

## MINUTES OF THE ORDINARY MEETING

**Meeting Date:** Tuesday, 11 March 2025  
**Location:** Council Chambers, City Administrative Building, Bridge Road, Nowra  
**Time:** 5.30pm

The following members were present:

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

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

The meeting was opened with a reminder to councillors of the ethic statements and obligations outlined in the agenda and 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

The Mayor raised that there was an outstanding Point of Order from the previous meeting that remained unresolved against Clr Krikstolaitis. Clr Krikstolaitis was requested again to apologise unreservedly and withdraw his comments under Section 15.11 of the Code of Meeting Practice. Clr Krikstolaitis apologised unreservedly and retracted his comments.

## Confirmation of the Minutes

**RESOLVED** (Clr Cox / Clr Casmiri)

MIN25.92

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

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

AGAINST: Nil

CARRIED

## Declaration of Interests

Clr Casmiri - CL25.70 - Notice of Motion - Road Closure - Banksia Street Vincentia – less than significant non pecuniary interest declaration – he is a resident in Elizabeth Drive, Vincentia – will remain in the room and will take part in discussion and vote.

Clr Norris - CL25.73 - Tenders - Panel Contract - Trade Services – less than significant non pecuniary interest declaration – some of the employees of the listed Tenderers are known to him – will remain in the room and will take part in discussion and vote.

## MAYORAL MINUTE

Nil

## DEPUTATIONS AND PRESENTATIONS

### **CL25.65 - Notice of Motion - Community Consultation for Shoalhaven Family Day Care (SFDC) Stakeholders**

Ms Lynda Kelly addressed the meeting to speak FOR the recommendation

### **CL25.66 – Notice of Motion – Shoalhaven Family Daycare Administrative Function Transfer**

Ms Samantha Earle addressed the meeting to speak AGAINST the recommendation.

### **CL25.67 - Notice of Motion - Formation of Shoalhaven Heads Dune Care Group**

Mr Clyde Poulton addressed the meeting to speak FOR the recommendation.

### **CL25.74 – Report Back – Falls Road Bike Track Proposal**

Mr Clifford Wilson addressed the meeting to speak AGAINST the recommendation

### **CL25.79 - Post Exhibition Report - 'The Gordon Timbs 45 Degree Rule' (Amendment No. 57) Shoalhaven Development Control Plan 2014**

Ms Carlene Timbs addressed the meeting to speak on this matter for option 2.

## NOTICES OF MOTION / QUESTIONS ON NOTICE

**CL25.63 Notice of Motion - Expansion of Senior Staff Contractual Matters Committee**

**HPERM Ref:  
D25/93522**

Note: This item was deferred to the end of the meeting following consideration of the confidential session see MIN25.123.

**CL25.64 Notice of Motion - Grant Policy Update**

**HPERM Ref:  
D25/90934**

### Recommendation

That the Acting CEO consider adopting a policy whereby Council staff cannot refuse a grant that has been awarded to Council without a resolution from Councillors at an Ordinary Meeting.

**RESOLVED** (Clr Tribe / Clr Boyd)

MIN25.93

That the Acting CEO consider adopting a policy whereby Council staff cannot refuse a grant that has been awarded to Council without a resolution from Councillors at an Ordinary Meeting.

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

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

CARRIED

**CL25.65 Notice of Motion - Community Consultation for Shoalhaven Family Day Care (SFDC) Stakeholders**

**HPERM Ref:  
D25/76351**

Note: A Deputation was received in this item.

### Recommendation

That the Acting CEO:

1. Pause exiting the Shoalhaven Family Day Care Service.
2. Hold a community meeting to provide an opportunity for transparent/genuine engagement where stakeholders can directly raise their ideas/concerns before a further determination about the future of the service can be made.

