

Ordinary Meeting

Meeting Date: Tuesday, 28 April, 2026
Location: The Studio, Shoalhaven Entertainment Centre, Bridge Road, Nowra
Time: 5:30 PM

Membership (Quorum – 7)

Clr Patricia White – Mayor

Ward 1

Clr Matthew Norris
Clr Peter Wilkins - Deputy Mayor
Clr Selena Clancy - Assist. Deputy Mayor
Clr Brett Steele

Ward 2

Clr Ben Krikstolaitis
Clr Bob Proudfoot
Clr Jemma Tribe
Clr Luciano Casmiri

Ward 3

Clr Denise Kemp
Clr Gillian Boyd
Clr Karlee Dunn
Clr Debbie Killian

Please note: The proceedings of this meeting (including presentations and debate) will be webcast, recorded and made available on Council's website, under the provisions of the Code of Meeting Practice. Your attendance at this meeting is taken as consent to the possibility that your image and/or voice may be recorded and broadcast to the public.

Shoalhaven City Council live streams its Public Forums, Ordinary Council Meetings and Extra Ordinary Meetings. These can be viewed at the following link

<https://www.shoalhaven.nsw.gov.au/Council/Meetings/Stream-a-Council-Meeting>.

Statement of Ethical Obligations

The Mayor and Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the start of the council term to undertake their civic duties in the best interests of the people of Shoalhaven City and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act or any other Act, to the best of their skill and judgement.

The Mayor and Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.

Agenda

1. Acknowledgement of Country

Walawaani (welcome),

Shoalhaven City Council recognises the First Peoples of the Shoalhaven and their ongoing connection to culture and country. We acknowledge Aboriginal people as the Traditional Owners, Custodians and Lore Keepers of the world's oldest living culture and pay respects to their Elders past, present and emerging.

Walawaani njindiwan (safe journey to you all)

Disclaimer: Shoalhaven City Council acknowledges and understands there are many diverse languages spoken within the Shoalhaven and many different opinions.

2. Moment of Silence and Reflection

3. Australian National Anthem

4. Apologies / Leave of Absence

5. Confirmation of Audio-Visual Attendance

6. Confirmation of Minutes

- Ordinary Meeting - 24 March 2026

7. Declaration of Interests

8. Presentation of Petitions

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Mayoral Minute

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- 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.*
- CCL26.6 Tenders - Nowra Riverfront Precinct - Principal Design Consultant
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- 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.*
- CCL26.7 Tenders - Construction of Woollamia Depot Administration Building & Associated Works
- Local Government Act - Section 10A(2)(d)(i) - Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*
- 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.*
- CCL26.8 Tenders - Various Mains Relining Package 5
- Local Government Act - Section 10A(2)(d)(i) - Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*
- 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.*
- CCL26.9 Tenders - Huskisson Sewer Pump Station 7 and Main Upgrades
- Local Government Act - Section 10A(2)(d)(i) - Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*

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.

CCL26.10 Tenders - Tomerong Pressure Sewer System - Verification of Concept and Detailed Design Services

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

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.

MM26.6 Mayoral Minute - Condolence Motion - Barry Drury

HPERM Ref: D26/157687

Recommendation

That Council notes the passing of Barry Drury, acknowledging his significant contribution to the community and Shoalhaven City Council and extend our condolences to his family.

Details

Barry Drury was a much-loved and highly respected employee at Shoalhaven City Council whose contribution within Shoalhaven Water spanned generations.

Barry dedicated an extraordinary 51 years of service to Council prior to his retirement in 2010 and, true to his generous spirit, continued to support Council in a casual capacity for many years afterwards. In total, Barry contributed an incredible 66 years of service, leaving a legacy that very few can match. His depth of knowledge, quiet commitment and willingness to help others made a lasting impression on all who had the privilege of working with him.

Barry's impact on Shoalhaven City Council goes far beyond the years he served. He embodied everything that is best about public service, loyalty, integrity and pride in his work. His contribution will be remembered with deep respect and gratitude.

Barry will be remembered not only for the length of his service but also for the care, dedication, and humanity he brought to his work every day. We will miss his friendly face and his knowledge of all things water.

Our sincere thoughts go out to the Drury family at this time.

MM26.6

CL26.62 Notice of Motion - Application for Shoalhaven City Council to become Crown Land Manager for the Warden Head Lighthouse Site

HPERM Ref: D26/159963

Submitted by: Cllr Gillian Boyd

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That Council apply to become Crown Land Manager for the grounds surrounding the Warden Head Lighthouse in Deering Street Ulladulla, in accordance with arrangements negotiated between the Department of Planning, Housing and Infrastructure – Crown Lands, and Shoalhaven City Council.

Background

The Warden Head Lighthouse is an iconic site in Ulladulla for tourists and residents. Throughout the year visitors congregate at the barrier to look out at the sea and on the rock shelf below observing the seabirds and looking for seals, and, in the migration season, whale watching. Today it is a pleasant place to chat with visitors and share whale watching stories.

However, it hasn't always been the attractive site that it is today. The site has a sad history, and the redevelopment of the site is an evidence-based endeavour to ensure that its future emphasises the natural beauty of the area and is welcoming and hospitable to visitors.

To assure this future, the Warden Head Lighthouse Group was formed in 2017 and have met regularly ever since to research and plan appropriate action.

Eventually, the Lighthouse Working group was granted State Government funding to implement the Council funded plan for redevelopment of the site. The aim of the redevelopment is to encourage visitation by the public and improve sightlines and fencing. The site is now more open with more parking and seating and attractive landscaping with several viewing platforms behind sturdy metal fencing.

The redevelopment has been warmly welcomed by the community generally and the Lighthouse Working group is proud and satisfied with the result of their vision and hard work.

However, maintenance of the site is an ongoing issue.

The land on which the Lighthouse sits is Crown Land. Crown Lands does not have any operational capacity and limited resources to manage the maintenance of the site. While under management of Crown Lands, the Lighthouse Working Group is restricted in completing the redevelopment Plan to add assets such as picnic tables and bike racks.

To ensure appropriate maintenance and ongoing development of the site a Crown Land Manager must be appointed. To date, no local organisation or group has consented to take on this role. Shoalhaven City Council is ideally placed to take on the Land Manager role as it does at a number of other sites in Ulladulla and the Shoalhaven generally. It is a relatively small site of 5000m² accessed by a Shoalhaven City Council road and bike path along a

CL26.62

road corridor bordering Crown Land managed by SCC for Public Recreation. (Refer Maps 1 and 2)

The site can be combined with the current SCC managed site which obviates the need for an additional Plan of Management, or, be managed as a Public Recreation Reserve separately.

The Lighthouse itself and its narrow concrete curtilage, is managed by Transport NSW and is not included in this proposal.



Map 1: The area shaded in red is currently Crown Land, managed by Shoalhaven City Council, with the exception of the western most block on the south side of Deering Street, which is Council owned and managed.

*LHS=Lighthouse Site, the area under consideration.

CL26.62



Map 2: The Lighthouse site, currently Crown land managed by Crown Lands, is the area under consideration. Note that part of the carpark to the west is situated on Council-managed Crown land.

Note by the CEO

Council maintenance teams would vastly improve the general amenity of the Warden Head Lighthouse site. Should Council vote to maintain this location, it would result in additional service costs.

Estimated cost to maintain

An initial embellishment to bring the asset up to an appropriate standard is estimated at \$18,720. Ongoing maintenance costs of \$4,252 per year would be incurred.

The following legislative implications will apply if Council endorses a motion to apply to be appointed as the Crown Land Manager for the grounds (including landscaped areas and car parking) surrounding the Warden Head Lighthouse (Part Lot 290 DP 755967):

- Division 3.4 of the Crown Land Management Act 2016 (NSW)
- Division 2 of the Local Government Act 1993 (NSW)

Council would be required to manage the land as if it were community land under the Local Government Act 1993. Accordingly, a categorisation for the land would need to be determined, and the land would need to be incorporated into an existing plan of management (through a revision of that plan) or a site-specific draft plan of management.

CL26.62

CL26.63 Notice of Motion - South Coast Rail Line - Impacts on Shoalhaven Residents

HPERM Ref: D26/160820

Submitted by: Cllr Selena Clancy

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That Council:

1. Write to the NSW Minister for Transport, John Graham, and the Member for Kiama, Caitlin McInerney, seeking urgent review of the proposed South Coast rail timetable changes to:
 - a. maintain services stopping at Wollie Creek Station to preserve direct airport access for Shoalhaven residents; and
 - b. minimise forced interchanges and maintain efficient access to the Sydney CBD and health precincts.
2. Request the Member for Kiama clarify infrastructure claims impacting Shoalhaven services, including:
 - a. which tunnels between Kiama and Central station required widening to accommodate the Mariyung fleet;
 - b. how the trains were approved by the National Rail Safety Regulator in mid 2021 if they didn't 'fit the tracks' and whether the MP is aware that the tunnels were widened deliberately between Lithgow and the Blue Mountains to facilitate the service reaching the people of the Central West; and
 - c. whether the MP is aware that with all new train purchases there is also infrastructure upgrades required such as platform changes, tunnels, electricity upgrades and that this occurred back in the 1970s when the original V sets were purchased.
3. Advocate for improved rail connectivity for Shoalhaven, including:
 - a. reinstatement of the Toolijooa passing loop, which was cancelled by the NSW Government after the last election, to improve reliability and separation of freight and passenger services south of Kiama; and
 - b. ensuring service planning delivers equitable access for Shoalhaven residents, particularly those travelling long distances for medical treatment, employment, education, recreation and air travel.

Background

Recent reporting by the South Coast Register (Humphries, G., Long-awaited new Mariyung trains hit South Coast line on Tuesday, April 14, 10 April 2026) outlines the rollout of the new Mariyung fleet and associated timetable changes.

Council acknowledges the introduction of modern rolling stock, including improved accessibility features such as wheelchair-accessible toilets requiring wider carriage design.

However, the proposed timetable changes will disproportionately impact Shoalhaven residents, who rely on long-distance rail connections

The removal of key stops such as Wollie Creek and increased reliance on interchanges at major stations will create significant barriers, particularly for:

- older residents
- people with disability
- veterans
- families with young children and prams
- those managing time-critical travel such as flights and medical appointments

These impacts arise from service design decisions, not train capability, and warrant urgent review

CL26.64 Notice of Motion - Bay and Basin Sports and Community Hub Project

HPERM Ref: D26/164303

Submitted by: Cllr Bob Proudfoot

Attachments: 1. Letters of Support - Bendigo Bank / BCR Communities - Bay & Basin Sporting & Community Hub Project [↓](#)

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That Council provides a matching contribution of \$8000 in collaboration with Sanctuary Point Bendigo Bank, towards the initial stage of the Bay and Basin Sports and Community Hub Project, being a community led initiative. Staff can offer their assistance in identifying a possible funding source, which may include recent Shoalhaven Water dividends or even interest from untied investments. This project has widespread community support as well as support from both Bendigo Bank and BCR Communities.

Background

See the attached letters of support.

CL26.64

Community Bank
Sanctuary Point

 Bendigo Bank

11/03/2026

Subject: Confirmation of Conditional Co-contribution for the Bay & Basin Sporting & Community Hub Project

Dear Councillors,

On behalf of Community Bank Sanctuary Point & Districts, I am pleased to formally confirm our conditional approval to provide \$8,000 in funding for the next critical stage of the Bay & Basin Sporting & Community Hub project.

This approval is contingent upon a matching co-contribution of \$8,000 from Shoalhaven City Council. Together, these funds will provide the \$16,000 requested by BCR Communities to prepare professional concept plans and cost estimates, marking a significant step forward for the project.

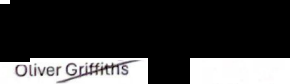
Bendigo Bank is proud to support this vital, community-led initiative. We recognise the significant positive impact the proposed redevelopment of the Francis Ryan Reserve will have on youth engagement, community participation and local employment opportunities.

The progress the steering committee has made to date—from establishing a dedicated committee to securing early financial support from local businesses—is a testament to the strong community backing and the clear need for this project.

We are confident that with this combined support, the steering committee will be well-positioned to proceed with the Development Application (DA) and secure subsequent funding.

We look forward to witnessing the project's progression and continuing our partnership to strengthen the future of the Bay & Basin community.

Sincerely,



Oliver Griffiths
Director, Community Bank Sanctuary Point & Districts
Bendigo Bank

bendigobank.com.au

Bay & Basin Community Financial Services Limited ABN 62 105 756 063
Franchisee of Bendigo and Adelaide Bank Limited ABN 11 068 049 178 AFSL 237879
1/200 Kerry Street, Sanctuary Point NSW 2540 Phone 02 4443 9825 Fax 02 4443 9935

CL26.64 - Attachment 1



Dear Shoalhaven City Council Councillors,

On behalf of the Bay & Basin Sporting & Community Hub Committee and BCR Communities, we invite Shoalhaven City Council to partner with Bendigo Bank in supporting the next critical stage of the Bay & Basin Sporting & Community Hub project.

We respectfully request a collaborative contribution of \$8,000, to be matched by Bendigo Bank, to raise the \$16,800 (plus GST) required to prepare professional concept plans and cost estimates. The remaining amount will be funded from existing BBSCH Inc. funds (up to \$3,500). These plans will enable us to progress toward lodging an application under Shoalhaven City Council's Community Led Projects program and pursue future funding opportunities.

The Bay & Basin region continues to experience significant growth, yet community and sporting infrastructure has not kept pace with demand. The proposed Hub will support youth engagement, community participation, and importantly create employment and training pathways that help young people remain in the Bay & Basin as our community grows.

The project has already achieved several important milestones:

- Establishment of a dedicated committee of seven members representing more than 15 local community organisations
- Launch of the project website (BayBasinHub.com)
- Development of a community survey to ensure the Hub reflects local needs and priorities
- Formation of a Building Design Committee working toward a master plan
- Incorporation of the organisation with banking established through Bendigo Bank

We are also grateful for the early support of respected local businesses including LJ Hooker Sanctuary Point & Vincentia, IGA Sanctuary Point and Mook & Jandos, who have collectively provided \$12,000 in initial sponsorship, demonstrating strong grassroots support from the local business community.

BCR Communities has a long history of supporting initiatives that deliver meaningful outcomes for the Bay & Basin community. In addition to projects such as the new Sanctuary Point Library, this proposal represents an opportunity to create much-needed community infrastructure that supports Shoalhaven City Council's strategic priorities of fostering vibrant, active and safe communities while strengthening resilient local economies. By expanding access to sporting, training and community facilities, the Hub will help build social connection, increase participation, and support pathways into employment and local enterprise for young people and residents across the Shoalhaven.

Your support would play an important role in unlocking further community engagement and future funding opportunities, while demonstrating Shoalhaven City Council's commitment to strengthening the social and economic future of the Bay & Basin region.

Yours sincerely,

A black rectangular box redacting the signature of Michael Nurmi.

Michael Nurmi BCR Executive Manager Community & Business Development
On behalf of the Bay & Basin Sporting & Community Hub Committee
and BCR Communities

1300 222 748 | BCRcommunities.com | 927fm.com.au
18 Sanctuary Point Road, Sanctuary Point, NSW 2540 | ABN 54 425 754 519

CL26.65 Notice of Motion - Protecting Communities right to access Community Areas and Protect Our Logging Workers

HPERM Ref: D26/160865

Submitted by: Cllr Brett Steele

Attachments: 1. Forestry Corporation letter [↓](#)

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That Council write a supporting letter asking for the permanent protection of community access to The Brooman State Forest (North as well as South) as well as committing to the continuity of the current management practice and loggers employment stability by:

1. Acknowledging the great job that has already been done in protection management for not only Big Spotty, but the whole of The Brooman State Forest both North as well as South.
2. Seek further commitment from the NSW State Government to continue working with the community in ensuring employment stability for our community members involved in logging.
3. Assuring the communities rights to enjoy the forests for fee-free day visits and fee-free camping will continue in current areas and at current levels at least.
4. Ask the NSW Forestry Corporation to consider the possibility of funding a 50 metre boardwalk and viewing platform at "Big Spotty" along with signage detailing the significance of "Big Spotty" both ecologically and culturally if they see fit.
5. If at any time in the future the NSW State Government do in fact decide to commit to winding up logging in NSW State Forests including Brooman State Forest the following be undertaken;
 - a. That the current road network within the forests be kept open and maintained along with camping on an ongoing and free basis to the public.
 - b. Rehabilitation of current community members involved in logging into new employment suited to their skills and appropriate to their residential and individual situations.
 - c. State Forest Corporation pay for restoration of logging over the years by funding point 4 as well as 5A and 5B above.
 - d. That the State Government along with The Forestry Commission will not take steps to or support attempts to restrict public access to these areas by way of the creation of "Flora Reserves" or any other zone title which may result in this area being restricted from public access and vehicular access by the public.
6. That council utilize its existing planning and policy frameworks to maintain community access to Brooman State Forest (North and South) without incurring additional infrastructure costs by;

CL26.65

- a. Maintain the current primary production/forestry zoning within the Shoalhaven LEP. Council explicitly refuses to support any rezoning to environmental conservation for these two compartments.
 - b. Investigate the terms of reference for Shoalhaven City Councils DIAP 2026-2030 framework to include a formal policy position that the Shoalhaven City Council opposes the removal of existing vehicle access to natural heritage sites with the outcome reported back to council.
 - c. Requiring that any proposed land tenure change in the Brooman area be subject to a council reviewed "Social-Economic Impact Statement" highlighting the risk to 300-400 of our communities logging families in this region being replaced by unethical high emission timber imports.
 - d. Assess the potential loss of income to any affected primary producers and the impact on them, and take this into account in any future decision-making process.
7. That council requests any State Forest or Crown Lands tenure change to be developed in formal partnership with the RFS, ensuring written concurrence that no gates or road closures will impede heavy tanker access, volunteer safety, or the mobility rights of residents.
 8. That Council note the attached letter from Forestry Corporation in relation to the management of Brooman State Forest.

Background

Following recent community concerns it is important that not only does council support local industry, but it must also take steps to protect the wellbeing of local industry and its workers into the future. For the second time in just three years The logging industry has had its future threatened in the Shoalhaven region by way of a notice of motion to create a "Flora reserve". In a time when we, as a community, are already facing a cost of living crisis as well as a housing crisis. Given this, our community need to be reassured that keeping local industries running, as well as securing the employment opportunities that come from those industries, will not play second consideration to party political ideologies that would mean the loss of yet another industry to Australia, increasing again our reliance on overseas suppliers and increasingly unreliable supply chains.



Forestry Corporation of NSW 408 43 141 697 812
Hardwood Forests Division
Crown Street, Batemans Bay, NSW 2536
PO Box 42, Batemans Bay, NSW 2536
T 1300 880 548
F 02 4472 6557
www.forestrycorporation.com.au

10/04/2026
Ref No.: F26/71

Clr Brett Steele
Shoalhaven City Council
Via email: Brett.Steele@shoalhaven.nsw.gov.au

Dear Clr Steele

Re: Management of North Brooman State Forest

Thank you for contacting Forestry Corporation seeking information about the management of North Brooman State Forest, tourism and timber on the south coast. I have provided some background information on these matters below and would welcome the opportunity to meet you to discuss forest management and our operations in more detail.

Management of State forests and sustainable forestry

NSW's forests are managed through an integrated statewide framework that brings together different laws, agencies and management approaches to achieve long term environmental, social and economic outcomes. Through the Regional Forest Agreements between the NSW and Commonwealth Governments, different parts of the forest estate are managed for different purposes based on their conservation values, landscape context and long-term sustainability.

Most public forest land is managed within national parks and conservation reserves, where conservation is the primary focus. Other areas are managed as State forests under strict environmental rules that require ecologically sustainable forest management including ongoing protection of key environmental values. This approach recognises that forests can deliver a range of outcomes — environmental, social and economic — and that careful, regulated management across the whole landscape is essential to achieving those outcomes over the long term.

Multiple-use public forests, or State forests, account for less than ten per cent of the forest in NSW but deliver essential benefits to local communities. As well as contributing to the conservation estate, they also provide the community with access for a wider range of recreational pursuits than any other land tenure and support primary industries including apiary and the renewable timber industry. Each area of State forest has been classified under the Forest Management Zoning (FMZ) system, which establishes eight separate management zones based on the conservation value of each forest area. The management intent and permitted activities for each part of each forest is informed by the FMZ zone.

Flora Reserves are areas within State forests that have been identified and declared by the Minister administering the *Forestry Act 2012* for the preservation of native flora. Alongside national parks, Flora Reserves form part of Australia's National Reserve System. Flora Reserves are classified as FMZ1, which denotes areas managed primarily for conservation

CL26.66 Notice of Motion - Acknowledging the Life of Bert Hawke

HPERM Ref: D26/130601

Submitted by: Cllr Jemma Tribe

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That Council acknowledges with deep respect the recent passing of Bert Hawke, a much-loved and tireless contributor to the Nowra and Bomaderry community.

Background

Bert's legacy is defined by more than six decades of service through Rotary, a commitment he upheld until the closure of the Bomaderry chapter. His dedication to service above self was unwavering, and his impact through Rotary alone has touched countless lives across generations.

Beyond Rotary, Bert gave generously of his time and energy to a wide range of local causes. He volunteered with SOLA for 12 years - supporting meaningful employment for people with disabilities and contributed to the Nowra Community Food Store for two years, helping to ensure dignity and access for those experiencing hardship.

Bert was also a passionate advocate for the development and recognition of Gateway Park, championing its value as a community space. He was a familiar and trusted voice on local radio, always willing to lend his support to worthy causes and community initiatives, and consistently used his platform to uplift others.

Known for his generosity, humility and enduring civic spirit, Bert embodied the very best of community service. Even into his later years, he remained actively engaged, continuing to contribute wherever he could.

Bert passed away at the age of 90 on March 19, 2026, leaving behind a legacy of service, kindness and community leadership that will be long remembered and deeply appreciated.

CL26.66

CL26.67 Question on Notice - Bushland Areas - Brooman State Forest

HPERM Ref: D26/151534

Submitted by: Cllr Brett Steele

Question

1. How many bushland areas were gated and locked against vehicular entry in the Shoalhaven in;
 - a. 1990
 - b. 2000
 - c. 2010
 - d. 2020
 - e. Currently
 - f. Proposed for the future
2. How many bushland areas in the Shoalhaven were open to fee free and readily accessible camping for residents and tourists in;
 - a. 1990
 - b. 2000
 - c. 2010
 - d. 2020
 - e. Currently
3. How many primary producers use the region known as Brooman State Forest?
4. How many residents living within the immediate area of Brooman State Forest rely on forestry road access to their properties as well as egress to escape in an emergency from their properties?

Response

Council does not hold historical or current records relating to these matters; however, where appropriate, Council can facilitate enquiries or liaise with Forestry Corporation of NSW to assist in obtaining relevant information. The State Forest is Crown land owned and managed by the NSW State Government through Forestry Corporation of NSW, which is responsible for matters including internal road upgrades and resourcing, access arrangements, gates, road closures, camping permissions, licensing and emergency access.

