

MINUTES OF THE ORDINARY MEETING

Meeting Date: Monday, 3 June 2024
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.30pm

The following members were present:

Clr Amanda Findley - Chairperson
Clr Moo D'Ath
Clr Gillian Boyd
Clr Matthew Norris
Clr John Kotlash
Clr Serena Copley
Clr Paul Ell
Clr Evan Christen (Remotely)
Clr Patricia White
Clr John Wells
Clr Greg Watson (Remotely)
Clr Mark Kitchener
Clr Tonia Gray

The Chairperson read a statement advising those present that the proceedings of this meeting (including presentations, deputations and debate) will be webcast and may be recorded and broadcast under the provisions of the Code of Meeting Practice.

The meeting was opened by an Acknowledgement of Country by the Chairperson, followed with a Moment of Silence & Reflection and the playing of the Australian National Anthem.

Apologies / Leave of Absence

Nil

Confirmation of the Minutes

RESOLVED (Clr Norris / Clr Kotlash) MIN24.297

That the Minutes of the Ordinary Meeting held on Monday 20 May 2024 be confirmed.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Declaration of Interests

Clr Wells - CL24.171 - Notice of Motion - "Call In" MA2024/1134 - Lot 22, DP717323 Wells Place, Shoalhaven Heads - significant non pecuniary interest declaration - his son and grandchildren live on Wells Place, Shoalhaven Heads – will leave the room and will not take part in discussion or vote.

Clr Boyd - CL24.165 and CCL24.17 - Tender - Management & Operation - Holiday Haven Bendalong – pecuniary interest declaration - she has an ongoing business relationship with one of the tenderers - will leave the room and will not take part in discussion or vote.

Clr Norris - CL24.168 - Connection to Town Sewerage System - Beecroft Ranger Station - Currarong Road Beecroft Peninsula - less than significant non pecuniary interest declaration – he is known to people who work at the Ranger Station - will remain in the room and will take part in discussion or vote.

DEPUTATIONS AND PRESENTATIONS

CL24.170 - Notice of Motion - Removal of 77 Princess Street, Berry from Land Sales Strategy Program

Mr Stuart Coughlan addressed the meeting on behalf of the Berry Forum to speak FOR the recommendation.

CALL OVER OF THE BUSINESS PAPER

Call Over of Business Paper - En block

RESOLVED (Clr Norris / Clr Gray)

MIN24.298

That the following item from CEO reports be resolved en block:

- CL24.160 - Financial Sustainability Monthly Report

Note – the item will be marked with an asterisk (*) in these Minutes.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Call Over of Business Paper - En block

RESOLVED (Clr Wells / Clr White)

MIN24.299

That the following item from City Performance Directorate be resolved en block:

- CL24.161 - Investment Report - April 2024

Note – the item will be marked with an asterisk (*) in these Minutes.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Call Over of Business Paper - En block

RESOLVED (Clr Kotlash / Clr Norris) MIN24.300

That the following item from City Futures Directorate be resolved en block:

- CL24.162 - Post Exhibition Finalisation Report - Proposed Voluntary Planning Agreement - Dedication of Land - Suncrest Avenue Sussex Inlet

Note – the item will be marked with an asterisk (*) in these Minutes.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Call Over of Business Paper - En block

RESOLVED (Clr Norris / Clr Gray) MIN24.301

That the following items from City Development Directorate be resolved en block:

- CL24.166 - Membership Application - Central Floodplain Risk Management Committee
- CL24.167 - Development Application – DA24/1188 - 9 Jindalee Crescent, NOWRA - Lot 915 DP 1240172

Note – the items will be marked with an asterisk (*) in these Minutes.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Call Over of Business Paper - En block

RESOLVED (Clr Wells / Clr Kotlash) MIN24.302

That the following items from Shoalhaven Water be resolved en block:

- CL24.168 - Connection to Town Sewerage System - Beecroft Ranger Station - Currarong Road Beecroft Peninsula
- CL24.169 - Tenders - Panel of Suppliers to Supply Pumps, Ancillary Items & Spare Parts to Shoalhaven Water

Note – the items will be marked with an asterisk (*) in these Minutes.

CARRIED

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

REPORTS

Items marked with an * were resolved 'en block'.

