

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 15 April 2025
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.30pm

The following members were present:

Clr Patricia White - Chairperson
Clr Selena Clancy
Clr Denise Kemp
Clr Luciano Casmiri
Clr Karlee Dunn
Clr Jason Cox
Clr Peter Wilkins
Clr Bob Proudfoot
Clr Jemma Tribe
Clr Matthew Norris
Clr Gillian Boyd
Clr Natalee Johnston
Clr Ben Krikstolaitis (Remotely)

A statement was played 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 Cox / Clr Wilkins) MIN25.149

That the Minutes of the Ordinary Meeting held on Tuesday 25 March 2025 be confirmed.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

Declaration of Interests

Clr Casmiri – CL25.121 - Report Back on Proposed Road Closure - Illfracombe Avenue (Banksia Street), Vincentia – less than significant non pecuniary interest declaration – he is a resident of Elizabeth Drive, Vincentia – will remain in the room and will take part in discussion and vote.

Presentation of Petitions

Clr Proudfoot presented a petition containing 122 signatures which states:

As the residents of "As good as it gets" cattle stud, we are being mandated by Transport for New South Wales (TNSW) to follow a traffic plan that is anything but safe or fair. Our large-holdings farming property sees regular activity from 100hp tractors, cattle trucks, and hay trucks. As it stands, TNSW wants us to exit our property, turn on Gardeners Rd, and execute a U-Turn right in front of the Gardeners rd Childcare Centre, multiple times a day.

The safety implications of this plan are worrisome, to say the least. Performing these maneuvers in heavy farming machinery near residential areas and a childcare center poses significant risks. Besides the disturbance to Gardeners rd residents, there's a high potential for accidents, which could have catastrophic consequences. The fact that this is being imposed on us illustrates a startling disregard for public safety by TNSW.

Proper traffic management should not cause such risk or inconvenience to residents and public facilities. We demand that TNSW urgently review and revise this unnecessary routing decision, to protect not just us, but also the children at the Gardeners Rd Childcare Centre and the Gardeners road residents from potential harm.

It's time to make our voices heard. Assistance from all concerned citizens and public entities in holding TNSW accountable is crucial. Please sign this petition to support safer traffic decisions for "As good as it gets" cattle stud and the Gardeners Rd Childcare Centre!

MAYORAL MINUTE

MM25.6 Mayoral Minute - Condolence Motion - Geoffrey Starkey

**HPERM Ref:
D25/149935**

Recommendation

That Council notes the passing of Mr Geoffrey Starkey, acknowledges his significant contribution to the Shoalhaven community and expresses condolences to his wife Nicole and their extended family.

RESOLVED (Clr White / Clr Proudfoot)

MIN25.150

That Council notes the passing of Mr Geoffrey Starkey, acknowledges his significant contribution to the Shoalhaven community and expresses condolences to his wife Nicole and their extended family.

CARRIED

DEPUTATIONS AND PRESENTATIONS

CL25.108 - Audit, Risk and Improvement Committee (ARIC) Annual Report

The Chair of the ARIC, Ms Donna Rygate, presented the 2024 ARIC Annual Report at the Council meeting.

Procedural Motion - Bring Item Forward

RESOLVED (Clr Proudfoot / Clr Clancy) MIN25.151

That the matter of item CL25.108 Audit, Risk and Improvement Committee (ARIC) Annual Report - 2024 be brought forward for consideration.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

CL25.108 Audit, Risk and Improvement Committee (ARIC) Annual Report - 2024

HPERM Ref:
D25/76888

Note: A presentation was received on this item.

Recommendation

That Council receive and note the 2024 ARIC annual report.

RESOLVED (Clr White / Clr Proudfoot) MIN25.152

That Council receive and note the 2024 ARIC annual report.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

DEPUTATIONS

CL25.114 - Sanctuary Point Library - Update Report 3 (Feasibility Study & Cost Estimates)

Mr Matthew Cook addressed the meeting to speak AGAINST the recommendation.

CL25.118 - Development Application – DA23/1825 - 1 Wharf Road SHOALHAVEN HEADS - Lot 2 DP 701597

Mr Stephen McCarthy addressed the meeting to speak AGAINST the recommendation.

CL25.119 - Advisory Committee Review – Update

Mr John Willmott addressed the meeting to speak AGAINST the recommendation.

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL25.97 Notice of Motion - Health & Safety Hazards - 146 The Wool Road St Georges Basin

**HPERM Ref:
D25/134576**

Recommendation

That Council direct the Acting CEO as a matter of urgency, to commence all necessary steps to remove both the obvious health hazards and significant fire risks at the house and yard at 146 The Wool Road, St Georges Basin.

RESOLVED (Clr Proudfoot / Clr Casmiri)

MIN25.153

That Council direct the Acting CEO as a matter of urgency, to commence all necessary steps to remove both the obvious health hazards and significant fire risks at the house and yard at 146 The Wool Road, St Georges Basin.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

CL25.98 Notice of Motion - Safe Pedestrian Access - 4 Clifton Street Sanctuary Point

**HPERM Ref:
D25/134655**

Recommendation

That Council direct the Acting CEO as a matter of urgency, to take all reasonable steps to restore safe pedestrian access to the nature-strip at the front of the property at 4 Clifton Street, Sanctuary Point.