CL26.67

CL26.68 Report of the Shoalhaven Motor Sports Working Group - 16 March 2026

HPERM Ref: D26/149783

MS26.3 General Business - Items for Discussion - 16 March 2026

HPERM Ref:
D26/41302

Recommendation

That Council as recommended by the Shoalhaven Motor Sports Working Group:

1. Write a letter to Local MPs and the NSW Minister for Lands and Property asking for their assistance in advancing the finalisation or resolution of the Aboriginal Land Claim/s over the eastern part of Part Lot 7309 DP1148878 Yerriyong.
2. Invite Regional Development Australia (RDA) Illawarra Shoalhaven to provide a presentation to the Motor Sports Working Group on potential grant opportunities to progress this idea.

CL26.68

CL26.69 Report of the Inclusion & Access Advisory Committee - 30 March 2026

HPERM Ref: D26/161890

IA26.3 Additional Item - Accessible Parking - Health & Community Services - Services Australia Building Nowra

This item was discussed during IA26.2 - Action Table Report - 30 March 2026.

Recommendation

That:

1. The Inclusion & Access Advisory Committee receive a report from the Chief Executive Officer (Director – City Services) in regard to the status of accessible parking spots in the Shoalhaven.
2. Council writes to both State and Federal Ministers and local State and Federal Members in relation to accessible parking spaces at Services Australia Building Nowra.
3. The Chief Executive Officer (Director – City Services) be requested to look at accessible parking in relation to health and community services, a mapping count of the number of spaces within the community, and how that compares to population growth.

CL26.69

CL26.70 Report of the Land Use Planning & Development Advisory Committee - 14 April 2026

HPERM Ref: D26/162220

LU26.1 Nowra Precinct Renewal Strategy

HPERM Ref:
D26/114750

Recommendation

That Council as recommended by the Land Use Planning and Development Advisory Committee:

1. Accept this report and associated presentation for information.
2. Endorse the Nowra Precinct Renewal Strategy as an advocacy focus for future work with project partners, Homes NSW and Southern Cross Housing.
3. Presents the Nowra Precinct Renewal Strategy to the three (3) Local Members of Parliament when appropriate and request their assistance in securing funding to support its implementation.

LU26.2 Finalisation - Shoalhaven Development Contributions Plan 2026

HPERM Ref:
D26/119897

Recommendation

That Council as recommended by the Land Use Planning & Development Advisory Committee receive this report and associated presentation for information.

CL26.70

CL26.71 Determination of Date and Time of June 2026 Ordinary Meeting

HPERM Ref: D26/158062

Department: Business Assurance & Risk
Approver: Katie Buckman, Director - City Performance

Purpose:

To adjust the date of the June 2026 Ordinary Meeting of the Council.

Recommendation

That Council amends the adopted schedule of Ordinary Meeting dates to hold the June 2026 Ordinary Meeting on Monday 29 June 2026 commencing at 5.30pm.

Community Strategic Plan:

- 4 Transparent leadership with good governance
 - 4.2 Transparent leadership
 - 4.3 Effective collaboration and engagement

Delivery Program / Operational Plan:

- 4.2.1 Provide support to the elected Council to enable effective leadership
- 4.3.2 Provide opportunities for the community to have genuine engagement on Council planning and decision making

Background

At the Ordinary Meeting of the Council held on 16 December 2026, the Council considered and adopted a schedule of Meeting dates for the period of January to October 2026 (MIN25.643). At the same meeting the Council adopted the current Code of Meeting Practice and schedule of arrangements for Public Forums.

At that time, Council was unable to confirm the arrangements and timing of the Australian Local Government Association's 2026 National General Assembly which is usually held in June of each year. Council at its Ordinary meeting held on 24 February 2026 (CL26.25) considered a report outlining the proposed Motions to be submitted at the Assembly and confirming the date for the 32nd National General Assembly of Local Government (NGA), to be held in Canberra is from 23-25 June 2026. The Council confirmed that four (4) Councillors will be attending the Assembly.

Consideration of the timing and operational arrangements for the Annual Budget and Delivery and Operational Plan by 30 June 2026 given the 23-25 June 2026 Assembly date has resulted in the following timeline for Ordinary meeting arrangements being proposed for June 2026:

- Wednesday 17 June 2026 – Ordinary Agenda Publication Date
- Monday 22 June 2026 – 5.30pm - **Public Forum** (applications to speak close at 9.30am this day)

(Tuesday 23 to Thursday 25 June 2026 – Councillor Attendance at National General Assembly)

- Monday 29 June 2026 – 5.30pm – **Ordinary Meeting**

This timeline is proposed to fit in Councillor attendance at the National General Assembly, whilst meeting operational requirements following the requisite public exhibition for budget and DPOP report drafting and related processes. Although the Ordinary meeting and Public Forum date has been adjusted to Monday from the usual Tuesday arrangements, the timeline for Councillors and community review and access to the Agenda and Public Forum will remain the same.

Risk Implications

Council is required to adopt a Budget and Delivery and Operational Plan (DPOP) in June of each year. The proposed timetable of Ordinary Meeting and Public Forum satisfies the operational requirements of the Council to achieve determination of these matters, despite the National General Assembly's timing.

The Ordinary Meeting is proposed for Monday 29 June 2026 to allow Council's formal adoption of the Budget and DPOP to be confirmed and operational activities to take place prior to the commencement of the 2026/2027 Financial Year (1 July 2026). Should Council not adopt a budget by 30 June the following significant governance and legal risks arise:

- The council will be non-compliant with the IP&R requirements under the *Local Government Act 1993* and Local Government (General) Regulation 2021.
- The Office of Local Government (OLG) may treat this as a failure of sound financial management under the principles in sections 8B and 8C of the Act.
- There is no formal authority for new-year spending decisions, other than very limited carry-over or emergency expenditure.
- Expenditure may occur without an adopted resolution-approved allocation, increasing the risk of:
 - breaches of the Act,
 - audit findings, and
 - personal liability concerns for decision-makers.
- Reputational and community risks such as:
 - public perception of poor governance or political instability,
 - disruption to services, grants, procurement and capital works, and
 - loss of community and staff confidence.

Reputational and community risk may also result from changes to key meeting dates without transparency and sufficient notice being provided to Councillors and the community. This report seeks to address that risk.

Internal Consultations

Members of the Executive Leadership Team and Finance, Customer and Community Services and Business Assurance and Risk Departments have been consulted on the proposal.

CL26.71

External Consultations

No external consultations have been required.

Community Consultations

No community consultation has been undertaken in the preparation of this report. Council's website informing Community of upcoming meetings will be updated to provide clarity around the change to the June 2026 schedule.

Policy and Statutory Implications

In accordance with the Council's adopted Code of Meeting Practice, council is to set Ordinary Meeting dates by resolution and must hold at least 10 meetings per calendar year. Council Public Forums are to be held according to the Council's adopted Public Forum Policy. The proposed changed meeting date does not have any policy or statutory implications.

Policy and Statutory Implications which may arise from Council not adopting a budget by 30 June 2026 are outlined in the risk section of this report.

Financial Implications

The proposed Ordinary Meeting date (and related Public Forum date) change has no financial impact upon the Council.

CL26.72 Draft Unreasonable Customer Conduct Policy - Public Exhibition

HPERM Ref: D26/148619

Department: Business Assurance & Risk
Approver: Katie Buckman, Director - City Performance

Attachments: 1. Draft - Unreasonable Customer Conduct Policy (under separate cover)
[⇒](#)

Purpose:

The purpose of this report is to seek Council endorsement to publicly exhibit the Draft Unreasonable Customer Conduct Policy. The policy seeks to provide Shoalhaven City Council with a clear, consistent and lawful framework to manage unreasonable customer and complaint-related conduct while ensuring:

- Staff safety and wellbeing
- Fairness and transparency for customers
- Continued access to Council services in a manner that is equitable and financially sustainable
- Compliance with legislative and governance obligations

Recommendation

That Council

1. Place the Draft Unreasonable Customer Conduct Policy on public exhibition for 28 days in order to facilitate community consultation and invite feedback.
2. Receive a further report following the conclusion of the public exhibition period summarising any submissions received and presenting a final Unreasonable Customer Conduct Policy for consideration and adoption.

Community Strategic Plan:

- 4 Transparent leadership with good governance
 - 4.3 Effective collaboration and engagement
 - 4.2 Transparent leadership

Delivery Program / Operational Plan:

- 4.3.1 Develop community trust and respect through transparent interactions and reporting
- 4.2.1 Provide support to the elected Council to enable effective leadership

Background

Shoalhaven City Council staff and councillors engage with the community daily to deliver services, respond to enquiries and manage complaints. While the majority of customer

interactions are respectful and constructive, a small number of interactions involve unreasonable, aggressive or persistent behaviour that impacts on staff and councillor wellbeing, service delivery and Council's work health and safety obligations.

This report seeks Council's endorsement of an Unreasonable Customer Conduct Policy for Shoalhaven City Council for public exhibition. The policy is informed by the NSW Ombudsman's *Managing Unreasonable Conduct by a Complainant* Framework and supports Council's duties under the Work Health and Safety Act 2011 (NSW) and SafeWork NSW requirements to provide a safe workplace.

The proposed policy establishes clear expectations for customer behaviour, a fair and proportionate response framework, and appropriate safeguards to ensure continued access to Council services where possible, while protecting staff and councillors from unreasonable conduct.

Shoalhaven City Council has established complaints handling processes that are accessible and responsive to community concerns. However, Council currently does not have a standalone policy that explicitly addresses situations where customer behaviour becomes unreasonable, persistent, abusive or poses risks to staff.

The NSW Ombudsman recognises that unmanaged unreasonable conduct can lead to significant resource strain, psychosocial harm to staff, and inequitable service outcomes for other community members. Councils are encouraged to adopt structured frameworks that balance customer rights with organisational and worker safety.

Given the breadth of Council services and frequent public contact—across customer service centres, regulatory functions, community facilities and field-based roles—the introduction of a dedicated Unreasonable Customer Conduct Policy is both timely and necessary.

The NSW Ombudsman's *Managing Unreasonable Conduct by a Complainant* Framework supports public authorities to manage unreasonable conduct by:

- Defining unacceptable behaviours
- Setting clear behavioural expectations
- Applying proportionate and graduated management strategies
- Ensuring procedural fairness, documentation and review mechanisms

The framework emphasises that restrictions on customer behaviour must be reasonable, evidence-based, time-limited where appropriate, and subject to review.

Under the *Work Health and Safety Act 2011 (NSW)*, Shoalhaven City Council has a primary duty of care to ensure, so far as is reasonably practicable, the health and safety of workers. This includes managing psychosocial hazards such as:

- Aggressive, intimidating or abusive behaviour
- Continuous unreasonable demands
- Harassment or threatening conduct

Failure to appropriately manage known risks from customer interactions may expose Council to regulatory action, workers' compensation claims, and reputational damage.

The Draft Unreasonable Customer Conduct Policy (**Attachment 1**):

- Defines unreasonable customer conduct, including unreasonable persistence, aggression, abuse, and unreasonable demands
- Reinforces Council's commitment to respectful, accessible and equitable service delivery
- Sets clear expectations for customer behaviour when interacting with Shoalhaven City Council

- Provides a graduated response framework, including warnings, communication conditions, and access restrictions where necessary.
- Includes the ability for immediate restrictions to be applied by the Chief Executive Officer in extreme circumstances, where warranted, to protect the safety and wellbeing of staff and Councillors.
- Establishes clear authorisation and documentation requirements
- Includes review and appeal mechanisms to ensure fairness and accountability

The policy does not prevent customers from using our services or raising legitimate concerns, queries or complaints. Instead, it manages the way interactions occur when behaviour creates unacceptable risk or disruption.

The Draft policy reflects Council's commitment to:

- Organisational resilience and workforce wellbeing
- Strong governance and risk management
- Professional, respectful engagement with the Shoalhaven community
- Compliance with legislative and regulatory requirements

The proposed further report to Council following public exhibition will:

1. Provide a summary of the submissions received
2. Provide a final Draft Policy for consideration by Council
3. Seek Authorisation for the Chief Executive Officer to implement supporting procedures, staff training, and communication materials to ensure consistent and transparent application of the policy.

Risk Implications

Given the content of this policy, it is considered that public exhibition prior to adoption is appropriate to inform the Council of the views of the community with respect to the proposed policy components. This also facilitates public debate and consideration of what forms of conduct are unreasonable when dealing with Council. Council will be exposed to reputational risk if the policy is adopted without public consultation.

Should Council decide to not adopt an Unreasonable Customer Conduct Policy risks may include:

- Continued exposure of staff and councillors to aggressive or unreasonable behaviour without a framework by which those engaging in that conduct will be reasonably managed by the Council
- Inconsistent management practices across service areas in response to customer conduct
- Unreasonable expenditure and allocation of resources to deal with unreasonable demands of some customers, to the detriment of service delivery to others and achievement of identified community goals
- Increased psychosocial injury risk and staff turnover
- Escalation of complaints and incidents and reputational risk

Those risks can be mitigated by:

- Adoption of a clear, logical and best-practice policy
- Training and senior oversight of decision-making

- Ongoing monitoring and review

Internal Consultations

All members of the Council's Senior Leadership Team and coordinators in Customer Service have been consulted in the drafting of this policy.

External Consultations

The policy has been developed with reference to:

- NSW Ombudsman guidance material
- SafeWork NSW guidance on psychosocial risk management
- Unreasonable Customer and Complainant Conduct Policies and Frameworks which other NSW Councils have in place.

Community Consultations

There has been no community consultation to date. The proposed public exhibition of the policy is recommended to ensure community engagement on the topic prior to policy adoption.

Policy and Statutory Implications

There is no requirement for the Council to adopt an Unreasonable Customer Conduct Policy, however as outlined above this is recommended by the NSW Ombudsman.

When Council adopts a policy, implementation will include:

- Staff training and guidance materials
- Internal procedures to support consistent decision-making
- Clear public-facing communication outlining behavioural expectations

Financial Implications

Public exhibition of the Draft Policy will be funded from existing operational budgets.

Once adopted, an Unreasonable Customer Conduct Policy will be implemented within existing operational budgets. Minor costs may be associated with staff training and communication materials. These costs are considered minimal when weighed against the risk reduction, benefits of equitable allocation of resources and workforce wellbeing benefits.

CL26.73 Community Wellbeing Grants 2025/2026 - Funding Variation Requests - Water Fest and Shoalhaven First Nations Film Festival

HPERM Ref: D26/122451

Department: Business Assurance & Risk
Approver: Katie Buckman, Director - City Performance

Attachments:

1. Grant Variation Request - Water Fest Shoalhaven - 28 April 2026 [↓](#)
2. Financial & Budget Information - Water Fest Shoalhaven - 28 April 2026 (councillors information folder)
3. Grant Variation Request - First Nations Film Festival - 28 April 2026 [↓](#)
4. Financial & Budget Information - First Nations Film Festival - 28 April 2026 (councillors information folder)

Purpose:

This report seeks the Council's determination on the grant variation requests received from Water Fest Shoalhaven and Shoalhaven First Nations Film Festival.

Recommendation

That Council, noting the information provided in this report, decide whether to approve the requests outlined within with respect to variations to Community Wellbeing Grants determined in August 2025 as follows:

1. Request from Water Fest Shoalhaven to allocate the whole \$2,000 grant for their 2026 Festival which is no longer proceeding towards further grant writing assistance for a later event.
2. Request from Shoalhaven First Nations Film Festival to reallocate \$6,660 of their grant funding received for the festival for a filmmaker towards follow up mentoring services.

Community Strategic Plan:

- 1 Vibrant, active and safe communities
 - 1.1 Community life, civic engagement and community support
 - 1.2 Creativity, culture and lifelong learning

Delivery Program / Operational Plan:

- 1.1.1 Deliver plans and strategies which help to create an inclusive community and improve equitable access to opportunities
- 1.2.2 Support communities to access opportunities for lifelong learning and encourage volunteering to foster community wellbeing

Background

On 26 August 2025 Council considered the Community Wellbeing Grants Assessment Panel recommendation for funding ([CL25.262](#)) and resolved to provide the grants to a range of organisations outlined in the report ([MIN25.410](#)) which included the following :

Organisation	Donation For	Amount Resolved
Shoalhaven First Nations Film Festival Incorporated	Storytelling Workshops for Young Indigenous Men and Women in the Shoalhaven	\$8,830
Water Fest Shoalhaven Inc*	Water Fest Festival	\$2,000

*Note: Water Fest Shoalhaven Inc were not recommended by the Panel to receive any Grant funding. The original Panel recommendation can be seen in the report ([CL25.262](#)) along with the [attached minutes](#).

Council has since received a grant variation request from each of the above organisations. Below is detailed the background of each grant variation request for Councils consideration. The reason these variation requests have come before Council for resolution is that, under the [Community Wellbeing Grants Policy](#), the Chief Executive Officer (Director, City Performance) only has the delegation to consider out of policy requests of up to \$1,000. The relevant provision of the policy states:

“The Chief Executive Officer (Director, City Performance) has delegated authority to approve any out of policy requests for grants of up to \$1000 in exceptional circumstances/requests which align with Council’s strategic objectives, as set out in the Shoalhaven 2032 Community Strategic Plan and the Community Wellbeing Strategy, and do not require a resolution under Section 356(2) of the Local Government Act.”

In considering the variation requests below, in accordance with the policy, Council should consider whether the requests do, or do not, align with Council’s strategic objectives, as set out in the [Shoalhaven 2035 Community Strategic Plan](#) and the [Community Wellbeing Strategy](#).

Further, it is noted that If Council were to resolve not to provide the grant variation requests, or to reduce the amounts awarded, the funds would be required to be returned to Council and in accordance with a previous resolution of the Council [MIN25.410](#) be allocated to the Council’s General fund. That resolution was as follows:

“At the conclusion of the Community Wellbeing Grants Program, return the remaining budget to Council’s General Fund”.

Water Fest Shoalhaven Inc.

On 9 February 2026, governance staff were advised that the Water Fest Festival was no longer able to proceed for the original date of 18 April 2026 and that the Water Fest Shoalhaven Committee had voted to hold it in April 2027.

On 6 March 2026 staff advised Water Fest Shoalhaven Inc. that as the event for which Council provided grant funding was no longer able to proceed in the 25/26 financial year that the funds would be required to be returned to Council in accordance with the [Community Wellbeing Grants Policy](#).

Council staff were then advised by Water Fest Shoalhaven Inc. that they have engaged a grant writer and would like to use the whole Council grant funding amount of \$2,000, initially granted for their 2026 Festival, towards the cost of engaging the grant writer to assist in obtaining other funding for the event to now be held in 2027. For Council to make a determination on this variation, staff requested the following documentation from Water Fest Shoalhaven Inc:

- A statement detailing the purpose of the variation, and how the request still aligns with the Community Wellbeing Strategy foundations

- A copy of the most recent financial statements
- An updated budget

In response, the following supporting information has been provided:

- Statement detailing request for variation (Attachment 1)
- Updated financial information, including an updated budget (Attachment 2 Councillors Information Folder)

Shoalhaven First Nations Film Festival Inc.

On 22 February 2026, the Shoalhaven First Nations Film Festival Inc. notified staff of changes to the Storytelling Workshops for Young Indigenous Men and Women in the Shoalhaven, for which they had received Community Wellbeing Grant Funding to the amount of \$8,830. They advised that they were no longer engaging a Melbourne based filmmaker, as was originally budgeted for in their grant application. The savings from this alteration are \$6,660 and the variation requested is to reassign these funds to 'follow-up mentoring and support'.

In order for Council to make a determination on this variation, staff requested the following documentation:

- A statement detailing the purpose of the variation, and how the request still aligns with the Community Wellbeing Strategy foundations
- A copy of the most recent financial statements
- An updated budget

In response, the following supporting information has been provided:

- Statement detailing request for variation (Attachment 3)
- Updated financial information, including and updated budget (Attachment 4 Councillors Information Folder)

Risk Implications

This report aims at transparency in the handling of Council Grant funding. While it is noted that there are no significant risks associated with this report, Council should consider whether the financial decision is in the best interest of Council and be a fair and equitable use of public funds.

In deciding on the variation requests, Council should be satisfied that the resulting funding arrangements are in alignment with the Community Wellbeing Grants policy, including meeting the Council's strategic objectives as set out in the Shoalhaven 2035 Community Strategic Plan and the Community Wellbeing Strategy. If these objectives are not met, the governance structures set out by the policy may be undermined.

Internal Consultations

The Manager - Business Assurance & Risk has been consulted in regard to reporting these variation requests to Council.

External Consultations

No external consultation was required as part of this report.

Community Consultations

No community consultation was required as part of this report.

Policy and Statutory Implications

This report aims to act within the delegated authority provided in the [Community Wellbeing Grants Policy](#), and to ensure transparency in the handling of Council grant funding.

Financial Implications

The Community Wellbeing Grants budget has already been fully expended for the 2025/26 financial year. As such, there is no room to increase the Grants already awarded.

If Council were to resolve not to provide the grant variation requests, or to reduce the amounts awarded, these funds would be returned to Council's general fund, in accordance with [MIN25.410](#).

CL26.73

CL26.74 Membership Appointment - Youth Advisory Committee

HPERM Ref: D26/144580

Department: Customer & Community Services

Approver: Katie Buckman, Director - City Performance

Attachments: 1. YAC Membership Application - Caycee Stratten - Redacted [↓](#)

Purpose:

This report seeks Councils endorsement to appoint a new member to the Youth Advisory Committee (the Committee)

Recommendation

That Council:

1. Appoint Caycee Stratten as a member of the Youth Advisory Committee for a two-year term, to expire in May 2028.
2. Note that the Expression of Interest will remain open until the remaining four community youth representative positions are filled.

Community Strategic Plan:

- 1 Vibrant, active and safe communities
 - 1.1 Community life, civic engagement and community support

Delivery Program / Operational Plan:

- 1.1.1 Deliver plans and strategies which help to create an inclusive community and improve equitable access to opportunities

Background

Council has kept the Expression of Interest (EOI) open to fill remaining vacant community youth representative positions on the Committee since June 2024. One application has recently been received from Caycee Stratten (Attachment 1).

As per the Terms of Reference (TOR) POL24/122, each member of the EOI assessment panel, consisting of a Council staff member (Manager – Customer and Community Services), one Committee member representative and one suitably qualified independent representative, received a copy of the applications to review.

All panel members voted to recommend to Council the appointment of Caycee Stratten as she will bring valuable insight into the Committee discussions. Caycee demonstrates a strong commitment to advocating for young people in the Shoalhaven and will be able to bring valuable insights based on her experience supporting young people on their employment journeys.

It has been determined that the EOI will remain open until the remaining four vacant community youth representative positions are filled so the Committee will have adequate membership to reach quorum and representation from young people in the community.

The remaining vacant positions will continue to be advertised on Council's Youth Advisory Committee Webpage at:

<https://www.shoalhaven.nsw.gov.au/News-and-feedback/Participation-opportunities/Council-Committees/Youth-Advisory-Committee>

Risk Implications

The endorsement of Caycee as a community youth representative to the Youth Advisory Committee reduces risk for the Committee, by increasing membership to support the Committee to meet quorum going forward.

Internal Consultations

The EOI assessment panel consisted of Council staff members, including the Manager – Customer and Community Services, who endorsed this application for membership. The Governance Team have also provided guidance to ensure the EOI assessment panel decisions aligned with the appointment process set out in the TOR.

External Consultations

The EOI assessment panel consisted of one Committee member representative who in this case was also a community youth representative, and who also endorsed this application for membership.