**MOTION** (Clr Tribe / Clr Johnston)

MIN25.94

That the Acting CEO:

1. Pause exiting the Shoalhaven Family Day Care Service.
2. Hold a community meeting to provide an opportunity for transparent/genuine engagement where stakeholders can directly raise their ideas/concerns before a further determination about the future of the service can be made.

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

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

MOTION LOST

**CL25.66 Notice of Motion - Shoalhaven Family Day Care Administrative Function Transfer**

**HPERM Ref:  
D25/93322**

Note: A Deputation was received in this item.

**Recommendation**

That:

1. Council transition Shoalhaven Family Day Care administration to suitable and agreed Independent organisation on or before 30 June 2025.
2. Council for accounting efficiencies, it is prudent that the administrative functions of Shoalhaven Family Day Care transitions occur on or before 30 June 2025.
3. Along with Council, a representative from Shoalhaven Family Day Care be included in the consultation and selection of the Independent provider.

MOTION (Clr Clancy / Clr Kemp)

That:

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

AMENDMENT (Clr Boyd / Clr Johnston)

That:

1. Council transition Shoalhaven Family Day Care administration to suitable and agreed not-for-profit organisations that share the values of the Shoalhaven City Council Family Day Care Service as soon as practicable.
2. Along with Council staff, a representative from the Shoalhaven Family Day Care educators be included in the consultation and selection of the not-for-profit provider.

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

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

AMENDMENT LOST

**MOTION (RESOLVED)** (Clr Clancy / Clr Kemp)

MIN25.95

That:

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

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

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

CARRIED

**CL25.67 Notice of Motion - Formation of Shoalhaven Heads Dune Care Group**

**HPERM Ref:  
D25/93373**

Note: A Deputation was received in this item.

**Recommendation**

That:

1. Council work with the Shoalhaven Heads Community to establish a Dune Care Group
2. The Dune Care Group could start from the Golf Club beach track to the southern Bird Park beach track, covering approximately 1km to 1.5 km.
3. The Dune Care work would predominantly be in front of the Shoalhaven Heads Surf Club.

**RESOLVED** (Clr Clancy / Clr Proudfoot)

MIN25.96

That:

1. Council work with the Shoalhaven Heads Community to establish a Dune Care Group
2. The Dune Care Group could work from the Golf Club beach track to the southern Bird Park beach track, covering approximately 1km to 1.5 km.
3. The Dune Care work would predominantly be in front of the Shoalhaven Heads Surf Club.
4. Council hold a working group meeting by no later than 17 April 2025, inviting any interested Councillors, Shoalhaven Heads community representatives and appropriate SCC staff to establish a Dune Care Plan.

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

AGAINST: Nil

CARRIED

**CL25.68 Notice of Motion - Call in DA25/1028 - 30 Tallowa Dam Road, Kangaroo Valley - Function Venue / Camp Ground**

**HPERM Ref:  
D25/84510**

**Recommendation**

That Council call in DA25/1028 30 Tallowa Dam Road, Kangaroo Valley due to significant community interest.

**RESOLVED** (Clr Norris / Clr Clancy)

MIN25.97

That Council call in DA25/1028 30 Tallowa Dam Road, Kangaroo Valley due to significant community interest.

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

AGAINST: Nil

CARRIED

**CL25.69 Notice of Motion - Resolution for Completed Developments with Works In Kind Agreements**

**HPERM Ref:  
D25/91047**

**Recommendation**

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That Council request the Acting CEO to ensure registration takes place without further delay with a mechanism to resolve the disputes for:

1. Somerset Avenue (known as 70 Hillcrest Ave) South Nowra, work completed in dispute,
2. Lot 4 DP 78956 Crowea Road (Island Point Road) St Georges Basin, work complete and in dispute,
3. Moss Vale Road West (known as Moss Vale Rd South Stage 4), work is almost complete, valuations and WIKA not finalised.

