



Item 14.1

Enclosure 3

Kiama Municipal Council

Public Hearing Report

Community Land Plan of Management

April 2025



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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:

- o classified as community land and the classification of the land is not proposed to change
- o 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:

- o [REDACTED] Manager Property & Recreation
- o [REDACTED] Property Officer
- o [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:

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

- o 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.

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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



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:

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



Community land



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

- o bushland
- o wetland
- o escarpment
- o watercourse
- o foreshore
- o 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.

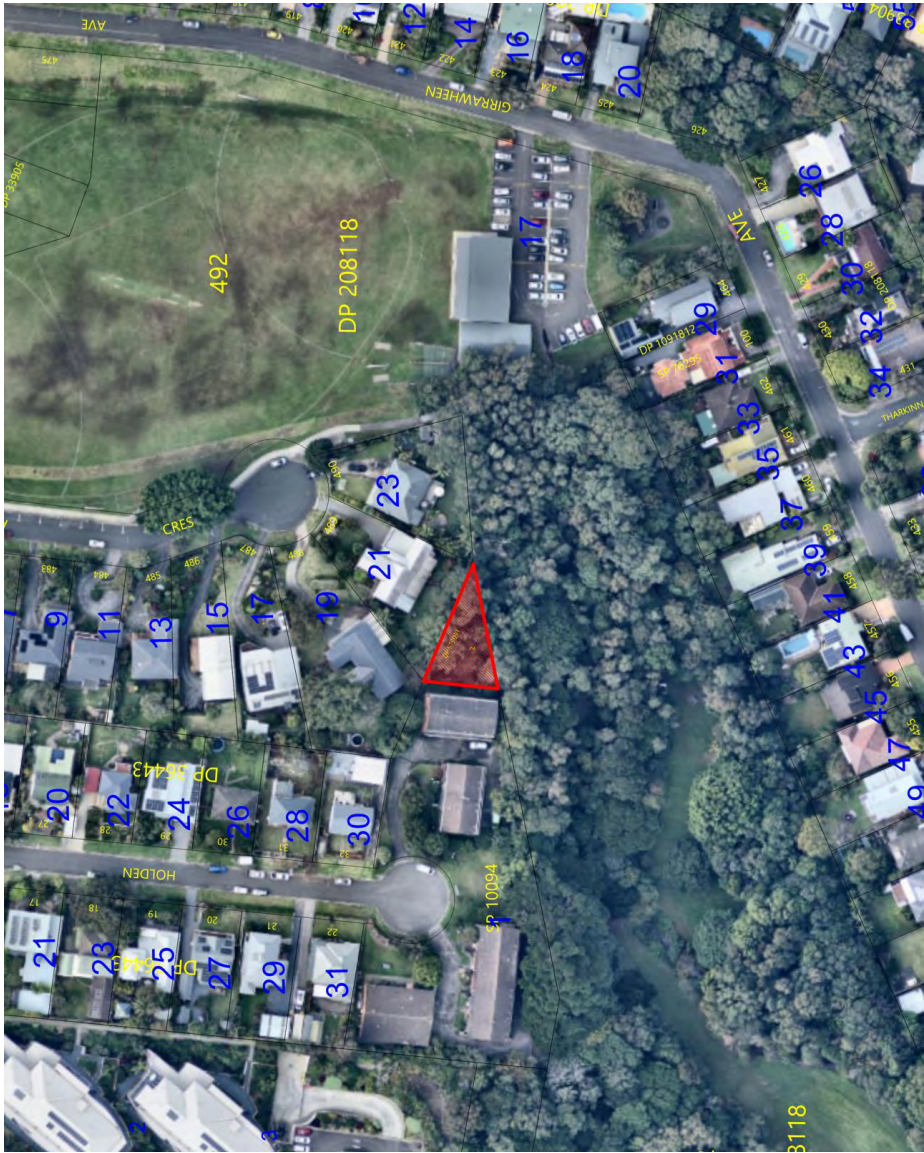


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Lot 52 DP 1098436
Jamberoo Road,
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Lot 2 DP 579091
Girawheen Ave,
Kiama



Lot 1429 DP 1061892
Eugene Street,
Kiama



Bland Street, Kiamia

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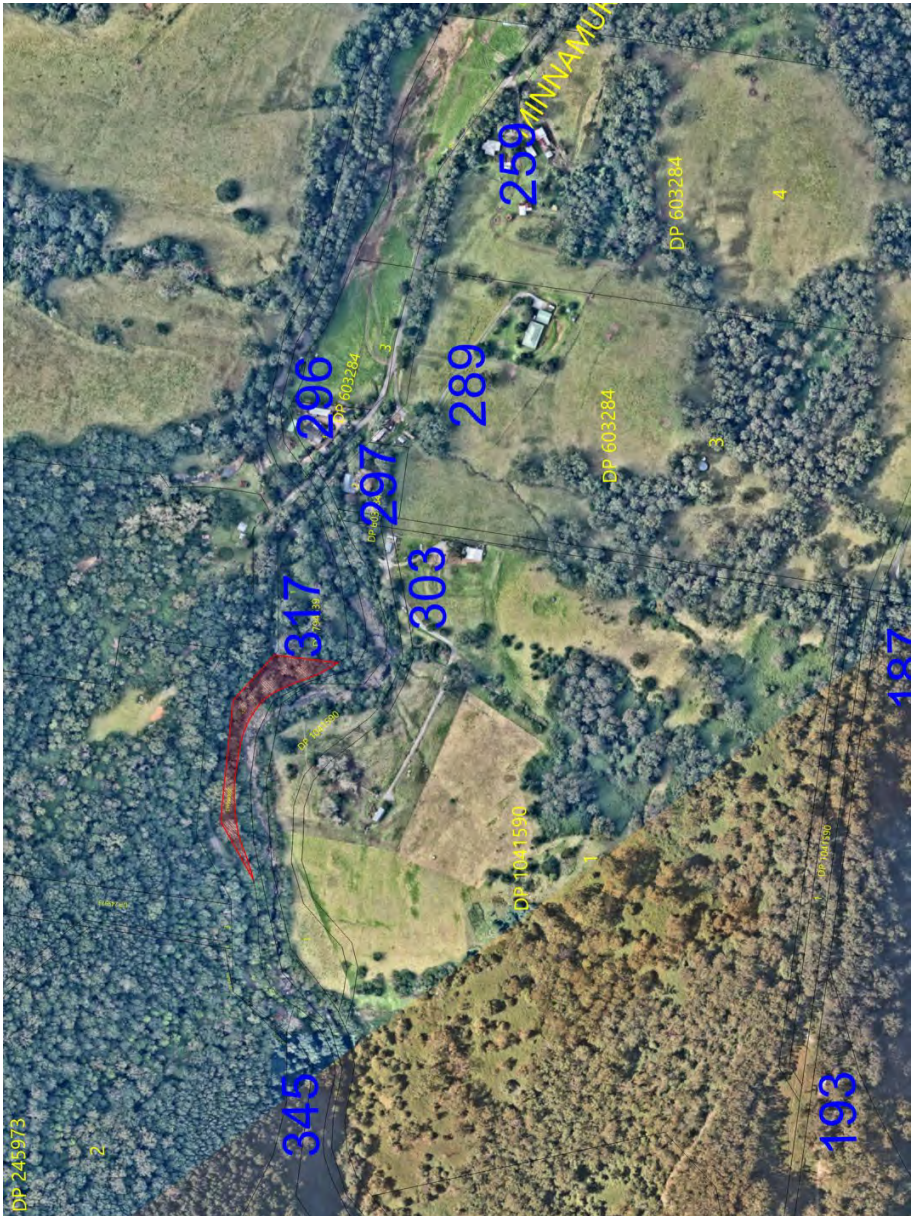