Community Consultations

The EOI has been open to community in an ongoing manner since June 2024 to fill the remaining vacant positions on the Committee. The EOI is advertised on Council's Youth Advisory Committee Webpage

Policy and Statutory Implications

The EOI process and panel assessment aligns with the Terms of Reference set for the Youth Advisory Committee by Council.

Financial Implications

There are no funds or resources outside of staff time required to consider and endorse membership appointments for the Committee.

CL26.74

CL26.75 Investment Report - March 2026

HPERM Ref: D26/148932

Department: Finance

Approver: Katie Buckman, Director - City Performance

Attachments: 1. Monthly Investment Review - March 2026 (under separate cover) [⇒](#)
2. Statement of Investments - March 2026 (under separate cover) [⇒](#)

Purpose:

To advise Councillors and the community of Council's investment portfolio and performance as at 31 March 2026.

The report also ensures compliance with Section 625 of the Local Government Act 1993 and Clause 212 of the Local Government (General) Regulation 2021, which require a written report to Council detailing all funds invested.

Summary and Key Points for Consideration:

- Council's total Investment Portfolio returned 4.70% per annum in March 2026.
- This result outperformed the AusBond Bank Bill Index benchmark of 3.81% p.a. by 89 basis points (0.89%).

Recommendation

That Council receive the Record of Investments for the period ending 31 March 2026.

Community Strategic Plan:

- 4 Transparent leadership with good governance
 - 4.1 Financial Sustainability

Delivery Program / Operational Plan

- 4.1.1 Support Council's sustainable delivery of projects and corporate services through sound financial management and control

Background

Investment Portfolio

Council's investment balance as at 31 March 2026 totalled \$285.40 million and consisted of the following types of investments:

Investment type	Invested (\$)
Cash	34,146,239
Term Deposits	213,000,000
Floating rate notes	38,250,000
Total	285,396,239

CL26.75

The details of Council’s investment holdings as at 31 March 2026 are provided in the Statement of Investments at Attachment 2.

The graph below shows the natural fluctuations in Council’s investment balance over a rolling 12-month period, reflecting the timing of major expenditures as well as the receipt of rates and grant funding.



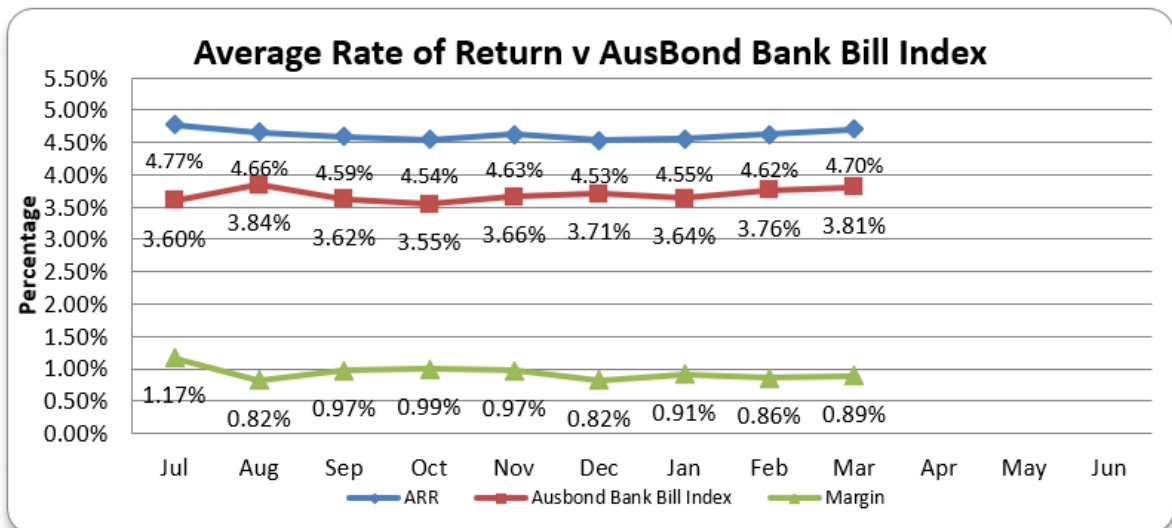
Portfolio Return

For March, the total investment return was 4.70% p.a., outperforming the AusBond Bank Bill Index (3.81%) by 89 basis points.

Investments

Graph 1 below, shows the performance of Council’s Investment Portfolio against the benchmark on a rolling 12-month basis.

Graph 1 - Council’s Investment Portfolio against the benchmark on a rolling 12-month basis.



Investment Interest Earned – March 2026

A significant portion of Council’s cash holdings is subject to restrictions that limit how those funds may be used. These restrictions arise from several sources:

- External bodies, such as specific-purpose grants that remain unspent

CL26.75

- Legislation, including developer contributions, domestic waste management charges, and water and sewer funds
- Council resolutions, which establish internally restricted reserves for designated purposes

The following two tables present the allocation of interest income across the applicable Funds.

Table 1 below, shows the interest earned for the month of March 2026.

Table 1 - Interest Earned for the Month of March 2026

Fund	Revised Monthly Budget \$	Actual Earned \$	Difference \$
General	625,697	661,330	35,633
Water	211,706	223,999	12,293
Sewer	171,825	181,332	9,507
Total	1,009,228	1,066,661	57,433

The interest earned for the month of March 2026, was \$1,066,661 compared to the revised monthly budget of \$1,009,228.

Investment Interest Earned - Year to Date

Table 2 below, demonstrates how the actual amount of interest earned year to date has performed against the 2025/26 budget.

Table 2 - Amount of interest earned year to date, against the total budget

Fund	Total Revised Annual Budget ¹ \$	Actual YTD \$	% Achieved
General	6,983,884	5,156,395	74%
Water	2,461,012	1,846,737	75%
Sewer	1,938,624	1,448,824	75%
Total	11,383,520	8,451,956	74%

¹ As part of the December Quarterly Budget Review, it was resolved to increase the annual budget for interest income by \$2.63M. This is because the interest rates on investments are higher than originally forecast and Council is earning more interest than originally budgeted.

As at the end of March, Council has earned \$8,451,956 representing 74% of the full-year budget.

Within the General Fund total of \$5,156,395:

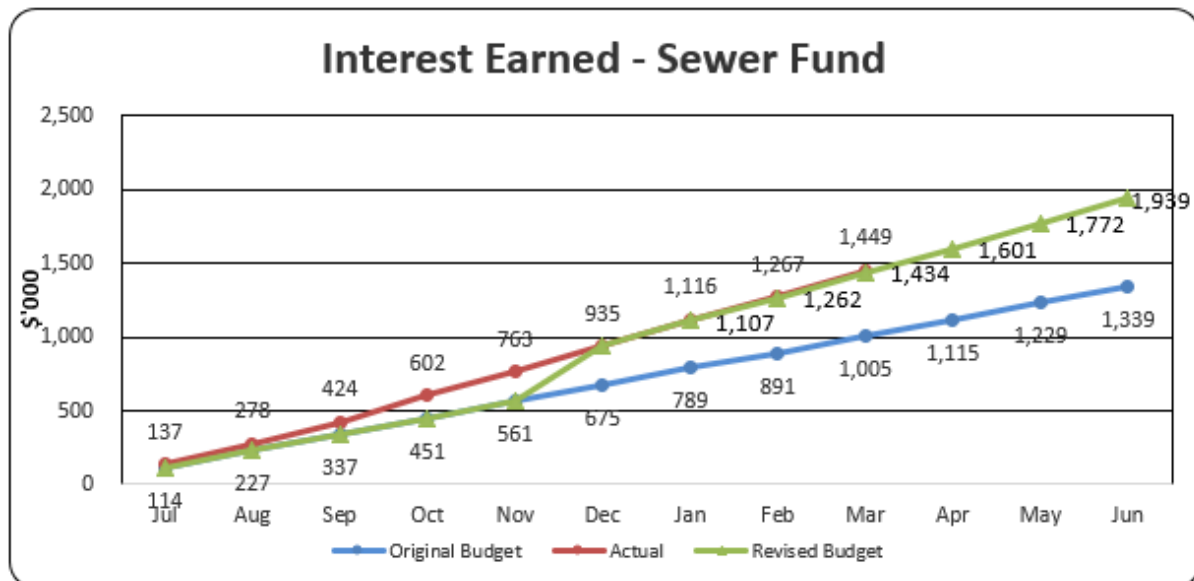
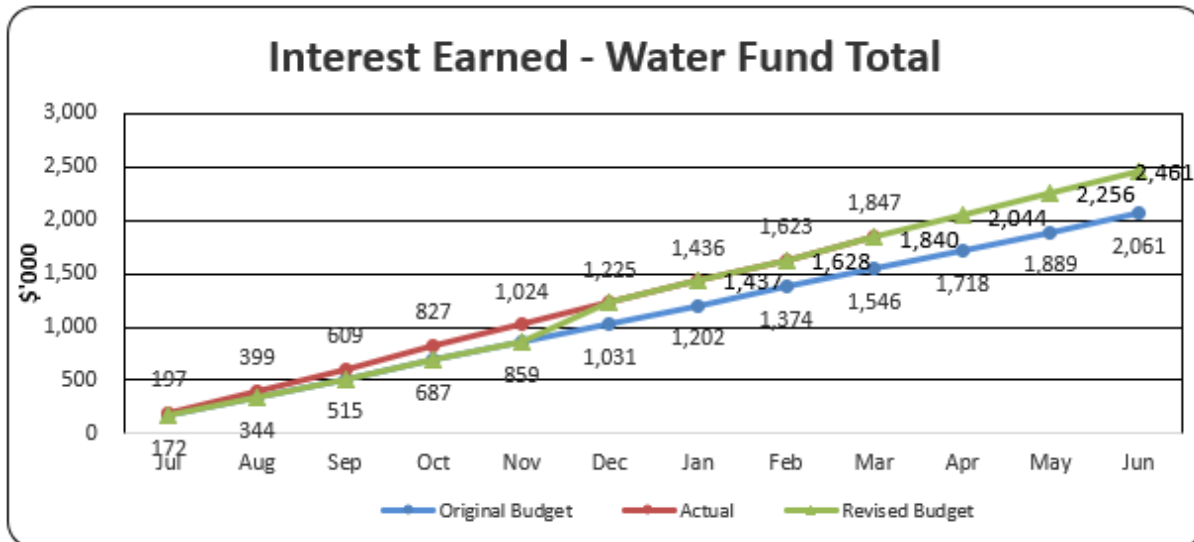
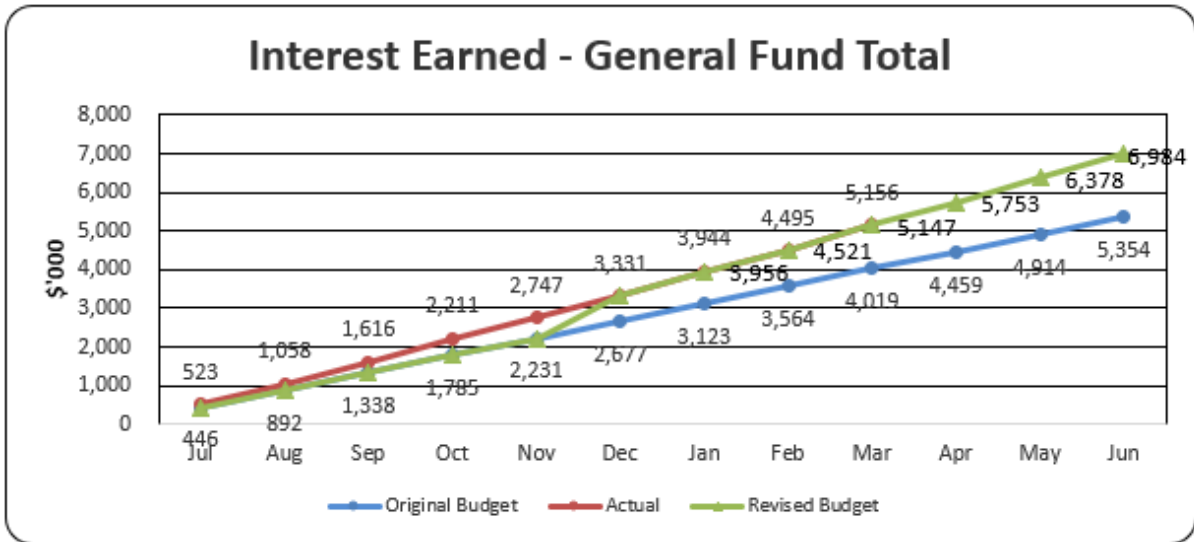
- Interest on unspent s7.11 developer contributions: \$1,137,435
- Interest on Domestic Waste Management reserves: \$684,097

After accounting for these externally restricted components, the remaining \$3,334,864 is unrestricted.

Graph 2 (3 separate graphs) below, illustrates the cumulative interest earned for the year for each fund (General, Water and Sewer) against budget:

CL26.75

Graph 2 - Cumulative interest earned for the year for each fund against budget.



CL26.75

Risk Implications

All investments are placed with preservation of capital being the key consideration to prevent any loss of principal invested.

Internal Consultations

Not applicable.

External Consultations

Council's investment advisor, Arlo Advisory Pty Ltd.

Community Consultations

Not applicable.

Policy Implications

All investments have been placed in accordance with Council's Investment Policy.

Financial Implications

Council's investment return was slightly above the revised monthly budget because interest rates in the fixed interest market have increased.

Statement by Responsible Accounting Officer

I hereby certify that the investments listed in the attached report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulations 2021 and Council's Investments Policy POL25/9.



Mathew Badcock

Date: 10 April 2026

CL26.75

CL26.76 Grant of Easement for Drainage over Council Community Land - Lot 337 DP 813805 Tilbrook Avenue, St Georges Basin (Tilbrook Avenue Reserve)

HPERM Ref: D26/80794

Department: Buildings & Property Services
Approver: Kevin Norwood, Director - City Services

Purpose:

The purpose of this report is to seek Council approval to the grant of an easement for drainage purposes in favour of Lot 342 DP 804059 over Council owned Community land comprised in Lot 337 in DP 813805, Tilbrook Avenue, St Georges Basin, as shown on Figure 1. The granting of easements is deemed an “other estate” for the purpose of the *Local Government Act 1993* and Council can create the easement on the Community land.

Recommendation

That Council -

1. Pursuant to section 46(1)(a1) of the *Local Government Act 1993*, grant an easement to drain water 2.0m wide over Council owned Community land known as part Lot 337 in DP 813805, Tilbrook Avenue St Georges Basin, in favour of Lot 342 DP 804059, approximately 15m² in area (subject to final survey) as shown in Figure 2.
2. Acknowledge that the applicant will be responsible for compensation to Council for the grant of the easement in accordance with the amount assessed by an independent certified valuer.
3. Acknowledge that the applicant will be responsible for all costs relating to the easement including valuation, survey, plan registration and legal costs, and any other costs incurred in this matter.
4. 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 or Delegate to sign any documentation necessary to give effect to this resolution.

Community Strategic Plan:

- 2 Sustainable environments and liveable communities
 - 2.2 Liveable neighbourhoods and sustainable development

Delivery Program / Operational Plan:

- 2.2.3 Maintain liveability through provision of infrastructure, services and facilities across the city

Background

Lot 342 DP 804059, 22 Durnford Drive St Georges Basin received approval for the construction of a dwelling in 2024 under a Complying Development Certificate (CDC). As

part of that approval (reference PCD2024/1659), the development was required to achieve a lawful stormwater connection. The existing drainage easement created under DP804059 could not be utilised by the property owner as connection to that easement was not feasible based on the site conditions and available drainage levels.

To facilitate an appropriate stormwater outlet, the CDC approval required the property to discharge directly to the adjoining Council public reserve at the rear of the site. Council subsequently issued a Section 68 approval authorising the stormwater works within the public reserve, thereby permitting the installation of the necessary drainage infrastructure to service the development. These works were completed in accordance with the approval.

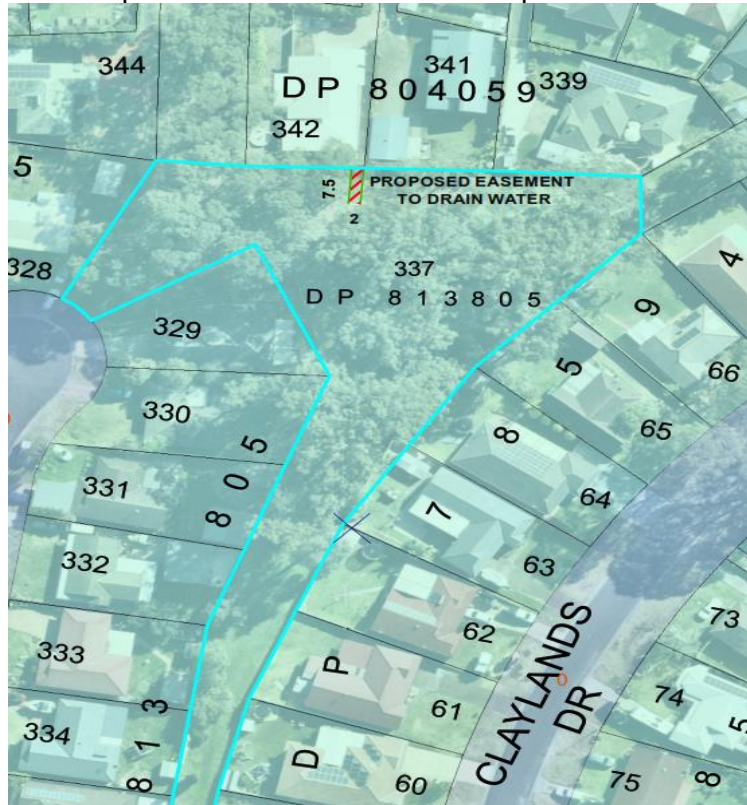
The drainage infrastructure installed on the public reserve is privately owned and its ongoing maintenance responsibility rests with the current/future owners of 22 Durnford Drive. To formalise and manage the presence of this private stormwater system on Council land, an interim licence agreement was entered into with the property owners. This licence was implemented as a temporary measure to ensure that the private infrastructure was legally authorised to occupy public land until a permanent solution could be established.

The long-term and preferred solution is the creation of a drainage easement in favour of 22 Durnford Drive, accompanied by compensation to Council. The location of the proposed easement is shown on Figure 1. The easement will provide a permanent legal mechanism for the property owner to access, use and maintain the installed drainage works, while clearly defining responsibilities and protecting Council's interests in the reserve.

Without a licence or an easement, the private stormwater system would be considered unauthorised infrastructure on public land and Council could become responsible for maintaining a private stormwater connection. For this reason, it is necessary to formalise the arrangement.

Council's Land is classified as 'Community Land' and categorised as 'Natural Area - Bushland' pursuant to the *Local Government Act 1993*. Section 46(1)(a1) of the Act gives Council the power to grant easements over Community Land for the following purpose: providing pipes, conduits or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider.

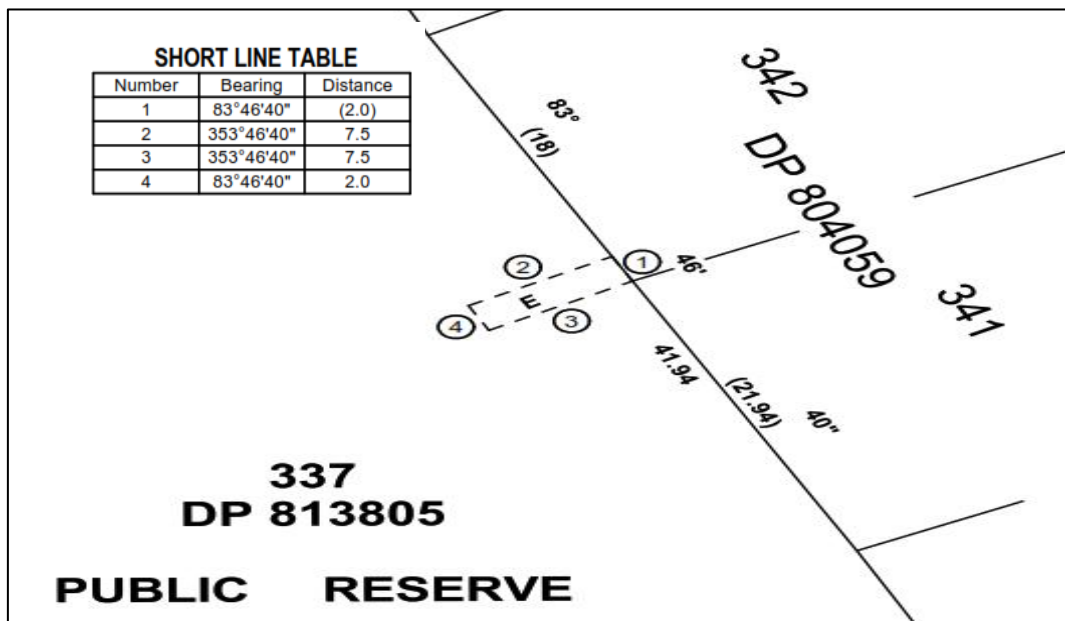
Figure 1 – Proposed easement location over part Lot 337 DP 813805



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The proposed easement will have no impact upon the public's current use and amenity of the land. Assets are underground and there is no visual impact. Total easement area is approximately 15m² subject to final survey as shown in Figure 2.

Figure 2 – Proposed easement plan (subject to final survey)



Risk Implications

It is normal practice to allow for an interest in land in the form of an easement with compensation determined by valuation. Council's interests have been considered and there is minimal risk associated with the recommended grant of easement.

Internal Consultations

Internal consultation has been undertaken with the following sections of Council:

- Community Infrastructure Planning
- Open Space & Recreation
- Works & Services

External Consultations

Council engaged a certified practicing valuer to determine the compensation amount for the proposed easement.

Community Consultations

Council made statutory notice of the proposed grant of easement over Council's Community land pursuant to the *Local Government Act 1993*. No submissions were received.

Policy and Statutory Implications

Council's Development and/or Disposal of Council Lands Policy (POL22/47) has been considered.

Financial Implications

Council will receive compensation for the grant of the easement, based on the independent valuer's assessment, and is considered to be fair and reasonable based on the valuation report obtained.

The applicant will also be responsible for all costs in the creation of the easement including valuation, survey, plan lodgement and legal costs and any other costs associated with the grant/registration of the easement.

Compensation received by Council will be allocated to the Easement right of use income and the surplus deposited into Council's general fund.

CL26.77 Grant of Easement for Sewer over Council Community Land - Lot 33 DP 1207847 Holloway Road, Nowra

HPERM Ref: D26/126558

Department: Building & Property Services
Approver: Kevin Norwood, Director - City Services

Purpose:

The purpose of this report is to seek Council approval to the grant of an easement for sewer in favour of Lot 31 DP 1207847 over Council owned Community land comprised in Lot 33 DP 1207847, Holloway Road Nowra, as shown on Figure 1. The granting of easements is deemed an “other estate” for the purpose of the *Local Government Act 1993* and Council can create an easement on land classified as Community land.

