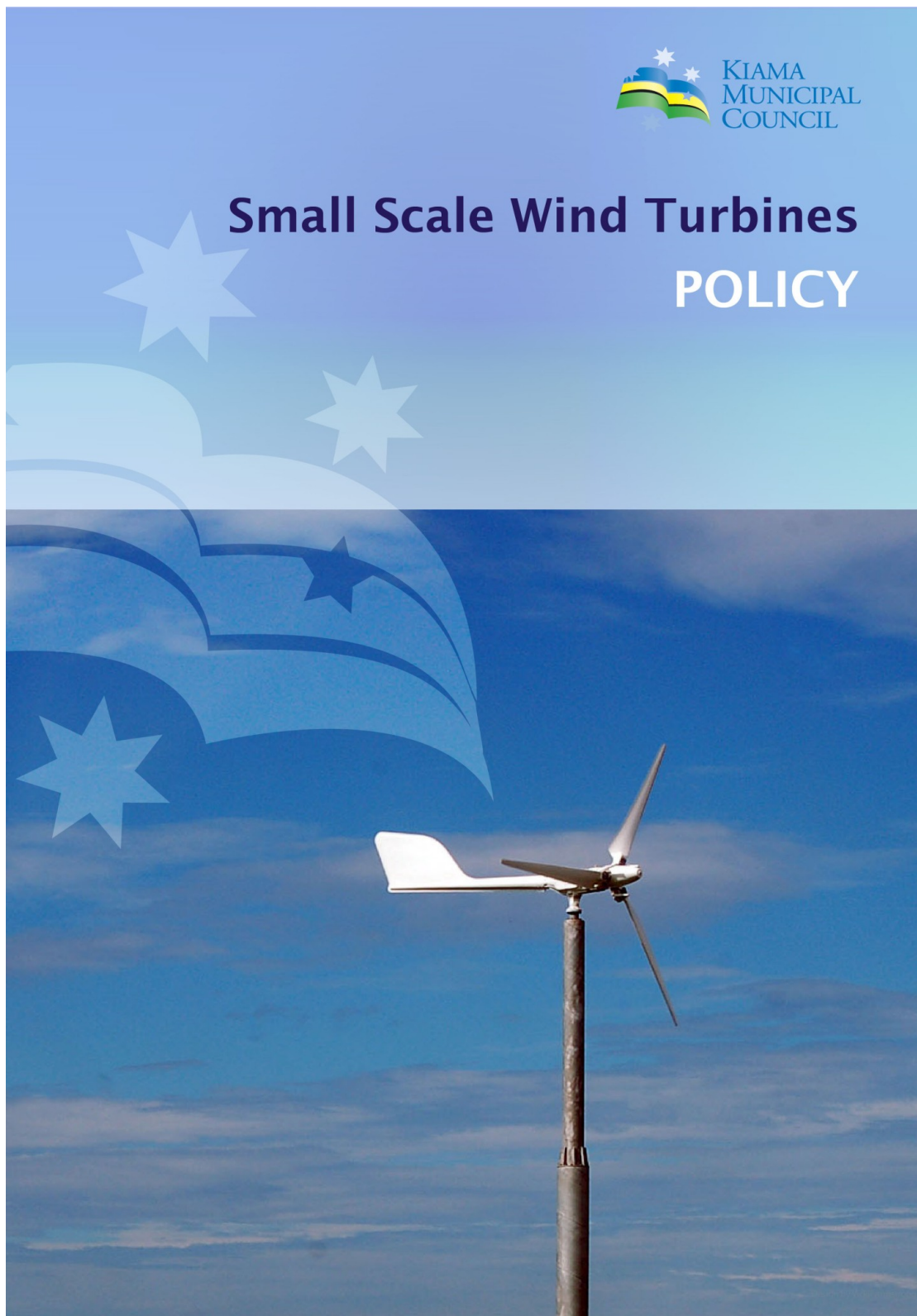




Item 15.5

Enclosure 1

- Adopted by Council on 15 February 2011
Effective from 2 March 2011

Aims and Objectives

This Policy aims to:

- Provide general standards for the erection of small wind turbines within the Kiama Municipality; and
- Protect the amenity of the locality in which the small wind turbine is situated; and
- Ensure that the small scale wind turbine do not adversely impact on the amenity of other residents particularly in respect to noise and blade flicker; and
- Preserve and compliment any natural and/or cultural heritage characteristics of the area; and
- Provide Kiama residents opportunities for the production of sustainable energy.