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Kiama

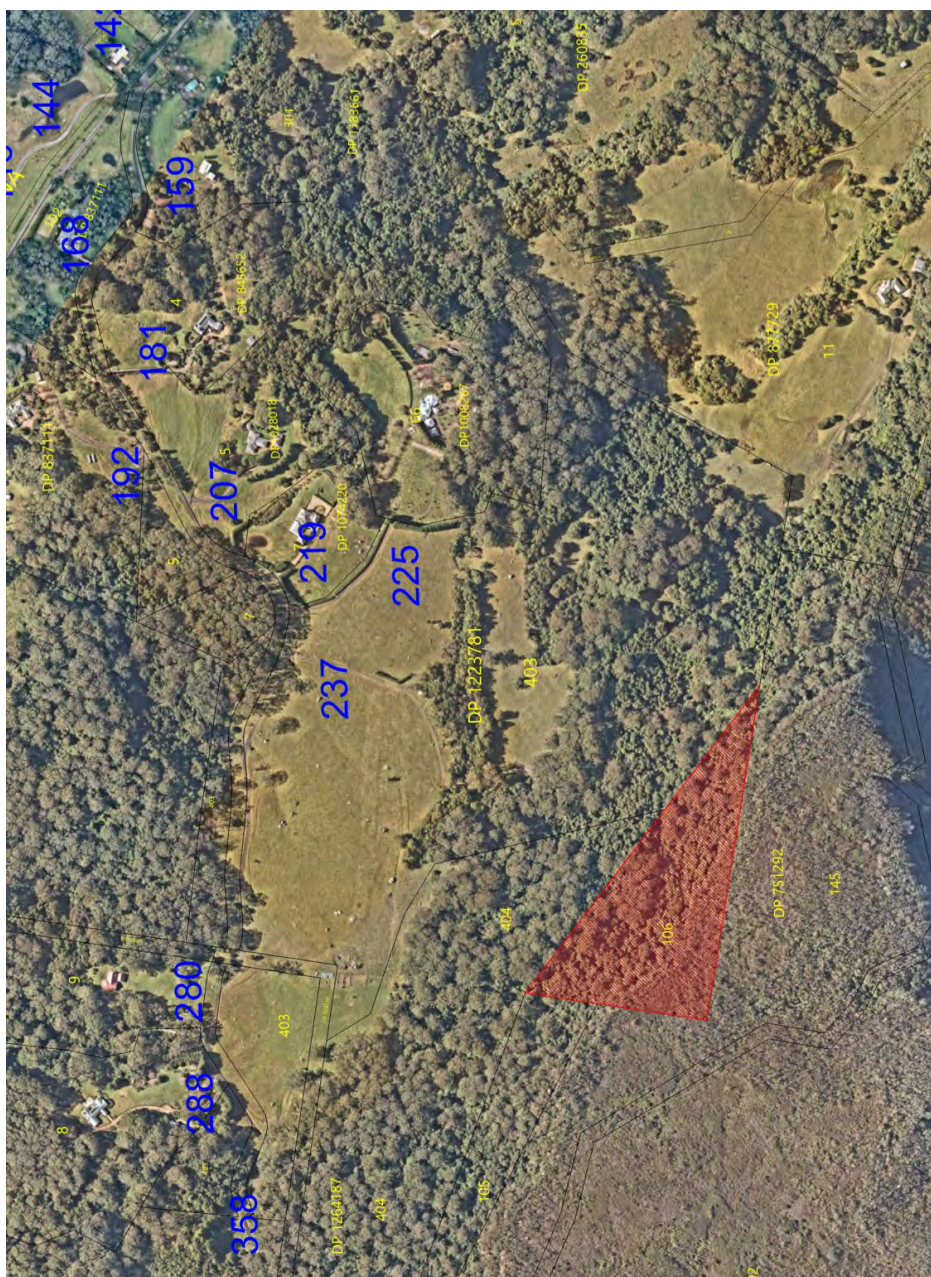
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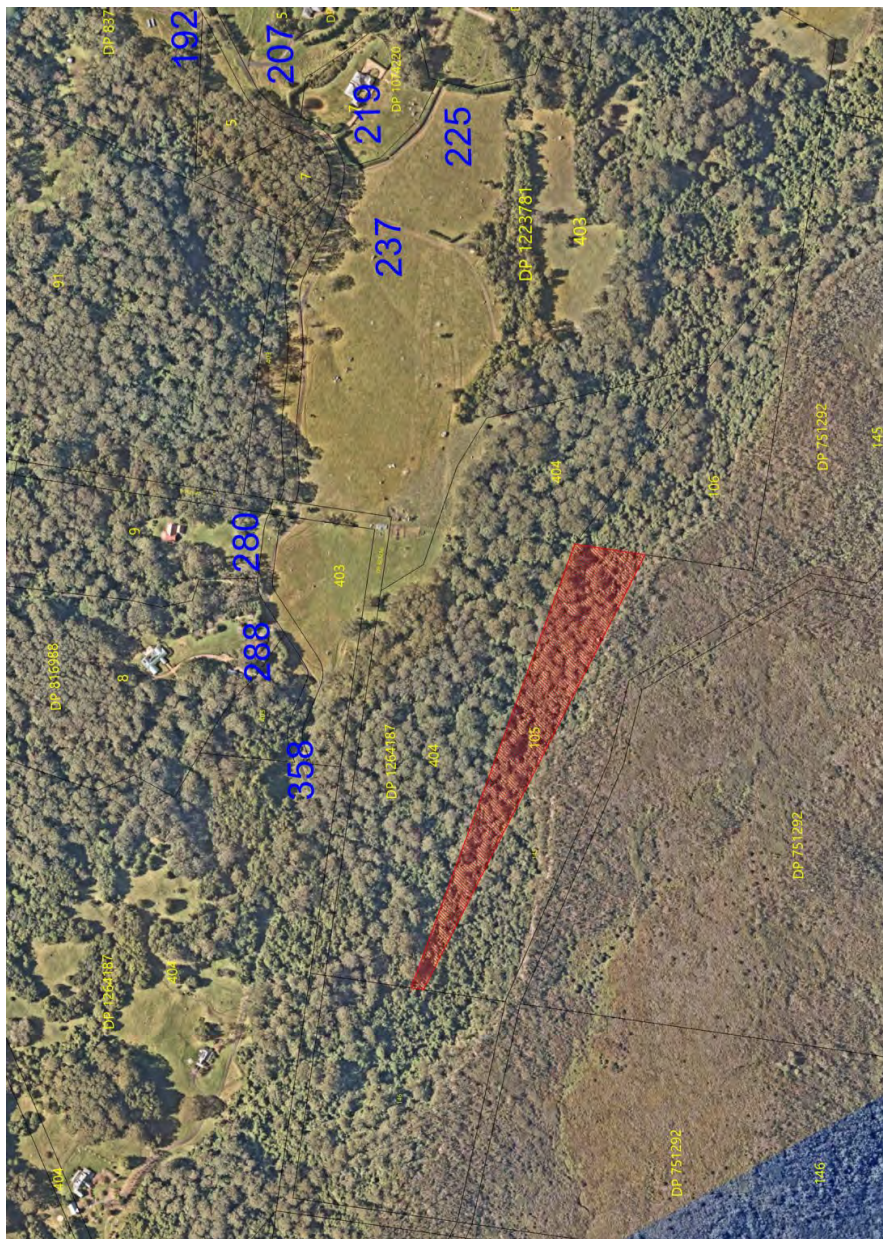
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Minnamurra Falls
Road, Jamberoo