MOTION (Clr Casmiri / Clr Proudfoot)

That Council request the Acting CEO to prepare a detailed report to the first Ordinary Meeting in April 2025 resolve the disputes for:

1. Somerset Avenue (known as 70 Hillcrest Ave) South Nowra, work completed in dispute,
2. Lot 4 DP 78956 Crowea Road (Island Point Road) St Georges Basin, work complete and in dispute,
3. Moss Vale Road West (known as Moss Vale Rd South Stage 4), work is almost complete, valuations and the Works In Kind Agreements not finalised.

AMENDMENT (Clr White / Clr Tribe)

That Council request the Acting CEO to prepare a detailed report to the first Ordinary Meeting in April 2025 on the Works In Kind Agreements for:

1. Somerset Avenue (known as 70 Hillcrest Ave) South Nowra, work completed in dispute,
2. Lot 4 DP 78956 Crowea Road (Island Point Road) St Georges Basin, work complete and in dispute

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

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

AMENDMENT CARRIED AND BECAME THE MOTION

**AMENDMENT (RESOLVED)** (Clr White / Clr Tribe)

MIN25.98

That Council request the Acting CEO to prepare a detailed report to the first Ordinary Meeting in April 2025 on the Works In Kind Agreements for:

1. Somerset Avenue (known as 70 Hillcrest Ave) South Nowra, work completed in dispute,
2. Lot 4 DP 78956 Crowea Road (Island Point Road) St Georges Basin, work complete and in dispute

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

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

CARRIED

**CL25.70 Notice of Motion - Road Closure - Banksia Street  
Vincentia**

**HPERM Ref:  
D25/91123**

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

**Recommendation**

That the proposed closure of Banksia Street Vincentia be put on hold, until such time as an onsite inspection by councillors occurs, and the matter is further considered at a Council Meeting.

MOTION (Clr Casmiri / Clr Proudfoot)

That a report on the proposed closure of Banksia Street Vincentia be presented to the first regular Ordinary meeting in April 2025.

AMENDMENT (Clr Tribe / Clr Johnston)

That a report on the proposed closure of Banksia Street Vincentia be presented to the first regular Ordinary Meeting in April 2025 and that an onsite inspection by councillors occurs with interested stakeholders invited.

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

AGAINST: Clr White, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot and Clr Boyd

AMENDMENT LOST

**MOTION (RESOLVED)** (Clr Casmiri / Clr Proudfoot)

MIN25.99

That a report on the proposed closure of Banksia Street Vincentia be presented on the first regular Ordinary meeting in April 2025.

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

AGAINST: Nil

CARRIED

**CL25.71 Notice of Motion - Code of Conduct - Media  
Appearances**

**HPERM Ref:  
D25/92926**

**Recommendation**

That Councillors be reminded of their obligations under the Code of Conduct and if necessary, seek counsel from the Mayor, before undertaking radio/TV or other media interviews.

Note: Clr Wilkins requested that this item be withdrawn and will be resubmitted to the next Ordinary Meeting.

## CALL OVER OF THE BUSINESS PAPER

### Procedural Motion - Bring Item Forward

**RESOLVED** (Clr Cox / Clr Tribe) MIN25.100

That the matter of item CL25.74 - Report Back - Falls Road Bike Track Proposal be brought forward for consideration at the conclusion of the call over.

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

AGAINST: Nil

CARRIED

### Call Over of Business Paper - En block – City Performance

**RESOLVED** (Clr Johnston / Clr Dunn) MIN25.101

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

- CL25.73 - Tenders - Panel Contract - Trade Services

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

AGAINST: Nil

CARRIED

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

### Call Over of Business Paper - En block – City Services

**RESOLVED** (Clr Krikstolaitis / Clr Norris) MIN25.102

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

- CL25.76 - Acquisition of Land for Road Widening - Part Lots 545 and 547 DP 8399 The Wool Road, Basin View.