RESOLVED (Clr Proudfoot / Clr Cox)

MIN25.154

That Council direct the Acting CEO as a matter of urgency, to take all reasonable steps to restore safe pedestrian access to the nature-strip at the front of the property at 4 Clifton Street, Sanctuary Point.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

CL25.99 Notice of Motion - AEC Fleet & Plant Service Review - Fuel Card Restrictions

**HPERM Ref:
D25/137947**

Recommendation

That Council

1. Direct the A/CEO to undertake the following (in line with the AEC Fleet & Plant Service Review Report of June 2024 pertaining to P.89) to review as below:
 - a. Consider an immediate reduction of the \$3000 monthly fuel allowance limit on Fuel cards and that the issuer adhere to the strict use of the fuel card. To follow processes for fraud reduction and ensuring fiscal responsibility through use of fuel cards issued by Council so that they cannot be used for refuelling of a different asset by appropriately capturing fuel usage through logging Vehicle plate and odometer at time of purchase.

- b. Request a redacted (non-identifiable) report be compiled on the top 20 monthly fuel card utilisers to compare mileage versus fuel spend for any discrepancies including interstate.
 - c. Implement an audit (external independent) of all fuel card purchases over the last 2 years.
2. Receive a report to a future meeting following items a, b & c above.

RESOLVED (Clr Cox / Clr Clancy)

MIN25.155

That Council:

1. Direct the A/CEO to undertake the following (in line with the AEC Fleet & Plant Service Review Report of June 2024 pertaining to P.89) to review as below:
 - a. Consider an immediate reduction of the \$3000 monthly fuel allowance limit on Fuel cards and that the issuer adhere to the strict use of the fuel card. To follow processes for fraud reduction and ensuring fiscal responsibility through use of fuel cards issued by Council so that they cannot be used for refuelling of a different asset by appropriately capturing fuel usage through logging Vehicle plate and odometer at time of purchase.
 - b. Request a redacted (non-identifiable) report be compiled on the top 20 monthly fuel card utilisers to compare mileage versus fuel spend for any discrepancies including interstate.
 - c. Implement an audit (external independent) of all fuel card purchases over the last 2 years.
2. Receive a report to a future meeting following items a, b & c above.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

CL25.100 Notice of Motion - Review and Cost Controls of Media Spend

**HPERM Ref:
D25/138003**

Recommendation

Through the Acting CEO a report be compiled on the annual print media spend breaking down specific mediums and including public notices to confirm in 2025 and whether this is still a regulatory requirement and if so, what are those specific categories/classifications.

RESOLVED (Clr Cox / Clr Dunn)

MIN25.156

That through the Acting CEO, a report be compiled on the annual print media spend breaking down specific mediums and including public notices to confirm in 2025 and whether this is still a regulatory requirement and if so, what are those specific categories/classifications.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

CL25.101 Notice of Motion - Applications for Affordable Housing

**HPERM Ref:
D25/139024**

Recommendation

That the Acting CEO

1. Advise Council of the ways Council can improve its procedures and processes in approving applications for affordable housing.
2. Report back to Council by the 31 May 2025 on the progress made and recommendations for Council's consideration.

RESOLVED (Clr Casmiri / Clr Cox)

MIN25.157

That the Acting CEO:

1. Advise Council of the ways Council can improve its procedures and processes in approving applications for affordable housing.
2. Provide a further report to Council on the progress made and recommendations for Council's consideration.
3. Refer the matter to the Affordable Housing Taskforce when the committee is established.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

**CL25.102 Notice of Motion - Investigate Parallel Parking Nowra
CBD**

**HPERM Ref:
D25/141196**

Recommendation

That Council:

1. Request that the Acting CEO advise if there has been any research undertaken previously by Council or prepare an updated report on the viability of and review of Parallel parking versus Angle parking.
2. The report to include the road paint marking cost per metre to mark vehicles spaces on the existing Parallel parking available in the CBD.

RESOLVED (Clr Cox / Clr Wilkins)

MIN25.158

That Council:

1. Request that the Acting CEO advise if there has been any research undertaken previously by Council or prepare an updated report on the viability of and review of Parallel parking versus Angle parking.
2. The report to include the road paint marking cost per metre to mark vehicles spaces on the existing Parallel parking available in the CBD.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

CL25.103 Notice of Motion - Display and Disposal of Federal Election Material

**HPERM Ref:
D25/141839**

Recommendation

That Council:

1. Advise Federal Campaign teams and the Residents of the Shoalhaven:
 - a. Of the State Environment Plan, Local Environment Plan and Development Control Plan rules that apply to the location and erection of corflutes during the election period, including placement of election promotional material on Council managed land.
 - b. That Council owned buildings used as polling places should not have election material attached directly to them, that is, no plastic bunting, corflutes or other bunting to be attached.
2. Organise a drop-off point for used election corflutes at specific waste disposal sites for collection by a suitable corflute recycling company and advise residents of the arrangements.

