

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 12 November 2024

Location: Council Chambers, City Administrative Building, Bridge Road, Nowra

Time: 5.30pm

The following members were present:

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

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

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

Apologies / Leave of Absence

Nil

Confirmation of the Minutes

RESOLVED (Clr Wilkins / Clr Cox)

MIN24.592

That the Minutes of the Ordinary Meeting held on Monday 28 October 2024 and the Extra Ordinary Meeting held on Tuesday 05 November 2024 be confirmed.

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

AGAINST: Nil

CARRIED

Declaration of Interests

Nil

Minutes Confirmed Monday 26 November 2024 – Chairperson.....

Note: The Mayor announced to the meeting that Robyn Stevens, CEO of Shoalhaven City Council has resigned from her position, effective as of 12 November 2024

Procedural Motion - Matters of Urgency

RESOLVED (Clr White / Clr Proudfoot) MIN24.593

That an additional item for the appointment of a temporary CEO in accordance with Section 336(1) of the Local Government Act 1993 be introduced as a matter of urgency, and that the item be considered in closed session under section 10A(2)(a) of the Local Government Act 1993.

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

AGAINST: Nil

CARRIED

The Chairperson ruled the matter as urgent noting that Robyn Stevens, the CEO of Shoalhaven City Council, resigned effective as of 12 November 2024, and referenced section 336(1) of the Local Government Act 1993, which requires Council to immediately appoint a person to the vacant position or appoint a person to act in the vacant position.

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

No members of the public made representations.

Procedural Motion - Move into Confidential

RESOLVED (Clr Proudfoot / Clr Wilkins) MIN24.594

That Council move into Confidential Session, the time being 5:37pm.

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

AGAINST: Clr Tribe

CARRIED

The meeting moved into confidential the time being 5:37pm.

The meeting moved into open session, the time being 6:09pm.

The following members were present:

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

REPORT FROM CONFIDENTIAL SESSION

The following resolution of the meeting, whilst closed to the public, was made public.

CCL24.32 Additional Item - Appointment of Acting CEO - Section 336 (1) of the Local Government Act

HPERM Ref: D24/490729

RESOLVED

MIN24.595C

That

1. Council appoint Mr James Ruprai to the position of Acting Chief Executive Officer for the period commencing from now until 31 July 2025 or such time as a permanent CEO is appointed.
2. The Acting CEO be provided the same delegations, authorities and powers provided to the previous CEO by resolution on 14 October 2024 (MIN24. 505)
3. The Mayor determine the appropriate remuneration to be provided to the Acting CEO.

CARRIED

Procedural Motion - Bring Deputations Forward

RESOLVED (Clr White / Clr Proudfoot)

MIN24.596

That the proceedings of the meeting be altered so that Deputations and Presentations be considered before Mayoral Minutes.

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

AGAINST: Nil

CARRIED

Procedural Motion – Further Deputations

RESOLVED (Clr Proudfoot / Clr Wilkins)

MIN24.597

That two further deputations be heard from Mr Rodney Carpenter and Mr Bob True in relation to CL24.347 - Notice of Motion - Caring For Indigenous Culture (CAFIC) - Pilot Program.

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

AGAINST: Nil

CARRIED

DEPUTATIONS AND PRESENTATIONS

CL24.300 - SF10987 – 33 Forest Rd Kioloa – Lot 5 DP 1280813

Mr Andrew Taylor addressed the meeting to speak FOR the recommendation

CL24.358 - Additional Item - Mayoral Minute - Ulladulla Harbour Boat Ramp

Mr Alex Qaszem addressed the meeting on behalf of the Ulladulla Game Fishing Club to speak FOR the recommendation

CL24.347 - Notice of Motion - Caring For Indigenous Culture (CAFIC) - Pilot Program

Mr Rodney Carpenter and Mr Bob True addressed the meeting to speak FOR the recommendation

MAYORAL MINUTE

Procedural Motion - Matters of Urgency

RESOLVED (Clr White / Clr Dunn)

MIN24.598

That an additional item in relation to the Ulladulla Harbour Boat Ramp be introduced as a matter of urgency.

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

AGAINST: Nil

CARRIED

The Chairperson ruled the matter as urgent.

CL24.358 Additional Item - Ulladulla Harbour Boat Ramp

Note: A deputation was received on this item.