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

AGAINST: Nil

CARRIED

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

### Call Over of Business Paper - En block – City Services

**RESOLVED** (Clr Boyd / Clr Norris) MIN25.103

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

- CL25.77 - Tenders - West Nowra Material Recovery Facility - Design, Supply and Install Water Tanks

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



AGAINST: Nil

CARRIED

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

### Call Over of Business Paper - En block – City Development

**RESOLVED** (Clr Dunn / Clr Tribe)

MIN25.104

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

- CL25.78 - Requested Endorsement for Exhibition - Draft Shoalhaven Local Approvals Policy

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

AGAINST: Nil

CARRIED

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

### Procedural Motion - Bring Item Forward

**RESOLVED** (Clr Dunn / Clr Tribe)

MIN25.105

That the matter of item CL25.79 - Post Exhibition Report - 'The Gordon Timbs 45 Degree Rule' (Amendment No. 57) Shoalhaven Development Control Plan 2014 be brought forward for consideration following consideration of CL25.74 - Report Back - Falls Road Bike Track Proposal.

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

AGAINST: Nil

CARRIED

### Call Over of Business Paper - En block – Shoalhaven Water

**RESOLVED** (Clr Cox / Clr Norris)

MIN25.106

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

- CL25.81 - Tenders - Supply and Delivery of Equipment for Culburra Sewage Treatment Plant Upgrades

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

AGAINST: Nil

CARRIED

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

**CL25.74 Report Back - Falls Road Bike Track Proposal**

**HPERM Ref:  
D25/30564**

Note: This item was brought forward for consideration.

Note: A Deputation was received on this item.

**Recommendation**

That Council receive for information, the report on the Falls Road Bike Track Proposal.

**RESOLVED** (Clr Johnston / Clr Cox)

MIN25.107

That Council receive for information, the report on the Falls Road Bike Track Proposal and in future considerations of the bike track proposal, Council liaise with the Shoalhaven Bicycle User Group and explore options for direct consultation with landowners and stakeholders.

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

AGAINST: Nil

CARRIED

**CL25.79 Post Exhibition Report - 'The Gordon Timbs 45 Degree Rule' (Amendment No. 57) Shoalhaven Development Control Plan 2014.**

**HPERM Ref:  
D25/27069**

Note: This item was brought forward for consideration.

Note: A Deputation was received on this item.

**Recommendation**

That after considering the content of this report, Council select one of the options outlined in the report to proceed.

**MOTION** (Clr Kemp / Clr White)

That Council:

1. Adopt Amendment No. 57 to Chapter G4: Tree and Vegetation Management and Chapter N20: Jerberra Estate of the Shoalhaven Development Control Plan 2014 as exhibited.
2. Notify the adoption of the amendment in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and Regulations.
3. Advise those who made a submission and key stakeholders, including key relevant tree removal operators working in the Shoalhaven Local Government Area, of this decision.

**AMENDMENT** (Clr Tribe / Clr Johnston)

That Council:

1. Adopt Amendment No. 57 to Chapter G4: Tree and Vegetation Management and Chapter N20: Jerberra Estate of the Shoalhaven Development Control Plan 2014 as exhibited with the following amendments:
  - a. the removal of the tree be removed by qualified and experienced people; and
  - b. a photo be required to sent to Council for its records
2. Notify the adoption of the amendment in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and Regulations.
3. Advise those who made a submission and key stakeholders, including key relevant tree removal operators working in the Shoalhaven Local Government Area, of this decision.

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

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

#### AMENDMENT LOST

Clr Boyd raised a Point of Order against Clr Kemp in relation to inference of Greens and Labour Eco Terrorism.

The Mayor asked Clr Kemp to withdraw her comments and apologise. Clr Kemp withdrew her comments and apologised.

**MOTION (RESOLVED)** (Clr Kemp / Clr White)

MIN25.108

That Council:

1. Adopt Amendment No. 57 to Chapter G4: Tree and Vegetation Management and Chapter N20: Jerberra Estate of the Shoalhaven Development Control Plan 2014 as exhibited.
2. Notify the adoption of the amendment in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and Regulations.
3. Advise those who made a submission and key stakeholders, including key relevant tree removal operators working in the Shoalhaven Local Government Area, of this decision.