In rural areas:

- Does not detract from the scenic qualities of the rural landscape; and
- Does not produce an unreasonable cumulative impact on the general amenity of the area.

Standard for Development

Council requires that small scale wind turbines be designed and located so as to be sympathetic to the particular setting. For this reason the following policy standards are deemed appropriate in consideration of the merits of a development proposal.

Definition

Small scale wind turbine – wind turbines that have a rated capacity of less than or equal to 10kw may be classified as small scale wind turbines. These turbines can be connected to the electricity grid by an inverter but more commonly are used to generate electricity as “stand alone” or “off grid” power supply systems.

General RequirementsHeight – Free Standing

The maximum height for small scale wind turbines (including blade tip height) shall not exceed:

- Rural zones – 18 metres.
- Urban zones – 15 metres.

Height – Attached to Buildings

The small scale wind turbine (including blade tip height) shall not exceed a height of 3 metres above the ridgeline of the building to which it is attached. Structural Engineer’s details must be provided in relation to roof mounted turbines.

Noise

The noise produced by the small scale wind turbine shall not exceed 5dB(A) above the background sound power level for a given installation when measures at any point along the boundary of the subject property or adjacent to any dwelling.

Energy Production

The proposed small scale wind turbine shall not exceed an energy generating capacity of:

- Rural zones – 10 kW.
- Urban zones – 5 kW.

Number of Installations

The number of small scale wind turbines on any single allotment of land shall not exceed one (1).

Advertising and Lighting

No advertising signs or logos shall be visible on any installed small scale wind turbine and no lighting shall be provided for the purpose of highlighting the location of the wind turbine.

Location Within Residential Allotments

The small scale wind turbine shall not be located in a position that would, in the opinion of Council, cause shadow flicker on the private open space or windows to living areas on any adjoining non-associated residence.

Abandonment

Where a small scale wind turbine has not been used for the production of energy for a period of twelve (12) months it will be required as a condition of consent to be dismantled and removed from the subject property.

Other Miscellaneous Requirements

The small scale wind turbine shall:

- Be Located clear of power lines in accordance with the requirements of the relevant electricity authority.
- Not be located on land on which a building that is a State or Local Heritage Item is located or is in a Heritage Conservation Area.
- Not involve the removal of pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent.
- Be installed in accordance with the manufacturer's specifications including any engineering details.



Interim Minor Nature Maintenance and Repair Works of Heritage Items Policy

Item 15.5

Enclosure 2



RESPECT



INNOVATION



INTEGRITY



TEAMWORK



EXCELLENCE

Date approved/adopted	19 May 2020
Resolution No	20/132OC
Date effective	19 May 2020
Date last reviewed	19 May 2020
Next review date	30 June 2021
Department	Environmental Services
Author	Manager Strategic Planning
TRIM reference	20/43999
Supporting documents	N/A

Item 15.5

Enclosure 2

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Item 15.5

Enclosure 2

Interim Minor Maintenance and Repair Works of Heritage Items Policy

1.0 Purpose

The purpose of this interim Policy is to identify minor maintenance and repair works associated with heritage items, Aboriginal objects, Aboriginal places, archaeological sites or heritage conservation areas which may be carried out without the need to obtain development consent.

2.0 Objectives

The objectives of this policy are:

- to conserve the environmental heritage of Kiama,
- to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- to conserve archaeological sites,
- to conserve Aboriginal objects and Aboriginal places of heritage significance.

3.0 Scope

This Policy applies to land within the Kiama Municipality that is:

- on which a heritage item is located, or
- within a heritage conservation area.

4.0 Definitions

For the purpose of this document the following definitions apply:

Term	Definition
Heritage Conservation Area	An area of land of heritage significance— (a) shown on the Heritage Map as a heritage conservation area, and (b) the location and nature of which is described in Schedule 5 of the Kiama Local Environmental Plan (LEP) 2011, and includes any heritage items situated on or within that area.
Heritage Item	A building, work, place, relic, tree, object or archaeological site the location and nature of which is described in Schedule 5 of the Kiama LEP 2011.
Maintenance	Ongoing protective care, but does not include the removal or disturbance of existing fabric, alterations (such as carrying out extensions or additions) or the introduction of new materials or technology.

5.0 Policy

The [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#) (SEPP Codes) lists a number of different developments that can be carried out without development consent (i.e. exempt development). The SEPP Codes includes development standards that must be adhered to in order to be considered exempt development.

In most circumstances exempt development cannot be carried out on properties that are listed as heritage items or areas and development consent is required.