Recommendation

That Council:

1. Pursuant to Section 46 (1) (a1) of the *Local Government Act 1993*, grant an easement for drainage of sewer variable width over Council owned Community land known as Lot 33 in DP 1207847, Holloway Road Nowra, in favour of Lot 31 DP 1207847, approximately 6.3m² in area (subject to final survey) as shown in Figure 2.
2. Acknowledge that the applicant will be responsible for compensation to Council for the grant of the easement in accordance with the amount assessed by an independent certified valuer.
3. Acknowledge that the applicant will be responsible for all costs relating to the easement including valuation, survey, plan registration and legal costs, and any other costs incurred in this matter.
4. 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 or Delegate to sign any documentation necessary to give effect to this resolution.

Community Strategic Plan:

- 2 Sustainable environments and liveable communities
 - 2.2 Liveable neighbourhoods and sustainable development

Delivery Program / Operational Plan:

- 2.2.3 Maintain liveability through provision of infrastructure, services and facilities across the city

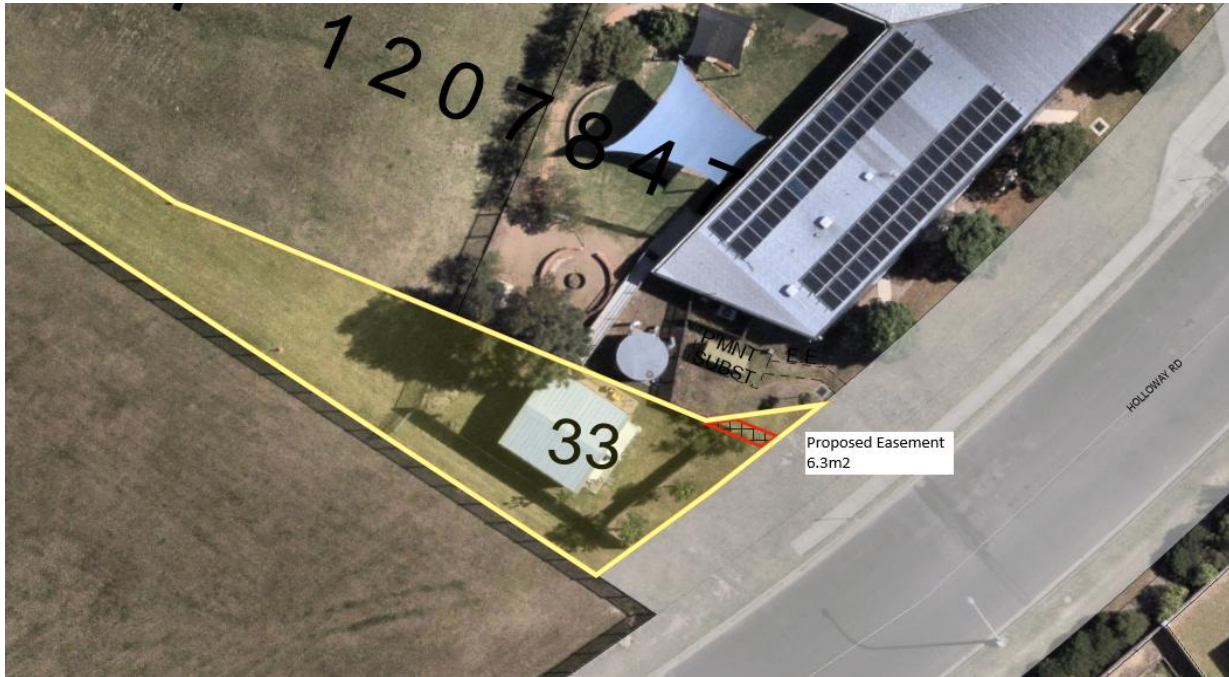
Background

Development Consent DA25/1948 relating to Lots 31 and 32 DP 1207847 (“Applicant’s Property”) was granted on 14 October 2025 for alterations and additions to an existing

community facility, subdivision of land, and the construction of a new centre-based childcare facility.

The approved development requires the creation of an easement to drain sewer through the adjoining Council owned community land being Lot 33 DP 1207847, in order to connect to Council's sewer network. The proposed easement location is illustrated in Figure 1.

Figure 1 – Proposed easement location over Lot 33 DP 1207847

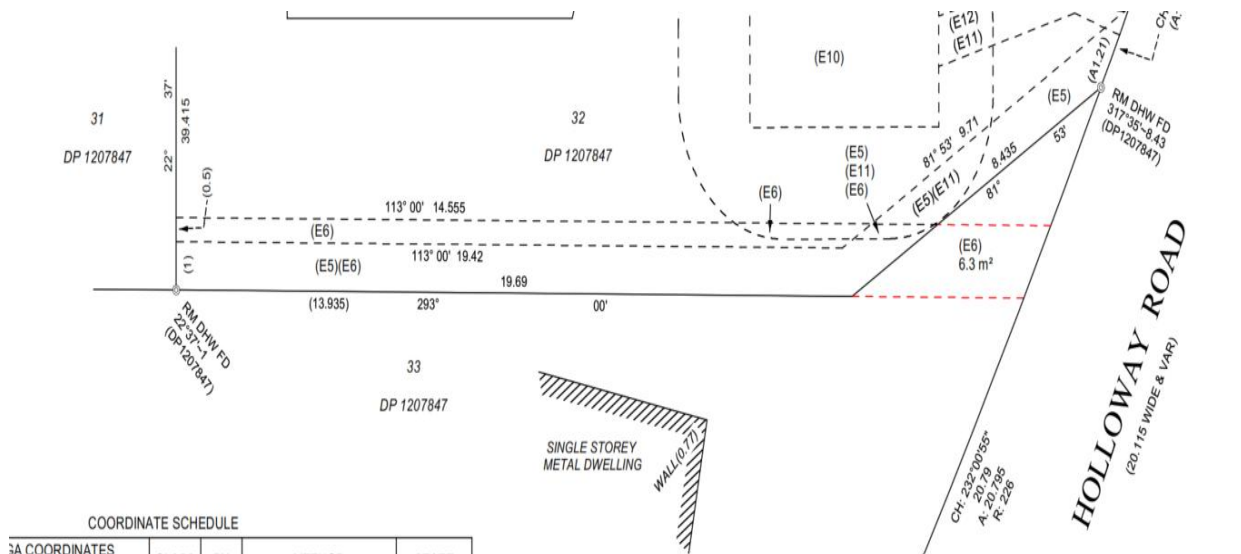


CL26.77

The proposed works involve the installation of a pressure sewer unit, to be constructed in accordance with relevant standards and codes as required by Shoalhaven Water. The easement will permit the construction of the underground sewer infrastructure by the developer. Upon completion and certification by Shoalhaven Water, the infrastructure will be transferred to, owned and maintained by Shoalhaven Water.

The proposed easement will have minimal impact on the use and amenity of the Council land, as the infrastructure will be located underground and will connect to existing sewer infrastructure with the indicative easement area outlined in Figure 2.

Figure 2 – Proposed easement shown outlined in red (subject to final survey)



The Council land is classified as Community Land and categorised as General Community Use pursuant to the *Local Government Act 1993*. Council has limitations on how it can deal with Community land, in particular to the granting of leases, licences and other estates. The granting of easements is deemed an “other estate” for the purposes of the Act.

Section 46 (1) (a1) of the Act gives Council the power to grant easements over Community Land for the following purposes: providing pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the Council or other public utility provider.

The drainage of sewer from private land through Council owned Community land to connect to Council’s sewer network is also a permissible use and development under Council’s Plan of Management for land categorised as General Community Use.

Risk Implications

It is normal practice to allow for an interest in land in the form of an easement with compensation determined by valuation. Council’s interests have been considered and there is minimal risk associated with the recommended grant of easement.

Internal Consultations

Internal consultation has been undertaken with the following sections of Council:

- Community Infrastructure Planning
- Shoalhaven Water

External Consultations

Council engaged a certified practicing valuer to determine the compensation amount for the proposed easement.

Community Consultations

Council made statutory notice of the proposed grant of easement over Council’s Community land pursuant to the *Local Government Act 1993*. No submissions were received.

CL26.77

Policy and Statutory Implications

Council's Development and/or Disposal of Council Lands Policy (POL22/47) has been considered.

Financial Implications

Council will receive compensation for the grant of the easement, based on the independent valuer's assessment, and is considered to be fair and reasonable on the valuation report obtained.

The applicant will also be responsible for all costs in the creation of the easement including valuation, survey, plan lodgement and legal costs and any other costs associated with the grant/registration of the easement.

Compensation received by Council will be allocated to the 'easement right of use income' and returned to general funds.

CL26.77

CL26.78 Proposed Sale of 54 and 56 Emmett St Callala Bay

HPERM Ref: D26/101773

Department: Buildings & Property Services
Approver: Kevin Norwood, Director - City Services

Attachments: 1. Valuation Report - 54 Emmett St (Confidential - under separate cover)
2. Valuation Report - 56 Emmett St (Confidential - under separate cover)

Purpose:

To gain Council resolution for the sale of 54 and 56 Emmett St Callala Bay (Lot 7 & 8 Sec 21 DP 9063).

Recommendation

That Council:

1. Commence the sale process for 54 Emmett St Callala Bay (Lot 7 Sec 21 DP 9063) and 56 Emmett St Callala Bay (Lot 8 Sec 21 DP 9063) 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 54 and 56 Emmett St Callala Bay 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.

Community Strategic Plan:

- 4 Transparent leadership with good governance
 - 4.1 Financial sustainability

Delivery Program / Operational Plan:

- 4.1.1 Support Council's sustainable delivery of projects and corporate services through sound financial management and control

Background

The operational Council land at 54 and 56 Emmett Street, Callala Bay, was previously considered necessary for the expansion of its sporting facilities in Callala Bay, with 54 Emmett being purchased in 2011 and 56 Emmett being residual land dedicated to Council in 1994.

This land was included within the Land Sales Strategy report from Council Meeting of 8 April 2024 (MIN24.1), with this land identified for further consideration as part of Table 3 Land (i.e. master planning activities). Since this time, the requirements for the Callala Bay sporting facilities have changed and this land is no longer included in any proposed development or expansion of the facilities. As such, the land is considered surplus to need and suitable for sale.

The properties are situated on the corner of Emmett Street and Chisholm Street, close to the Callala Bay Sporting Complex. The land is located within a well-established residential neighbourhood featuring homes of various ages and architectural styles. Directly opposite the properties is the Callala Bay Shopping Centre, while the Callala Medical Centre adjoins the rear boundary of the site. Nearby to the west are the Callala Community Garden, the Callala Bay Sporting Complex, and Callala Public School.

Both lots are similar in shape and size, each measuring 803 square metres with a frontage of 20 metres and a depth of 40 metres. The land is currently zoned R2 and is classified 'operational.' Utility services including electricity, town water, sewerage, bottled gas, and telecommunications are all available for connection to any future built improvements. The sites currently contain no structures or improvements. The Callala Community Garden Incorporated holds a partial lease over 54 Emmett Street, which expires on 31 July 2026.

CL26.78



Image 1 – Aerial view 54 and 56 Emmett Street, Callala Bay

Risk Implications

O’Connor, Marsden and Associates have been appointed as a probity advisor to support and review the sales’ strategy process. This is an ongoing appointment for the sale of Council properties.

While there is risk in the sale of any property, these risks have been mitigated through consultation with internal and external stakeholders, as well as consideration of the current market environment. A real estate panel has been appointed in supporting Council to

facilitate the sale of this property. Further, the preparation of the contract of sale and conveyancing will be facilitated by Council's external lawyer. This ensures that an "arm's length" approach is taken in the sale transaction to ensure best governance is provided in the sale.

The sale of this property is considered low risk.

Internal Consultations

An internal consultation process was undertaken to all Council Directors, Sections Managers, the Asset Custodian, Council's Property Officer and Strategic Planning. The outcome of the consultation included the following general feedback, the subject land:

- Has had a residential zoning since at least 1985.
- Is not required for additional sports or recreational provisions.
- Callala Community Garden have a licence over part of 54 Emmett St. This was granted in 2023 for 3 years, to allow 10 garden beds (repurposed boats) and 4 wicking beds (IBCs).
- May provide expanded medical facilities in Callala Bay area (subject to purchase / approval).
- Has existing vegetation and will require consideration as part of any future development application.
- Has access to sewer
- 54 Emmett St has access to water supply but would require paying for a connection fee for the installation of a water meter. Unclear if 56 Emmett St has meter availability, and may require payment of developer contributions prior to receiving a water meter.

External Consultations

Council has obtained a valuation for both properties as part of its due diligence and these are contained within **Attachments 1 and 2**, which have been made confidential under *Section 10A(2)(d)(ii) of the NSW Local Government Act 1993 allows council meetings to be closed to the public to discuss commercial information of a confidential nature that, if disclosed, would confer a commercial advantage on a competitor.*

Community Consultations



Image 2 – Proposed Community Garden licence (red) not included in sale

The Callala Community Garden currently holds a licence over 52 Emmett St (refer to red outline in Image 2 above) and partially over 54 Emmett St. The licence is due to expire on 31 July 2026. The existing licence encompasses three lots—Section A: Lot 6 Sec 21 DP 9063, Section B: Lot 1 DP 825970, and Section C: Lot 7 Sec 21 DP 9063. The total licensed area is approximately 1,000 square metres. If Council proceeds to sell 54 and 56 Emmett St, the Community Garden licence would be reduced by approximately 170 square metres.

Council’s Property Officer has advised the Callala Community Garden part of their licenced area is subject to a Council report.

It should also be noted that Council has previously received unsolicited offers to purchase 56 Emmett St from local businesses.

CL26.78

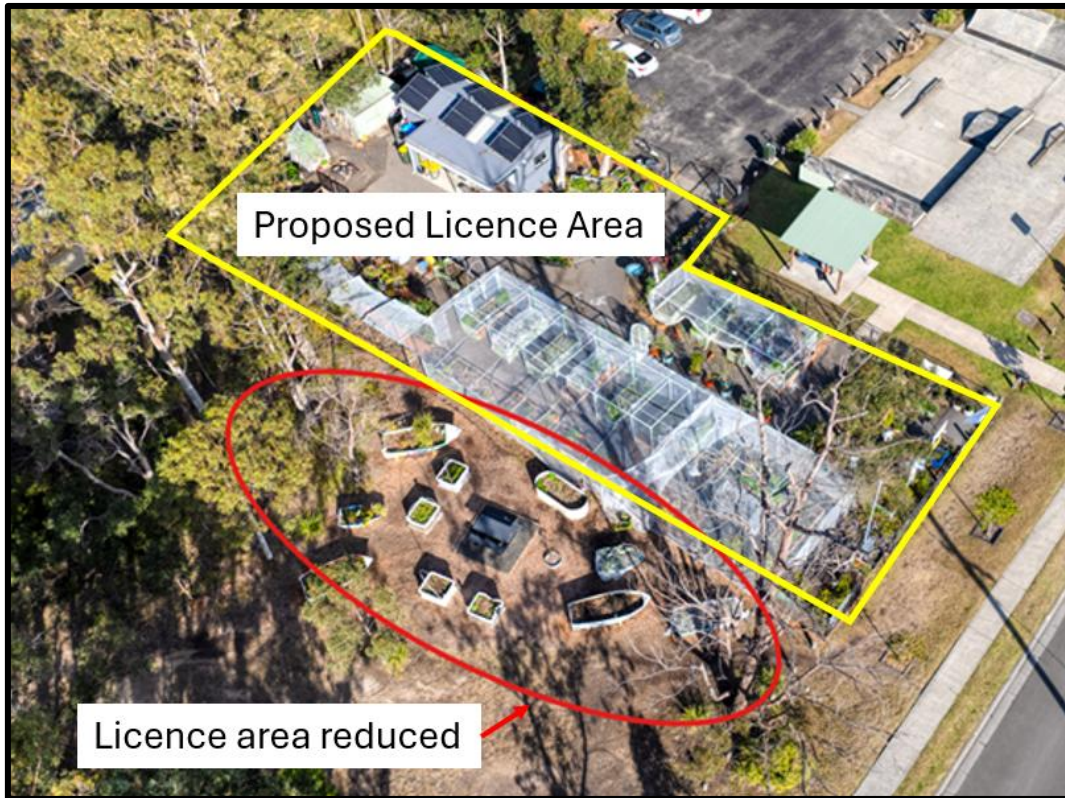


Image 3 – The yellow outline is the proposed licenced area, and the red ellipse shows the area being removed from the licence to be included in the sale of 54 Emmett St.

CL26.78

Policy and Statutory Implications

Council's property sales' activities are managed within legislative parameters and as such there are no implications to existing policies.

Section 377 of the Local Government Act 1993 requires all sales and acquisitions of Council land can only be facilitated through a resolution of Council.

Financial Implications

Subject to resolution of Council, the land is proposed for sale within the current 2027 financial year and will contribute to the budgeted target required for Council's ongoing sustainability measures.

CL26.79 Draft Plans of Management - Showgrounds - Outcomes of Public Exhibition

HPERM Ref: D26/87213

Department: Technical Services

Approver: Kevin Norwood, Director - City Services

- Attachments:**
1. Revised Draft Nowra Showground Plan of Management (clean) (under separate cover) [⇨](#)
 2. Revised Draft Nowra Showground Plan of Management (track changes) (under separate cover) [⇨](#)
 3. Revised Draft Milton Showground Plan of Management (clean) (under separate cover) [⇨](#)
 4. Revised Draft Milton Showground Plan of Management (track changes) (under separate cover) [⇨](#)
 5. Final Kangaroo Valley Showground Plan of Management (clean) (under separate cover) [⇨](#)
 6. Final Kangaroo Valley Showground Plan of Management (track changes) (under separate cover) [⇨](#)
 7. Final Berry Showground Plan of Management (clean) (under separate cover) [⇨](#)
 8. Final Berry Showground Plan of Management (track changes) (under separate cover) [⇨](#)
 9. Public Exhibition - Key Themes (under separate cover) [⇨](#)

CL26.79

Purpose:

The purpose of this report is to update Council on the progression of draft plans of management prepared for each of the four showgrounds within Shoalhaven City Council's property (community infrastructure) portfolio, and to provide Council with an overview of amendments made to plans in response to feedback received during the public exhibition period (July/August 2025).

The report outlines the steps required to progress each plan to adoption.

Recommendation

That Council:

1. Note the ***Berry Showground Plan of Management*** and the ***Kangaroo Valley Showground Plan of Management*** are deemed adopted in accordance with part 2a of [MIN22.444](#) as no significant or adverse feedback was received during the public exhibition period.
2. Endorse placing the following revised draft Plans of Management on public exhibition, upon receipt of Department of Planning, Housing and Infrastructure consent to do so:
 - a. Nowra Showground draft Plan of Management
 - b. Milton Showground draft Plan of Management
3. Undertake Public Exhibition of the revised draft Plans of Management noted in part 2 of this resolution in accordance with the *Crown Land Management Act 2016* and *Local Government Act 1993*, and

- a. If no significant adverse feedback is received as part of the public exhibition, the draft Plans of Management be finalised and deemed adopted pursuant to section 38 of *The Local Government Act 1993* and in accordance with 3.23(6) of the *Crown Land Management Act 2016*; or
- b. If significant adverse feedback is received as part of the public exhibition of the draft Plans of Management, Council to receive a report of the outcomes of the public exhibition period prior to adoption.

Community Strategic Plan:

- 1 Vibrant, active and safe communities
 - 1.3 Active lifestyles
- 2 Sustainable environments and liveable communities
 - 2.2 Liveable neighbourhoods and sustainable development
- 4 Transparent leadership with good governance
 - 4.3 Effective collaboration and engagement

Delivery Program / Operational Plan:

- 1.3.1 Provide and maintain recreation and leisure facilities and programs to meet community needs
- 2.2.3 Maintain liveability through provision of infrastructure, services and facilities across the city
- 4.3.1 Develop community trust and respect through transparent interactions and reporting
- 4.3.2 Provide opportunities for the community to have genuine engagement on Council planning and decision making

Background

Work on the finalisation of plans of management for each of the four showgrounds within Council's property (community infrastructure) portfolio commenced in 2021, in accordance with the *Crown Land Management Act 2016* and the *Local Government Act 1993*.

An adopted plan of management authorises the lawful use and occupation of 'Community Land'. Council must ensure that any activities planned on community land under its care / control are expressly authorised in an adopted plan of management and native title obligations are met.

In May 2021, Council considered the draft ***Plan of Management - Nowra Showground*** and resolved to approve the document for public exhibition (ref. [MIN21.339](#)).

In July 2022, Council considered the draft plans of management for Kangaroo Valley, Berry, and Milton Showgrounds and resolved to approve these documents for public exhibition (ref. [MIN22.444](#)).

Accordingly, consent was requested from the Department of Planning and Environment (Crown Lands) to proceed to public exhibition. This is a process requirement, as each of the four showgrounds is comprised of a mix of council-owned land AND Crown land for which Council is the nominated Crown Land Manager.

From 2023 to 2025, Council officers worked closely with Crown Lands. This process involved extensive coordination and the incorporation of multiple amendments required by Crown Lands as their statewide plan of management requirements and expectations evolved.

Approval to proceed to public exhibition was granted by Crown Lands in mid-2025. Accordingly, all four documents were placed on exhibition from 7 July to 18 August 2025.

The exhibition period registered a total of 85 submissions across the four documents.

Non-Significant Amendments (Berry Showground & Kangaroo Valley Showground)

As a result of community feedback received during the public exhibition period, minor, non-significant amendments were made to the plans of management for Berry Showground and Kangaroo Valley Showground. An overview of minor editorial and formatting changes is provided in **Attachment 6** and **Attachment 8**. In accordance with MIN22.444, these plans are therefore considered adopted. A copy of the adopted plans of management for Berry Showground and Kangaroo Valley Showground will be distributed to Crown Lands. These documents will also be made available to view and download from Council's website.

Significant Amendments (Nowra Showground & Milton Showground)

Significant amendments are required to the Nowra and Milton Showground draft plans of management to address community feedback received during the public exhibition period. These amendments include: proposed recategorisation of portions of Council-owned land to more closely align with the core objectives for community land outlined in the *Local Government Act 1993* (ref. [Part 2, Division 2](#)) and guidelines for categorisation of community land outlined in the *Local Government (General) Regulation 2021* (ref. [Part 4, Division 1](#)).

In accordance with section [36I](#) (of the Act):

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public—

(a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and

(b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

The next step for these documents is to seek Council's endorsement (through this report) to re-exhibit the revised drafts and to obtain Crown Lands approval for re-exhibition. Subject to no further significant amendments arising, these plans may then be considered for adoption.

Further details on the outcomes of the public exhibition period and associated amendments are provided in the Community Consultation section of this report.

Amendments are outlined in the following attachments:

- Attachment 1. Revised Draft Nowra Showground Plan of Management (clean)
- Attachment 2. Revised Draft Nowra Showground Plan of Management (track changes)
- Attachment 3. Revised Draft Milton Showground Plan of Management (clean)
- Attachment 4. Revised Draft Milton Showground Plan of Management (track changes)
- Attachment 5. Final Kangaroo Valley Showground Plan of Management (clean)
- Attachment 6. Final Kangaroo Valley Showground Plan of Management (track changes)

- Attachment 7. Final Berry Showground Plan of Management (clean)
- Attachment 8. Final Berry Showground Plan of Management (track changes)

Risk Implications

There are no significant risk implications associated with the contents of this report.