Recommended

That Council

1. Undertake the necessary steps to temporary open both the eastern and western boat ramps at the Ulladulla Harbour Boat Ramp immediately, until repair works are undertaken by Public Works
2. Notes the advice of staff regarding the safety risks and potential liabilities of opening both ramps in the condition they are in and erects signage as indicated below.

RESOLVED (Clr White / Clr Dunn)

MIN24.599

That Council

1. Defer this matter until the next meeting to undertake further investigation in relation to the opening of the eastern side of the Ulladulla Boat Ramp, and the establishment of a 355 committee or community led project to undertake temporary repairs until such time as public works begin.
2. Install the recommended signage on the western side of the boat ramp.

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

AGAINST: Nil

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL24.346 Notice of Motion - Memorial Seat & Plaque - Angus Craig

HPERM Ref:
D24/469328

Recommendation

1. That a memorial seat with the appropriate plaque, for Angus Craig, be installed at the Illfracombe end of Collingwood Beach overlooking Jervis Bay as soon as is practicable.
2. That this matter be referred back to acting CEO to identify funding.

RESOLVED (Clr Proudfoot / Clr Casmiri)

MIN24.600

1. That a memorial seat with the appropriate plaque, for Angus Craig, be installed at the Illfracombe end of Collingwood Beach overlooking Jervis Bay as soon as is practicable.
2. That this matter be referred back to acting CEO to identify funding.

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

AGAINST: Nil

CARRIED

**CL24.347 Notice of Motion - Caring For Indigenous Culture
(CAFIC) - Pilot Program**

**HPERM Ref:
D24/471615**

Note: A deputation was received on this item.

Recommendation

That the CEO reach out to Nathaniel Hampton-Olive, Director of CAFIC P/L and schedule a meeting, with a view to:

1. Assessing how Council's resources may be best applied to determine whether the pilot programme should be supported,
2. And if so, how would that support look and which departments best suit the pilot.

MOTION (Clr Proudfoot / Clr Casmiri)

That the CEO reach out to Nathaniel Hampton-Olive, Director of CAFIC P/L and schedule a meeting, with a view to:

1. Assessing how Council's resources may be best applied to determine whether the pilot programme should be supported,
2. And if so, how would that support look and which departments best suit the pilot.

AMENDMENT (Clr Krikstolaitis / Clr Norris)

That,

1. The CEO reach out to Nathaniel Hampton-Olive, Director of CAFIC P/L and schedule a meeting, with a view to:
 - a. Assessing how Council's resources may be best applied to determine whether the pilot programme should be supported,
 - b. And if so, how would that support look and which departments best suit the pilot.
2. Council receive a report back with the viability of this project and associated costs.

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

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

LOST

RESOLVED (Clr Proudfoot / Clr Casmiri)

MIN24.601

That the CEO reach out to Nathaniel Hampton-Olive, Director of CAFIC P/L and schedule a meeting, with a view to:

1. Assessing how Council's resources may be best applied to determine whether the pilot programme should be supported,

2. And if so, how would that support look and which departments best suit the pilot.

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

AGAINST: Clr Norris and Clr Krikstolaitis

CARRIED

CL24.348 Notice of Motion - Old Nowra Bridge

**HPERM Ref:
D24/470946**

Recommendation

That Council request an update on the Old Nowra Bridge from Transport NSW, including:

1. Details of any future use for the Old Nowra bridge
2. When any works are to commence and
3. If the walkway on the eastern (Coolangatta) side can be opened for public access in the shorter term.

RESOLVED (Clr Cox / Clr Krikstolaitis)

MIN24.602

That Council

1. Request Transport for NSW (TfNSW) to provide quarterly updates regarding progress of works on Old Nowra Bridge.
2. Direct the CEO to approach TfNSW to find out whether they intend to pass the asset to Council or retain the asset.

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

AGAINST: Nil

CARRIED

CL24.349 Notice of Motion - Roundabout Rescue

**HPERM Ref:
D24/477463**

Recommendation

That:

1. Council revitalise and rejuvenate roundabouts in Berry, Bomaderry, Nowra and other key locations on the Princes Highway heading south.
2. The revitalise and rejuvenate roundabouts be the start of a wider SCC ambition to beautify the region.
3. Council set a narrow, ambitious time-frame of 40 days, to ready the region for the Christmas holiday rush.