Lot 106 DP 1046656
Nuninuma Drive,
Jamberoo



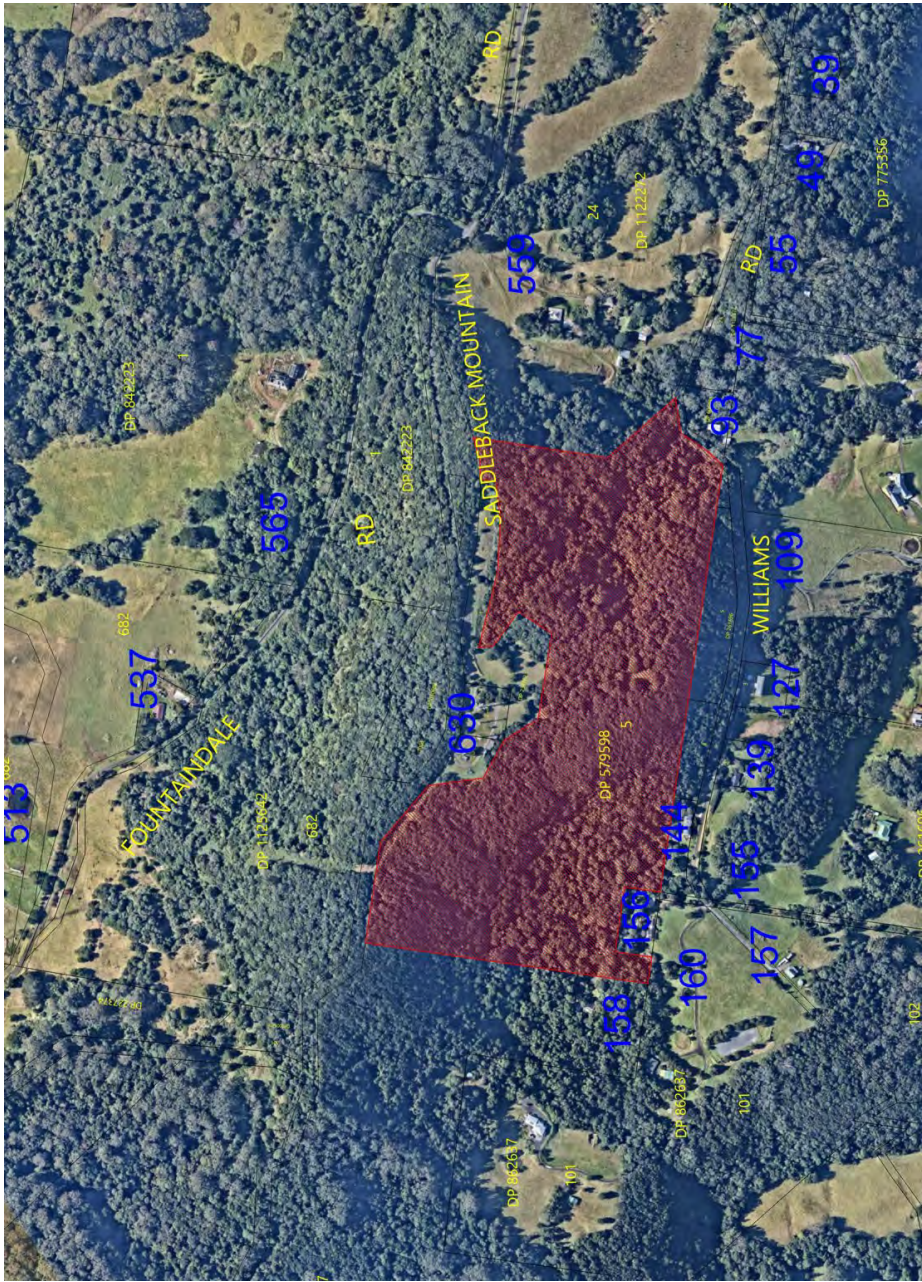
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Nuninuma Drive,
Jamberoo