[Clause 5.10\(3\)](#) of the *Kiama Local Environmental Plan (LEP) 2011* outlines that development consent is not required for works of a minor nature or for the maintenance of the heritage item.

The following maintenance and repair works are considered to be of a minor nature:

- Painting of the internal walls and ceiling of a building;
- Tightening of fixtures to ensure such fixtures are securely held in place;
- Re-hinging doors and gates;
- Replacing broken windows, fly screens etc;
- Minor repairs to any brickwork, metal work or roofing;
- Other general maintenance work where no or minimal new fabric is required;
- Pest control measures;
- Repainting of external walls;
- Internal alterations that do not affect the structural components of a building or significant detailing;
- Conservation works being undertaken in accordance with an approved Conservation Plan; and
- Minor external structures, particularly when not visible from the street and where consistent with the controls and guidelines outlined in all relevant sections of the [Kiama Development Control Plan 2020](#), such as:
 - fencing,
 - mailboxes,
 - antennas,
 - water-tanks,
 - garden sheds etc.

It is generally likely that these types of maintenance and repair works would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area.

Any request to undertake minor maintenance and repair works on a heritage item/area, under clause 5.10 of the LEP 2011, must be done using Council's 'Request to undertake minor maintenance and repair works on a heritage item/area' form.

Only works that would otherwise be exempt development, under the provisions of any environmental planning instrument, from consent requirements but for the heritage listing can be considered under this procedure.

Requests will be considered on a case by case basis. Minor development appropriate without approval for one heritage property may not be considered minor for another due to the varying circumstances of the listing such as the significance of the heritage item and the potential impact of the works upon the particular listed item or the affect upon a group of buildings within a heritage conservation area.

6.0 Document control

Date reviewed	Date adopted	Amendment
16/5/2020	19/5/2020	TBC

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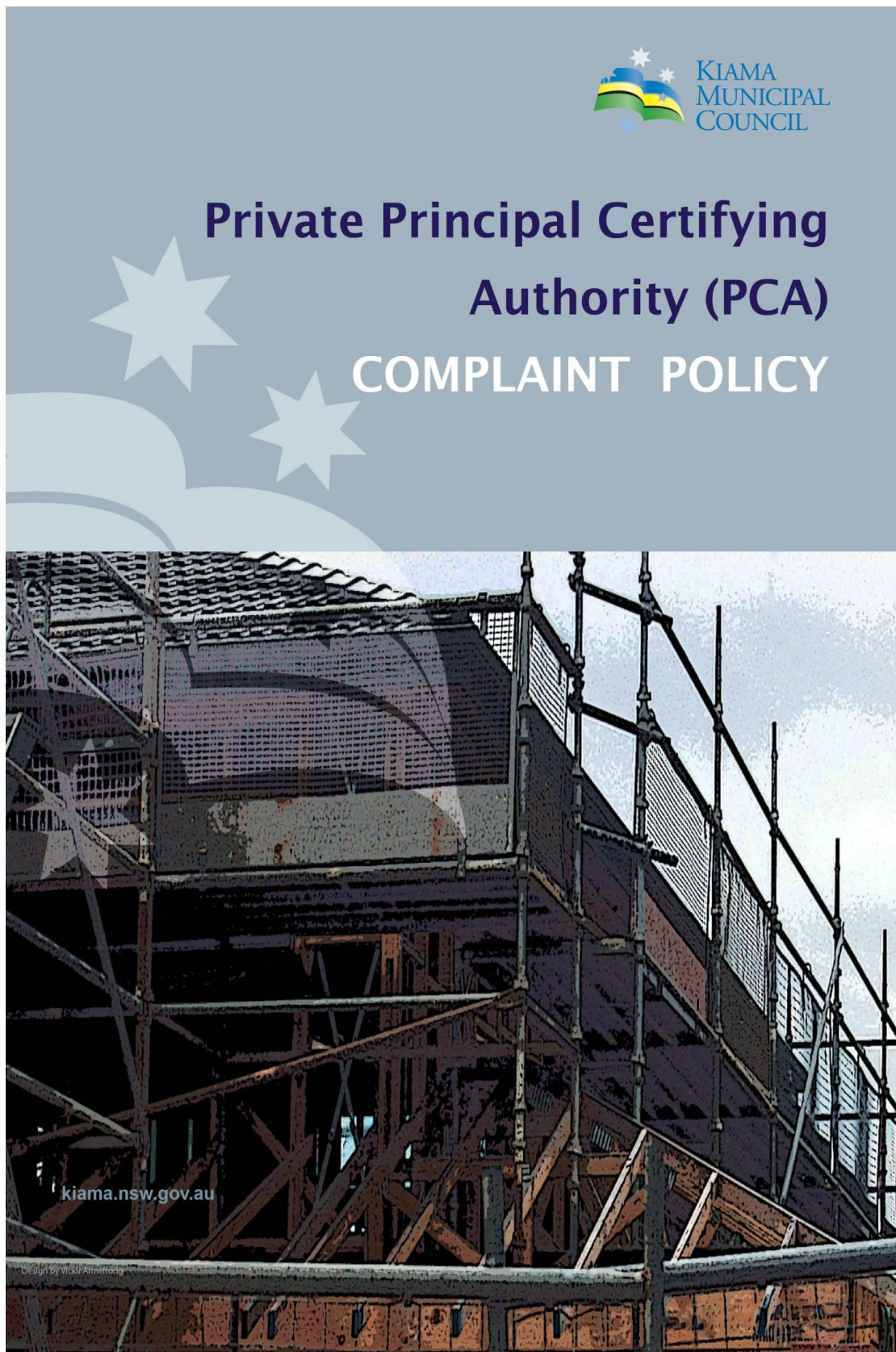
Email: council@kiama.nsw.gov.au
Website: www.kiama.nsw.gov.au

