issued a total of 37 infringement notices for parking matters on Tasman Drive. This has totalled over \$12,000 in fines.

2. *What action could be taken to improve safety as well as improve pedestrian, parking and traffic management in the area?*

Any proposed parking restrictions along the western (residential) side of Tasman Drive such as 'No Stopping' zones may improve the current traffic congestion but would negatively impact on kerbside parking for residents and their visitors who live along this street. Before such actions could be considered, widespread consultation would

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need to be undertaken with all the affected residents to gauge their opinions before it is reported to the Kiama Local Transport Forum for review.

Visitors to the area have been reminded to adhere to NSW Road Rules and refrain from standing, or in some instances lying down, in the middle of Tasman Drive to take photos for social media. As articulated in the Councillor's question, this is a matter for NSW Police.

Outside of the traffic issues, Council has received reports of visitors approaching residents to use their personal toilet and kitchen facilities and in some disturbing instances visitors are relieving themselves in the front yard of private residences.

Again, while responding to this behaviour is the remit of the NSW Police, Council could consider installing additional signage, particularly multi-lingual signage, in the area providing direction to the nearby public toilets at both South Werri and the Gerringong Surf Club. Additional bins, picnic tables etc, could also be provided within the adjacent public reserve to address some of this anti-social behaviour. It should be stressed that such capital expenditure is not currently contained in either the adopted 2025-26 or draft 2026-27 budgets.

Council has committed to door knocking local residents in partnership with the local member to be able to fully understand local impacts and issues. This will occur in coming weeks. It is recommended that engagement and conversation precede any definitive action as the road network operates as a collective, not as stand-alone streets. Any changes to one part of the street would have impact on the surrounding network and must be considered in conjunction with the whole system.

3. *Lastly, have any discussions or suggestions been made by the Tourism and Economic Advisory Committee regarding Tasman Drive, Gerringong?*

Yes, ongoing conversations around visitation trends have occurred in Tourism and Economic Advisory Committee (TEAC) meetings. This includes discussions around social media trends, such as Tasman Drive. It is noted that the TEAC's next meeting is scheduled for Thursday 21 May 2026 and to an extent these visitor trends are included in the agenda.

The preparation of the draft Visitor Economy Strategy, including in this agenda for public exhibition, has involved several briefings and workshops with the TEAC. The draft Strategy includes the Tasman Drive social media phenomenon as a case study. The draft Strategy acknowledges the role and impact social media has on the visitor economy. The draft Strategy includes actions to focus on regional partnership opportunities, growing the Municipality's accommodation offerings and targeted data-led destination branding and marketing.

18.2 Question with notice: Councillor Warren - Concession lots (and the like) in the Kiama LGA

Clr Erica Warren has submitted the following question with notice for consideration:

Question

1. How many concessional lots (including sunset clause blocks) are in the Kiama Local Government Area?
2. What rates are being received by Kiama Council per annum for these lots?
3. If these lots were built on, what rates would Kiama Council receive per annum for these lots?
4. What income would Kiama Council receive in the form of developer contributions if these lots were built on?

Councillor information providedBackground

The Local Environmental Plan is outdated and restrictive in its allowances in terms of building on concessional lots. In a climate of budgetary concerns, where every dollar counts, I would like to understand what Kiama Council is losing in terms of rates and developer contributions for concessional lots and the like.

Chief Executive Officer response

Whilst it is true that the LEP was prepared in 2011, it is not correct that the entire *Kiama Local Environmental Plan (LEP) 2011* is outdated. Since its initial gazettal in December 2011 the LEP has been amended over 25 times. The NSW Department of Planning, Housing and Infrastructure have confirmed via their LEP health check that the Kiama LEP remains current.

It is also acknowledged that the LEP has parts which need updating and which do not resonate with today's planning environment. Likewise, the Kiama Development Control Plan (DCP) 2020 needs to be consistently reviewed to ensure it responds to the current environment. Planning / housing needs change and communities constantly evolve and change, planning instruments need to keep pace with these changes. Staff are aware that the concessional lot provisions that this NoM deals with are facing scrutiny and pressure due to housing needs, changing appetites for lot size, cost of land locally and the need to update the planning instruments to address these changes. Staff are understanding of these needs, however they do need to continue to utilize and comply with the planning tools, policies and instruments currently lawfully in place.

At the ordinary February 2026 meeting, Council resolved:

That Council, as part of implementing its Local Housing Strategy, Employment Lands Strategy, Vegetation Study and Rural Lands Strategy, look to

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systematically review the Kiama Local Environmental Plan (LEP) 2011 and Kiama Development Control Plan (DCP) 2020 with a view to removing any inconsistencies and to facilitate good outcomes for our community.

Council adopted its Local Housing Strategy in June 2025 and work has commenced on its implementation, namely an internal LEP and DCP review focusing on residential controls and opportunities to increase densities within Kiama and Gerringong and the preparation of a Structure Plan for the Kiama Urban Expansion Area.

The draft Employment Lands Strategy is currently on exhibition until 24 May 2026. It is anticipated that this Strategy will be reported back to Council for adoption early in the new financial year. Following this work will commence on an internal LEP and DCP review focusing on employment related controls.