RESOLVED (Clr Krikstolaitis / Clr Johnston)

MIN25.159

That:

1. Council organise a drop-off point for used election corflutes at specific waste disposal sites for collection by a suitable corflute recycling company and advise residents of the arrangements.
2. The Acting CEO consider a fee to be included in the draft fees and charges to be evaluated post exhibition and prior to council adoption

FOR: Clr White, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Clr Clancy, Clr Kemp and Clr Casmiri

CARRIED

CL25.104 Question on Notice - Shoalhaven Family Day Care - Educators Transition

**HPERM Ref:
D25/147506**

Question

Given that Council resolved the following on March 11, 2025:

MOTION (RESOLVED) (Clr Clancy / Clr Kemp) - MIN25.95

That:

1. *Council transition Shoalhaven Family Day Care administration to suitable and agreed available not for profit or independent providers on or before 1 January 2026 or at a suitable date*
2. *For accounting efficiencies it is prudent that the administrative functions of Shoalhaven Family Day Care transitions occur on or before 1 January 2026 or at a suitable date*
3. *Along with Council, a representative from Shoalhaven Family Day Care be included in the consultation of available not for profit or independent providers*

For: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot and Clr Norris

Against: Clr Tribe, Clr Boyd, Clr Johnston and Clr Krikstolaitis

Why are educators now being told they must be transitioned by June 30, 2025?

One educator has already ceased operating. My concern is that others will also find this undue pressure too challenging. Putting added stress on families, businesses and the broader community with childcare waiting lists already overloaded.

Response

Council's resolution relates to the administrative functions of Shoalhaven Family Day Care transition occurring on or before 1 January 2026 or at a suitable date. The administration and legislative actions relating to the transition of the service and Councils ceasing to be involved in the service will take months to complete, including archiving of records and handing back of the license. Working to transition educators to a new service provider by the 30 June 2025 is an internal timeline aimed at minimising disruption and to provide Council the time to finalise the administrative and HR considerations associated with Councils transition from the service and finalisation of administrative functions.

CL25.105 Notice of Motion - Soft Plastics Recycling Collection Day

HPERM Ref:
D25/147969

Recommendation

That Council instructs the Acting CEO to:

1. Promote the success of the Soft Plastics Recycling Collection Day and thank staff / the community for their support on the day.
2. Hold another Soft Plastics Recycling Collection Day at Nowra/Ulladulla Depots in the near future.
3. When a date is found, promote widely to the community to continue the strong participation and assist with diverting soft plastics away from landfill/waterways.
4. Consider charging a flat fee for soft plastic drop offs or include a donation box on the day.

MOTION (Clr Tribe / Clr Johnston)

That Council instructs the Acting CEO to:

1. Promote the success of the Soft Plastics Recycling Collection Day and thank staff / the community for their support on the day.
2. Hold another Soft Plastics Recycling Collection Day at Nowra/Ulladulla Depots in the near future.
3. When a date is found, promote widely to the community to continue the strong participation and assist with diverting soft plastics away from landfill/waterways.
4. Consider charging a flat fee for soft plastic drop offs or include a donation box on the day.

AMENDMENT (Clr White)

That Council:

1. Instructs the Acting CEO to promote the success of the Soft Plastics Recycling Collection Day and thank staff / the community for their support on the day.
2. Instructs the Acting CEO to congratulate the Illawarra Shoalhaven Joint Organisation (ISJO) on their excellent work on organising the Soft Plastics Collection days over the region for ISJO councils
3. As approved by ISJO on Friday 11 April 2025, continue to support ISJO initiatives for Soft Plastics.

FOR: Clr White, Clr Clancy, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Clr Kemp

AMENDMENT CARRIED AND BECAME THE MOTION

AMENDMENT (RESOLVED) (Clr Tribe / Clr White)

MIN25.160

That Council instructs the Acting CEO to:

1. Promote the success of the Soft Plastics Recycling Collection Day and thank staff / the community for their support on the day.
2. Congratulate the Illawarra Shoalhaven Joint Organisation (ISJO) on their excellent work on organising the Soft Plastics Collection days over the region for ISJO councils
3. As approved by ISJO on Friday 11 April 2025, continue to support ISJO initiatives for Soft Plastics.

FOR: Clr White, Clr Clancy, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Clr Kemp

CARRIED

CL25.106 Notice of Motion - Report on Status of Notice of Motions

**HPERM Ref:
D25/150656**

Recommendation

That Council staff provide regular updates on the current status of Notices of Motion, as well as any particular issues that may have arisen during their progression to finalisation.

RESOLVED (Clr Proudfoot / Clr Johnston)

MIN25.161

That Council:

1. Rescind Part 4 of MIN24.157
2. Be provided with regular updates on the status of all Notice of Motions through reports to the Ordinary Meeting on a quarterly basis.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

CALL OVER OF THE BUSINESS PAPER

Procedural Motion - Matters of Urgency

MOTION (Clr Tribe)

That an additional item in relation to the Milton Ulladulla Bulldogs be introduced as a matter of urgency.

THE CHAIRPERSON DID NOT RULE THE MATTER AS URGENT.