Office hours

Our Administration Building located at
11 Manning Street Kiama is open 8.45 am to 4.15 pm
Monday to Friday (excluding public holidays)



KIAMA MUNICIPAL COUNCIL
your council. your community



Item 15.5

Enclosure 3

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Enclosure 3

1. INTRODUCTION

1.1 The Policy

This policy is called “Kiama Municipal Council’s Private Principal Certifying Authority (PCA) Complaint Policy.”

1.2 Commencement

This Policy was adopted by Council on 17 May 2011 and commences on 25 May 2011.

1.3 Purpose

This policy has been developed in order to explain how Council will handle complaints about building and development work where a private Principal Certifying Authority (PCA) has been appointed.

1.4 Policy Statement

Council is strongly committed to ensuring building work on all development sites within the Kiama Local Government Area, whether or not Council or a Private Principal Certifying Authority have been appointed, complies with Council’s Development Consent.

1.5 Policy Objective

The aim of this policy is to establish clear guidelines for the exercise of the discretion the Council and its officers must use in dealing with complaints relating to building sites where a Private Principal Certifying Authority has been appointed.

- This policy explains the respective roles and responsibilities of the Council, as the consent authority and regulatory body.
- This policy explains the roles and responsibilities of accredited certifiers who have been appointed as PCA.
- Specifies the criteria which the Council and its officers will take into consideration when deciding:
 - (a) to act on complaints, and
 - (b) the most appropriate type of action.
- Provides information to the public about the Council’s role and policy on building and development sites where a Private Principal Certifying Authority has been appointed.

1.6 Application

This policy applies to the management and investigation of complaints made to Council regarding unlawful/non-compliant building work on development sites where a Private Principal Certifying Authority has been appointed

1.7 Definitions

The following defined terms are used in the policy:

Accredited Certifier - Also referred to as 'private certifier'. In relation to matters of a particular kind, means a person who is the holder of a certificate of accreditation under the Building Professionals Act 2005 in relation to those matters. Depending on the level of accreditation, an accredited certifier can act as a certifying authority and approve construction certificates (CC) and complying development certificates (CDC) and may be appointed the PCA for a development.

BPB - Means the Building Professionals Board. The BPB is responsible for:

- accrediting all accredited certifiers,
- investigating complaints against them,
- conducting audits of accredited certifiers and councils, and
- improving professional practice through education and training.

CC - Means Construction Certificate. A CC is required before the commencement of building work subject to a development consent (except where a Complying Development Certificate has been issued). A CC certifies that:

1. The detailed construction plans and specifications will comply with the Building Code of Australia (BCA) including relevant associated structural standards and codes;
2. The detailed construction plans and specifications are "not inconsistent" with the development consent; and
3. All outstanding conditions of the development consent such as the payment of section 94 contributions, security deposits, bonds, and conditions of consent must be finalised before a Construction Certificate is issued.

A CC may be issued by Council or by an accredited certifier.