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Lot 5 DP 579598
Saddle Back
Mountain Road,
Saddle Back

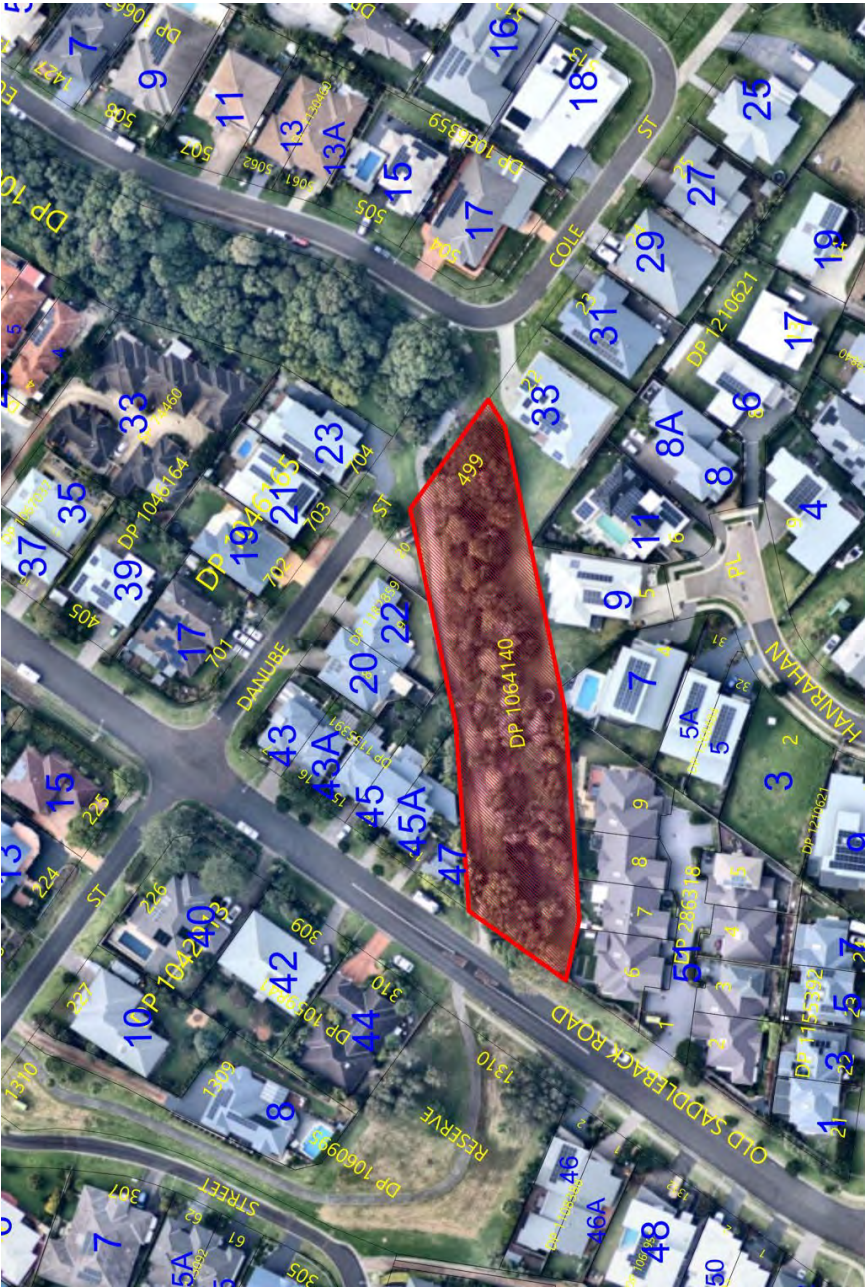




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Greyleigh Drive,
Kiama

Old Saddleback
Road, Kiama





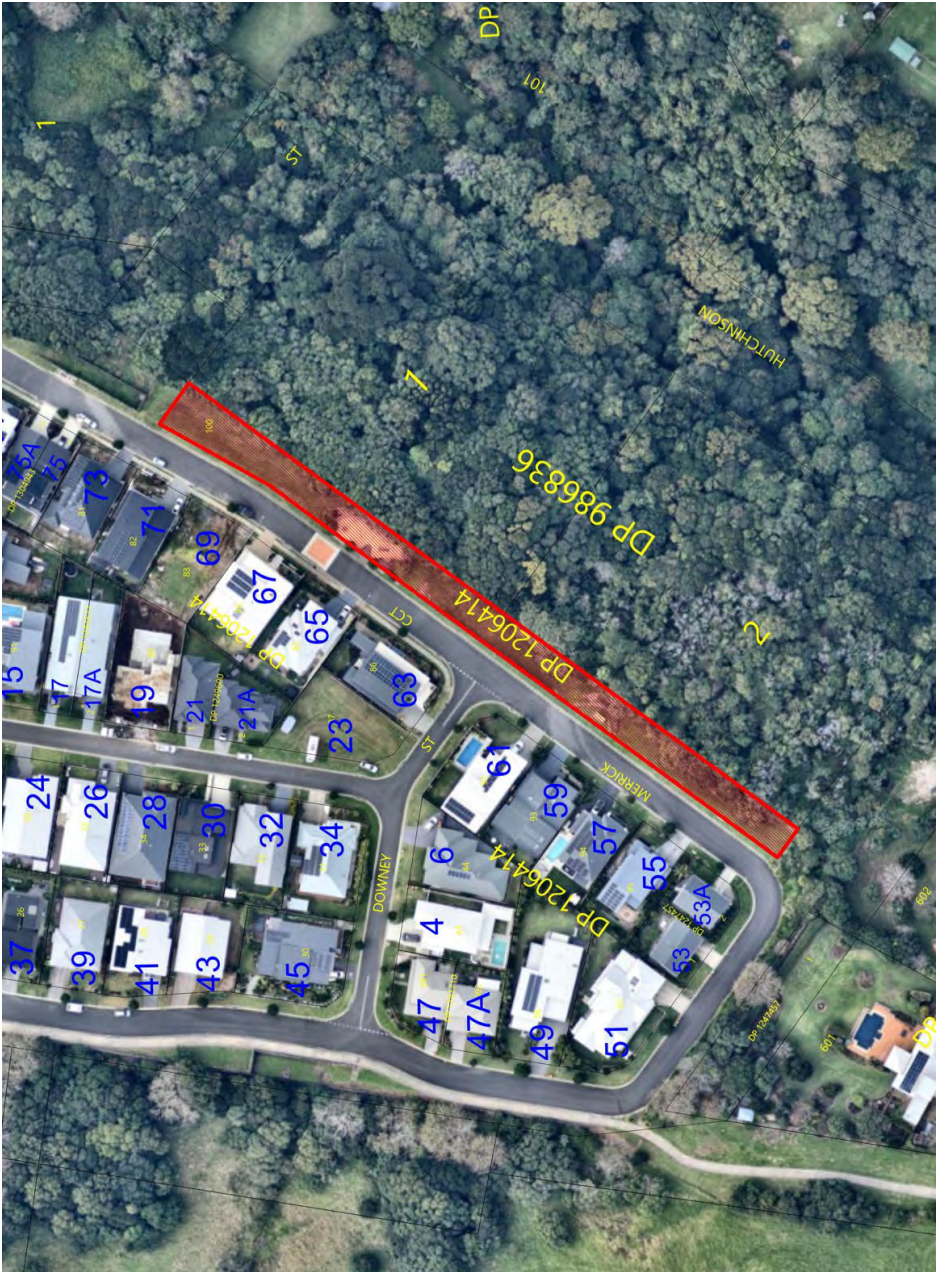
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Old Saddleback
Road, Kiamia