Call Over of Business Paper - En block – Committee Report

RESOLVED (Clr Clancy / Clr Norris) MIN25.162

That the following items from the Report of Shoalhaven Heads Estuary Taskforce be resolved en block:

- SH25.3 - Additional Item - Water NSW - Write to Gareth Ward
- SH25.4 - Additional Item - Entrance Management Plan - Extend Review Period

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

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

Call Over of Business Paper - En block – City Performance

RESOLVED (Clr Proudfoot / Clr Johnston) MIN25.163

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

- CL25.109 - Policy on Related Party Disclosure
- CL25.110 - Policy - Induction and Ongoing Professional Development for Mayors and Councillors

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

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

CARRIED

Call Over of Business Paper - En block – City Services

RESOLVED (Clr Clancy / Clr Cox) MIN25.164

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

- CL25.112 - Tender - Provision of Professional Beach Patrol / Lifeguarding Services - Shoalhaven Beaches - 2025/26 to 2029/30
- CL25.113 - Sale of 21 Norfolk Ave, South Nowra

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

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

CARRIED

Call Over of Business Paper - En block – City Development

RESOLVED (Clr Boyd / Clr Cox) MIN25.165

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

- CL25.116 - Proposed Works in Kind Agreement Negotiations - Associated with Subdivision at St Georges Basin (SF9847)
- CL25.117 - Proposed Works in Kind Agreement Negotiations - Associated with Subdivision at 70 Hillcrest Avenue, South Nowra (SF10525)

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

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

CARRIED

Call Over of Business Paper - En block – Shoalhaven Water

RESOLVED (Clr Cox / Clr Johnston) MIN25.166

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

- CL25.120 - Tenders - Design & Manufacture Electrical Control Panels (3 year contract)

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

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

CARRIED

Procedural Motion – Introduction of Addendum Report

RESOLVED (Clr Norris / Clr Johnston) MIN25.167

That the matter of item CL25.121 - Report Back on Proposed Road Closure - Illfracombe Avenue (Banksia Street), Vincentia be introduced for consideration.

CARRIED

The Chairperson ruled the matters as ones of urgency as they relate to urgent business of Council and allowed their introduction.

REPORT OF THE SHOALHAVEN HEADS ESTUARY TASKFORCE – 12 MARCH 2025

Items marked with an * were resolved ‘en block’.

SH25.3 Additional Item - Water NSW - Write to Gareth Ward

RESOLVED* (Clr Clancy / Clr Norris) MIN25.168

That Council, as recommended by the Shoalhaven Heads Estuary Taskforce, request that staff to write to Gareth Ward MP regarding Water NSW’s responsibilities for their environmental impact downstream of the dam.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

SH25.4 Additional Item - Entrance Management Plan - Extend Review Period

RESOLVED* (Clr Clancy / Clr Norris) MIN25.169

That Council, as recommended by the Shoalhaven Heads Estuary Taskforce, extend the review of the Entrance Management Plan until 26 May 2025.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

REPORTS

CL25.108 Audit, Risk and Improvement Committee (ARIC) Annual Report - 2024

HPERM REF:
D25/76888

Item dealt with earlier in the meeting see MIN25.152.

Items marked with an * were resolved ‘en block’.

CL25.109 Policy on Related Party Disclosure

HPERM Ref:
D25/76847

RESOLVED* (Clr Proudfoot / Clr Johnston) MIN25.170

That Council adopt the Policy on Related Party Disclosure.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

CL25.110 Policy - Induction and Ongoing Professional Development for Mayors and Councillors

**HPERM Ref:
D25/41753**

RESOLVED* (Clr Proudfoot / Clr Johnston)

MIN25.171

That Council adopt the Induction and Ongoing Professional Development for Mayors and Councillors Policy with minor administrative changes as provided in attachment 1.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

CL25.111 Draft Code of Meeting Practice - Public Exhibition

**HPERM Ref:
D25/55413**

Recommendation

That:

1. In accordance with Section 361 of the Local Government Act, the draft Code of Meeting Practice be placed on public exhibition to obtain community feedback for the minimum of 28 days and invite submissions for a period of at least 42 days.
2. A report be provided for consideration at an Ordinary Meeting of the Council at the completion of the exhibition period, outlining the submissions received and providing a final draft Code of Meeting Practice for adoption by the Council.

MOTION (Clr Tribe / Clr Cox)

That:

1. In accordance with Section 361 of the Local Government Act, the draft Code of Meeting Practice be placed on public exhibition to obtain community feedback for the minimum of 28 days and invite submissions for a period of at least 42 days.
2. A report be provided for consideration at an Ordinary Meeting of the Council at the completion of the exhibition period, outlining the submissions received and providing a final draft Code of Meeting Practice for adoption by the Council.