There is a low level of risk associated with potential delays in progressing the Nowra and Milton Showground plans, which would result in these sites operating without a contemporary plan of management in place. This risk is mitigated by advancing the recommended re-exhibition process and subsequent adoption of the updated plans.

Internal Consultations

Work associated with the contents of this report is being led by City Services (Technical Services), coordinated with Open Space & Recreation (including the Land Management team) and Building and Property Services.

Internal consultations have supported the development of accurate and consistent mapping and land categorisation across all four Showgrounds. Categorisations were refined to ensure each Showground is appropriately managed as General Community Use, providing continuity with current operations and aligning with overarching management objectives outlined in each plan.

Interfaces with adjoining community land categorised as ‘natural area’ were reviewed to ensure they meet Council’s management expectations and align with the forthcoming generic ***Plan of Management - Natural Areas***, which is currently in draft and under preparation.

External Consultations

All identified stakeholders and key user groups associated with the four Showgrounds were invited to participate in the consultation activity (public exhibition period), with each group receiving a direct invitation to complete an online survey or provide a written submission.

Two written submissions were received from user groups during the exhibition period.

A follow-up meeting was held with the Nowra Show Society on 12 November 2025 to discuss the matters raised in their detailed written submission. The Society’s feedback primarily related to ensuring appropriate recognition of the Show Society’s historical contributions and clarifying ongoing roles, responsibilities, and access arrangements under contemporary management. In response, several significant amendments were made to the Nowra Showground plan, including improved articulation of historical context, clearer explanation of Council’s contemporary procedures, and refinements to more clearly identify the Showground’s role in hosting the annual Nowra Show.

Community Consultations

Public exhibition of the plans of management outlined in this report was undertaken from 7 July to 18 August 2025.

The exhibition was promoted through direct emails to known user groups, a media release, social media post, Get Involved update, onsite signage, and a letterbox drop to residents adjoining each Showground. Community members were invited to complete an online survey which received a total of 85 responses across the four Showgrounds. These responses are distributed as follows:

- Kangaroo Valley Showground: 63

- Berry Showground: 4
- Nowra Showground: 13
- Milton Showground: 5

Berry Showground & Kangaroo Valley Showground

Survey responses for the Berry and Kangaroo Valley Showgrounds raised a range of site-specific matters relating to amenity, operational issues, infrastructure requests and clarification of existing uses. Following review, the feedback received resulted in minor, non-significant amendments only, including updates to historical context, refinements to the Site Overview sections, clarification of existing uses, and the inclusion of references to relevant Conservation Management Plans. These amendments are considered ‘minor editorial or formatting’ in nature and do not trigger the need for re-exhibition. In accordance with Council’s previously endorsed resolution and Crown Land’s consent to exhibit and adopt, the Berry and Kangaroo Valley Showground PoMs are considered adopted.

Nowra Showground & Milton Showground

Feedback received for the Nowra and Milton Showgrounds identified matters that required significant amendments. These amendments go beyond ‘minor editorial or formatting’ changes.

Accordingly, it is proposed that all land parcels at both the Nowra Showground and Milton Showground be re-categorised from ‘Sportsground’ to ‘General Community Use’. Amendments of this nature are considered to be ‘significant’, warranting further community consultation. This change is proposed to better reflect both the existing and planned future use of each Showground. In turn this will enable a more practical application of each PoM.

- At Nowra Showground, this amendment applies to: **Part Lot 4 DP 1136269 & Part Lot 1 Sec 15 DP 758794** (both parcels owned by Shoalhaven City Council).
- At Milton Showground, this amendment applies to: **Lot 1 DP 630910** (owned by Shoalhaven City Council).

An additional significant amendment for Nowra included clearer recognition of the Show Society’s historic and ongoing role at the Showground. This has been actioned through additions to section 5 of the draft Nowra Showground PoM.

Other themes raised through the survey and written submissions for Nowra and Milton were assessed as operational matters, out-of-scope considerations, or matters able to be addressed through minor editorial amendments.

In accordance with Division 2 of the *Local Government Act 1993*, and the key priorities relating to **effective collaboration and engagement** outlined under the **Transparent Leadership with Good Governance** pillar in Shoalhaven City Council’s *Delivery Program Operational Plan and Budget (DPOP) 2025/26* (ref. 4.3.1 and 4.32.2), it is considered appropriate to place revised draft plans of management for the Nowra Showground and Milton Showground on public exhibition. This will enable interested community members and key stakeholders to review and provide feedback on proposed amendments prior to adoption.

A comprehensive summary of all key themes raised during the public exhibition period and associated responses are provided in **Attachment 9** of this report.

Policy and Statutory Implications

Councils are required to prepare plans of management for community land in accordance with the *Local Government Act 1993* (ref. Part 2, Division 2, [section 36](#)).

The *Crown Land Management Act 2016* outlines the functions of ‘council managers’ of Crown land (ref. Part 3, [Division 3.4](#)). Most notably, section 3.22 requires that councils “... must manage the land as if it were community land under the [Local Government Act 1993](#)”.

Progressing plans of management for the four showgrounds will enable Council to meet its statutory obligations under the *Crown Land Management Act 2016* and the *Local Government Act 1993*.

Financial Implications

There are no financial implications directly associated with the contents of this report.

CL26.79

CL26.80 Sanctuary Point Library - Project Update

HPERM Ref: D26/122367

Department: Technical Services

Approver: Andrew Constance, Chief Executive Officer

Attachments: 1. Letter to Member for Gilmore - PCIP Variation Request [↓](#)

Purpose:

The purpose of this report is to update Council on work undertaken to give effect to [MIN25.554](#) regarding the delivery of a new district library at the corner of Kerry Street and Paradise Beach Road Sanctuary Point.

This report provides an update on the Priority Community Infrastructure Program (PCIP) variation request determined by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

Recommendation

That Council:

1. Receive the Sanctuary Point Library – Project Update report as an update on the Sanctuary Point Library Project and the actions undertaken to give effect to MIN25.554.
2. That Council continues to seek funding opportunities to expedite the planning and construction through both Federal and State funding opportunities that also reflect cost escalation.
3. Provide delegation (direction) to the CEO to terminate the Priority Community Infrastructure Program Funding Deed for the Sanctuary Point Library Project (PCIP0042) – by mutual agreement with the Australian Government (Department of Infrastructure, Transport, Regional Development, Communications and the Arts) – on the basis that a Variation Request for a deliverable scope of work has not been approved and that delivery of the originally contracted Activity is no longer feasible.

Community Strategic Plan:

- 1 Vibrant, active and safe communities
 - 1.2 Creativity, culture and lifelong learning
- 2 Sustainable environments and liveable communities
 - 2.2 Liveable neighbourhoods and sustainable development
 - 2.3 Safe built environment and business operations
- 4 Transparent leadership with good governance
 - 4.1 Financial sustainability
 - 4.2 Transparent leadership
 - 4.3 Effective collaboration and engagement

Delivery Program / Operational Plan:

- 1.2.2 Support communities to access opportunities for lifelong learning and encourage volunteering to foster community wellbeing
- 2.2.3 Maintain liveability through provision of infrastructure, services and facilities across the city
- 2.3.1 Work with the community to build safe, resilient and connected neighbourhoods
- 4.1.1 Support Council's sustainable delivery of projects and corporate services through sound financial management and control
- 4.2.1 Provide support to the elected Council to enable effective leadership
- 4.3.1 Develop community trust and respect through transparent interactions and reporting

Background

A summary of the key reports, resolutions and decisions that have led to the preparation of this report is provided in Table 1 below.

Table 1. Timeline of Events – Council Resolutions

Council Report / MIN	Summary
6 May 2024 CL24.137 MIN24.241	<u>Notice of Motion</u> Council reaffirmed its commitment to deliver a district library at Sanctuary Point and resolved to adapt the Warilla Library design precedent for delivery in Sanctuary Point.
29 July 2024 CL24.225 MIN24.404	<u>Update Report 1</u> Council received an update on close-out and rescoping activities and delegated authority to appoint Brewster Hjorth Architects for rescoping and design services.
28 October 2024 CL24.303 MIN24.577	<u>Update Report 2</u> Council received an update on feasibility investigations, programme and preliminary cost estimates, and resolved to reconsider Francis Ryan Reserve as a potential location.
15 April 2025 CL25.114 MIN25.175	<u>Update Report 3</u> Council received the final feasibility investigations and pathway for the delivery of a district library on the corner of Kerry Street / Paradise Beach Road. Council resolved to abandon the then-current project and investigate alternative locations.
28 October 2025 CL25.371 MIN25.554	<u>Site Investigations</u> Council endorsed the corner of Kerry Street / Paradise Beach Road as the preferred site and directed negotiations with the Department to vary the PCIP funding deed to include planning and design costs.

CL26.80

At the Ordinary Meeting of Council held on 28 October 2025, Council considered a report on the Sanctuary Point Library Project (ref. [CL25.371](#)) and subsequently adopted [MIN25.554](#), which reaffirmed the corner of Kerry Street and Paradise Beach Road as the preferred location for delivery of a new library in Sanctuary Point. The resolution included a direction to commence negotiations with the Department of Infrastructure, Transport, Regional

Development, Communications and the Arts (the Department) to revise the Priority Community Infrastructure Program (PCIP) funding deed to ensure planning and design activities could be funded under the program.

MIN25.554 reads:

That Council, having considered all available contemporary information in relation to suitable subject sites for a new library in Sanctuary Point:

1. *Endorse the corner of Kerry Street and Paradise Beach Road (Lot 944 DP 27857, Lot 945 DP 27857, Lot 946 DP 27857, Lot 947 DP 27857, and part Lot 4 DP 806393) as the preferred location for a new library in Sanctuary Point.*
2. *Commence negotiations with the Department of Infrastructure, Transport, Regional Development, Communications and the Arts to revise the scope of the Priority Community Infrastructure Program (PCIP) grant to include all planning and design costs;*
3. *Direct the CEO (Director – City Services or delegate) to progress the project to detailed design, generally in accordance with the feasibility study undertaken previously (as documented in CL25.114), and prepare a Capital Expenditure Review, in accordance with the Office of Local Government’s Capital Expenditure Guidelines, for Council’s consideration at a future Ordinary Council Meeting.*

In response to Point 1, work has recommenced to progress the project at the Kerry Street/Paradise Beach Road site. This work is being undertaken in line with the findings of the Feasibility Study presented to Council on 15 April 2025 (ref. [CL25.114](#)), which confirmed the suitability of the site and the feasibility of delivering a single-storey library based on the Warilla Library precedent.

Progression to detailed design (Point 3) depended on the completion of Point 2, namely the successful negotiation of the PCIP variation request, as the variation had to be finalised before detailed design could proceed in practice.

Work on Point 2 was progressed through the submission of a variation request form and supporting materials to the Department between December 2025 and February 2026. This work sought to amend the PCIP funding deed to support planning and design related milestones (only), to supersede the construction milestones outlined in the original agreement.

A summary of key events related to the progression and completion of Point 2 is provided in Table 2 below.

Table 2. Timeline of Events – PCIP Variation Request

Date	Event
18 December 2025	Correspondence issued to the Member for Gilmore seeking in-principle support for the variation request (ref. Attachment 1).
22 December 2025	Variation Request Form and supporting documentation submitted to the Department.
6–22 January 2026	Department requested clarifications relating to milestones, co-contributions, scope, project cost assumptions, and deliverables. Responses provided as requested.
30 January 2026	Follow-up correspondence sent to Member for Gilmore seeking clarification on the Member’s support for the variation request (no response received).
2 February 2026	Department advises Council that the assessment of the variation request was progressing.

CL26.80

Mid–February 2026	Department confirmed that the variation request had been escalated to the Minister for Infrastructure (Hon Catherine King MP) for consideration.
5 March 2026	Follow-up telephone enquiry made to the Member for Gilmore’s office (receipt of letter/commitment of support remains pending [as at date of publication of this report]).
5 March 2026	Department advised they are unable to provide a decision timeframe and acknowledged that milestone dates may require renegotiation if approval is delayed further.
8 April 2026	<p>Department advised that the PCIP variation request was not approved. The determination outlined two options:</p> <ol style="list-style-type: none"> 1. Delivery of the existing construction-based funding agreement (associated with the delivery of a 2-storey library), or 2. Mutual termination of the agreement with reimbursement of eligible expenditure. <p>Council was requested to advise the Department of its preferred option by 29 April 2026.</p>

CL26.80

All required documentation and clarifications were submitted to the Department to support the PCIP variation request. Through correspondence on 8 April 2026 the Department advised that Council’s proposed variation had not been approved by the Commonwealth delegate and provided formal advice outlining the options available under the existing Funding Agreement.

The options available include:

1. *The grantee, Shoalhaven City Council, deliver the currently contracted Activity in the Funding Agreement executed on 4 January 2024, as originally agreed; or*
2. *The grantee, Shoalhaven City Council, agree to a mutual termination, with a payment of \$703,117.39 as identified eligible expenditure under the original contracted activity of the Funding Agreement. This proposal is offered contingent on Shoalhaven City Council providing additional evidence (such as copies of receipts/invoices/contracts) to support the expenditure costs between announcement of the election commitment in February 2022, and the date of advice to the Department that the project was to be placed in a 'halted' status, being February 2024.*

This advice represents the conclusion of the variation request process and has informed the preparation of this report.

Purpose of the Variation Request

The original (existing) PCIP deed committed \$7.5 million towards the delivery of the Sanctuary Point Library project. The existing deed is structured around construction-based milestones, with key progress payments tied to the commencement and the percentage completion of capital works. It is understood that the funding envelope for this program expires on 30 June 2027, and extensions beyond that date are not available.

The variation request included the following key components:

1. Revised Purpose of the Grant

The purpose of the grant is proposed to be amended so that the PCIP supports delivery of a modern district library for the Jervis Bay and St Georges Basin areas by funding planning and design activities only, rather than construction.

The variation request specified that the new library would provide approximately 1,047m² of library and community space, aligned with contemporary library planning principles.

2. Revised Activity Description (Scope of Works)

The scope of works proposed in the variation removed all construction deliverables and replaced them with the following outputs (required to achieve 'shovel-ready' status):

- Feasibility Study (completed)
- Detailed design documentation and technical reports (sufficient for Development Application lodgement)
- Lodgement of a Development Application
- Receipt of Development Consent
- Completion of a Capital Expenditure Review / Business Case
- Completion of construction documentation (tender-ready package)
- Preparation of a Close-Out Report for the discontinued two-storey project
- Financial acquittal reporting

This structure ensured that all planning and design outputs were to be complete by June 2027.

3. Revised Funding Amount

The variation request proposed reducing the funding commitment from \$7.5 million to \$2.819 million reflecting the cost of delivering the shovel-ready package only. All co-contributions were removed, and the total project cost within the variation would become \$2.819 million (excl GST).

4. Updated Milestone Framework

Existing milestones relate exclusively to construction progress and therefore require full replacement. The variation request proposed a new milestone structure to align with the deliverables listed above:

- Feasibility Study and Close-Out Report
- Detailed design documentation
- Development Application submission and approval
- Capital Expenditure Review
- Construction documentation
- Final acquittal

5. Rationale for the Variation Request

The variation request was required because:

- The previous two-storey library project was discontinued, and construction under the original deed cannot occur.
- The revised single-storey project requires significant design, assessment and documentation work before construction can begin.
- The PCIP funding envelope expires June 2027, and planning activities were the only feasible deliverables within this timeframe.
- Achieving shovel-ready status would place Council in the strongest possible position to pursue external construction grants.

Next Steps

1. Progress Mutual Termination of the PCIP Funding Agreement

Consistent with the options outlined by the Department, it is recommended that Council provide delegation (direction) to the CEO to progress termination by mutual agreement of the existing PCIP funding deed, as delivery of the originally contracted activity is no longer feasible.

2. Submit Supporting Evidence for Eligible Expenditure

Submission of all required documentation to support reimbursement of eligible expenditure as identified by the Department, in accordance with the terms of the proposed mutually agreed termination.

3. Confirm Future Project Delivery Pathway

Further consideration will need to be given to identifying funding solutions that enable Council to progress the Sanctuary Point Library Project, including alternative funding opportunities and revised delivery pathways (subject to future reports / decisions of Council).

Risk Implications

Risks associated with the current phase of the Sanctuary Point Library Project include:

Project Funding Dependency

Following the determination not to approve the PCIP variation request and the subsequent requirement to terminate the existing funding agreement, progression of the Sanctuary Point Library Project is now contingent on the availability of future external grant funding and/or a future Council budget allocation.

Without an active external funding agreement in place, the project cannot proceed beyond its current stage. Any future planning, design or construction activities will therefore depend on Council securing alternative funding sources or committing funds through a future budget process.

Cost Escalation

The revised PCIP funding amount of \$2.819 million is based on planning and design cost estimates prepared in FY25/26.

Similarly, the construction cost estimates prepared in FY24/25 are subject to cost escalation implications. Ongoing delays will affect associated costs, thereby increasing the amount of external funding required.

Under current conditions, cost escalation in the construction industry is estimated at approximately. 4% to 5% p/a (subject to change).

Internal Consultations

Work associated with the contents of this report is being led by City Services (Technical Services), coordinated with Council's Project Delivery Team.

External Consultations

External consultation has involved coordination with the Department of Infrastructure, Transport, Regional Development, Communications and the Arts in relation to the variation request outlined in this report. This included the submission of required documentation, responses to requests for clarification, and ongoing correspondence to support assessment of the variation request.

As outlined, the variation request was not approved by the Department. Ongoing coordination will be required to finalise the matter to terminate the funding agreement and reimburse outstanding payments to Council.

Further to the variation request, ongoing external consultations have been undertaken to provide updates to the Department and State Library of NSW on the status of the project. A summary of relevant project updates, and key grant administration correspondence, with the funding partners for this project is provided in Table 3 below.

Table 3. Summary of External Funding Coordination

Date	Summary
May 2024	PCIP – Progress Report 1
July 2024	PCIP – Interim Project Update
September 2024	PCIP – Progress Report 2
October 2024	PLIG – Request for Extension of Time
November 2024	PLIG – Extension of Time Granted
April 2025	PCIP – Progress Report 3
December 2025	PCIP – Variation Request

CL26.80

The Member for Gilmore, Mrs Fiona Phillips MP, was contacted on multiple occasions in relation to the variation request outlined in this report.

Community Consultations

No formal community consultation has been undertaken in relation to the contents of this report.

Council has previously received a community petition relating to the Sanctuary Point Library Project. A petition containing 1,228 signatures was submitted by Sanctuary Point Community Pride at the Ordinary Council Meeting held on 28 October 2025.

The petition called for the progression of the Sanctuary Point Library project at the corner of Paradise Beach Road and Kerry Street, in accordance with a feasibility study previously reported to Council on 15 April 2025. The petition demonstrates a high level of community support for the project and reflects notable community interest in the delivery of a library in Sanctuary Point.

Council’s draft Community Infrastructure Strategic Plan (CISP) will be placed on public exhibition in April and May 2026. The draft plan notes the following recommendations related to this matter:

Priority 1 Recommendation:

- *Progress detailed design of new Sanctuary Point Library on the corner of Kerry St and Paradise Beach Rd, including hireable community meeting space.*
- *Deliver new Sanctuary Point Library.*

Feedback received through this process will inform future consideration of the Sanctuary Point Library project.

Policy and Statutory Implications

There are no policy or statutory implications associated with the contents of this report.

Financial Implications

External Funding Dependency

The Sanctuary Point Library Project remains entirely dependent on external funding, with no Council funds allocated to progress planning and design work or construction activity.

The PCIP variation request sought \$2.819 million to fund planning and detailed design activities necessary to bring the project to shovel-ready status, consistent with the revised scope submitted to the Department.

Future delivery of the Sanctuary Point Library will require securing additional external capital funding once the project reaches shovel-ready status.

Cost Escalation

The estimated cost of delivering the redesigned Sanctuary Point Library in **2029**, including projected cost escalations, is \$14.9 million. This includes the cost of the library building and the upper car park next to the sports field at Francis Ryan Reserve. The basis for this estimate is a preliminary cost estimate prepared by Blue Stone Management (engaged by the Project Architect) and an additional preliminary cost estimate prepared by Hannah Newman (engaged by Council directly to provide independent advice).

Blue Stone Management's estimate included an allowance for escalation to January 2027 of **\$784K** (based on indexation of 4% p/a), in addition to allowances for general project contingency and design contingency.

Hannah Newman's estimate included an allowance for escalation to January 2027 of **\$925K** (based on indexation of 8.2% p/a), in addition to allowances for general project contingency and design contingency.

Delays in being able to progress this project to date are now impacting on the validity of the \$14.9 million estimate due to the unlikelihood of being able to deliver the library by 2029. Further delays in progressing this project will inevitably increase the estimated project cost.

Termination of PCIP Funding Agreement

Following termination of the agreement, Council will be unable to progress any further planning, design or technical work for the project under the PCIP, and no alternative funding has been secured for these activities. Any future progression of planning, design or construction will therefore be contingent on Council obtaining new external grant funding and/or allocating funds through a future Council budget process.

The Department has identified **\$703,117.39** as "eligible expenditure", incurred under the original contracted activity between February 2022 and February 2024, and advised that this amount will be reimbursed to Council (subject to conditions). This amount is equivalent to approximately 50% of all expenditure associated with the original contracted activity (2-storey library project) and approximately 44% of all expenditure to date (including the original contracted activity and the revised, single storey, scope of works). For further information about expenditure on this project, refer to the previous project update reports outlined in the Background chapter of this report.

Reimbursement is contingent on Council providing additional supporting evidence, such as invoices, receipts and contracts, demonstrating eligible expenditure incurred between the announcement of the election commitment in February 2022 and advice to the Department that the project was placed in a halted status in February 2024.

CL26.81 Proposed Acquisition of 1b Parson Street, Ulladulla

HPERM Ref: D26/164024

Department: Buildings & Property Services
Approver: Kevin Norwood, Director - City Services

Purpose:

The purpose of this report is to provide Council with an opportunity to consider a confidential report to enter into an Options Deed for the acquisition of 1b Parson Street, Ulladulla (Lot 15 DP 1251947).

Further information is provided in a separate confidential report in accordance with Section 10A(2)(d)(ii) of the *Local Government Act 1993*.

Recommendation

That Council consider a separate confidential report in accordance with Section 10A(2)(d)(ii) of the Local Government Act 1993 in relation to the acquisition of 1b Parson Street, Ulladulla (Lot 15 DP 1251947).

Community Strategic Plan:

- 4 Transparent leadership with good governance
 - 4.1 Financial sustainability

Delivery Program / Operational Plan:

- 4.1.1 Support Council's sustainable delivery of projects and corporate services through sound financial management and control

Background

Council is considering the acquisition of 1b Parson Street, Ulladulla (Lot 15 DP 1251947) to supplement its property portfolio in the Ulladulla region. It is proposed that Council enter into an Options Deed with the owner of the Parson Street property to secure the site for a limited period while due diligence is undertaken. This arrangement would allow investigations to occur without creating a binding commitment for Council to accept the property.

During this period, Council would complete a needs analysis, including internal consultation with relevant business units and stakeholders, to determine whether the building could meet current or future operational requirements.

Risk Implications

The main risks for Council relate to the potential costs of future maintenance and any rectification works that may be required for the building.

These matters will be fully investigated and quantified during the comprehensive due diligence process under the proposed Options Deed, allowing Council to make a fully informed decision before exercising the option.