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

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

CARRIED

## REPORT OF THE FINANCIAL REVIEW PANEL - 18 FEBRUARY 2025

### Procedural Motion – Correction to the Minutes

**RESOLVED** (Clr Norris / Clr White)

MIN25.109

That the Minutes of the Financial Review Panel 18 February 2025 be amended to include Clr Kemp as being present in the meeting.

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

AGAINST: Nil

CARRIED

### FR25.9 Additional Item - Materials Recovery Facility Risks - Independent Consultant - Contract Lawyer - Review Waste Strategy

#### Recommendation

That given the significant financial implications facing Council and the risks associated with a project of this magnitude, the Financial Review Panel recommend Council to:

1. Appoint an independent consultant to undertake financial, future operations and risk reviews of the future operation of the Materials Recovery Facility as a priority.
2. Engage an experienced commercial contract lawyer to review and advise on Council's position regarding potential future contract liabilities as a priority.

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3. Initiate a review of Council's overall waste strategy as soon as practicable.

**RESOLVED** (Clr Proudfoot / Clr White)

MIN25.110

That given the significant financial implications facing Council and the risks associated with a project of this magnitude, the Financial Review Panel recommend Council to:

1. Appoint an independent consultant to undertake financial, future operations and risk reviews of the future operation of the Materials Recovery Facility as a priority.
2. Engage an experienced commercial contract lawyer to review and advise on Council's position regarding potential future contract liabilities as a priority.
3. Initiate a review of Council's overall waste strategy as soon as practicable.

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

AGAINST: Clr Norris and Clr Boyd

CARRIED

**FR25.10 Additional Item - Debt Recovery - Allocate Additional Resources - Examine Policy Position**

**Recommendation**

That the Financial Review Panel recommend Council, as a matter of urgency, to

1. Allocate additional resources to assist in the debt recovery process to accelerate the collection of outstanding rates, charges & other debts owed to Council.
2. Examine applicable policy documents and its policy position in regard to debt recovery of rates, outstanding fees & user charges.

**RESOLVED** (Clr Proudfoot / Clr White)

MIN25.111

That the Financial Review Panel recommend Council, as a matter of urgency, to:

1. Allocate additional resources to assist in the debt recovery process to accelerate the collection of outstanding rates, charges & other debts owed to Council.
2. Examine applicable policy documents and its policy position in regard to debt recovery of rates, outstanding fees & user charges.

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

AGAINST: Nil

CARRIED

## REPORTS

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

**CL25.73 Tenders - Panel Contract - Trade Services**

**HPERM Ref:  
D25/59139**

Clr Norris declared a less than significant non pecuniary interest - some of the employees of the listed Tenderers are known to him – remained in the room and took part in discussion and voted.

**RESOLVED\*** (Clr Johnston / Clr Dunn)

MIN25.112

That Council consider a separate confidential report in relation to Tenders – Panel Contract – Trade Services in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

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

AGAINST: Nil

CARRIED

**CL25.75 Report back - Plant and Fleet Service Review**

**HPERM Ref:  
D25/93595**

**Recommendation**

That Council receive the report on the AEC Plant and Fleet Service Review, in response to MIN25.64 from the Ordinary Council Meeting of 25 February 2025.

**RESOLVED** (Clr Tribe / Clr White)

MIN25.113

That Council receive the report on the AEC Plant and Fleet Service Review, in response to MIN25.64 from the Ordinary Council Meeting of 25 February 2025.