AMENDMENT (Clr Johnston / Clr Tribe)

That:

1. In accordance with Section 361 of the Local Government Act, the draft Code of Meeting Practice be placed on public exhibition to obtain community feedback for the minimum of 28 days and invite submissions for a period of at least 42 days, including the following changes:
 - a. Note Resolution MIN25.10 of 21 January 2025 however at section 15.26 not include the following wording as part of the draft exhibition *they be removed from sight which allows for them in bags/handbags etc for emergencies*
2. A report be provided for consideration at an Ordinary Meeting of the Council at the completion of the exhibition period, outlining the submissions received and providing a final draft Code of Meeting Practice for adoption by the Council.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

AMENDMENT CARRIED

FURTHER AMENDMENT (Clr Tribe / Clr Johnston)

That:

1. In accordance with Section 361 of the Local Government Act, the draft Code of Meeting Practice be placed on public exhibition to obtain community feedback for the minimum of 28 days and invite submissions for a period of at least 42 days, including the following changes:
 - a. Note Resolution MIN25.10 of 21 January 2025 however at section 15.26 not include the following wording as part of the draft exhibition *they be removed from sight which allows for them in bags/handbags etc for emergencies*
 - b. At Section 3.37 Insert the words where possible instead of 'must' in relation to camera usage for Councillors remotely attending at pre meetings and briefings.
2. A report be provided for consideration at an Ordinary Meeting of the Council at the completion of the exhibition period, outlining the submissions received and providing a final draft Code of Meeting Practice for adoption by the Council.

FOR: Clr White, Clr Dunn, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Clr Clancy, Clr Kemp, Clr Casmiri, Clr Cox, Clr Wilkins and Clr Proudfoot

FURTHER AMENDMENT WAS CARRIED AND BECAME THE MOTION

RESOLVED (FURTHER AMENDMENT)) (Clr Tribe / Clr Clancy)

MIN25.172

That:

1. In accordance with Section 361 of the Local Government Act, the draft Code of Meeting Practice be placed on public exhibition to obtain community feedback for the minimum of 28 days and invite submissions for a period of at least 42 days, including the following changes:
 - a. Note Resolution MIN25.10 of 21 January 2025 however at section 15.26 not include the following wording as part of the draft exhibition *they be removed from sight which allows for them in bags/handbags etc for emergencies*
 - b. At Section 3.37 Insert the words where possible instead of 'must' in relation to camera usage for Councillors remotely attending at pre meetings and briefings.
2. A report be provided for consideration at an Ordinary Meeting of the Council at the completion of the exhibition period, outlining the submissions received and providing a final draft Code of Meeting Practice for adoption by the Council.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Dunn, Clr Cox, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Clr Casmiri, Clr Wilkins and Clr Proudfoot

CARRIED

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

CL25.112 Tender - Provision of Professional Beach Patrol / Lifeguarding Services - Shoalhaven Beaches - 2025/26 to 2029/30

HPERM Ref: D25/103875

RESOLVED* (Clr Clancy / Clr Cox)

MIN25.173

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

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

Minutes Confirmed Tuesday 29 April 2025 – Chairperson

AGAINST: Nil
CARRIED

CL25.113 Sale of 21 Norfolk Ave, South Nowra

**HPERM Ref:
D25/76964**

RESOLVED* (Clr Clancy / Clr Cox)

MIN25.174

That Council:

1. Commence the sale process for 21 Norfolk Ave, South Nowra (Lot 77 DP 1032397) for no less than an independent market valuation.
2. Authorise the Chief Executive Officer with delegated authority to complete negotiations for settlement including acceptance of offer for purchase in accordance with the market value assessment determined by independent certified valuer.
3. Appoint a selling agent to act for Council in the disposal of 21 Norfolk Ave, South Nowra (Lot 77 DP 1032397) by competitive process.
4. Endorse the costs incurred with sale of the land comprising legal, conveyancing, valuation and survey expenses be funded from the sale proceeds.
5. Authorise the Common Seal of the Council of the City of Shoalhaven to be affixed to any document required to be sealed and delegate authority to the Chief Executive Officer to sign any documentation necessary to give effect to this resolution.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil
CARRIED

CL25.114 Sanctuary Point Library - Update Report 3 (Feasibility Study & Cost Estimates)

**HPERM Ref:
D25/39778**

Note: A Deputation was received on this item.

Recommendation

That Council:

1. Receive the **Sanctuary Point Library - Project Update 3** report for information as an update on:
 - a. Close-out and rescoping processes as outlined in **Attachment 1**.
 - b. Outcomes of a *Feasibility Study* as presented in **Attachment 2 and Attachment 7 & 8**.
 - c. Project location, noting the recommendation to retain (reconfirm) a new library be constructed at the corner of Paradise Beach Road and Kerry Street, Sanctuary Point, as outlined in **Attachment 5 & 6**.
 - d. Project programme (timelines) as outlined in **Attachment 3**.
2. In accordance with the *Local Government Act 1993*, delegate authority to the Acting CEO (Director - City Services) to commence negotiations with grant funding partners to align the rescoped project with revised grant funding deeds, with a view to capping Council's co-contribution to the project at no more than half (50%) of the cost of delivery.