CDC - Means complying development certificate. A CDC can only be issued for the category of minor works listed in Council's Development Control Plan 20 – Exempt and Complying Development or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and subject to compliance with predetermined development standards. A CDC is a certificate:

- (a) that states that particular proposed development is complying development and (if carried out as specified in the certificate), will comply with all development standards applicable to the development and with other requirements prescribed by the regulations concerning the issue of a CDC, and
- (b) in the case of development involving the erection of a building, that identifies the classification of the building in accordance with the Building Code of Australia (BCA).

A CDC may be issued by Council or by an accredited certifier

Certifying Authority - Means a person who:

- (a) is authorised by or under section 85A of the Environmental Planning & Assessment Act 1979 (EP&A Act) to issue complying development certificates, or
- (b) is authorised by or under section 109D of the EP&A Act to issue Part 4A certificates.

EP&A Act - Means the Environmental Planning & Assessment Act 1979

OC - Means occupation certificate. In summary, in issuing an OC, the PCA must be satisfied that:

- a development consent or CDC is in force;
- the building is suitable to use or occupy under its BCA classification;
- any preconditions set by the development consent or the CDC to the issue of an OC have been met;
- if the building is erected pursuant to a development consent, that a CC has been issued with respect to the plans and specifications for the building;
- other matters required by the regulations to be complied with before the certificate is issued have also been met.

Conditions of a development consent (or CDC) could require certain matters, such as those relating to site safety and preventing adverse impacts on adjoining land uses or sites, to be met before the issue of an OC.

An OC can only be issued by the appointed Principal Certifying Authority (PCA).

PCA - Means the Principal Certifying Authority. Also referred to as the 'building inspector'. The PCA must be appointed before any building work commences and is responsible for inspecting building and subdivision work during the construction phase of development. This is to ensure that the work is consistent with the development consent and construction certificate and to enable the issuing of an occupation certificate when the work is complete.

Section 109E of the EP&A Act states the PCA must be satisfied:

- (a) that a construction certificate or complying development certificate has been issued for the building work before the work commences on the site, and
- (b) that the principal contractor for the work is the holder of the appropriate licence and is covered by the appropriate insurance, in each case if required by the Home Building Act 1989, before any residential building work commences on the site, unless the work is to be carried out by an owner-builder, and
- (c) that the owner-builder is the holder of any owner-builder permit required under the Home Building Act 1989, before an owner-builder commences on the site any residential building work, and
- (d) that building work on the site has been inspected by the PCA or another certifying authority as prescribed and as required by the PCA, before the PCA issues an occupation certificate for the building or work, and
- (e) that any preconditions required by a development consent or complying development certificate to be met for the work before the issue of an occupation certificate have been met, before the PCA issues the occupation certificate. Either Council or an accredited certifier can be appointed the PCA

1.8 Relevant Legislation

Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.

2. BACKGROUND

The main certification steps of the construction/building phase that need to occur can be summarised as follows:

1. A CC (where development consent has been issued) or a CDC must be issued. These certificates can be issued by either Council or an accredited certifier. Where issued by an accredited certifier, copies of the approved documentation must be submitted to Council within two (2) days of being issued.
2. A PCA must be appointed. The PCA can be either Council or an accredited certifier.
3. The PCA must be notified who will carry out the building works. For residential development this must be either a licensed builder or the owner, under an Owner Builder's permit issued by the Department of Fair Trading.

4. For residential building work, the PCA must be satisfied that the required Home Warranty Insurance is in place or that the owner has obtained the required Owner Builder's permit.
5. The PCA, if private, must notify Council at least two (2) days prior to the commencement of any building work of his/her appointment.
6. The PCA must notify the person appointing him/her, at least two (2) days prior to the commencement of any building work, of any critical stage inspections and other inspections that are required to be carried out in respect of the building work.
7. Council must be notified at least two (2) days prior to the commencement of any building work of the intention to commence such work.
8. The PCA must be satisfied that all preconditions of the development consent or CDC that were required to be complied with prior to the commencement of any building work have been satisfied.
9. Signage is to be erected and maintained at the front of the site providing details of the principal contractor (builder) and the PCA, including their names and contact telephone numbers.
10. The PCA or some other certifying authority (with the agreement of the PCA) must undertake all critical stage inspections. Only the PCA can carry out the final critical stage inspection.
11. The PCA must issue an OC prior to the occupation or use of all or part of the building.
12. The PCA must submit a copy of the OC to Council, with all associated documentation, within two (2) days of it being issued.

3. ROLE OF A PRIVATE PCA

When an accredited certifier is appointed the PCA, they assume the role of Council and, as such, take responsibility for the development site. The primary roles of the PCA are to ensure compliance with the development consent and conditions, the carrying out of all the required inspections of the site and the issuing of an OC.