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

AGAINST: Nil

CARRIED

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

**CL25.76 Acquisition of Land for Road Widening - Part Lots 545 and 547 DP 8399 The Wool Road, Basin View**

**HPERM Ref:  
D24/57866**

**RESOLVED\*** (Clr Krikstolaitis / Clr Norris)

MIN25.114

That Council:

1. Acquire by negotiation under section 177 of the *Roads Act 1993* the land described as Lot 9 DP 1297755 (being part of Lot 545 DP 8399) and Lot 7 DP 1297755 (being part of Lot 547 DP 8399) The Wool Road, Basin View, shown on Figure 2 to this report, for road widening purposes comprising areas of approximately 185.1 sqm and 29.17 sqm respectively.
2. Authorise the Acting Chief Executive Officer be delegated with authority to complete negotiations including compensation payable in the amount of \$12,000 (excluding GST), if applicable, for Lot 9 DP 1297755 (being part of Lot 545 DP 8399), and \$1,950 (excluding GST), if applicable, for Lot 7 DP 1297755 (being part of Lot 547 DP 8399) including minor adjustments in accordance with the market value assessment determined by independent certified valuer.
3. Dedicate the identified acquired areas as public road pursuant to section 10 of the *Roads Act 1993* including notice in the Government Gazette.
4. Be responsible for all costs including landowner’s reasonable costs such as valuation, survey, plan registration, transfer and legal costs in accordance with the Land Acquisition (Just Terms Compensation) Act 1991.
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 Acting Chief Executive Officer to

sign any documentation necessary to give effect to this resolution.

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

AGAINST: Nil

CARRIED

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

<b>CL25.77 Tenders - West Nowra Material Recovery Facility - Design, Supply and Install Water Tanks</b>	<b>HPERM Ref: D25/19980</b>
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**RESOLVED\*** (Clr Boyd / Clr Norris) MIN25.115

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

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

AGAINST: Nil

CARRIED

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

<b>CL25.78 Requested Endorsement for Exhibition - Draft Shoalhaven Local Approvals Policy</b>	<b>HPERM Ref: D25/34551</b>
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**RESOLVED\*** (Clr Dunn / Clr Tribe) MIN25.116

That Council:

1. Endorse the public exhibition of the Draft Shoalhaven Local Approvals Policy (LAP) (**Attachment 1**) for 28 days and receive comments for 42 days from the commencement of the exhibition period, in accordance with Section 160 of the *NSW Local Government Act 1993*.
2. Following public exhibition:
  - a. Obtain the consent/concurrence of the Chief Executive Officer (CEO) of the NSW Office of Local Government (OLG) for Part 1 of the draft LAP prior to adoption.
  - b. Seek delegation from the CEO of OLG to Council's Acting CEO to make any required updates to the draft LAP that may be required following part 2a above.
3. Subject to obtaining the consent of the CEO of the OLG for Part 1 of the Local Approvals Policy, receive a further report:
  - a. On the outcomes of the public exhibition, and
  - b. Seeking endorsement to adopt and finalise the policy.

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

AGAINST: Nil

CARRIED

**CL25.80 Half Yearly Compliance Report**

**HPERM Ref:  
D25/34980**

**Recommendation**

That Council note the Half Yearly Compliance Report for August 2024 to January 2025 available on Council's website and the Councillor Portal for Councillors information.

**RESOLVED** (Clr White / Clr Cox)

MIN25.117

That Council note the Half Yearly Compliance Report for August 2024 to January 2025 available on Council's website and the Councillor Portal for Councillors information.

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

AGAINST: Nil

CARRIED

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

**CL25.81 Tenders - Supply and Delivery of Equipment for  
Culburra Sewage Treatment Plant Upgrades**

**HPERM Ref:  
D25/66160**

**RESOLVED\*** (Clr Cox / Clr Norris)

MIN25.118

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

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

AGAINST: Nil

CARRIED

**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.

Note: Clr Johnston and Clr Krikstolaitis were absent from the meeting at the time the meeting moved into confidential.