3. Direct the CEO (Director – City Services) to further examine financial considerations related to delivery of a new library in Sanctuary Point and submit a development application, as illustrated in **Attachment 7 & 8**, by completing the following activities utilising funds allocated to the Sanctuary Point Library project in the Section 7.11 reserve:
 - a. A *Business case*, in accordance with [MIN24.44](#), and *Expenditure review*, in accordance with the Office of Local Government’s [Capital Expenditure Guidelines \(December 2010\)](#), and;
 - b. Documentation as required to submit a development application.
4. Direct the CEO (Director – City Services) to provide a future report upon completion of part 2 of this resolution (once development consent has been received) to enable Council to make a determination about next steps for this project.

Clr Proudfoot raised a Point of Order against Clr Boyd for referencing comments that were made about the CEO.

The Mayor did not rule it as a Point of Order.

MOTION (Clr Boyd / Clr Norris)

That Council:

1. Receive the **Sanctuary Point Library - Project Update 3** report for information as an update on:
 - a. Close-out and rescoping processes as outlined in **Attachment 1**.
 - b. Outcomes of a *Feasibility Study* as presented in **Attachment 2 and Attachment 7 & 8**.
 - c. Project location, noting the recommendation to retain (reconfirm) a new library be constructed at the corner of Paradise Beach Road and Kerry Street, Sanctuary Point, as outlined in **Attachment 5 & 6**.
 - d. Project programme (timelines) as outlined in **Attachment 3**.
2. In accordance with the *Local Government Act 1993*, delegate authority to the Acting CEO (Director - City Services) to commence negotiations with grant funding partners to align the rescoped project with revised grant funding deeds, with a view to capping Council’s co-contribution to the project at no more than half (50%) of the cost of delivery.
3. Direct the CEO (Director – City Services) to further examine financial considerations related to delivery of a new library in Sanctuary Point and submit a development application, as illustrated in **Attachment 7 & 8**, by completing the following activities utilising funds allocated to the Sanctuary Point Library project in the Section 7.11 reserve:
 - a. A *Business case*, in accordance with [MIN24.44](#), and *Expenditure review*, in accordance with the Office of Local Government’s [Capital Expenditure Guidelines \(December 2010\)](#), and;
 - b. Documentation as required to submit a development application.
4. Direct the CEO (Director – City Services) to provide a future report upon completion of part 2 of this resolution (once development consent has been received) to enable Council to make a determination about next steps for this project.

FOR: Clr Dunn, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Cox, Clr Wilkins and Clr Proudfoot

MOTION LOST

FORESHADOWED MOTION (Clr Proudfoot / Clr Kemp)

That in relation to the proposed Sanctuary Point Library:

1. The current Project (as outlined in the report) be abandoned and council investigate alternative sites including:
 - a. Francis Ryan Reserve; and
 - b. Paradise Beach Road (located at existing Sanctuary Point Library)

AMENDMENT (Clr Tribe / Clr Johnston)

That in relation to the Sanctuary Point Library:

1. Council investigate alternative sites including:
 - a. Francis Ryan Reserve
 - b. Paradise Beach Road (existing library site)

FOR: Clr Dunn, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Cox, Clr Wilkins and Clr Proudfoot

AMENDMENT LOST

FORESHADOWED MOTION (RESOLVED) (Clr Proudfoot / Clr Kemp)

MIN25.175

That in relation to the proposed Sanctuary Point Library:

1. The current Project (as outlined in the report) be abandoned and council investigate alternative sites including:
 - a. Francis Ryan Reserve; and
 - b. Paradise Beach Road (located at existing Sanctuary Point Library)

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Cox, Clr Wilkins and Clr Proudfoot

AGAINST: Clr Dunn, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

CARRIED

**CL25.115 Petition - Ulladulla Leisure Centre - Operating Hours
Extension Request**

**HPERM Ref:
D25/123742**

Recommendation

That Council

1. Acknowledge the receipt of the petition.
2. Continue with the adopted winter schedule as per MIN24.392 (closed on Sundays for the duration of April to September 2025) with a view of maintaining financial sustainability.

RESOLVED (Clr White / Clr Kemp)

MIN25.176

That Council:

1. Acknowledge the receipt of the petition.
2. Reinstate the seasonal Ulladulla Leisure Centre hours to pre 2025 for the indoor pool only.
3. Provide a further report back to Council on:
 - a. Recent damage to the sea pools from weather events

- b. Any available patronage data for sea pools over winter periods
- c. The report include data for the Ulladulla Leisure Centre for Sundays

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Boyd and Clr Johnston

AGAINST: Clr Norris and Clr Krikstolaitis

CARRIED

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

**CL25.116 Proposed Works in Kind Agreement Negotiations - HPERM Ref: D25/2737
Associated with Subdivision at St Georges Basin
(SF9847)**

Note: A Deputation was received on this item.

RESOLVED* (Clr Boyd / Clr Cox) MIN25.177

That Council consider a confidential report on this matter pursuant to section 10A(2)(g) of the *Local Government Act 1993*.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

**CL25.117 Proposed Works in Kind Agreement Negotiations - HPERM Ref: D25/8233
Associated with Subdivision at 70 Hillcrest Avenue,
South Nowra (SF10525)**

RESOLVED* (Clr Boyd / Clr Cox) MIN25.178

That Council consider a confidential report on this matter pursuant to section 10A(2)(g) of the *Local Government Act 1993*.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

**CL25.118 Development Application – DA23/1825 - 1 Wharf Road HPERM Ref:
SHOALHAVEN HEADS - Lot 2 DP 701597 D25/140487**

Note: A Deputation was received on this item.