The EP&A Act and Regulation identifies the responsibilities of the private PCA and their discretion. For example, Section 109E of the Act lists those items that the PCA must be satisfied about in relation to a development. Also, Clause 161 of the Regulation lists the matters that the PCA may make a decision on, in lieu of the Council and these include:

- Earthwork
- Stormwater drainage work
- Landscaping work
- Erosion and sediment control work
- Excavation work
- Mechanical work
- Structural work
- Hydraulic work
- External finishes of a building.

Private PCA's have some enforcement powers under the EP&A Act, including the power to issue a 'notice of intention to issue an order' under Section 109L setting out the proposed terms of an order and the proposed period of compliance. A copy of any 'notice of intention' issued by a PCA must be provided to Council for the Council to decide whether it will go on to issue the order.

4. ROLE OF COUNCIL

When a private PCA has been appointed, the Council generally becomes the "keeper of the records", but is not directly involved in the inspection of the development site.

By not being the PCA it means that Council does not have ready access to various professional reports that may be produced during the construction phase, including structural engineer's certification and survey information. Such information and reports are not required to be submitted to Council until the final occupation certificate has been issued. This is a significant impediment to Council's ability to respond to general enquiries on a development site.

Nevertheless, Council retains its regulatory role and enforcement powers and will take action if and when required. Also, as the "keeper of the records" any person may seek access to the Council's development consent files and the construction certificate documentation. Access to the information is permitted under legislation, including the Government Information (Public Access) Act 2009.

The Council is not the regulator of accredited certifiers and any complaints about the conduct and actions of a private PCA must be directed to the BPB. More information on lodging a complaint about an accredited certifier can be located on the BPB's website.

5. LODGING A COMPLAINT ABOUT A DEVELOPMENT SITE

Any complaints in relation to a development site should be referred to the PCA in the first instance, as this is likely to be the person with the most association and familiarity with events occurring on the site. In many cases, the PCA may be able to effectively resolve the complaint without the need for enforcement action.

Contact details for the PCA should be provided on a sign at the front of the development site or can be obtained from the BPB's website or by contacting Council. Letters and emails received by Council for development sites with a private PCA will, in the first instance, be referred to the appropriate PCA for consideration and investigation. Council will notify the writer of the letters/emails of this action and provide the contact details for the private PCA.

The Council will only act on complaints received in relation to development sites where a private PCA has been appointed when:

1. The work threatens life, safety or damage to property or the environment at the time of the complaint and immediate action is required;
2. The alleged departure is substantial and there is a likely environmental impact;
3. The complaint relates to work that may not form part of a development consent and therefore would not be the responsibility of the PCA;
4. Where the PCA's response to the complaint is considered inadequate or Council does not agree with the PCA's position;
5. Penalty infringement notices are to be issued and/or prosecution proceedings are to be commenced;
6. The complaint relates to breaches of 'housekeeping' or environmental conditions of consent that are generally enforced by Council's Health and Building Regulation Officers, including hours of work, footpath and roadway obstructions, odours, fumes, noise, dust, sediment control and discharges; and/or
7. It is in the public interest.

The factors that Council will take into consideration to determine if a private PCA's handling of a complaint is adequate include the following:

1. The timeliness of the investigation, having regard to the seriousness of the complaint;
2. Whether the certifier demonstrates a genuine commitment to address the issues;
3. The appropriateness of the action taken, including whether a physical inspection has been undertaken and whether any professional reports have been relied on;
4. Whether the certifier keeps the customer informed; and
5. Whether the customer is satisfied with the certifier's response.

All enforcement action taken by the Council will be in accordance with Council's Enforcement Policy, as adopted on XXXX.