Lot 9 DP 1232541
Belevdere Street,
Kiama

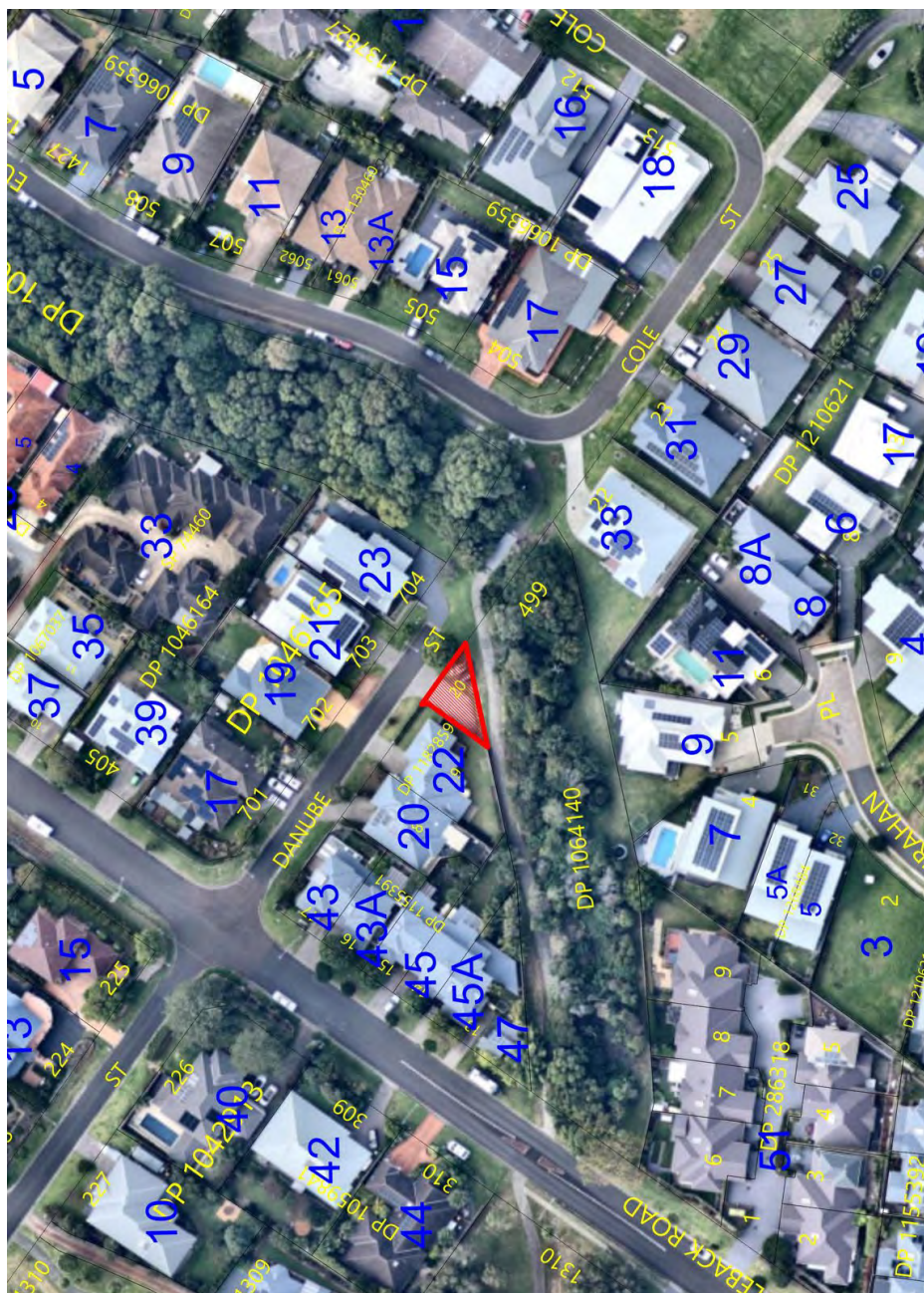
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Lot 100 DP 1206414
Merrick Circuit,
Kiamia

Lot 20 DP 1182859
Danube Street,
Kiamia





Greyleigh Drive,
Kiamia

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Lot 100 DP 1042908
Greyleigh Drive,
Kiama