Recommendation

That Council refuse the Development Application (DA23/1825) for construction of a two-storey dwelling house at 1 Wharf Road SHOALHAVEN HEADS – Lot 2 DP 701597 for the reasons outlined in this report. The reasons for refusal are replicated in the draft refusal notice of determination (Attachment 7).

MOTION (Clr Wilkins / Clr Proudfoot)

That in relation to the Development Application (DA) (DA23/1825) for the construction of a two-storey dwelling house at 1 Wharf Road, SHOALHAVEN HEADS – Lot 2 DP 701597 council approve the DA subject to the draft conditions of consent (**Attachment 8**) to this report.

FOR: Clr White, Clr Clancy, Clr Casmiri, Clr Cox, Clr Wilkins and Clr Proudfoot

AGAINST: Clr Kemp, Clr Dunn, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

MOTION LOST

FORESHADOWED MOTION (RESOLVED) (Clr Tribe / Clr White)

MIN25.179

That Council refuse the Development Application (DA23/1825) for construction of a two-storey dwelling house at 1 Wharf Road SHOALHAVEN HEADS – Lot 2 DP 701597 for the reasons outlined in this report. The reasons for refusal are replicated in the draft refusal notice of determination (Attachment 7).

FOR: Clr White, Clr Dunn, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Clr Clancy, Clr Kemp, Clr Casmiri, Clr Cox, Clr Wilkins and Clr Proudfoot

CARRIED

CL25.119 Advisory Committee Review - Update

**HPERM Ref:
D25/55403**

Note: A Deputation was received on this item.

Recommendation

That Council:

1. Accept the proposals and feedback provided, and disband the following committees:
 - a. Homelessness Advisory Committee (HAC) (Attachment 1)
 - b. Shoalhaven Economic Growth Advocacy Group (SEGA) (Attachment 2)
 - c. Shoalhaven Sports Board (SSB) (Attachment 3)
 - d. Arts Advisory Committee (AAC) (Attachment 4)
2. The members of the above committees be notified and thanked for their contributions to the Committee and Shoalhaven.
3. All operations, including any financial decisions of the Nowra CBD Revitalisation Strategy Committee including promotions will remain on hold until such time as a change proposal is provided to the Executive Leadership Team (ELT) and then Council for consideration.

RESOLVED (Clr Clancy / Clr Norris)

MIN25.180

That in relation to the Advisory Committee Review, the Change Proposals be deferred to a Councillor Workshop.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

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

CL25.120 Tenders - Design & Manufacture Electrical Control Panels (3 year contract)

**HPERM Ref:
D25/144169**

RESOLVED* (Clr Cox / Clr Johnston)

MIN25.181

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

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

AGAINST: Nil

CARRIED

ADDENDUM REPORTS

CL25.121 Report Back on Proposed Road Closure - Illfracombe Avenue (Banksia Street), Vincentia

**HPERM Ref:
D25/115808**

Clr Casmiri – less than significant non pecuniary interest declaration – he is a resident of Elizabeth Drive, Vincentia – remained in the room and took part in discussion and voted.

Recommendation

That Council receive the report regarding the proposed road closure of Illfracombe Ave (Banksia Street), Vincentia for information, with a future report to be provided to Council upon receipt of the final assessment from the Notifiable Authorities.

MOTION (Clr Casmiri)

That:

1. Council receive the report regarding the proposed road closure of Illfracombe Ave (Banksia Street), Vincentia for information, with a future report to be provided to Council upon receipt of the final assessment from the Notifiable Authorities.
2. The Lot be removed from sale.

The MOTION lapsed due to lack of seconder.

RESOLVED (Clr White / Clr Tribe)

MIN25.182

That Council receive the report regarding the proposed road closure of Illfracombe Ave (Banksia Street), Vincentia for information, with a future report to be provided to Council upon receipt of the final assessment from the Notifiable Authorities.

FOR: Clr White, Clr Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris, Clr Boyd, Clr Johnston and Clr Krikstolaitis

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 Norris / Clr Proudfoot)

MIN25.183

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.

CCL25.8 Tender - Provision of Professional Beach Patrol / Lifeguarding Services - Shoalhaven Beaches - 2025/26 to 2029/30

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.

CCL25.9 Proposed Works in Kind Agreement Negotiations - Associated with Subdivision at St Georges Basin (SF9847)

Advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege. 10(A)(2)(g)

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to prejudice any court proceedings by revealing matter prepared for the purposes of or in relation to current or future proceedings or prejudice the fair trial of any person, the impartial adjudication of any case or a person's right to procedural fairness.

CCL25.10 Proposed Works in Kind Agreement Negotiations - Associated with Subdivision at 70 Hillcrest Avenue, South Nowra (SF10525)

Advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege. 10(A)(2)(g)

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to prejudice any court proceedings by revealing matter prepared for the purposes of or in relation to current or future proceedings or prejudice the fair trial of any person, the impartial adjudication of any case or a person's right to procedural fairness.