RESOLVED (Clr Wilkins / Clr Cox)

MIN24.603

That:

1. Council make representations to the appropriate State Government agencies, Members for South Coast and Kiama, and the Premier of NSW, on the revitalisation and rejuvenation of roundabouts in Berry, Bomaderry, Nowra and other key locations on the Princes Highway heading south.

2. The revitalise and rejuvenate roundabouts be the start of a wider SCC ambition to beautify the region.
3. Council set a narrow, ambitious time-frame of 40 days, to ready the region for the Christmas holiday rush.

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

AGAINST: Clr Norris

CARRIED

CALL OVER OF THE BUSINESS PAPER

Call Over of Business Paper - En block

RESOLVED (Clr Cox / Clr Casmiri) MIN24.604

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

- CL24.350 - Submission - Councillor Conduct & Meeting Practices Discussion Paper

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

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

AGAINST: Nil

CARRIED

Call Over of Business Paper - En block

RESOLVED (Clr Dunn / Clr Clancy) MIN24.605

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

- CL24.352 - Initial Consideration - Proponent Planning Proposal (PP) Application - 17 Prince Alfred Street, Berry

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

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

AGAINST: Nil

CARRIED

Call Over of Business Paper - En block

RESOLVED (Clr Cox / Clr Boyd) MIN24.606

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

- CL24.353 - Proposed Road Closure & Sale - Unnamed Road Reserve Adjoining Lot 106 DP 1048731 Milton
- CL24.354 - Tenders - East Nowra Sub-Arterial Road (ENSA) - Project Management and Design Services

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

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

AGAINST: Nil

CARRIED

Call Over of Business Paper - En block

RESOLVED (Clr Cox / Clr Tribe) MIN24.607

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

- CL24.355 - Development Application – 159 Moss Vale Rd KANGAROO VALLEY - Lot 4 DP 11616

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

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

AGAINST: Nil

CARRIED

REPORTS

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

CL24.350 Submission - Councillor Conduct & Meeting Practices Discussion Paper **HPERM Ref: D24/401849**

RESOLVED* (Clr Cox / Clr Casmiri) MIN24.608

That Council endorse the Draft submission provided as Attachment 1 to the report for submission to the Office of Local Government.

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

AGAINST: Nil

CARRIED

CL24.351 Code of Conduct Complaints - Annual Statistics Report - 1 September 2023 to 31 August 2024 **HPERM Ref: D24/467123**

Recommendation

That Council receive the statistical report of complaints under the Code of Conduct for the period 1 September 2023 to 31 August 2024 for information.

RESOLVED (Clr Wilkins / Clr White) MIN24.609

That Council receive the statistical report of complaints under the Code of Conduct for the period 1 September 2023 to 31 August 2024 for information.

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

AGAINST: Nil

CARRIED

**CL24.352 Initial Consideration - Proponent Planning Proposal (PP)
Application - 17 Prince Alfred Street, Berry**

**HPERM Ref:
D24/378218**

RESOLVED* (Clr Dunn / Clr Clancy)

MIN24.610

That Council

1. Acknowledge that the land on which The Berry Inn is located:
 - a. is currently part of an overall strata lot that is listed as heritage Item 88 (former CBC building, fence and trees) in Schedule 5 of the Shoalhaven Local Environmental Plan (LEP) 2014 at 122 Queen Street, Berry;
 - b. will be on a separate title to the former CBC building, fence and trees, when the two-lot Torrens Title subdivision approved on 6 May 2024 (DA23/3181) is registered;
 - c. does not contain the heritage features referred to in the State Heritage Inventory (Victorian Free Classical Style former CBC Bank including fence and trees) related to Item 88; and
 - d. is within a Heritage Conservation Area (C6) and adjacent to other heritage items identified in the LEP.
2. As a result, support the Planning Proposal (PP-2024-1869) to rezone the land currently zoned R2 Low Density Residential land at 17 Prince Alfred Street, Berry, to E1 Local Centre, and remove the 500 sq metre mapped minimum lot size that currently applies to the R2 land.
3. Support the removal of the land on which The Berry Inn is located from the mapped extent of heritage Item 88 when the approved Torrens Title subdivision has been completed, noting that LEP clause 5.10 (heritage conservation) still applies, as the site is adjacent to other heritage items and do this either as part of this PP or by seeking support from the NSW Department of Planning, Housing and Infrastructure (DPHI) to use section 3.22 (expedited amendments) of the *Environmental Planning and Assessment Act (EP&A Act)* to resolve the matter efficiently after the amendment has been completed.
4. Submit the PP to the DPHI for initial Gateway determination.
5. Subject to receiving a favourable Gateway determination, exhibit the PP and should there be no significant feedback, finalise the PP without reporting the matter back to Council.