CL24.159 ARIC Committee Membership, ARIC Terms of Reference and Internal Audit Charter

**HPERM Ref:
D24/200824**

Recommendation

That Council:

1. Endorse the appointment of Ms Donna Rygate (existing independent ARIC member) as the ARIC Chairperson until 31 December 2026.
2. Endorse the appointment of Ms Deborah Goodyer as the new independent member on the ARIC commencing 1 July 2024, for a period of four years (ending 30 June 2028) with an option to extend for further four years, in accordance with the requirements of the Regulation.
3. Adopt the ARIC Terms of Reference (Charter) and the Internal Audit Charter.

RESOLVED (Clr Norris / Clr Findley)

MIN24.303

That Council:

1. Endorse the appointment of Ms Donna Rygate (existing independent ARIC member) as the ARIC Chairperson until 31 December 2026.
2. Endorse the appointment of Ms Deborah Goodyer as the new independent member on the ARIC commencing 1 July 2024, for a period of four years (ending 30 June 2028) with an option to extend for further four years, in accordance with the requirements of the Regulation.
3. Adopt the ARIC Terms of Reference (Charter) and the Internal Audit Charter.
4. Thank Peter McLean for his service to ARIC and his time as Chair.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL24.160 Financial Sustainability Monthly Report

**HPERM Ref:
D24/209217**

RESOLVED* (Clr Norris / Clr Gray)

MIN24.304

That Council receive the financial sustainability monthly report for the period of May 2024 for information.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL24.161 Investment Report - April 2024

**HPERM Ref:
D24/199153**

RESOLVED* (Clr Wells / Clr White)

MIN24.305

That Council:

1. Receive the Record of Investments for the period to 30 April 2024.
2. Note that Council's total Investment Portfolio returned 5.08% per annum for the month of April 2024, outperforming the benchmark AusBond Bank Bill Index (4.37% pa) by 71 basis points (0.71%).

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL24.162 Post Exhibition Finalisation Report - Proposed Voluntary Planning Agreement - Dedication of Land - Suncrest Avenue Sussex Inlet

**HPERM Ref:
D24/166114**

RESOLVED* (Clr Kotlash / Clr Norris)

MIN24.306

That Council:

1. Finalise and enter into the Voluntary Planning Agreement related to Lot 22 DP 1270620 Suncrest Avenue, Sussex Inlet consistent with the exhibited terms.
2. Notify the landowner/developer of this decision.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL24.163 Report Back - MIN23.645 - Update on Oyster Lease Permissible Land Use - Farm Gate Sales

**HPERM Ref:
D24/187630**

Recommendation

That Council:

1. Reaffirm support for the Oyster Industry in the Shoalhaven and note the economic benefit the oyster farmers bring to our region.
2. Receive the report as an update on MIN23.405 and note no rezoning is required currently.

RESOLVED (Clr Eil / Clr White)

MIN24.307

That Council:

1. Reaffirm support for the Oyster Industry in the Shoalhaven and note the economic benefit the oyster farmers bring to our region.
2. Receive the report as an update on MIN23.405 and note no rezoning is required currently.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

**CL24.164 Report Back - Notice of Motion - Bayswood Estate
Vincentia - Parking and Vegetation Maintenance
Investigations**

**HPERM Ref:
D24/126236**

Recommendation

That Council:

1. Note the provision of vegetation in Seagrass Ave is pending capital budget allocation.
2. Note that significant capital investment is required to construct additional parking within the road reserve.
3. Rescind the requirement for a community survey regarding parking options.

RESOLVED (Clr Kotlash / Clr White)

MIN24.308

That Council:

1. Note the provision of vegetation in Seagrass Ave is pending capital budget allocation.
2. Note that significant capital investment is required to construct additional parking within the road reserve.
3. Proceed with survey regarding parking, despite the absence of any available budget to design or construct any improvements.
4. Investigate grant options from Fiona Phillips Federal member for Gilmore and Liza Butler state member for South Coast for parking provision on Seagrass Ave.
5. Investigate Park Care options for progressing the appropriate re-vegetation of the areas identified in the report.