CCL25.11 Tenders - Design & Manufacture Electrical Control Panels (3 year contract)

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.

CARRIED

The meeting moved into confidential the time being 9.24pm.

The meeting moved into open session, the time being 9.34pm.

REPORT FROM CONFIDENTIAL SESSION

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

CCL25.8 Tender - Provision of Professional Beach Patrol / Lifeguarding Services - Shoalhaven Beaches - 2025/26 to 2029/30

**HPERM Ref:
D25/103874**

RESOLVED

MIN25.184C

That:

1. Council endorses the recommendation provided by the Tender Evaluation Panel and accepts the tender from Surf Life Saving Services Pty Ltd trading as Australian Lifeguard Service (ALS) for Provision of Professional Beach Patrol / Lifeguarding Services - Shoalhaven Beaches – 2025 / 26 to 2029 /30 for a total amount of \$2,019,442.21 (excluding GST) at the following locations:
 - a. Shoalhaven Heads Beach - Six days per week - excluding Sundays and Public Holidays - Monday to Saturday. Commencement of NSW Summer Vacation in December to conclusion of same.
 - b. Crookhaven Heads Beach - Seven days per week including Public Holidays – Monday to Sunday. Commencement of NSW Summer Vacation in December to conclusion of same.
 - c. Tilbury Cove (Ocean Street) - Seven days per week including Public Holidays – Monday to Sunday. Commencement of NSW Summer Vacation in December to conclusion of same
 - d. Warrain Beach - Five days per week excluding Public Holidays – Monday to Friday. Commencement of NSW Summer Vacation in December to conclusion of same
 - e. Sussex Inlet / North Cudmirrah - Seven days per week including Public Holidays – Monday to Sunday. Commencement of NSW Summer Vacation in December to conclusion of same.
 - f. Narrawallee Beach - Five days per week excluding Public Holidays – Monday to Friday. Commencement of NSW Summer Vacation in December to conclusion of same.
 - g. North Mollymook Beach - Five days per week excluding Public Holidays – Monday to Friday. Commencement of NSW Summer Vacation in December to conclusion of same
 - h. South Mollymook Beach – Five days per week excluding Public Holidays – Monday to Friday. Commencing first Monday in December to last Friday in February.
2. The contract documents and any other associated documents be executed on behalf of Council in accordance with *Local Government (General) Regulation 2021 (section 165)* by the Chief Executive Officer (Director City Services).

CARRIED

**CCL25.9 Proposed Works in Kind Agreement Negotiations -
Associated with Subdivision at St Georges Basin
(SF9847)**

**HPERM Ref:
D25/106286**

RESOLVED

MIN25.185C

That Council:

1. Discontinue the Works in Kind Agreement process relating to SF9847.
2. Not pay any compensation to the developer for the road/drainage works that formed part of the previous negotiations.
3. Pay to the developer a land value of \$655,200 for the road land, the payment of which is to be settled via a Voluntary Planning Agreement (VPA), to enable the offset of development contributions relating to 03ROAD2023 for current development approvals over the land.
4. Endorse the following funding sources for the land value payment of \$655,200 (note: values subject to finalisation):
 - a. Offset the 03ROAD2023 contributions associated with SF9847, DA21/1480 and SF10956 over the land (current estimate approximately \$160,794.82); then
 - b. Available pooled funds associated with Planning Area 3 road projects (current estimate approximately \$270,782.89); then
 - c. General fund for the balance (based on the above estimates, \$223,622.29).
5. Grant delegation to the Chief Executive Officer, or his delegate, to determine the exact extent of the development contributions offset that should be applied to the land value through the VPA, including appropriate offsets that may relate to 'future development'.
6. Offset part of the 03DRAI3001 contributions associated with SF9847, to the value of the drainage works (\$30,815.82), as part of the VPA.
7. If the developer is not agreeable to entering into a VPA based on the terms above, receive a further detailed report on the other options that would facilitate the road land coming into Council ownership:
 - a. General agreement; or
 - b. Compulsory acquisition under the *Land Acquisition (Just Terms Compensation) Act 1991*.

CARRIED

**CCL25.10 Proposed Works in Kind Agreement Negotiations -
Associated with Subdivision at 70 Hillcrest Avenue,
South Nowra (SF10525)**

**HPERM Ref:
D25/119206**

RESOLVED

MIN25.186C

That Council:

1. Note the content of this confidential report.
2. Note that a further report with recommendation will be presented to Councils Ordinary Meeting of the 29 April 2025.

CARRIED

**CCL25.11 Tenders - Design & Manufacture Electrical Control
Panels (3 year contract)**

**HPERM Ref:
D25/136732**

RESOLVED

MIN25.187C

That:

1. Council endorses the recommendation of the Tender Evaluation Panel and accepts the Tender from The Trustee for S Weeks Family Trust T/A Metroid Electrical Products for Design and Manufacture Electrical Control Panels (3 Year Contract) for a total cost of \$1,760,823.91 (excluding GST).
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, Shoalhaven Water).

CARRIED

There being no further business, the meeting concluded, the time being 9.41pm.

Clr White
CHAIRPERSON