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

AGAINST: Nil

CARRIED

**CL24.353 Proposed Road Closure & Sale - Unnamed Road
Reserve Adjoining Lot 106 DP 1048731 Milton**

**HPERM Ref:
D24/403450**

RESOLVED* (Clr Cox / Clr Boyd)

MIN24.611

That Council

1. Approve the road closure under section 38D of the *Roads Act 1993* for the surplus road reserve adjoining Lot 106 DP 1048731, 13C Bishop Drive, Milton, being approximately 635m² in area (subject to final survey) by notice in the Government Gazette.
2. Classifies the closed section of road as operational land subject to public notice of the proposed classification under Section 31 and 34 of the *Local Government Act 1993*.
3. Authorise the sale of the closed road to the registered proprietor of the adjoining property being Lot 106 DP 1048731 for \$12,700 excluding GST (if applicable) including adjustment to the sale price after final survey.

4. Endorse that the costs incurred with the road closure, sale and consolidation of lots comprising legal, conveyancing, valuation and survey expenses will be met by the applicant.
5. Direct the net land sale proceeds to the Property Reserve and be used for the purposes expressed in Section 43 of the *Roads Act 1993*.
6. Require that the lot to be created with formal road closure be consolidated in title with Lot 106 DP 1048731.
7. Authorise the Common Seal of the Council of the City of Shoalhaven to be affixed to any document required to be sealed and delegate authority to the Chief Executive Officer to sign any documentation necessary to give effect to this resolution.

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

AGAINST: Nil

CARRIED

**CL24.354 Tenders - East Nowra Sub-Arterial Road (ENSA) -
Project Management and Design Services**

**HPERM Ref:
D24/466823**

RESOLVED* (Clr Cox / Clr Boyd)

MIN24.612

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

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

AGAINST: Nil

CARRIED

**CL24.355 Development Application – 159 Moss Vale Rd
KANGAROO VALLEY - Lot 4 DP 11616**

**HPERM Ref:
D24/410938**

RESOLVED* (Clr Cox / Clr Tribe)

MIN24.613

That Development Application No. DA23/1757 for Alterations and Additions to an existing Pub (Friendly Inn) over Lot 4 DP 11616 at 159 Moss Vale Rd Kangaroo Valley be determined by way of approval subject to the recommended conditions of consent provided at Attachment 1.

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

AGAINST: Nil

CARRIED

CL24.300 SF10987 – 33 Forest Rd Kioloa – Lot 5 DP 1280813

**HPERM Ref:
D24/204703**

Note: A deputation was received on this item.

Recommendation

That the Development Application SF10987 for a 20 lot Torrens title subdivision at Lot 5 DP 1280813, 33 Forest Rd Kioloa be approved subject to the conditions contained in Attachment 2 of this report.

RESOLVED (Clr White / Clr Johnston)

MIN24.614

That Council:

1. Receive and note the report.
2. Concur with the updated proposal submitted by the applicant on 8 November 2024 via the NSW Planning Portal, incorporating:
 - a. Retention of lots 1 through 5 as less than 2,500sqm, fronting Forest Rd, including a performance solution (P8) under chapter G8 of the Shoalhaven Development Control Plan.
 - b. Revision of remaining lots to a total of 12. Each with an area in excess of 2,500sqm, adhering to the acceptable solution (A8.1 and A8.2) under chapter G8 of the Shoalhaven Development Control Plan.
 - c. Noting both easement and Asset Protection Zone matters have been addressed.
 - d. Acknowledgement that the Rural Fire Service have reviewed this proposal and issued their General Terms of Approval.
3. Refer the application back to the CEO (Director, City Development) to finalise the section 4.15 assessment and make a delegated determination.