Internal Consultations

Consultation has taken place with relevant stakeholders.

External Consultations

Details relating to external consultations are contained in the confidential report.

Community Consultations

Community engagement is not required for operational purposes such as land acquisition.

Policy and Statutory Implications

The acquisition process is in accordance with policy [POL22/120](#) – Acquisition of Land by Shoalhaven City Council.

Financial Implications

Details relating to financial implications are contained in the confidential report.

CL26.82 Tenders - Nowra Riverfront Precinct - Principal Design Consultant

HPERM Ref: D26/147604

Department: Project Delivery

Approver: Kevin Norwood, Director - City Services

Purpose:

To inform Council of the tender process for Nowra Riverfront Precinct – Key Enabling Infrastructure – Principal Design Consultant.

In accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, some information should remain confidential as it would, if disclosed, prejudice the commercial position of the person who supplied it. It is not in the public interest to disclose this information as it may 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. This information will be considered under a separate confidential report.

Recommendation

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

Background

Project Description

On 14 January 2025, Council was advised that it had been successful in securing \$5 million in funding under Stream 1 of the Australian Government's Regional Precinct and Partnerships Program (rPPP). This funding enables the Nowra Riverfront Precinct Project to progress to construction-ready detailed design.

The grant scope includes:

1. Completion of the Open Space Master Plan (OSMP)
2. Detailed design to Issue for Construction status
3. Review of Environmental Factors
4. A full Business Case for the precinct

The OSMP is now 100% complete and has been publicly exhibited on Council's *Get Involved* platform.

NSW Public Works has been engaged to provide external project management services, including the procurement and contract administration of the Principal Design Consultant (PDC). The tender for the PDC closed on 17 February 2026.

The objective of the project is to deliver construction ready designs and robust business justification for the revitalisation and development of the Nowra Riverfront Precinct.

Tendering

Council called tenders for Nowra Riverfront Precinct – Key Enabling Infrastructure – Principal Design Consultant Services on 25 November 2025 which closed at 3:00 pm on 17 February 2026. Nine tenders were received at the time of closing. The tender assessment is summarised in the Table below

Tenderer	Location
<i>Arup Australia Pty Ltd</i>	Sydney
<i>Davidson Architects Pty Ltd</i>	Sydney
<i>GHD Pty Ltd</i>	Nowra
<i>Hyve Designs Pty Ltd</i>	Sydney
<i>NewScape Design</i>	Sydney
<i>Oculus Landscape Architecture, Urban Design Pty Ltd</i>	Sydney
<i>Place Design Group Pty Ltd</i>	Sydney
<i>Stantec Australia Pty Ltd</i>	Nowra
<i>Taylor Brammer Landscape Architects Pty Ltd</i>	Wollongong

Details relating the evaluation of the tenders are contained in the confidential report.

Internal Consultations

No internal consultations were undertaken to prepare this report. Work undertaken by the selected PDC will be informed by a range of relevant internal consultations throughout the project through the Project Control Group, Project Management Group, and Project Design Review Panel comprising, Council’s subject matter experts, which have been engaged throughout the various design stages to date. These groups provide coordinated oversight, technical guidance, and governance support to ensure effective project delivery.

External Consultations

No external consultations were undertaken to prepare this report. Work undertaken by the selected PDC will be informed by a range of relevant external consultations.

Community Consultations

No community consultations were undertaken to prepare this report. Work undertaken by the selected PDC will be informed by a range of relevant community consultation and feedback undertaken and as required.

Policy Implications

The tender process has followed the requirements under the provisions of the Local Government Act 1993. The tenders were assessed in accordance with Council’s *Local Preference Policy*.

Financial Implications:

Sufficient funds have been allocated in the Nowra Riverfront Precinct – Principal Design Consultant Services budget for the engagement period – April 2027. Funding is available to cover the tender amount including other project costs, as shown in the Project Budget Table below.

Nil. The tender process has followed the requirements under the provisions of the Local Government Act 1993.

CL26.82

CL26.83 Tenders - Construction of Woollamia Depot Administration Building & Associated Works

HPERM Ref: D26/138223

Department: Project Delivery

Approver: Kevin Norwood, Director - City Services

Purpose:

To inform Council of the tender process for the construction of Woollamia Depot Administration Building & Associated Works.

In accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, some information should remain confidential as it would, if disclosed, prejudice the commercial position of the person who supplied it. It is not in the public interest to disclose this information as it may 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. This information will be considered under a separate confidential report.

Recommendation

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

Background

The Woollamia Depot Administration Building was constructed in 1979 and has progressively deteriorated over time. Multiple investigations and assessments undertaken by Council's Building Services team identified significant issues affecting the building's suitability, including the presence of hazardous materials, historical water ingress, roof leaks, evidence of rodent activity, and non-compliance with current Australian Standards and the National Construction Code.

Over several years, Council has explored options ranging from full replacement to major refurbishment. Following design development and detailed assessment, refurbishment of the existing building was confirmed as the preferred solution.

The project has progressed to the tender phase following the completion of design documentation, including performance solutions and specialist reports.

Project Description

Council invited tenders for the refurbishment and upgrade of the existing Woollamia Depot Administration Building. The project involves a comprehensive renewal of both internal and external building elements to improve functionality, compliance, accessibility, and staff amenities, while ensuring the depot remains operational throughout construction.

The scope of work includes, but is not limited to:

- Demolition and hazardous materials removal, including asbestos and other contaminants.
- Structural and building fabric works, including roof replacement, external façade upgrades, and construction of new internal partitions.
- Building services upgrades, including electrical, mechanical, and hydraulic systems.

- Accessibility improvements, including compliant access paths and associated external works.
- Internal refurbishment, including new finishes, fittings, kitchen and amenities upgrades, and reconfiguration of the administration areas.
- Temporary works, staging and controls required to maintain safe and continuous depot operations.

Tendering

Council called tenders for the “Construction of Woollamia Depot Administration Building & Associated Works” on 12 February 2026 which closed at 10:00 am 13 March 2026. Six (6) tenders were received at the time of closing.

Tenders were received from the following:

Tenderer	Location
Affinity Construction (Aust.) Pty Ltd	Fyshwick
Austfield Pty Ltd	Bella Vista
Civil Project Management Group Pty Ltd (Real Aussie Sheds)	Nowra
Colin Joss & Co. Pty. Ltd (Joss Group)	Albury
Edwards Constructions	Nowra
Rudyard Pty Ltd	Kangaroo Valley

CL26.83

Details relating the evaluation of the tenders are contained in the confidential report.

Risk Implications

Details relating to the Risk Implications are contained in the confidential report.

Internal Consultations

Extensive internal consultation has been undertaken throughout the development of this project.

The Project Delivery Team has coordinated the project in close collaboration with Building Services and Technical Services, with both groups providing critical technical input into the scope, design documentation, staging requirements, and operational considerations.

External Consultations

Suitably qualified consultants were engaged by Council to prepare the detailed design documentation for the project, including structural and civil engineers, architectural consultants, and building services engineers (electrical, mechanical, and hydraulic).

Community Consultations

Neighbouring properties will be notified of the upcoming works at an appropriate time prior to commencement.

Policy Implications

Nil. The tender process has followed the requirements under the provisions of the Local Government Act 1993.

Financial Implications:

Details relating to the financial implications are contained in the confidential report.

CL26.83

CL26.84 Review of Planning Options - Taylors Lane, Badagarang (Moss Vale Road South Urban Release Area)

HPERM Ref: D26/7423

Department: Strategic Planning

Approver: Emma Struys, Director - City Development

Purpose:

The purpose of this report is to advise Council of the outcomes of design and investigation undertaken to progress previously resolved planning recommendations for Taylors Lane, Badagarang (MIN23.265) and to propose and seek endorsement to proceed with an alternative approach based on the detailed findings.

Recommendation

That Council

1. Discontinue progressing the previously endorsed possible one-way design option for Taylors Lane West within the Moss Vale Road South Urban Release Area (URA)
2. Retain the two lane (two way) roadway design of Taylors Lane in the Shoalhaven Development Control Plan 2014 Chapter NB3: Moss Vale Road South Urban Release Area.

Community Strategic Plan:

- 2 Sustainable environments and liveable communities
 - 2.2 Liveable neighbourhoods and sustainable development
- 4 Transparent leadership with good governance
 - 4.3 Effective collaboration and engagement

Delivery Program / Operational Plan:

- 2.2.1 Facilitate sustainable development that considers current and future needs of our community and environment
- 4.3.1 Develop community trust and respect through transparent interactions and reporting
- 4.3.2 Provide opportunities for the community to have genuine engagement on Council planning and decision making

Background

Taylors Lane, shown in Figure 1, is an existing road/road reserve located partly within the developing Moss Vale Road South (MVRS) Urban Release Area (URA) connects Moss Vale Road to Illaroo Road at North Nowra and is intended to provide an access option to the URA via Bannada Way (Far North Collector Road). The road is lined by and much of the road reserve contains, significant stands of mature trees, predominantly Spotted Gum (*Corymbia maculata*).



Figure 1: Taylors Lane approx. outline in green. MVRS URA outlined in yellow.

CL26.84

Council has been investigating options for the ultimate upgrade/finished design of Taylors Lane over a number of years to facilitate and accommodate development generated by the URA within which it sits and to address associated road infrastructure requirements. This work has included multiple studies, concept design options, arboricultural assessments, and traffic and road safety considerations. These investigations have informed a number of Council reports and resolutions relating to the proposed upgrade of Taylors Lane.

Planning options for Taylors Lane were publicly exhibited from 5 October to 4 November 2022. At that time, Council received feedback from the community raising concerns about the potential impacts of road upgrades on the existing trees.

Council considered a report at its meeting on 22 May 2023 Ordinary Meeting, which sought to formalise Council's position on the alignment of Taylors Lane. Council resolved ([MIN23.265](#)) to:

1. *Endorse Option W4 For Taylors Lane West as generally shown in Attachment 1, with further design revisions as needed to support the long-term retention of as many trees as possible including:*
 - a. *Single lane (eastbound) alongside the trees, transitioning to dual lanes either end;*
 - b. *Widening of the road reserve to 20m (+5m either side);*
 - c. *a shared pedestrian/bicycle path*
2. *Commence required detailed designs and resulting required draft amendment to Shoalhaven DCP 2014 Chapter NB3: Moss Vale Road South URA and receive a further report to consider the draft DCP amendment, a possible funding mechanism and/or budget allocation to deliver Option W4.*
3. *For Taylors Lane East retain the existing trees and endorse the upgrade Taylors Lane in accordance with Option E3 (with E1 as a backup option) as generally shown*

in Attachment 2, subject to revisions arising from further design investigation and commence negotiations for a possible joint funding and delivery arrangement with the landholder/developer of DA SF10898.

4. *At the appropriate point, determine DA SF10898 consistent with the intent of retaining the existing trees along Taylors Lane in the long term.*
5. *Notify those who made submissions during the public exhibition period of this decision.*

Responding to Part 2 of the above resolution, detailed designs for Taylors Lane West (within the URA) were prepared, along with a possible corresponding amendment to the Shoalhaven Development Control Plan (DCP) 2014 Chapter NB3: Moss Vale Road South URA. Further design investigations occurred as part of the progress of this work.

Subsequent investigations have demonstrated that, although a one-way configuration can be designed and constructed, the physical constraints of the corridor mean that it would still require substantial tree removal and would not achieve Council’s intended outcome of long-term tree retention along the corridor given the development occurring on either side and related crossings/intersections. As a result, the intent of the previous resolution cannot be meaningfully delivered through more design and planning, or a DCP amendment.

[Chapter NB3: Moss Vale Road South Urban Release Area](#) of Shoalhaven DCP 2014 currently identifies Taylors Lane West as a proposed formalised tree lined boulevard within the URA, as shown in Figure 2 below. Figure 3 shows the indicative layout for a tree lined boulevard as per the current DCP, being a two lane, (two way) road layout.



Figure 2: Street Hierarchy and Network Plan (DCP Chapter NB3)

CL26.84

Tree-lined Boulevard

Table 4 - Minimum cross-section width of Tree-lined Boulevard and kerb type

Verge				Carriageway		Verge				Total (approx.)	Kerb
Offset	Path	Planting	Parking / Blister	Lane	Lane	Parking / Blister	Planting	Shared Path	Offset		
1.1	1.5	1.2	2.3	3.5	3.5	2.3	1	2	0.5	18.9m	Barrier
6.1				7		5.8					

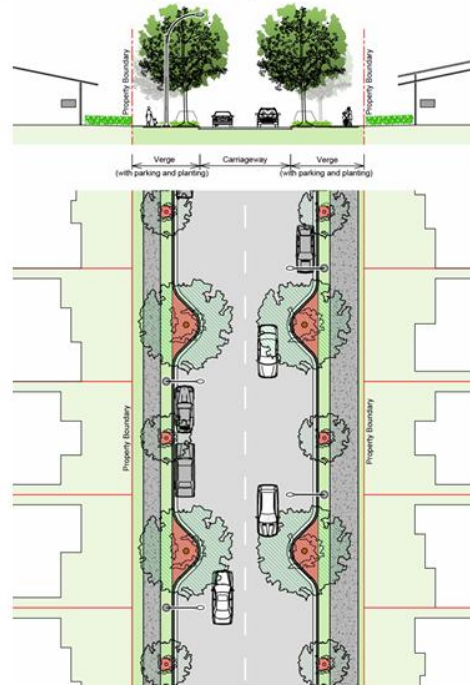


Figure 3: Indicative Layout of Tree Lined Boulevard - DCP Chapter NB3, p. 18

Design Investigations

Due to funding and resourcing constraints across the organisation, full detailed designs could not be delivered at part of investigative work and this early stage. Instead, it was agreed that geometric road designs prepared inhouse would be developed to inform the required DCP amendment and to provide guidance to developers for the future design and construction of their respective sections of Taylors Lane.

This work has included consideration of the following:

- Retention of as many existing trees as possible, informed by a detailed arborist survey undertaken in 2024;
- Alignment and feasibility of the shared pedestrian and bicycle path;
- Location and constraints associated with existing - and future services (including sewer, water and electricity);
- The feasibility of a one way (eastbound) configuration of Taylors Lane, transitioning to two way traffic at either end.

Collectively, the investigations found that while a one-way layout is technically feasible within the URA, it does not deliver a meaningful advantage over the originally intended DCP-compliant two-lane option in terms of tree retention and introduces additional operational and servicing constraints.

The cost incurred by Council to date for the review of planning options (excluding staff time) is approximately \$89,000.

Parts 3 and 4 of MIN23.265, relate to Taylors Lane East, outside the URA. Development consent was issued for the referenced SF10898 (12 lots) in July 2024 that largely sought to

retain the existing alignment of the road, with a proposed public reserve on either side to protect the existing trees in this location. There were also two envisaged roads crossing the Taylors Lane alignment as part of this approval. The Ownership of the subject land (49 Taylors Lane) changed in early 2026 and the new owners are considering a potential development within or modifies the existing approval. Council staff met with the new owners recently to discuss their plans, that including potentially realignment of road linking Bannada Way to the URA (north of current Taylors Lane alignment), reuse of current Taylors Lane as a pedestrian/cyclist pathway and retaining most trees along this section of the Lane. Making sure these outcomes occur will be part of the detail development application related discussions.

Detail of Tree Impacts

A Strategic Concept Design for the one-way option has been prepared. The investigations informing that design, and their significance, are outlined below.

Topographic Survey

This detailed survey confirmed that many of the existing trees are located immediately adjacent to the current road pavement. This leaves very limited scope/ability to realign or widen the road without encroaching into Tree Protection Zones, regardless of lane configuration.

Implication: Tree impacts cannot largely be avoided through minor alignment adjustments.

Boundary Survey and Assessment

The boundary survey confirmed the location of the future 20-metre road reserve. The road carriageway, shared path and allowance for future utilities must all be accommodated within this fixed width, limiting opportunities to avoid tree impacts through design variation.

Implication: The constrained corridor restricts the ability to achieve tree retention outcomes under either road configuration.

Arborist Assessment

This assessed 100 trees along the alignment, including health, structural condition and Tree Protection Zones (TPZs). While up to 20% TPZ encroachment may be acceptable, several locations associated with kerb construction and road widening would exceed this threshold under the one-way option, necessitating tree removal.

Implication: Tree removal would still be required to deliver even the one-lane design in accordance with accepted arboricultural standards.

Environmental Due Diligence Assessment

Seven hollow-bearing trees were identified within the road reserve and would be impacted by the one-way option. These trees have ecological value and would require mitigation or offset measures.

Implication: The difference in environmental impact of the one-way design compared to the two-way design is minimal, particularly near intersections and shared-path crossings.

Future Intersection Assessment

Future intersections were assessed using the URA DCP layout and anticipated road connections. Safe sight-distance requirements necessitate vegetation clearance around intersections, and turning-movement analysis demonstrated that standard waste vehicles require two traffic lanes to safely complete turns.

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As a result, Taylors Lane would need to be widened to two lanes at each intersection, even under a one-lane configuration.

Implication: Intersection requirements drive significant tree removal and reduce the effectiveness of a one-lane design in achieving tree retention.

Shared Path Assessment

The alignment of the shared pedestrian and bicycle path was reviewed to ensure safe access to key destinations. A pedestrian-priority crossing near the open space area is likely to be required, with associated visibility requirements further constraining tree retention.

Implication: Shared-path safety requirements contribute to vegetation removal regardless of either road configuration.

The Strategic Concept Design indicates that approximately 235 trees would need to be removed to implement the one-way option. By comparison, the two-lane (two-way) DCP-compliant option would require removal of approximately 321 trees, representing a difference of 86 trees.

While the one-way option results in fewer tree removals overall, the scale of removal remains substantial and is not consistent with Council's previously stated intent to retain trees along Taylors Lane in the long term.

The reduction in tree impacts offered by the one-way option thus needs to be reconsidered alongside the operational, servicing and network constraints identified, which limit its suitability for the required road function.

Risk Implications

Without a confirmed Council position on the future design of Taylors Lane, uncertainty remains regarding the timing of road upgrades and associated housing development within the URA. This impacts on infrastructure sequencing, developer planning timeframes and the delivery of new housing supply.

Maintaining an endorsed design option that does not achieve Council's intended outcomes also creates ongoing policy and delivery risk, including uncertainty for landowners and potential future pressure to redesign or retrofit the road.

Internal Consultations

Council staff have worked closely together throughout the development of the geometric designs to ensure a multi-disciplinary approach to considering tree retention, shared user path alignment, service locations (including sewer, water and electricity), and the feasibility of a one-way configuration for Taylors Lane that transitions into the broader two-way road network. A design workshop was held as part of the concept development phase. Feedback provided during the workshop was incorporated into the design work. Through the workshop and concept development process, stakeholders collectively identified that a two-lane (two-way) street remains the preferred and most practical outcome when assessed against the technical and servicing requirements of the URA and future community.

External Consultations

No specific external consultation has been undertaken in relation to the proposed one-lane (one-way) option.

Should Council choose not to proceed with reverting to the DCP-compliant design (two way), external consultation may be required to support any future amendment to the Shoalhaven DCP 2014.

Community Consultations

No community consultation has been undertaken as part of this report.

However, planning options for Taylors Lane were publicly exhibited from 5 October to 4 November 2022 with the outcomes of the exhibition considered by Council on 5 December 2022.

Policy and Statutory Implications

The report recommends that no changes be made to the DCP as previously resolved in Part 2 of MIN23.265, and that the current DCP representation of Taylors Lane remain in place without change. The review of options for Taylors Lane has been underway for several years and now requires a finalised policy position to provide clear direction for future design of the road.

Establishing this position will help address uncertainty for landowners/developers, guide planned housing development, provide clarity for the wider community, and support the ultimate delivery of the required connection between the URA and Bannada Way.

Financial Implications

There are no immediate financial implications arising from the adoption of the recommendation. However, if a one-way configuration were delivered by a developer and Council later ultimately determined that a two-lane upgrade was required, Council would bear the cost of that upgrade from General Funds.

Once constructed, Council will also assume responsibility for ongoing maintenance of Taylors Lane as part of its road network.

CL26.85 Required Update/Adjustment - Voluntary Planning Agreement - Mundamia Urban Release Area Stage 1

HPERM Ref: D26/115618

Department: Strategic Planning
Approver: Emma Struys, Director - City Development

Purpose:

The purpose of this report is to obtain Council's 'in-principle' support to reaffirm a monetary contribution towards the construction of a roundabout in the Mundamia Urban Release Area (URA), in relation to the Voluntary Planning Agreement (VPA) with the owner/developer (Jemalong Mundamia Pty Ltd/AVID Property Group Pty Ltd) relating to Stage 1 of the URA.

Recommendation

That Council in addition to the recent 'in-principle' support for the Mundamia Stage 1 VPA (MIN25.458), also reaffirm its 'in-principle' support to contribute 58% of the additional cost associated with the construction of the entry roundabout to the Mundamia Urban Release Area (Roundabout 01):

1. 1% from General Fund.
2. 57% from General Fund, to be covered by the sale of Council owned Lot 1 DP 1226624 and if Council is no longer the owner of Lot 1 at the time of payment, the new owner will be responsible for this part of the payment.

Community Strategic Plan:

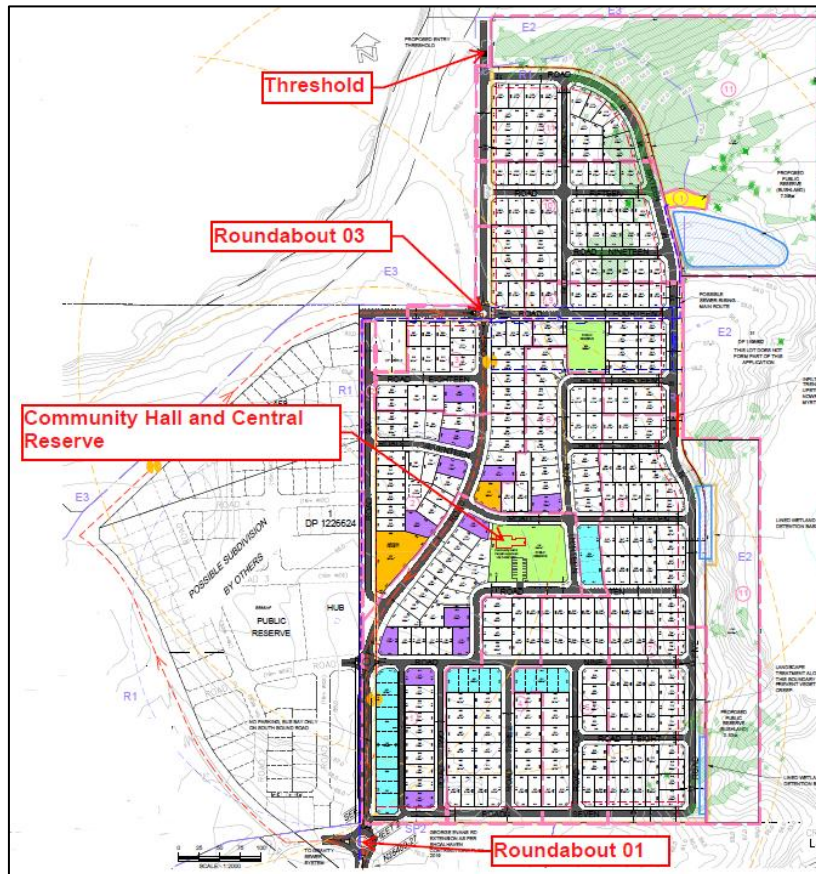
- 2 Sustainable environments and liveable communities
 - 2.2 Liveable neighbourhoods and sustainable development
- 3 Resilient local economies and enabling infrastructure
 - 3.2 Transport facilities and services

Delivery Program / Operational Plan:

- 2.2.1 Facilitate sustainable development that considers current and future needs of our community and environment
- 2.2.3 Maintain liveability through provision of infrastructure, services and facilities across the city
- 3.2.1 Provide and maintain local roads, bridges, and parking infrastructure to allow safe and easy movement around our city

Background

On 23 December 2019, [State Significant development consent \(SSD7169\)](#) was granted by the NSW Government for a 308 lot residential subdivision, neighbourhood safer place and open space/drainage reserves at Lot 30 DP 1198692, George Evans and Jonsson Roads, within the Mundamia URA. Figure 1 shows the approved subdivision layout, as modified.