The draft 2026-27 Operational Plan includes the preparation and adoption of a comprehensive Rural Lands Strategy. Following the adoption of this strategy, work would commence on internal LEP and DCP review focusing on rural, including rural-residential, controls.

In addition to these major strategies, staff are also finalising the Visitor Economy Strategy, Night-Time Economy Strategy, Kiama Vegetation Study, Jamberoo Heritage Review and Social Infrastructure Strategy. The current Delivery Program seeks to also complete a Gerringong Town Centre, Gerringong Heritage Review and Urban Greening Strategy within the current term of Council.

The following answers have been provided in response to the Councillor's questions:

1. *How many concessional lots (including sunset clause blocks) are in the Kiama Local Government Area?*

There are approximately 165 lots in the Kiama Municipality which are:

- zoned RU1 Primary Production, RU2 Rural Landscape and/or C3 Environmental Conservation, and
- less than 40Ha, and
- undeveloped with no dwelling erected on the lot.

Five (5) of these lots are either Council owned or Council managed Crown Land.

At least thirteen (13) of these lots have been identified in either the adopted Local Housing Strategy or draft Employment Lands Strategy as future housing or employment sites.

Nine (9) of these allotments are owned by State agencies, either Transport for NSW or Sydney Water.

An analysis has not been undertaken to determine if any of the remaining 138 lots, whilst vacant, already have development consent for the erection of a dwelling but are yet to commence construction etc. It is also worth noting that some of these lots may also be heavily constrained and unlikely to ever be capable or suitable for residential development (such as Ooaree Creek floodplain etc.). Current workload does not allow for this level of analysis.

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2. *What rates are being received by Kiama Council per annum for these lots?*

To definitively answer, Council's finance team would need to review each parcel and determine its rating category, land value and therefore Total Rate Bill. If required by Council, this information, as a total number, can be provided on notice at a future meeting.

It is worth noting that time has already been spent by members of the Executive Team providing responses diverts time and resources away from DPOP approved work and other priorities.

The answer to the following question/s may address the underlying objective of this question.

3. *If these lots were built on, what rates would Kiama Council receive per annum for these lots?*

In NSW the total rate bill is calculated by multiplying the Land Value by the Rate in dollars. The standard/consistent Base Amount is then added.

In Kiama the following categories are utilised; Residential, Rural Residential, Farmland, Business Commercial and Business Ordinary.

To qualify for a Farmland rate category, an application must be lodged for consideration and potential approval for this category to be granted. There is no size stipulation for this category. It must be demonstrated that the dominant use of the lot is farming.

To qualify for a Rural Residential rate category, the lot must be between 2 and 40 hectares and have a dwelling.

To qualify for a Residential rate category, residential development must be permissible to the land zone and be the dominant use of the land.

If none of the above apply to a parcel of land, then the land would 'fall' into the Business Ordinary rate category.

It is acknowledged that the ability to build a dwelling on a lot increases its Land Value.

The below analysis shows the difference in Total Rate Bills between the above categories at two (2) different Land Values:

Rate category	Land value	Rate in \$	Amount	Base amount	Total
Farmland	\$500,000	\$0.00069600	\$348.00	\$973.00	\$1,321.00
Rural Residential	\$500,000	\$0.00094900	\$474.50	\$973.00	\$1,447.50
Residential	\$500,000	\$0.00084270	\$421.35	\$973.00	\$1,394.35

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Business Ordinary	\$500,000	\$0.00227700	\$1,138.50	\$973.00	\$2,111.50
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Rate category	Land value	Rate in \$	Amount	Base amount	Total
Farmland	\$1,000,000	\$0.00069600	\$696.00	\$973.00	\$1,669.00
Rural Residential	\$1,000,000	\$0.00094900	\$949.00	\$973.00	\$1,922.00
Residential	\$1,000,000	\$0.00084270	\$842.70	\$973.00	\$1,815.7
Business Ordinary	\$1,000,000	\$0.00227700	\$2,277.00	\$973.00	\$3,250.00

Assuming these 165 lots are not being used for commercial farming purposes they would be categorised as Business Ordinary and, with a Land Value of \$500,000, would pay \$2,111.50 per annum per lot in rates. Assuming the Land Value doubles to \$1 Million, if a dwelling were approved on each lot, the lots would be categorised as Rural Residential and would pay \$1,922.00 per annum per lot in rates.

While the value of the land would increase if a dwelling were approved the total rates Council receive would decrease by \$189.5 per lot per annum (i.e. approximately \$31,000 pa).

4. *What income would Kiama Council receive in the form of developer contributions if these lots were built on?*

At present, Council only has a Section 7.12 Contribution Plan. As per the *Environmental Planning and Assessment Act 1979*, section 7.12 contributions are calculated as a percentage of the estimated value of construction.

Assuming an average construction cost of \$1 Million, the average section 7.12 contribution would be \$10,000 per dwelling. It is worth stressing that contribution funds can only be used in accordance with the adopted Section 7.12 Contribution Plan on the provision of new infrastructure required to support the additional demand on services and infrastructure. These funds do not contribute to Council's general operating budget.

There is no question that if the lots had dwellings built on them funds would be received by KMC, but the fact remains that current planning instruments do not permit this to occur and require systemic change / updating.