FOR: Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr White, Clr Wells, Clr Watson and Clr Kitchener

AGAINST: Clr Findley, Clr D'Ath, Clr Christen and Clr Gray

CARRIED

**CL24.165 Tender - Management & Operation - Holiday Haven
Bendalong**

**HPERM Ref:
D24/194869**

Clr Boyd – pecuniary interest declaration – she has an ongoing business relationship with one of the tenderers - left the room and did not take part in discussion or vote.

Recommendation

That Council consider a separate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

RESOLVED (Clr Eil / Clr Norris)

MIN24.309

That Council consider a separate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

FOR: Clr Findley, Clr D'Ath, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL24.166 Membership Application - Central Floodplain Risk Management Committee **HPERM Ref: D24/170803**

RESOLVED* (Clr Norris / Clr Gray) MIN24.310

That Council formally endorse Mr Charles Court as a community member for the Central Floodplain Risk Management Committee.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL24.167 Development Application – DA24/1188 - 9 Jindalee Crescent, NOWRA - Lot 915 DP 1240172 **HPERM Ref: D24/171343**

RESOLVED* (Clr Norris / Clr Gray) MIN24.311

That Council confirm that it supports the Clause 4.6 variation of 23.7% for Lot 1 and 28.9% for Lot 2, with respect to the lot size of the proposed subdivision and approve the Development Application DA24/1188 for Torrens Title subdivision of existing and approved dual occupancy (attached) development at 9 Jindalee Crescent, Nowra - Lot 915 DP 1240172, as detailed in the draft conditions of consent (Attachment 1) to this report.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL24.168 Connection to Town Sewerage System - Beecroft Ranger Station - Currarong Road Beecroft Peninsula **HPERM Ref: D24/191964**

Clr Norris - less than significant non pecuniary interest declaration – he is known to people who work at the Ranger Station - remained in the room and took part in discussion and vote.

RESOLVED* (Clr Wells / Clr Kotlash) MIN24.312

That Council approve the connection of Lot 1 DP 609281, Beecroft Ranger Station at Currarong Road Beecroft to the Currarong Sewerage Scheme by a pressure sewer system, subject to the applicant complying with all conditions specified in the Shoalhaven Water Development Notice.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL24.169 Tenders - Panel of Suppliers to Supply Pumps, Ancillary Items & Spare Parts to Shoalhaven Water **HPERM Ref: D24/191475**

RESOLVED* (Clr Wells / Clr Kotlash) MIN24.313

That Council consider a separate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL24.170 Notice of Motion - Removal of 77 Princess Street, Berry from Land Sales Strategy Program

**HPERM Ref:
D24/219996**

Note: A deputation was received on this item.

Note: Clr Boyd returned to the meeting.

Note: A rescission motion was received on this item after the meeting had closed.

Recommendation

That Council:

1. Direct Council staff to remove Lot 1 DP 209665 77 Princess Street, Berry from Council's Land Sales Strategy and notify Berry Forum and Councils 'Get Involve page' of this resolution.
2. Maintain 77 Princes Street, Berry as Special Purpose 2 (Car Park and Servicing) public car parking for Berry.
3. Ensure this Council property is not provided for carparking use for any proposed private developments.
4. Notate Council's property file for 77 Princes Street Berry by the inclusion of this Notice of Motion and resulting resolution for further reference.

MOTION (Clr Wells / Clr White)

That Council:

1. Direct Council staff to remove Lot 1 DP 209665 77 Princess Street, Berry from Council's Land Sales Strategy and notify Berry Forum and Councils 'Get Involve page' of this resolution.
2. Maintain 77 Princes Street, Berry as Special Purpose 2 (Car Park and Servicing) public car parking for Berry.
3. Ensure this property is not provided for dedicated carparking use for any proposed private developments and signage be installed indicating public ownership and any conditions of use.
4. Notate Council's property file for 77 Princes Street Berry by the inclusion of this Notice of Motion and resulting resolution for further reference.