**Figure 1: Original Approved Subdivision Plan (Allen Price and Scarratts),
(Notated with relevant infrastructure items covered in the consent)**

On 14 October 2025, Council considered a report on the revised letter of offer to enter into a VPA in relation to Stage 1 of the URA (refer to Figure 1). Council resolved to support the proposal (MIN25.458), which included the deletion of Roundabout 01 from the proposed subdivision design in favour of increasing the size of Roundabout 02.

Revised engineering advice has subsequently resulted in need to retain Roundabout 01, which will be the entry roundabout to the URA. The size of Roundabout 02 will also no longer need to be increased.

The detailed traffic assessment supporting the development application found that additional speed control facilities in the URA were warranted due to the 1.2km of collector road traversing through the middle of the combined developments, and the prevalence of through traffic due to the existing Thompson's Point Reserve which is popular local walking and climbing location. The NSW Government (as consent authority) accepted the need for Roundabout 01, however considered that the applicant and Council, should both contribute towards the provision of the additional infrastructure, in proportion with the traffic they will theoretically generate.

On 18 September 2018, Council resolved (MIN18.718) to contribute 58% towards the cost associated with the "additional cost" to augment the base road design to accommodate Roundabout 01. In 2018, the monetary contribution was estimated to be in the vicinity of

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\$78,000 for the 58% contribution, though the contribution will be higher now following the passing of time. Updated estimates will determine the current value of the works.

As Roundabout 01 has been confirmed as required and the NSW Government has determined that Council (as both local authority and landowner) is to make a monetary contribution, it is recommended that Council support this adjustment to the scope of the VPA.

Risk Implications

The greatest potential risk to Council relates to the financial implications surrounding the proposal, however it is noted that Council has previously resolved to support the 58% contribution towards the “additional cost” to augment the base road design to accommodate the roundabout. This is reflected in the current consent for the subdivision.

Internal and External Consultations

Internal consultation has occurred between Strategic Planning (City Development) and Technical Services (City Services) and Finance (City Performance) teams. No external consultations are required.

Community Consultations

The NSW Environmental Planning and Assessment Regulation 2021 requires that the draft VPA be publicly exhibited for a minimum period of 28 days. Community engagement will be encouraged through the public exhibition period.

Policy and Statutory Implications

There are no known policy or statutory implications resulting from the proposal.

Roundabout 01 is not a project in the Shoalhaven Contributions Plan 2019.

Financial Implications

The NSW Government (as consent authority) accepted the need for Roundabout 01 and that Council’s contribution should be 58%. It is recommended that the funding source of Council’s contribution be as follows:

Breakdown of 58%	Purpose	Recommended Funding Source	Contribution Estimate (2018 values)
1%	Predominantly through traffic associated with Thompson’s Point Reserve.	General Fund	\$1,345.26
57%	Council as the current landowner of part of the URA (Lot 1 DP 1226624). OR	General Fund, repaid through sale of land proceeds	\$76,679.82
	If Lot 1 DP 1226624 is sold prior to payment.	No Council contribution: Obligation will transfer to new owner	
TOTAL			\$78,025.08

Contemporary estimates will be obtained during the processes followed to draft the VPA and will need to be budgeted accordingly.

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CL26.86 Development Application – 2 Barnett Street Vincentia – Lot 65 DP 526875

DA. No: DA26/1007/4

HPERM Ref: D26/125985

Department: Development Services

Approver: Emma Struys, Director - City Development

Attachments:

1. DRAFT - Assessment Report (under separate cover) [⇨](#)
2. Plans (under separate cover) [⇨](#)
3. Clause 4.6 Statement (under separate cover) [⇨](#)
4. DRAFT Determination (under separate cover) [⇨](#)
5. DRAFT Determination - Deferred Commencement (under separate cover) [⇨](#)

Description of Development: Demolition and construction of a two-storey dwelling containing 14 bedrooms with en-suites, basement carpark and rooftop patio

Owner: Rose and Jeffery Demanuele

Applicant: Joe Vaccari

Notification Dates: 16 February to 2 March 2026

No. of Submissions: 103

Purpose / Reason for consideration by Council

The application proposes exceeding the maximum height of buildings development standard by more than 10%. In accordance with the Department of Planning, Housing and Infrastructure's '*Guide to Varying Development Standards*', the application must be determined by Council.

Recommendation

That development application DA2026/1007 to vary the maximum height of buildings development standard of 8.5 metres by 31% (2.6 metres) and the maximum floor space ratio of 0.5:1 by 254% (562.75m²) at 2 Barnett Street Vincentia, Lot 65 DP 526875, be refused for the reasons detailed in this report and attachments.

Location Map



Figure 1: Aerial imagery of subject site

Background

The application is seeking to vary the height of buildings development standard under Clause 4.3 of the Shoalhaven Local Environmental Plan 2014 (SLEP 2014) by 31% (2.6 metres). The applicant has submitted a written request in accordance with Clause 4.6 of SLEP 2014.

The proposed development also exceeds the maximum floor space ratio permitted of 0.5:1 by an estimated 562.75m² or 2.53 times.

Proposed Development

The proposal includes:

- Demolition of the existing dwelling
- Excavation and construction of basement car parking and boat storage (the number of car spaces is not indicated)
- Construction of a two storey dwelling with 14 bedrooms and en-suites and a rooftop patio with shade sails

The applicant states that the building will be used as a private holiday destination by the developer’s extended family.

Refer **Attachment No. 2** – Plans.

Subject Land

The development site comprises Lot 65 DP 526875 (2 Barnett Street Vincentia). Refer to Figure 1 above.

Site & Context

The development site is located on the southeast corner of Barnett Street and Lambs Crescent and is 733.49m². The site is rectangular with a corner cut to the intersection and has a slight fall to the northeast. A detached single storey dwelling and shed occupy the site.

The surrounding area is characterised by development of a similar scale and character to the existing structures on the site.

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Issue - Request to vary Clause 4.3 – Height of Buildings – Shoalhaven Local Environmental Plan 2014

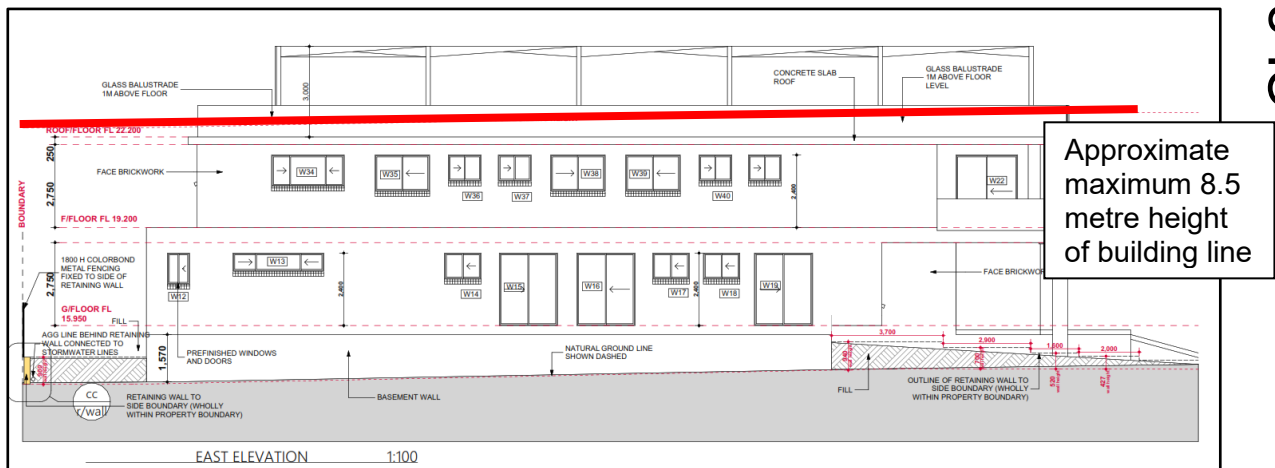
Applicant's submission

The applicant has provided a brief statement (**Attachment 3**) with reference to Clause 4.6 of the SLEP 2014 that seeks to vary Clause 4.3 – height of buildings in the SLEP 2014.

The parts of the building that will exceed the maximum 8.5 metre height of building development standard include the glass balustrade (0.6 metres) and rooftop shade structure (2.6 metres) that service the rooftop patio – see figure 2. The applicant states that compliance with the standard is unreasonable and unnecessary as:

- The balustrade will be constructed of frameless glass and not contribute to the bulk of the building.
- The sails are lightweight and removable, similarly not contributing to the bulk of the building.
- The height of the building will not obstruct any important views to neighbouring properties.

The applicant also states that “a series of environmental planning grounds to support the variation have been outlined. The proposal is not inconsistent with planning objectives.”



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Figure 2: Proposed east elevation with the maximum 8.5 metre height of buildings development standard shown in red

Assessment

The ‘Guide to Varying Development Standards’ (the Guide) issued by the then Department of Planning and Environment (now Department of Planning, Housing and Infrastructure) in November 2023 provides helpful information for both applicants and consent authorities regarding their obligations under Clause 4.6 when seeking to vary development standards. Importantly:

The consent authority must be satisfied that the applicant for development consent has demonstrated that:

- compliance with the development standard is unreasonable or unnecessary in the circumstances (cl 4.6(3)(a))
- that there are sufficient environmental planning grounds to justify contravening the development standard (cl 4.6(3)(b)).

This places the responsibility on the applicant to demonstrate that they have understood the requirements of the provision and have prepared a written request that adequately addresses the provisions.

The 'unreasonable or unnecessary' test

The Land and Environment Court, in *Wehbe v Pittwater Council [2007] NSWLEC 827*, established five common ways applicants can demonstrate that strict compliance with a development standard is unreasonable or unnecessary. While not exhaustive, these are the most common methods applicants use to demonstrate the 'unreasonable or unnecessary' test. The five ways are as follows:

1. Objectives of the development standard are achieved notwithstanding the non-compliance
2. Underlying objective or purpose is not relevant to the development
3. Underlying objective or purpose would be defeated or thwarted if compliance was required
4. Development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard
5. Zoning of the land on which the development is proposed was unreasonable or inappropriate.

The applicant has not addressed any of the common ways listed above. Notably, the applicant has identified the objectives of Section 6.1.2 – Height and Setbacks – from the Shoalhaven Development Control Plan 2014 (SDCP 2014) which, while important, are not a matter for consideration to satisfy Clause 4.6(3)(a) of the Shoalhaven LEP 2014. The applicant has not addressed the objectives of Clause 4.3 – the height of buildings development standard. As such, the applicant has not demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances, and therefore development consent must not be granted. Notwithstanding, it is important to respond to the applicant's contentions.

The structures exceeding the maximum height of buildings development standard are lightweight, setback from the primary building line and do not block views and outlook from neighbouring properties. However, the scale of the proposed building exacerbates the extent of the variation proposed: the building length on the east elevation (and therefore the overall amount of built form that exceeds the maximum height of buildings development standard) is nearly 29 metres, more than 50% greater than the length of buildings on neighbouring properties immediately adjoining the development site. The applicant has made no effort to reduce the height of the building, instead elevating the ground floor up to 1.5 metres above natural ground level, exceeding the maximum fill permitted for single dwellings under the SDCP 2014. Exceeding the maximum height standard will allow for a roof top patio that, by way of its size, elevation and proximity to neighbours, will adversely impact the character and amenity of the area.

Environmental planning grounds

The applicant has not outlined any environmental planning grounds distinct from those listed to demonstrate that compliance with the development standard is unreasonable or unnecessary in the circumstances. As these reasons have already been disputed, the applicant has failed to demonstrate that there are sufficient environmental planning grounds to justify the contravention of the development standard, and therefore development consent must not be granted.

Conclusion

The applicant's statement has not satisfied the matters under Clause 4.6(3) to justify varying Clause 4.3 - the height of buildings development standard and as such development consent must not be granted. Non-compliance with the height of buildings development standard forms part of the reasons for refusal at **Attachment 4**.

Note: the NSW Land and Environment Court has established that an application cannot be amended by way of condition to reduce or avoid varying a development standard.

Issue – Gross Floor Area

Pursuant to A16.1, Section 6.1.1, Chapter G12 of the SDCP 2014 (the ‘density control’), a maximum floor space ratio of **0.5:1**, or gross floor area of 367m² is permitted for the site.

The estimated gross floor area of the development is 929.5m², resulting in a floor space ratio of **1.26:1** or **2.53 times (562.75m²) greater** than what is permitted. The ground and first floor alone would have a gross floor area of 647.5m² and a floor space ratio of 0.88:1, 1.76 times (280.75m²) greater than what is permitted. The result is an egregiously large and imposing building that would significantly detract from the existing and desired character and appearance of the streetscape, in opposition to the objectives of the density control and the R2 Low Density residential zone. As elaborated in the 4.15 assessment report at **Attachment 1**, the excessive bulk caused by the amount of floor space proposed results in other contraventions with controls under the SDCP 2014, compounding impacts on the surrounding area.

The applicant has failed to justify the contravention in accordance with Section 11 Chapter 1 of the SDCP 2014. As such, the proposed floor space ratio is not supported and forms part of the reasons for refusal at **Attachment 4**.

Note: The definition of gross floor area is contained in the SLEP 2014 as follows:

***gross floor area** means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—*

- (a) the area of a mezzanine, and*
- (b) habitable rooms in a basement or an attic, and*
- (c) any shop, auditorium, cinema, and the like, in a basement or attic,*

but excludes—

- (d) any area for common vertical circulation, such as lifts and stairs, and*
- (e) **any basement—***
 - (i) storage, and*
 - (ii) vehicular access, loading areas, garbage and services, and*
 - (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and*
 - (g) car parking to meet any requirements of the consent authority (including access to that car parking), and***
 - (h) any space used for the loading or unloading of goods (including access to it), and*
 - (i) terraces and balconies with outer walls less than 1.4 metres high, and*
 - (j) voids above a floor at the level of a storey or storey above.*

Parts of the definition have been highlighted to demonstrate that any area of basement that is used for car parking above what is required is **not** excluded from the definition of gross floor area. While the applicant has not illustrated the car park layout within the basement, the applicant has confirmed verbally that the basement will be used primarily for car parking to accommodate the up to 28 people in the dwelling. The applicant has not stipulated the gross floor area of the building and as such an approximate calculation has been undertaken

(using Council’s preferred plan measuring program ‘Trapeze’) that excludes any area of the basement used for storage, vehicular access and an area equal to two car spaces.

Planning Assessment

The DA has been assessed under s4.15 of the *Environmental Planning and Assessment Act 1979*. Refer to **Attachment 1**. In addition to the matters raised above, the development is non-compliant with the following planning controls:

Variations Proposed
<p><input checked="" type="checkbox"/> DCP departure</p> <ul style="list-style-type: none"> - Retaining wall height - 110% variation - Streetscape Character – the development, by way of its form, bulk and design, is not in keeping with the existing and desired future character of the area - Visual and Acoustic Privacy – the proposed roof terrace is likely to have an adverse impact on the visual and acoustic privacy of neighbouring properties - Cut & Fill – the development proposes cut and fill exceeding 1 metre - Carparking – insufficient information has been provided to demonstrate that the basement car park complies with Australian Standards - Waste management – the development is likely to exceed the capacity of Council’s waste collection service - Tree protection – an arborist report, demonstrating that the development will not adversely impact a mature tree on a neighbour’s property, has not been submitted - Geotechnical stability – geotechnical and structural engineers’ reports have not been submitted, raising concerns that excavation may require dewatering (and a license from WaterNSW under the Water Management Act 2000) and may adversely impact the structural integrity and amenity of neighbouring properties

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Policy Implications

There are no policy implications resulting from the proposed development.

Internal Consultations

Council’s Development Engineer raised concerns with the proposed development. Refer to page 14 of **Attachment 1**.

Community Consultations

One hundred and three (103) public submissions were received in relation to Council’s notification of the development. A summary of the matters raised in submissions and a brief response are provided in the table below:

Objection Raised	Reasons for Determination
Mischaracterisation of the Proposed Use	The application was lodged for use as a residential dwelling. The applicant provided a letter supporting the use as a dwelling.

Inadequate Statement of Environmental Effect	The applicant was requested to revise the Statement of Environmental Effects as the submitted SEE does not address key non-compliances with the proposal.
Incomplete and Deficient Plans	Insufficient information has been provided to support the application.
Non-compliance with Height	The proposed development exceeds the maximum height of building standard and is not supported.
Overdevelopment, Bulk and Scale	The development exceeds the maximum height and floor space ratio permitted for the site, an egregiously large and imposing building that would significantly detract from the existing and desired character and appearance of the streetscape.
Impact on the amenity of the surrounding area, in particular the rooftop patio and intensity of the use	The proposed development is incompatible with, and will have an adverse impact on, the existing and desired future character and appearance of the locality by way of its height, bulk, scale, intensity, gross floor area, siting, cut-and-fill and form. The scale, design and elevation of the proposed roof terrace is incompatible with the existing form and character of the surrounding area and will have an adverse visual and acoustic impact on the amenity and privacy of neighbouring properties.
Overshadowing	The proposed shadow diagrams do not include shadows from existing structures. Notwithstanding it is unlikely that the building would adversely overshadow neighbours during midwinter.
Landscaping – insufficient with no deep soil area for planting	The applicant failed to provide additional information to address minimum deep soil and landscaping requirements during the assessment of the application.
Basement Car Parking and Traffic Impacts	Insufficient information has been provided to determine the number of car spaces within the basement. It is likely that the development would result in significantly greater traffic and parking demand compared to typical low density residential development.
Excessive Cut and Fill	The building and excavation result in excessive cut and fill on site and is not supported.
Waste Management Deficiencies	It is unlikely that Council's standard waste collection would accommodate the demand caused by a dwelling of this size.
Fence Height and Visual Impact	Insufficient information was provided to determine the impacts of the proposed fencing.
Stormwater and Drainage	Insufficient information has been provided to ensure that the development would not have an adverse impact on stormwater flows from the site and into the surrounding area.

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Fire Safety Concerns	A residential dwelling is not required to provide any dedicated fire stairs or fire strategies.
Safety Concerns	Council does not envisage any safety concerns in relation to the occupation of the proposed development.

Financial Implications

There are no financial implications resulting from the proposed development.

Summary and Conclusion

The application proposes the construction of a two-storey dwelling with basement car parking, containing 14 bedrooms with en-suites and a rooftop patio. The development exceeds Clause 4.3 - the height of buildings development by up to 31% (2.6m) and has 2.53 times the permitted amount of floor space under A16.1, Section 6.1.1, Chapter G12 of the SDCP 2014.

The application is not supported by a statement that demonstrates that compliance with the development standard is unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention of the development standard. As such, development consent must not be granted.

Overall, the proposed development is incompatible with, and will have an adverse impact on, the existing and desired future character and appearance of the locality by way of its height, bulk, scale, intensity, gross floor area, siting, cut-and-fill and form. Further reasons for refusal are given in **Attachment 4**.

If the Council is of mind to grant approval, a deferred commencement consent is provided at **Attachment 5**.

As outlined in the report and attachments, the application is recommended for refusal.

CL26.86

CL26.87 Public Policies for Review - Downsize, Disconnect or Nominal Sizing of Water Meter Services & Concession for At-Home Dialysis - Shoalhaven Water and City Services

HPERM Ref: D26/55720

Department: Water Business Services

Approver: Brenden Logue, Water Business Services Manager

Attachments:

1. Policy - Concession for At-Home Dialysis - Shoalhaven Water and Waste Services (under separate cover) [⇨](#)
2. Policy - Downsize, Disconnect or Nominal Sizing of Water Meter Services (under separate cover) [⇨](#)

Purpose:

The review of all Public and Local Approval Policies has been the practice of each elected Council. This report will propose that Council consider and reaffirm the attached Policies.

Recommendation

That Council adopt the following revised policies with minor changes and additions as attached to this report:

1. Concession for At-Home Dialysis - Shoalhaven Water and Waste Services
2. Downsize, Disconnect or Nominal Sizing of Water Meter Services

Community Strategic Plan:

- 4 Transparent leadership with good governance
 - 4.1 Financial sustainability

Delivery Program / Operational Plan:

- 4.1.1 Support Council's sustainable delivery of projects and corporate services through sound financial management and control

Background

The Policies attached have been marked up with the proposed changes for consideration and adoption by Council, a summary of the changes proposed are as follows:

Concession for At-Home Dialysis and other long term medical conditions - Shoalhaven Water and Waste Services (POL24/149):

- Addition of risk assessment table
- Broaden the scope of the policy to include other long term medical conditions that generate large amounts of domestic waste
- Changes to policy to align with organisation structure

Downsize, Disconnect or Nominal Sizing of Water Meter Services (POL24/150):

- Addition of risk assessment table
- Removal of redundant clauses

In addition to the items outlined above for each policy, minor wording/grammatical changes have been made to improve clarity and ensure the information is easy to follow. For ease of reference, all edits have been tracked in the policy document attached to this report.

Risk Implications

As no significant changes have been proposed, there is no change to the current risk implications of these policies.

Internal Consultations

Key staff within Shoalhaven Water and Waste Services have been consulted and have provided feedback on the proposed changes along with key staff across Council that have a role in the administration of the policies.

External Consultations

No external consultation has been conducted as part of the review of these policies as no significant changes have been proposed in the review of these.

Community Consultations

No community consultation has been conducted as part of the review of this policy as no significant change has been proposed.

Policy and Statutory Implications

The nature of the proposed changes are considered minor and therefore have no implications or deviation from the intent of the existing adopted policies.

Financial Implications

No financial implications have been identified from the proposed changes.

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CL26.88 Acquisition - Easement for Sewer Main and Easement for Electrical Purposes - Part Lot 7 DP 731147 - 12 Flood Ave Sussex Inlet - Rescind MIN22.530

HPERM Ref: D26/119257

Department: Water Asset Planning & Development
Approver: Andrew McVey, Director - Shoalhaven Water

Purpose:

The purpose of this report is to seek Council's consideration to rescind Minute MIN22.530 adopted on 8 August 2022, and to approve the acquisition of the easements with updated compensation reflecting the current valuation. This will enable the matter to be finalised and secure Council's legal rights over essential public infrastructure already in place.