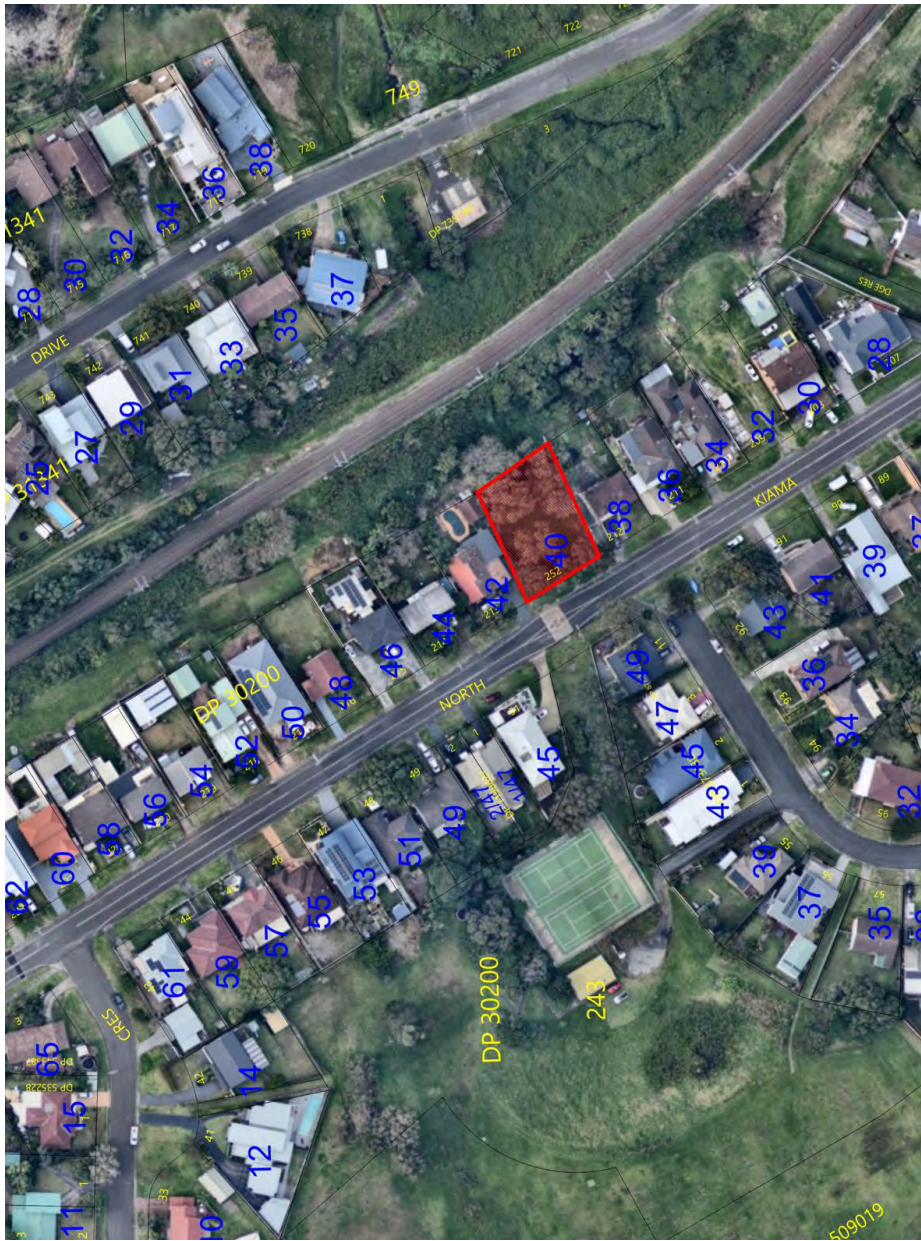
Lot 249 DP 30200
North Kiama Drive,
Kiama Downs



Lot 251 DP 30200
North Kiama Drive,
Kiama Downs

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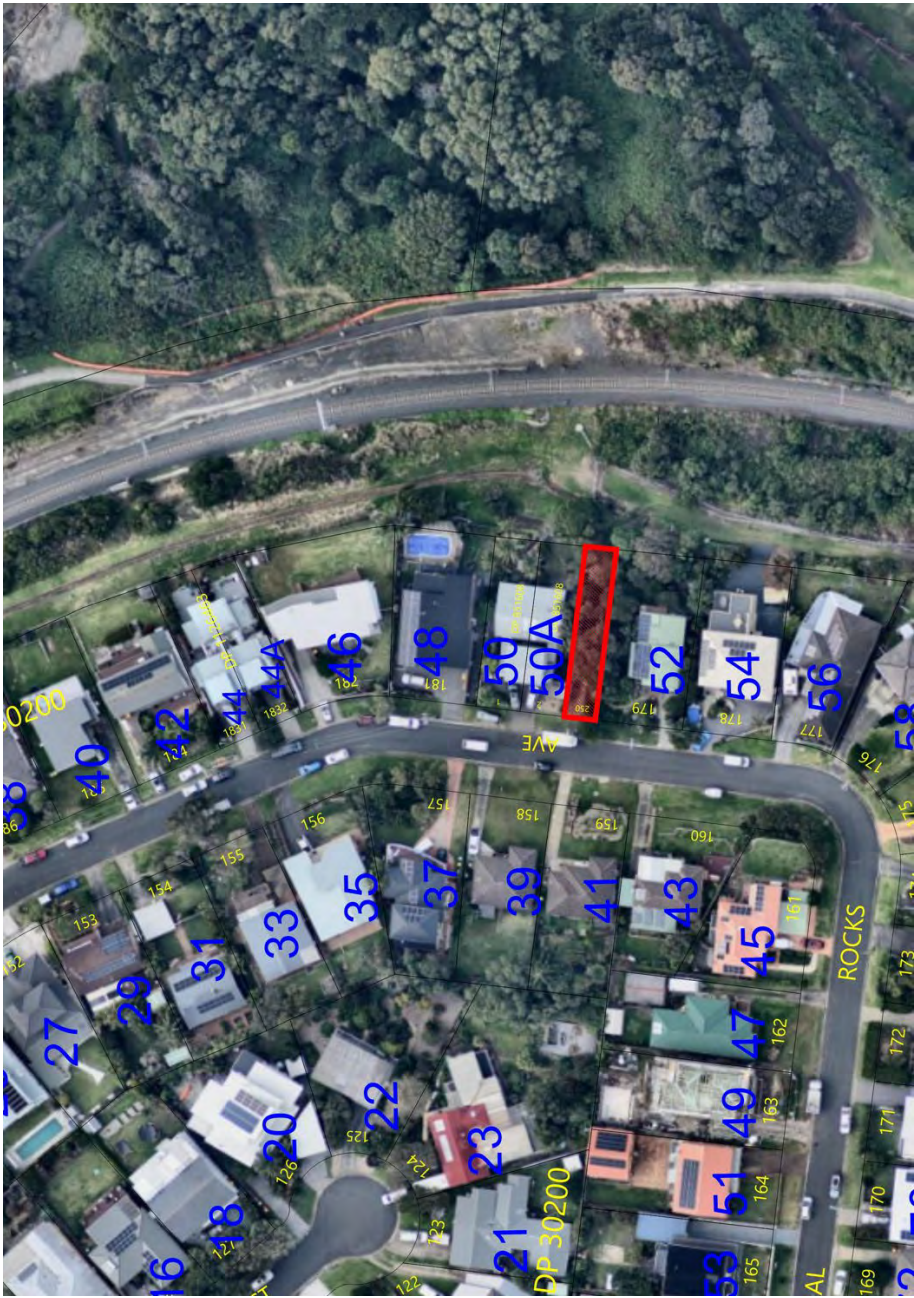
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Lot 252 DP 30200
40 North Kiama
Drive, Kiama Downs