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

AGAINST: Nil

CARRIED

CL24.356 Development Application – Proposed Resource Recovery Learning Centre at 120 Flatrock Road Mundamia, Lot 1 DP1018193

**HPERM Ref:
D24/447328**

Recommendation

That:

1. Council receive and note the assessment report RA23/1004 – 120 Flatrock Rd Mundamia.
2. Council support the approval of RA23/1004.
3. The resolution made by Council be submitted to the Southern Regional Planning Panel prior to their consideration and determination of RA23/1004.

RESOLVED (Clr Norris / Clr Boyd)

MIN24.615

That:

1. Council receive and note the assessment report RA23/1004 – 120 Flatrock Rd Mundamia.
2. Council support the approval of RA23/1004.
3. The resolution made by Council be submitted to the Southern Regional Planning Panel prior to their consideration and determination of RA23/1004.

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

AGAINST: Nil

CARRIED

CL24.357 Community-Led Projects - Update

**HPERM Ref:
D24/465508**

Recommendation

That Council:

1. Accept the Community-Led Projects - Update report as an update on the Community-Led Projects Policy.
2. Accept the Community-Led Projects - Update report as an update on the Guidelines for Community-Led Projects, as outlined in the Background chapter and **Attachment 1**.
3. Note there are great benefits but also risks, and legal obligations, associated with enabling community groups to deliver projects on land owned or managed by Council, with a register of risks and legal obligations outlined in Attachment 2 and Attachment 4.
4. Direct the CEO to provide a future update report for Council's consideration upon completion of the draft Community-Led Projects Policy and Guidelines for Community-Led Projects.
5. Note staff are currently liaising with over 20 community groups in relation to community-led project initiatives.

RESOLVED (Clr Boyd / Clr Proudfoot)

MIN24.616

That Council:

1. Accept the Community-Led Projects - Update report as an update on the Community-Led Projects Policy.
2. Accept the Community-Led Projects - Update report as an update on the Guidelines for Community-Led Projects, as outlined in the Background chapter and **Attachment 1**.
3. Note there are great benefits but also risks, and legal obligations, associated with enabling community groups to deliver projects on land owned or managed by Council, with a register of risks and legal obligations outlined in Attachment 2 and Attachment 4.
4. Direct the CEO to provide a future update report for Council's consideration upon completion of the draft Community-Led Projects Policy and Guidelines for Community-Led Projects.
5. Note staff are currently liaising with over 20 community groups in relation to community-led project initiatives.

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

AGAINST: Nil

CARRIED

Procedural Motion - Matters of Urgency

RESOLVED (Clr Proudfoot / Clr Cox)

MIN24.617

That an additional item regarding the living amenity of Mr Bernie Ryan at Merry Beach Caravan Park be introduced as a matter of urgency.

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

AGAINST: Nil

CARRIED

The Chairperson ruled the matter as urgent as Mr Ryan's living amenity is being interrupted by a Development Application.

**CL24.359 Additional Item - Mr Bernie Ryan - Merry Beach Caravan Park - Living Amenity
Interruption by DA**

RESOLVED (Clr Proudfoot / Clr Cox) MIN24.618

That Council direct the CEO to liaise directly with Mr Ryan in an endeavour to sort out the Development Application dispute and come to a resolution

CARRIED

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

AGAINST: Nil

CARRIED

CONFIDENTIAL REPORTS

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

No members of the public made representations.

RESOLVED (Clr Clancy / Clr Wilkins) MIN24.619

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

CCL24.31 Tenders - East Nowra Sub-Arterial Road (ENSA) - Project Management and Design Services

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

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

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

AGAINST: Nil

CARRIED

The meeting moved into confidential the time being 8:02pm.

The meeting moved into open session, the time being 8:04pm.

REPORT FROM CONFIDENTIAL SESSION

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

**CCL24.31 Tenders - East Nowra Sub-Arterial Road (ENSA) -
Project Management and Design Services**

**HPERM Ref:
D24/468020**

RESOLVED

MIN24.620C

That

1. Council endorses the recommendation of the Tender Evaluation Panel and accepts the Tender from **Leckring Pty Ltd T/A MIEngineers (partnering with Kellogg Brown & Root Pty Ltd)** for East Nowra Sub-Arterial Road (ENSA) - Project Management and Design Services for a total cost of **\$2,442,999.20** (excluding GST).
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with *Local Government (General) Regulation 2021 (section 165)* by the CEO (Director City Services).

CARRIED

There being no further business, the meeting concluded, the time being 8:05pm.

Clr White
CHAIRPERSON