6. ACKNOWLEDGEMENTS

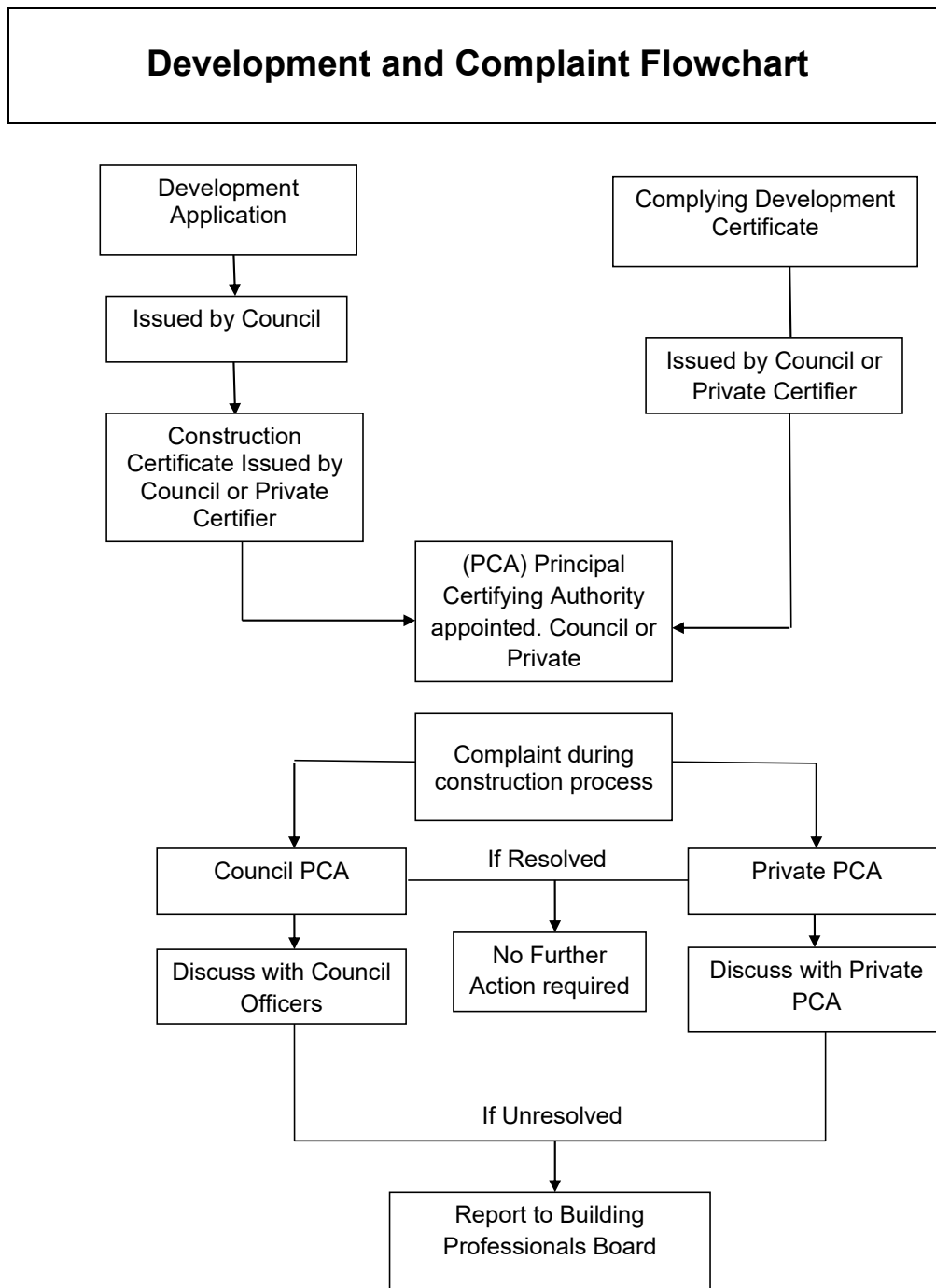
The following documents and references were used in the preparation of this policy

Department of Planning Advisory Notes:

- Critical stage inspections:
[http://www.planning.nsw.gov.au/planningsystem/pdf/adviceoninspectionsa
ndsignsfinal120704.pdf](http://www.planning.nsw.gov.au/planningsystem/pdf/adviceoninspectionsa
ndsignsfinal120704.pdf)
- Occupation Certificate:
[http://www.planning.nsw.gov.au/planningsystem/pdf/circulars/dipnr_ps05
001.rtf](http://www.planning.nsw.gov.au/planningsystem/pdf/circulars/dipnr_ps05
001.rtf)
- Hurstville City Council – Private Principal Certifying Authority (PCA)
Complaint Policy

Item 15.5

Enclosure 3



Item 15.5

Enclosure 3



Kiama Library and Family History Centre Volunteer Policy

Item 15.5

Enclosure 4



RESPECT



INNOVATION



INTEGRITY



TEAMWORK



EXCELLENCE

Date approved/adopted	26 June 2007
Resolution No	Click to enter Minute No or N/A if an approved document.
Date effective	26 June 2007
Date last reviewed	26 June 2007
Next review date	26 June 2010
Department	Community Services
Author	Director of Community Services
TRIM reference	Click to enter TRIM reference.
Supporting documents	Click to enter links

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Enclosure 4

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Enclosure 4

Kiama Library and Family History Centre Volunteer Policy**1.0 Preamble**

This policy has been developed to assist the Library and Family History Centre in selecting and training volunteers for a variety of activities.