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Lot 250 DP 30200
Cathedral Rocks
Ave, Kiama Downs



Lot 707 DP 201833
Hoolong Ave, Kiamia
Downs

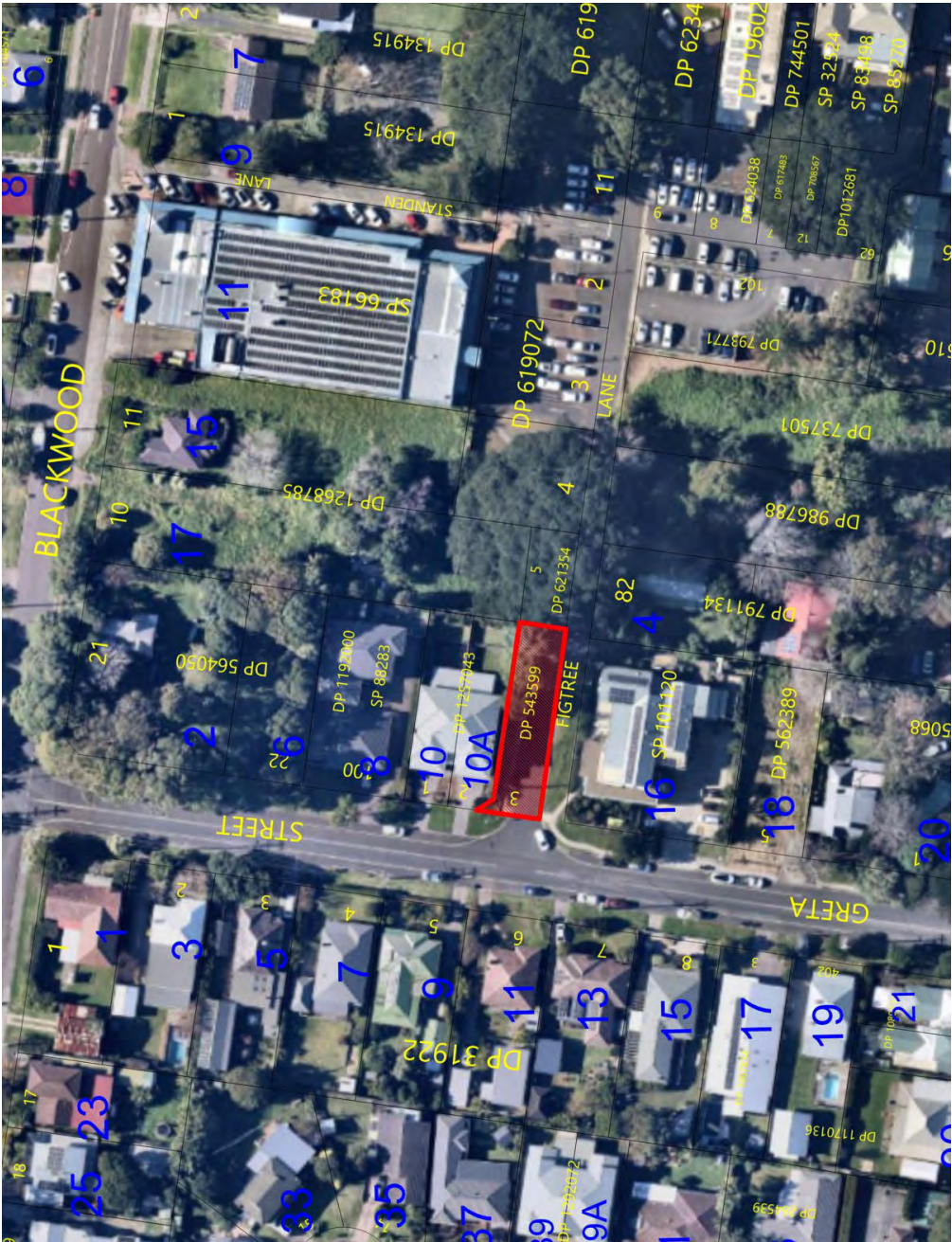
Jupiter Street,
Gerringong



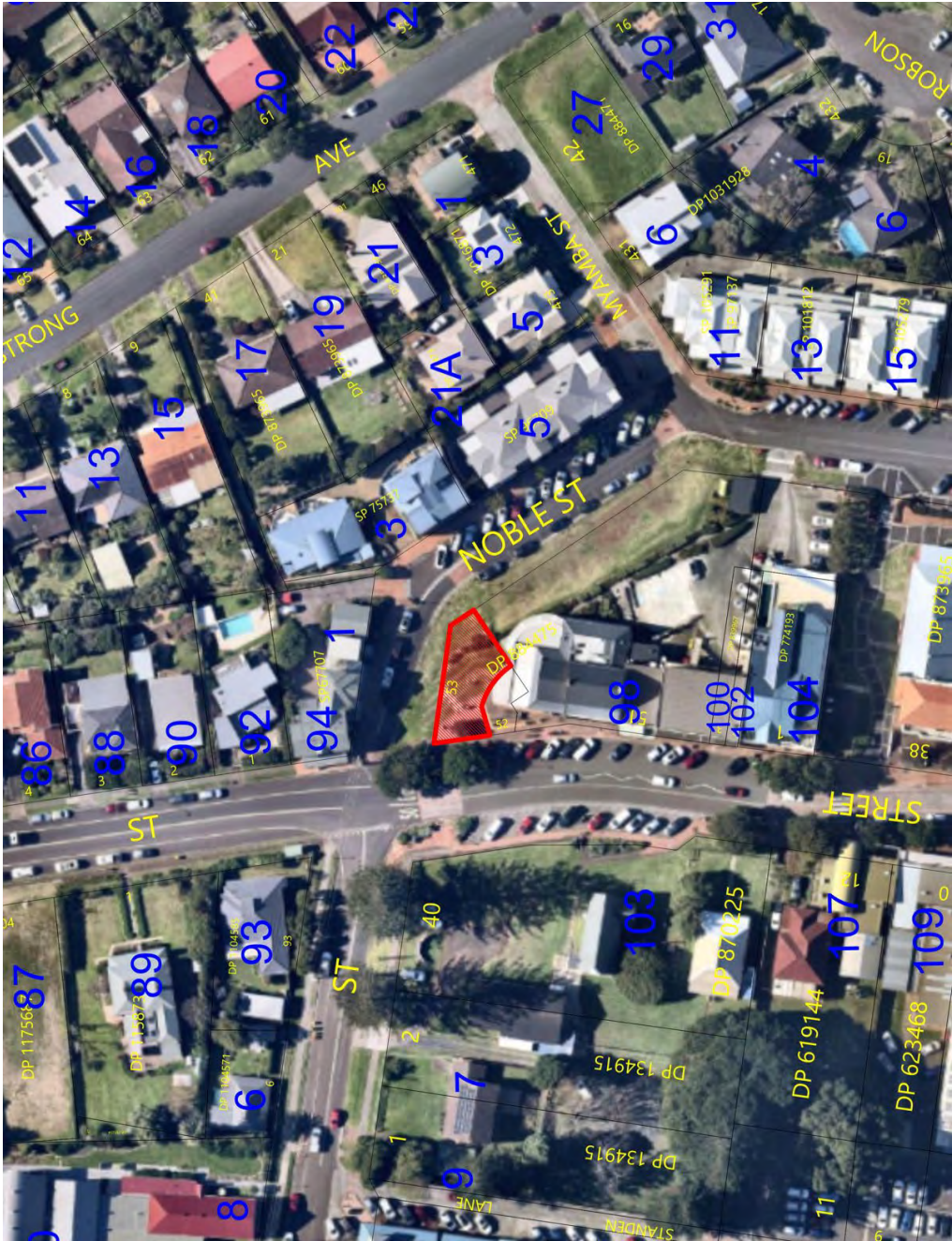
Lot 5 DP 621354

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



8298

Lot 411 DP 1209559
Gibson Crescent,
Jamberoo

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Lot 251 DP 1206471
Gibson Crescent,
Jamberoo

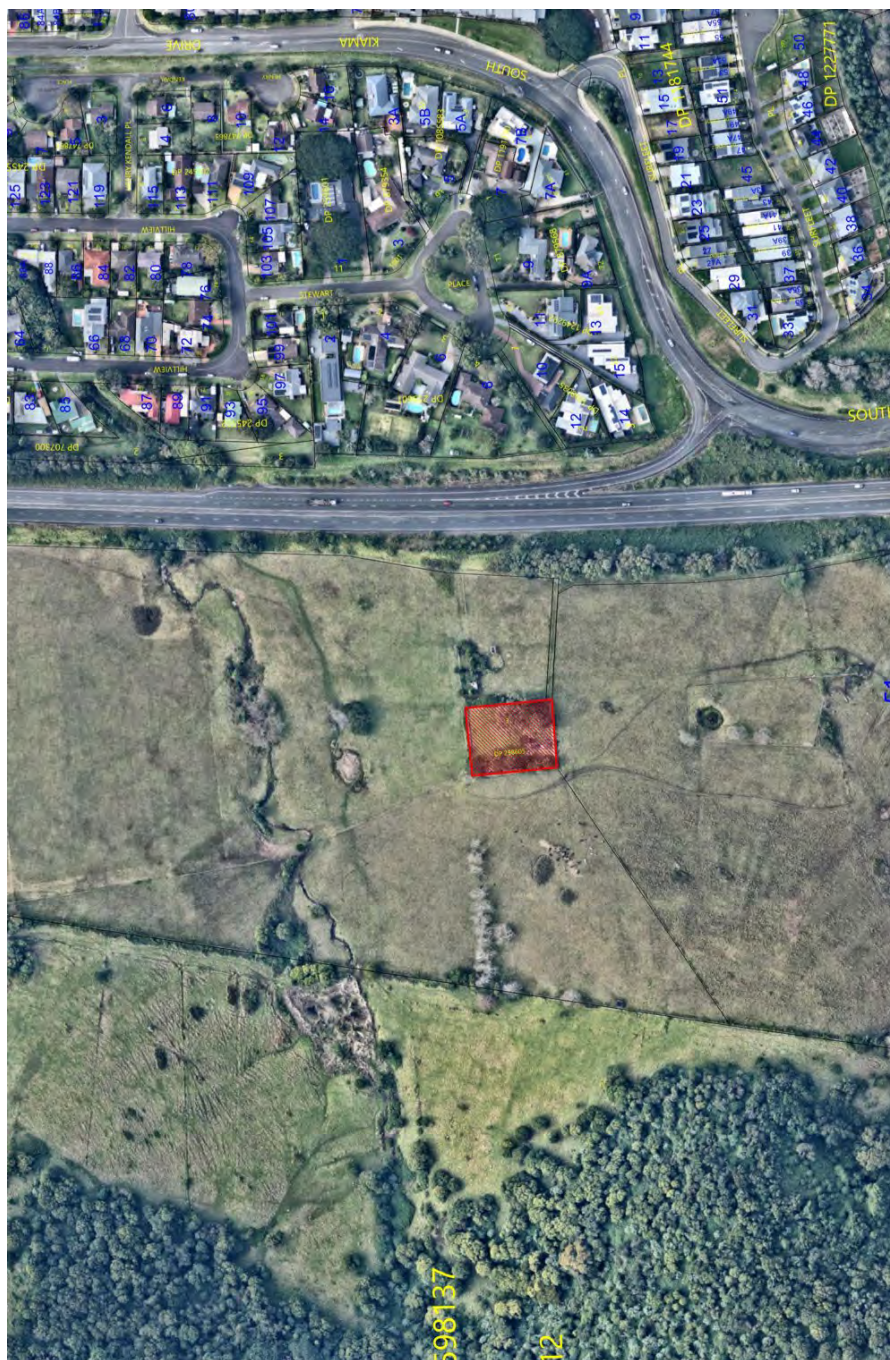


Lot 1 DP 1091690
61 Terralong Street,
Kiama

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Lot 3 DP 258605
South Kiama Drive,
Kiama



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Collins Lane, Kiama



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Lot 1 DP 917665
5 Collins Lane,
Kiama

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Lot 2 DP 1108823
8 Blackwood
Street, Gerringong

1A Allowrie Street,
Jamberoo



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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



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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

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