FOR: Clr Copley, Clr Ell, Clr White, Clr Wells, Clr Watson and Clr Kitchener

AGAINST: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Christen and Clr Gray

LOST

RESOLVED (FORESHADOWED) (Clr Gray / Clr Christen)

MIN24.314

That Council:

1. Recognise the significant community interest in not selling this site, particularly regarding parking needs in Berry and the impact selling this site will have on the Berry community.
2. Request the CEO prioritise a report back in respect of the previous resolution of Council regarding Lot 1 DP 209665 77 Princess Street, Berry " (MIN24.179), to Council before the end of June 2024, with this report including a summary of the investigation to date and detail on community feedback.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Christen and Clr Gray

AGAINST: Clr Copley, Clr Ell, Clr White, Clr Wells, Clr Watson and Clr Kitchener

CARRIED

CL24.171 Notice of Motion - "Call In" MA2024/1134 - Lot 22, DP717323 Wells Place, Shoalhaven Heads

**HPERM Ref:
D24/220178**

Clr Wells - significant non pecuniary interest declaration – his son and grandchildren live on Wells Place, Shoalhaven Heads – left the room and did not take part in discussion or vote.

Recommendation

That Council "Call In" MA2024/1134 relating to Lot 22, DP717323 Wells Place, Shoalhaven Heads be reported to Council for determination due to the public interest.

MOTION (Clr White / Clr Wells)

That Council "Call In" MA2024/1134 relating to Lot 22, DP717323 Wells Place, Shoalhaven Heads be reported to Council for determination due to the public interest.

PROCEDURAL MOTION – MOTION BE PUT(Clr Eil)

That the motion be put.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

RESOLVED (Clr White / Clr Kitchener)

MIN24.315

That Council "Call In" MA2024/1134 relating to Lot 22, DP717323 Wells Place, Shoalhaven Heads be reported to Council for determination due to the public interest.

FOR: Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Watson and Clr Kitchener

AGAINST: Clr Findley, Clr D'Ath and Clr Gray

CARRIED

CL24.172 Notice of Motion - Frances Ryan Reserve Sanctuary Point

**HPERM Ref:
D24/220468**

Note: Clr Wells returned to the meeting.

Recommendation

That Council:

1. Notes the need for improved facilities the Frances Ryan Reserve, Sanctuary Point
2. Notes that Council staff have made enquiries about whether the \$398,000.00 NSW Stronger Country Communities Fund grant can be repurposed.
3. Directs the CEO (City Lifestyles) to provide a timely report on the status of the representations made to the funding body and options for the use of the grant for projects connected with the Frances Ryan Reserve as part of the finalisation of the 2024-25 Delivery Program Operational Plan & Budget.

RESOLVED (Clr Eil / Clr Copley)

MIN24.316

That Council:

1. Notes the need for improved facilities the Frances Ryan Reserve, Sanctuary Point

2. Notes that Council staff have made enquiries about whether the \$398,000.00 NSW Stronger Country Communities Fund grant can be repurposed.
3. Directs the CEO (City Lifestyles) to provide a timely report on the status of the representations made to the funding body and options for the use of the grant for projects connected with the Frances Ryan Reserve as part of the finalisation of the 2024-25 Delivery Program Operational Plan & Budget.

FOR: Clr Findley, Clr D'Ath, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson and Clr Kitchener

AGAINST: Clr Boyd and Clr Gray

CARRIED

CL24.173 Notice of Motion - Calling for Stricter Regulation of Tobacco and Vape Stores

**HPERM Ref:
D24/220550**

Recommendation

That Council:

1. Acknowledges that smoking is the leading cause of preventable disease and death in Australia.*
2. Advocate to the NSW Government that the standard instrument LEP zonings related to mixed-use and employment zones, and the exempt and complying criteria under the SEPP (Exempt and Complying Development Codes) 2008 are revised to mandate that tobacconist stores (whether attached to gift shops as a commercial premises or not) require approval through a development application.
3. Investigate, as part of the current LEP review process, any existing mechanisms to require development applications for tobacconist stores to open in the Shoalhaven Local Government Area, even where it is a change of use of an existing retail or commercial space.
4. Advocate to the NSW Government that there be a limit and possibly a reduction in the number of tobacconist stores authorised to operate in NSW and a cap on the number of these businesses per LGA.
5. Review and identify the number of tobacconist stores currently located close to schools in the Shoalhaven for ongoing review and use in any determinations for which Council is currently, or may be in the future, the approval authority.
6. Write to the NSW Government seeking their cooperation in enacting these changes.
7. Receive a report back to Council identifying all local and state regulatory and planning powers and pathways that can be activated to achieve the objectives stated above.