2.0 Objectives

The objectives of this policy are:

- To provide the Library and Family History Centre with a consistent response to requests by the public to provide volunteer services
- To provide clear procedures for volunteer training
- To provide a clear set of tasks and activities that volunteers can be involved in at the library
- To explain the roles of volunteers at the Library and Family History Centre

3.0 Definitions

For the purpose of this document the following definitions apply:

Term	Definition
Volunteer	People who undertake activities of benefit to the community, of their own free will and without monetary reward.

4.0 Policy

- 4.1** The volunteer will assist library staff and/or the Family History Officer in providing a number of services to our clients. The activities a volunteer may be involved with in the library include;

- Book shelving
- Book selection for home library clients
- Book delivery to home library clients
- Assisting with library events such as children and baby story time, school holiday activities, library functions.
- Transporting home library clients to events
- Routine library tasks
- Toy library maintenance
- Local studies projects or other library projects.

The activities a volunteer may be involved with in the Family History Centre include:

- Book shelving
- Assisting clients with research
- Assisting with commissioned research
- Indexing
- General tidying

- 4.2** In deciding to use the services of volunteers, Kiama Library and family History Centre will:

- Assess the tasks that can be performed by volunteers.
- Evaluate the skills and knowledge that volunteers can provide.
- Evaluate the costs and benefits of using volunteers.
- Assess the capacity of the library and Family History Centre to manage and coordinate work done by volunteers.

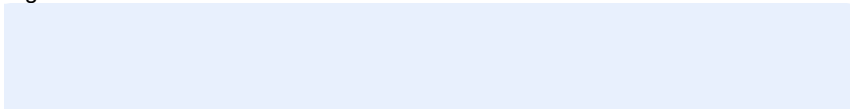
- 4.3 In accordance with the Australian Library and Information Association (ALIA) Statement on volunteer work in library and information services, the use of volunteers must never compromise the quality of service provision, nor undermine or replace appropriately trained and paid staff.
- 4.4 Those interested in volunteering at Kiama Library and/or Family History Centre need to complete the application form and return it to either the Library Manager or Family History officer (existing volunteers do not need to fill out an application form).
- 4.5 Assessment of the applicant's suitability for volunteer work at the library will be undertaken by the Library Manager and/or the volunteer's coordinator. A consideration will be that preference will be given to residents of the Kiama Municipality. The Family History Officer, in consultation with the Library Manager, will assess all applicants' suitability for volunteer work at the Family History Centre. Preference will be given to those applicants with family history research experience.
- 4.6 Applicant will attend a training program prior to commencement of volunteer work. Training will incorporate;
- Statement of duties
 - Anti-discriminatory behaviour
 - Disciplinary procedures
 - Roles and responsibilities of Council staff
 - Kiama Council's duty of care
 - Kiama Council's Drug and Alcohol procedure
 - Skills of the relevant voluntary positions
 - Hazard identification
 - Reporting of incidents
 - Roles and responsibilities of volunteers
 - Manual handling procedures
- 4.7 Volunteer will be required to show driver's license and car insurance if they will be driving as part of volunteer role.
- 4.8 Volunteers may be required to fill in a 'working with children' check form.
- 4.9 Volunteers need to 'sign on' and 'sign off' whenever they are working for the Library or Family History Centre.
- 4.10 Volunteers at the Family History Centre will not be required to work more than 2 shifts per week, except at the request of the Family History Officer.
- 4.11 Volunteers need to inform the library or Family History Centre if they cannot attend to their volunteer duties.
- 4.12 Volunteers will be assessed every 12 months. Any volunteers that have not been active at the library or Family History Centre in that time will be removed from the volunteer list.
- 4.13 Kiama Library and Family History Centre reserve the right to terminate any voluntary arrangement at any time.

5.0 Document control

Date reviewed	Date adopted	Amendment
26 June 2007	26 June 2007	Click or tap here to enter text.

21 September 2020	26 June 2007	Administrative updates.
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6.0 Signature

Name: Click or tap here to enter name.	Date: Click or tap to enter a date.
Signature: 	

Item 15.5

Enclosure 4

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Office hours

Our Administration Building located at
11 Manning Street Kiama is open 8.45 am to 4.15 pm
Monday to Friday (excluding public holidays)



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