Recommendation

That Council:

1. Rescind MIN22.530 adopted on 8 August 2022.
2. Acquire by agreement the following easements over part Lot 7 DP 731147, 12 Flood Avenue Sussex Inlet:
 - a) An Easement for Sewer Main 2.4 metres and 4 metres wide shaded yellow and marked 'S' on the registered survey plan (Figure 1), and
 - b) An Easement for Electrical Purposes 2.4 metres and 4 metres wide shaded yellow and marked 'E' on the registered survey plan (Figure 1),
3. Agrees to pay compensation of \$12,000 plus GST (if applicable) and the reasonable legal and valuation costs (disturbance costs) associated with the acquisition in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*.
4. Endorse funding for this acquisition from Shoalhaven Water's Sewer Fund.
5. Authorise the common seal of the Council of the City of Shoalhaven be affixed to any documentation required to be sealed and delegates authority to the Chief Executive Officer to sign any documentation necessary to give effect to this resolution.

Community Strategic Plan:

- 2 Sustainable environments and liveable communities
 - 2.2 Liveable neighbourhoods and sustainable development

Delivery Program / Operational Plan:

- 2.2.2 Plan for sustainable and resilient water and wastewater infrastructure

Background

At its meeting held 8 August 2022, Council resolved MIN22.530 as follows:

That:

1. *Council rescind resolution MIN21.555 due to operational changes and reduction in easement requirements for the electricity easement of 64.8 sqm.*
2. *Council acquire the following easements over Lot 7 DP731147, No 12 Flood Avenue Sussex Inlet:*
 - a) *An Easement for Sewer Main 2.4 metres & 4 metres wide highlighted yellow & marked 'S' on the attached registered survey plan, and*
 - b) *An Easement for Electrical Purposes 2.4 metres & 4 metres wide highlights yellow & marked 'E' on the attached registered survey plan,*
3. *Council pay compensation of \$5,000, plus GST if applicable, make minor adjustments for area if required, and pay reasonable legal costs associated with the acquisitions in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer Fund.*
4. *The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.*

Following this resolution, the landowner provided consent for Council to undertake the proposed construction works. Council subsequently prepared the necessary documentation to formalise the creation of the easements and to facilitate payment of compensation in accordance with the Council resolution.

Although the documentation was issued for execution, it remained unsigned. Council was later advised by the landowner's solicitor that the landowner was not in a position to proceed at that time. Council undertook further attempts to engage with the landowner and their representatives to progress the matter however, these discussions did not result in the execution of the required documentation.

Discussions later recommenced, resulting in the landowner obtaining an independent valuation. While there was a variance between Council's original valuation and that obtained by the landowner, Council considered the landowner's valuation to be reasonable, having regard to the lapse of time since Council's original valuation and the existence of electrical infrastructure installed on the subject land.

Accordingly, Council made an offer of compensation consistent with the landowner's valuation, which was accepted.

The subject easements are shown shaded yellow on the registered survey plan (Figure 1).

Financial Implications

Council obtained an independent valuation dated 14 April 2021 from Walsh and Monaghan Valuers Pty Ltd, which assessed the market value compensation for the proposed easements at \$5,000.

The landowner obtained a valuation dated 20 November 2025 from Opteon Property Group Pty Ltd, which assessed the market value compensation for the proposed easements at \$12,000.

Given the lapse of time since Council's original valuation, together with the installation of electrical infrastructure on the subject land, Council considers the landowner's valuation to be reasonable and acceptable for the purposes of determining compensation.

In accordance with the updated valuation, Council offered compensation of \$12,000 plus GST (if applicable), which has been accepted by the landowner. Compensation and associated acquisition costs will be funded from the Shoalhaven Water Sewer Fund.

CL26.88

CL26.89 Exemption from Tendering - WEDECO UV Disinfection Treatment Equipment

HPERM Ref: D26/140189

Department: Water Operations & Maintenance

Approver: Andrew McVey, Director - Shoalhaven Water

Purpose:

To allow Council to consider an exemption from the Procurement Policy to negotiate directly without inviting tenders for the supply of WEDECO ultraviolet (UV) treatment equipment, due to the specialised nature of the equipment and the existence of a sole supplier.

Recommendation

That Council,

1. Approves an exemption from tendering in accordance with Section 55(3)(i) of the Local Government Act 1993, to negotiate directly with the sole provider of original equipment manufacturer parts for the WEDECO UV disinfection systems at Council's Wastewater Treatment Plants.
2. Authorises the CEO (Director – Shoalhaven Water) to approve purchase orders for the appropriate supplier of parts for the WEDECO UV disinfection systems.

Community Strategic Plan:

- 4 Transparent leadership with good governance
 - 4.1 Financial sustainability

Delivery Program / Operational Plan:

- 4.1.1 Support Council's sustainable delivery of projects and corporate services through sound financial management and control

Background

Council requires original equipment manufacturer (OEM) parts for its WEDECO UV disinfection equipment for wastewater treatment upgrades. The upgrades are necessary to ensure the ongoing operation and efficacy of the treatment system and replace the identified components that have reached the end of their useful life. The failure or degradation of components directly impacts the effectiveness of the treatment potentially posing a risk to regulatory compliance, public health and environmental protection.

Across several Treatment Plants the required parts would be: -

- WEDECO Lamps - 556
- WEDECO Quartz Sleeves - 556
- WEDECO Wiper Rings & Holders – 1120
- WEDECO Ballasts – 278
- And associated components

CL26.89

Following industry and market analysis it has been confirmed that WEDECO is a proprietary system manufactured by Xylem Water Solutions Australia and they are the sole supplier capable of providing compatible OEM parts.

Whilst there are other alternative suppliers of UV disinfection systems, they provide complete or replacement solutions rather than compatible parts for the existing WEDECO system. To engage with any of these suppliers would require entire systems to be replaced at a significantly higher cost than sourcing OEM parts. It would also involve major civil, mechanical, electrical, and control system modifications and not represent a financially viable option.

Risk Implications

Council must meet its Sewage Treatment Plant EPA licence that sets specific requirements for disinfection. The UV systems are critical to ensuring compliance which is monitored monthly. If Council does not meet its licence limits then there is a possibility of environmental licence breaches.

Internal Consultations

Internal consultation has been completed with relevant departments, stakeholders and subject matter experts to ensure all options have been considered.

External Consultations

Shoalhaven Water is working with the NSW EPA on upgrades to the UV systems and recent STP licence limit exceedances.

Community Consultations

No community consultation required.

Policy and Statutory Implications

Requires an exemption from Council's Procurement Policy as allowed under the Procedure (Sec.5.6) and in accordance with Section 55 (3) of the Local Government Act 1993.

Financial Implications

Based on the total number of parts required across Council's Wastewater Treatment Plants the total expected costs would be up to \$1.1 million over the next 3 years. Replacement of these parts would extend the operating life of the system by another 5 years. Funding has been allocated in the approved budgets for the operation of the Wastewater Treatment Plants.

CL26.90 Tenders - Various Mains Relining Package 5

HPERM Ref: D26/140763

Department: Water Asset Planning & Development

Approver: Andrew McVey, Director - Shoalhaven Water

Purpose:

To inform Council of the tender process for Various Mains Relining Package 5 project.

In accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, some information should remain confidential as it would, if disclosed, prejudice the commercial position of the person who supplied it. It is not in the public interest to disclose this information as it may 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. This information will be considered under a separate confidential report.

Recommendation

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

CL26.90

Community Strategic Plan:

- 2 Sustainable environments and liveable communities:
 - 2.2 Liveable neighbourhoods and sustainable development.

Delivery Program / Operational Plan:

- 2.2.2 Plan for sustainable and resilient water and wastewater infrastructure.

Background

As indicated by the Shoalhaven Operations team, numerous mains are reaching/have reached their end of life and are now required to be renewed, with proposed renewal to be via the relining method. Due to the quantity of works, it was decided that an annual relining project be established for the sewer services.

Following packages starting in the 2022/23 financial year, four previous packages have now been completed with the works for Package 5 now planned and ready for execution.

As part of the Various Mains Relining Package 5 project, the mains identified for relining are detailed below:

Area	Approx. Length (m)	Diameter (mm)	Current Pipe Type	
Roskell Road, Callala Beach	470 m	DA3-4 (565) DA4-12 (525)	GRP	Gravity
Eastbourne Avenue, Culburra Beach	60 m	150	Vitrified Clay Pipe	Gravity

The Lake Circuit, Culburra Beach	40 m	150	Vitrified Clay Pipe	Gravity
Callala Beach Road, Callala Bay	90 m	565	Glass Fibre Reinforced Class 5000	Gravity

Tendering

Council called tenders for Various Mains Relining Package 5 on 10th February 2026 which closed at 10:00 am on 5th March 2026. Five tenders were received at the time of closing. Tenders were received from the following:

Tenderer	Location
Interflow Pty Ltd (Conforming)	17-19 Winchcombe Ct, Mitchell ACT 2911
Interflow Pty Ltd (Alternative)	17-19 Winchcombe Ct, Mitchell ACT 2911
Underground Experts Pty Ltd (Conforming)	41-47 Roseneath St, North Geelong, VIC, 3215
Underground Experts Pty Ltd (Alternative)	41-47 Roseneath St, North Geelong, VIC, 3215
TDM Pipeline Solutions Pty Ltd	Block A, 24 Pile Road, Somersby NSW 2250

Details relating the evaluation of the tenders are contained in the confidential report.

Risk Implications

Details relating to the Risk Implications are contained in the confidential report.

Internal Consultations

The Wastewater Distribution Team were consulted regarding retrieving CCTV footage of the pipelines and identifying which mains require relining.

The Wastewater Operations Team were consulted regarding the risks associated with operating a pumped bypass of the gravity sewer network.

Council's Procurement Team has been consulted throughout the procurement process, providing oversight and guidance regarding financial limitations, delegations, and statutory requirements relevant to the procurement of the works.

External Consultations

No outside organisations or experts have been consulted as all investigations into the condition of the pipes and were conducted internally.

Community Consultations

Residents nearby to the works have been engaged via a Notification of Works letter. An initial notification was issued on the 19th February 2026. A secondary notification with Contractor details is to be issued after the Contract is awarded.

In the circumstances that the Contractor requires entry into private property to complete the Works, Property Owners were also issued with a Notification of Entry and Landowner

CL26.90

Consent Form either via email or letter. Shoalhaven Water is awaiting responses to the forms.

Policy Implications

Nil. The tender process has followed the requirements under the provisions of the Local Government Act 1993.

Financial Implications:

Sufficient funds have been allocated in the Various Mains Relining Package 5 project budget for FY25/26 and FY26/27. Funding is available to cover the recommended tender amount including other project costs.

CL26.90

CL26.91 Tenders - Huskisson Sewer Pump Station 7 and Main Upgrades

HPERM Ref: D26/98942

Department: Water Asset Planning & Development

Approver: Andrew McVey, Director - Shoalhaven Water

Purpose:

To inform Council of the tender process for the Huskisson Sewer Pump Station 7 and Main Upgrades project.

In accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, some information should remain confidential as it would, if disclosed, prejudice the commercial position of the person who supplied it. It is not in the public interest to disclose this information as it may 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. This information will be considered under a separate confidential report.

Recommendation

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

Community Strategic Plan:

- 2 Sustainable environments and liveable communities:
 - 2.2 Liveable neighbourhoods and sustainable development.

Delivery Program / Operational Plan:

- 2.2.2 Plan for sustainable and resilient water and wastewater infrastructure.

Background

The upgrades of the Huskisson Sewer Pump Station (SPS) 7, rising main, gravity main, and inclusion of emergency storage was highlighted in Shoalhaven Water's 2014 strategy document. Since this time, Shoalhaven Water's operations team have indicated that the existing sewer rising main has experienced incidents of breakages and note upgrades are required to allow for increased pump capacity to ensure efficient pumping. Shoalhaven Water's operations have also noted that there is evidence of corrosion in the existing SPS 7 concrete wet well and the structural and mechanical components of the well are due for replacement. The structural integrity of the existing switchroom is thought to be at risk due to H₂S gas and poor ventilation. Accordingly, the objective of this project is to upgrade the Huskisson SPS 7, associated rising main, switchroom and include emergency storage. The detailed designs for these upgrades have been completed in September 2023, and approximately 80% of the rising main was constructed in 2024. This RFT is to construct the remaining components of the project, including the remainder of the rising main, new SPS, associated switchroom and emergency storage structure.

Council may recall that the project was initially intended to be completed under a previous Contract endorsed under Ordinary Council Meeting held on 4th December 2023. This

Contract was subsequently required to be terminated post commencement, and the balance of the works are now proposed to be executed under this RFT.

Project Description

The scope of works for this project includes the following items:

- Separable Portion 1:
 - Construction of approximately 100m of new OD500 rising main, and connection of rising main to Huskisson/Vincentia Wastewater Treatment Plant.
 - Construction of new Sewer Pump Station including but not limited to: new 6.5m deep wet well, new switchroom building, associated valves and fittings including valve pits, and general site civil works such as hardstands and fencing.
- Separable Portion 2 (Provisional Sum item):
 - Construction of new emergency storage tank to support the new Sewer Pump Station. *Note: this item is a provisional sum item as Council is awaiting National Parks and Wildlife Service to transfer adjacent land into Council ownership. The new emergency storage tank will be required to extend into this adjacent land due to its large required size to meet storage capacity requirements.*

Tendering

Council called tenders for Huskisson Sewer Pump Station 7 and Main Upgrades on 13 January 2026 which closed at 10:00 am on 5 March 2026. Five (5) tenders were received at the time of closing. Tenders were received from the following:

Tenderer	Location
ABC Civil Group Pty Ltd	Bayswater North, Victoria, 3153
Hisway Pty Ltd	South Nowra, NSW, 2541
Ironbuilt Infrastructure Pty Ltd	Unanderra, NSW, 2526
Killard Infrastructure Pty Ltd	Goulburn, NSW, 2580
SRG Global Utilities	Sydney, NSW, 2000

Details relating the evaluation of the tenders are contained in the confidential report.

Risk Implications

Details relating to the Risk Implications are contained in the confidential report.

Internal Consultations

Council’s Procurement Team has been consulted throughout the procurement process, providing oversight and guidance regarding financial limitations, delegations, and statutory requirements relevant to the procurement of the works.

External Consultations

Council engaged an external design consultant to review and update the original pump station and pipeline design. This was done to optimise the original design and reduce required scope of works for the current engagement (being the subject of this report).

Furthermore Council is continuing to engaged with the NSW National Parks & Wildlife Services, who are the adjacent land owners. Council has consulted with the NSW National

CL26.91

Parks & Wildlife Services as part of the preparation of the projects Review of Environmental Factors, as well as current proposed acquisition discussions in which the NSW National Parks & Wildlife Services are proposing to transfer selected adjacent land parcels to Council.

Community Consultations

Previous community and stakeholder engagement has been undertaken as part of the initial stages of this project.

Further community and stakeholder engagement prior to, and during subsequent construction phases of the project are proposed, with a dedicated project webpage to be established under Council's Major Projects & Works Portal

Policy Implications

Nil. The tender process has followed the requirements under the provisions of the Local Government Act 1993.

Financial Implications:

Sufficient funds have been allocated in the Huskisson Sewer Pump Station 7 and Main Upgrades Budget for the FY25/26 and FY26/27 Budget. Funding is available to cover the tender amount including other project costs.

CL26.92 Tenders - Tomerong Pressure Sewer System - Verification of Concept and Detailed Design Services

HPERM Ref: D26/99133

Department: Water Asset Planning & Development
Approver: Andrew McVey, Director - Shoalhaven Water

Purpose:

To inform Council of the tender process for the Tomerong Pressure Sewer System – Verification of Concept and Detailed Design Services project.

In accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, some information should remain confidential as it would, if disclosed, prejudice the commercial position of the person who supplied it. It is not in the public interest to disclose this information as it may 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. This information will be considered under a separate confidential report.

Recommendation

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

Community Strategic Plan:

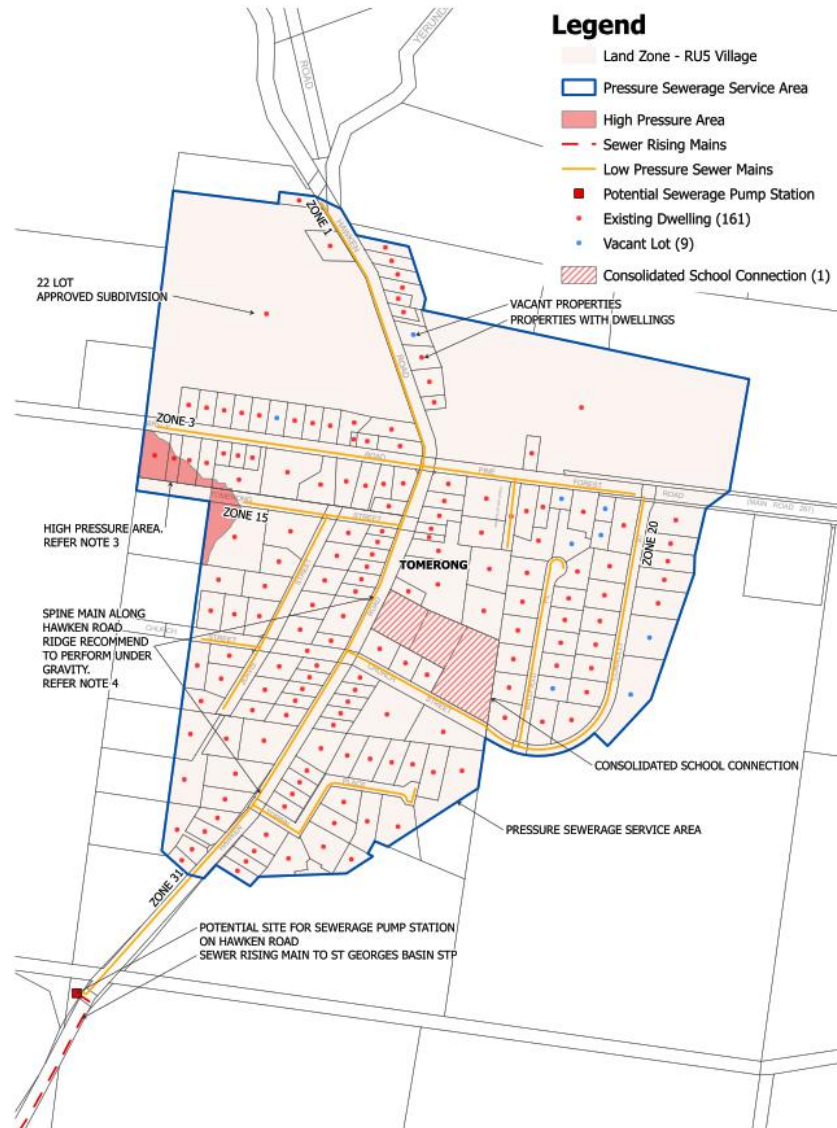
- 2 Sustainable environments and liveable communities:
 - 2.2 Liveable neighbourhoods and sustainable development.

Delivery Program / Operational Plan:

- 2.2.2 Plan for sustainable and resilient water and wastewater infrastructure.

Background

Incorporated within Council's wastewater servicing strategy, and as endorsed by Council under meeting minute MIN21.464; the township of Tomerong is identified to receive a new Pressure Sewer System to service the RU5 village zoned properties within the nominated service area depicted in the enclosed figure below.



CL26.92

Tendering

Council called tenders for the Tomerong Pressure Sewer System - Verification of concept and detailed design services project on 10 February 2026 which closed at 10:00 am on 5 March 2026. Four (4) tenders were received at the time of closing. Tenders were received from the following:

Tenderer	Location
Ganden Engineers and Project Managers Pty Ltd	Level 1, 200 Mary St, Brisbane Qld 4000
JJ Ryan Consulting Pty Ltd	105 Highbury Road, Burwood VIC 3125
NJSEI Australia Pty Ltd	22 Atkinson Street, Marsden Park NSW 2765
Pressure System Solutions Pty Ltd	651 Princes Highway, Blakehurst NSW 2221

Details relating the evaluation of the tenders are contained in the confidential report.

Risk Implications

Details relating to the Risk Implications are contained in the confidential report.

Internal Consultations

Stakeholders across Shoalhaven City Council have been notified and consulted. Internal teams and managers were consulted to provide technical expertise for the Tender process, project background information, budgeting and portfolio insights.

Council's Procurement Team has been consulted throughout the procurement process, providing oversight and guidance regarding financial limitations, delegations, and statutory requirements relevant to the procurement of the works.

External Consultations

No outside organisations or experts have been consulted as all investigations into the condition of the pipes and were conducted internally.

Community Consultations

Consultation with the community is planned to occur during the detailed design phase dedicated Major Project webpage communications, letterbox drop and community 'project drop in session'.

Policy Implications

Nil. The tender process has followed the requirements under the provisions of the Local Government Act 1993.

Financial Implications:

Sufficient funds have been allocated in the Tomerong Pressure Sewer System budget for the completion of design phase services within the FY26/FY27 financial years. Funding is available to cover the tender amount including other project costs.

LOCAL GOVERNMENT ACT 1993

Chapter 3, Section 8A Guiding principles for councils

(1) Exercise of functions generally

The following general principles apply to the exercise of functions by councils:

- (a) Councils should provide strong and effective representation, leadership, planning and decision-making.
- (b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Councils should work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Councils should work with others to secure appropriate services for local community needs.
- (h) Councils should act fairly, ethically and without bias in the interests of the local community.
- (i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

(2) Decision-making

The following principles apply to decision-making by councils (subject to any other applicable law):

- (a) Councils should recognise diverse local community needs and interests.
- (b) Councils should consider social justice principles.
- (c) Councils should consider the long term and cumulative effects of actions on future generations.
- (d) Councils should consider the principles of ecologically sustainable development.
- (e) Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

(3) Community participation

Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

Chapter 3, Section 8B Principles of sound financial management

The following principles of sound financial management apply to councils:

- (a) Council spending should be responsible and sustainable, aligning general revenue and expenses.
- (b) Councils should invest in responsible and sustainable infrastructure for the benefit of the local community.
- (c) Councils should have effective financial and asset management, including sound policies and processes for the following:
 - (i) performance management and reporting,
 - (ii) asset maintenance and enhancement,
 - (iii) funding decisions,
 - (iv) risk management practices.
- (d) Councils should have regard to achieving intergenerational equity, including ensuring the following:
 - (i) policy decisions are made after considering their financial effects on future generations,
 - (ii) the current generation funds the cost of its services

Chapter 3, 8C Integrated planning and reporting principles that apply to councils

The following principles for strategic planning apply to the development of the integrated planning and reporting framework by councils:

- (a) Councils should identify and prioritise key local community needs and aspirations and consider regional priorities.
- (b) Councils should identify strategic goals to meet those needs and aspirations.
- (c) Councils should develop activities, and prioritise actions, to work towards the strategic goals.
- (d) Councils should ensure that the strategic goals and activities to work towards them may be achieved within council resources.
- (e) Councils should regularly review and evaluate progress towards achieving strategic goals.
- (f) Councils should maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals.
- (g) Councils should collaborate with others to maximise achievement of strategic goals.
- (h) Councils should manage risks to the local community or area or to the council effectively and proactively.
- (i) Councils should make appropriate evidence-based adaptations to meet changing needs and circumstances.