*<https://www.health.gov.au/topics/smoking-vaping-and-tobacco/about-smoking/effects#:~:text=Heart%20disease%2C%20stroke%20and%20blood,the%20heart%2C%20brain%20or%20legs.>

RESOLVED (Clr Copley / Clr Eil)

MIN24.317

That Council:

1. Acknowledges that smoking is the leading cause of preventable disease and death in Australia.*
2. Advocate to the NSW Government that the standard instrument LEP zonings related to mixed-use and employment zones, and the exempt and complying criteria under the SEPP (Exempt and Complying Development Codes) 2008 are revised to mandate that tobacconist stores (whether attached to gift shops as a commercial premises or not) require approval through a development application.

3. Advocate to the NSW Government that there be a limit and possibly a reduction in the number of tobacconist stores authorised to operate in NSW and a cap on the number of these businesses per LGA.
4. Write to LGNSW to seek their assistance in advocating for these changes.
5. Receive a report back to Council identifying all local and state regulatory and planning powers and pathways that can be activated to achieve the objectives stated above.

*<https://www.health.gov.au/topics/smoking-vaping-and-tobacco/about-smoking/effects#:~:text=Heart%20disease%2C%20stroke%20and%20blood,the%20heart%2C%20brain%20or%20legs.>

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CONFIDENTIAL REPORTS

Pursuant to Section 10A(4) the public were invited to make representation to the meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

No members of the public made representations.

RESOLVED (Clr Wells / Clr Kotlash)

MIN24.318

That the press and public be excluded from the Meeting, pursuant to section 10A(1)(a) of the Local Government Act, 1993, to consider the following items of a confidential nature.

CCL24.17 Tender - Management & Operation - Holiday Haven Bendalong

Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.

CCL24.18 Tenders - Panel of Suppliers to Supply Pumps, Ancillary Items & Spare Parts to Shoalhaven Water

Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Clr Boyd left to the meeting, the time being 7.21pm.

The meeting moved into confidential the time being 7:21pm.

The meeting moved into open session, the time being 7:27pm.

Clr Boyd returned to the meeting, the time being 7.27pm.

REPORT FROM CONFIDENTIAL SESSION

The following resolutions of the meeting, whilst closed to the public, were made public.

CCL24.17 Tender - Management & Operation - Holiday Haven Bendalong

**HPERM Ref:
D24/195432**

Clr Boyd - pecuniary interest declaration - she has an ongoing business relationship with one of the tenderers - was absent from the confidential session and did not take part in discussion or vote.

RESOLVED

MIN24.319C

That

1. Council endorses the recommendation of the Tender Evaluation Panel and accepts the Tender from SE Monaghan Pty Ltd for Management and Operation of Holiday Haven Bendalong.
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with *Local Government (General) Regulation 2021 (section 165)* by the CEO (Director City Services).

CARRIED

CCL24.18 Tenders - Panel of Suppliers to Supply Pumps, Ancillary Items & Spare Parts to Shoalhaven Water

**HPERM Ref:
D24/194158**

Note: Clr Boyd was absent during the Confidential session.

RESOLVED

MIN24.320C

That:

1. Council accept the Tenders from the following tenderers onto the Panel of Suppliers to supply Pumps, Ancillary Items & Spare Parts.
 - a. JAC Pump Services Pty Ltd (Category A)
 - b. National Pump & Energy Pty Ltd (Category A)
 - c. Xylem Water Solutions Ltd (Category A)
 - d. Beck Water Pty Ltd (Category B)
 - e. Enviro One Services and Installations Pty Ltd (Category B)
2. The Panel Deed and any other associated documents be executed on behalf of the Council in accordance with cl165 of the Local Government Regulation by the Chief Executive Officer (Executive Manager, Shoalhaven Water).
3. Council authorises the Chief Executive Officer (Executive Manager, Shoalhaven Water) to adjust the Panel Deed for variations and other amendments from time to time.

CARRIED

There being no further business, the meeting concluded, the time being 7:29pm.

Clr Findley
CHAIRPERSON