**RESOLVED** (Clr White / Clr Tribe)

MIN25.119

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

CCL25.4 Tenders - Panel Contract - Trade 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.*

- CCL25.5 Tenders - West Nowra Material Recovery Facility - Design, Supply and Install Water Tanks
- Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.10(A)(2)(d)(i)*
- There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.*

- CCL25.6 Tenders - Supply and Delivery of Equipment for the Culburra Sewage Treatment Plant Upgrades
- 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 Clancy, Clr Kemp, Clr Casmiri, Clr Dunn, Clr Cox, Clr Wilkins, Clr Proudfoot, Clr Tribe, Clr Norris and Clr Boyd

AGAINST: Nil

CARRIED

Note: Clr Johnston and Clr Krikstolaitis left the meeting prior to moving into confidential session.

The meeting moved into confidential the time being 8.35pm.

During the confidential session Clr Johnston and Clr Krikstolaitis rejoined the meeting.

The meeting moved into open session, the time being 8.54pm.

## REPORT FROM CONFIDENTIAL SESSION

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

**CCL25.4 Tenders - Panel Contract - Trade Services**

**HPERM Ref:  
D25/77704**

**RESOLVED**

MIN25.120C

That

1. Council endorses the recommendation of the Tender Evaluation Panel and appoints the specified suppliers to the Trade Services – Preferred Supplier Panel – Tender Reference 77035E.

Minutes Confirmed Tuesday 25 March 2025 – Chairperson .....



- The contract documents and any other associated documents be executed on behalf of Council in accordance with *Local Government (General) Regulation 2021 (section 165)* by the Acting CEO (Director City Services).

CARRIED

**CCL25.5 Tenders - West Nowra Material Recovery Facility - Design, Supply and Install Water Tanks**

**HPERM Ref: D25/20129**

**RESOLVED**

MIN25.121C

That this item be deferred to the next meeting and a Clr Briefing be held on the current project.

CARRIED

**CCL25.6 Tenders - Supply and Delivery of Equipment for the Culburra Sewage Treatment Plant Upgrades**

**HPERM Ref: D25/67851**

**RESOLVED**

MIN25.122C

That

- Council endorses the recommendation of the Tender Evaluation Panel and accepts the Tender from VoR Environmental Australia Pty Ltd for the supply and delivery of equipment for the Culburra Sewage Treatment Plant Upgrades – Separable Portion 1 Replacement Screening and Grit Removal Equipment for a total cost of \$443,300.00 (incl GST).
- Council endorses the recommendation of the Tender Evaluation Panel and accepts the Tender from Aquatec Maxcon Pty Ltd for the supply and delivery of equipment for the Culburra Sewage Treatment Plant Upgrades – Separable Portion 2 Replacement Bioreactor Aeration Equipment for a total cost of \$438,061.00 (Incl GST).
- The contract documents and any other associated documents be executed on behalf of the Council in accordance with *Local Government (General) Regulation 2021 (section 165)* by the CEO (Director Shoalhaven Water).

CARRIED

**CL25.63 Notice of Motion - Expansion of Senior Staff Contractual Matters Committee**

**HPERM Ref: D25/93522**

Note: This item was deferred to the end of the meeting following consideration of the confidential session

**Recommendation**

That Council expand the Senior Staff Contractual Matters Committee to include:

- Assistant Deputy Mayor Matthew Norris, as a member of the Sub-Committee to undertake Delegations 1 and 2.
- An Additional Independent Member under Delegation 1 (and provide information as to the selection process of this Member).

**MOTION** (Clr Tribe / Clr Boyd)

MIN25.123

That Council expand the Senior Staff Contractual Matters Committee to include:

- Assistant Deputy Mayor Matthew Norris, as a member of the Sub-Committee to undertake Delegations 1 and 2.

2. An Additional Independent Member under Delegation 1 (and provide information as to the selection process of this Member).

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

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

MOTION LOST

There being no further business, the meeting concluded, the time being 9.12pm.

Clr White  
CHAIRPERSON