

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 25 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
Clr Bob Proudfoot
Clr Jemma Tribe
Clr Matthew Norris
Clr Gillian Boyd
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 by an Acknowledgement of Country by the Chairperson, followed with a Moment of Silence & Reflection and the playing of the Australian National Anthem.

Apologies

An apology was received from Clr Johnston.

Confirmation of the Minutes

RESOLVED (Clr Cox / Clr Casmiri) MIN25.124

That the Minutes of the Ordinary Meeting held on Tuesday 11 March 2025 be confirmed.

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

AGAINST: Nil

CARRIED

Declaration of Interests

Nil.

DEPUTATIONS AND PRESENTATIONS

CL25.92 - Expression of Interest outcome - Thurgate Oval Bomaderry Amenities Building

Ms Kylie Knight addressed the meeting to speak AGAINST the recommendation.

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL25.82 Notice of Motion - Native Plants for New Citizens

HPERM Ref:
D25/116235

Recommendation

That Council provide an endemic plant (tubestock) to each of the new citizens that are invested with Australian Citizenship at each Citizenship Ceremony hosted by Shoalhaven City Council.

MOTION 1 (Clr Boyd / Clr Krikstolaitis)

That Council provide an endemic plant (tubestock) to each of the new citizens that are invested with Australian Citizenship at each Citizenship Ceremony hosted by Shoalhaven City Council if they can be provided at no cost.

AMENDMENT (Clr Clancy / Clr Cox)

That Council provide a flyer which outlines details of native plants and where they can be obtained to each of the new citizens that are invested with Australian Citizenship at each Citizenship Ceremony hosted by Shoalhaven City Council.

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

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

CARRIED ON THE CASTING VOTE OF THE CHAIR, THE AMENDMENT BECOMES THE MOTION.

FURTHER AMENDMENT (Clr Boyd / Clr Tribe)

That Council provide an endemic plant (tubestock) and a flyer which outlines details of native plants and where they can be obtained to each of the new citizens that are invested with Australian Citizenship at each Citizenship Ceremony hosted by Shoalhaven City Council.

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

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

CARRIED

THE FURTHER AMENDMENT BECAME THE MOTION.

The Mayor raised a Point of Order against Clr Krikstolaitis in relation to his comment on calling the Council mean.

The Mayor asked Clr Krikstolaitis to withdraw his comment and apologise.

Clr Krikstolaitis withdrew his comment and apologised.

RESOLVED (FURTHER AMENDMENT) (Clr Boyd / Clr Tribe) MIN25.125

That Council provide an endemic plant (tubestock) and a flyer where native plants can be obtained to each of the new citizens that are invested with Australian Citizenship at each Citizenship Ceremony hosted by Shoalhaven City Council.

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

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

CARRIED ON THE CASTING VOTE OF THE CHAIR.

CALL OVER OF THE BUSINESS PAPER

Call Over of Business Paper

RESOLVED (Clr Norris / Clr Krikstolaitis) MIN25.126

That the following item be resolved without discussion:

- CL25.86 - Ongoing Register of Pecuniary Interest Returns - February 2025

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

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

AGAINST: Nil

CARRIED

RESOLVED (Clr Dunn / Clr Boyd) MIN25.127

That the following item be resolved without discussion:

- CL25.90 - Grant of Easement for Padmount Substation and Restriction on the Use of Land - Part Lot 227 DP 257580 & Part Lot 330 DP 41314, Ulladulla

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

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

AGAINST: Nil

CARRIED

RESOLVED (Clr Clancy / Clr Norris) MIN25.128

That the following item be resolved without discussion:

- CL25.91 - Creation of Asset Protection Zone (APZ) over Council unmade road adjoining Lot 15 DP 249575 - 13 Ringbalin Crescent, Bomaderry

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

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

AGAINST: Nil

CARRIED

RESOLVED (Clr Norris / Clr Clancy) MIN25.129

Minutes Confirmed Tuesday, 15 April 2025 – Chairperson

That the following item be resolved without discussion:

- CL25.93 - Tender - Road Rehabilitation – CH3497 to CH6849 Illaroo Rd, North Nowra/Bangalee/Tapitallee

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

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

AGAINST: Nil

CARRIED

RESOLVED (Clr White / Clr Krikstolaitis)

MIN25.130

That the following item be resolved without discussion:

- CL25.95 - Development Contributions Refund Request - DA24/1312 - 45 Wedgetail Street, Badagarang

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

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

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

CARRIED

REPORT OF THE FINANCIAL REVIEW PANEL - 18 MARCH 2025

FR25.11 Grant Funding Policy & Procedures

HPERM Ref:
D25/100840

Recommendation

That Council, as recommended by the Financial Review Panel, review its Grant Funding Policy & Procedures to ensure alignment with its DPOP & Resourcing Strategy.

RESOLVED (Clr Proudfoot / Clr White)

MIN25.131

That Council, as recommended by the Financial Review Panel, review its Grant Funding Policy & Procedures to ensure alignment with its DPOP & Resourcing Strategy.

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

AGAINST: Nil

CARRIED

FR25.12 Loan Program Policy & Procedures

HPERM
D25/100878

Ref:

Recommendation

That Council, as recommended by the Financial Review Panel, review its Loan Borrowing Policy & Procedures to reflect its approach to borrowing in its Resourcing Strategy.

RESOLVED (Clr Proudfoot / Clr White)

MIN25.132

That Council, as recommended by the Financial Review Panel, review its Loan Borrowing Policy & Procedures to reflect its approach to borrowing in its Resourcing Strategy.

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

AGAINST: Nil

CARRIED

REPORTS

CL25.84 Report Back - Fleet & Plant Accountability and Transparency - New Vehicle Purchases 2024

**HPERM Ref:
D25/104613**

Recommendation

That Council receive this report in response to MIN25.63 resolved on 25 February 2025 Ordinary Meeting to report back on new vehicles purchased in 2024.

RESOLVED (Clr Cox / Clr White)

MIN25.133

That Council receive this report in response to MIN25.63 resolved on 25 February 2025 Ordinary Meeting to report back on new vehicles purchased in 2024.

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

AGAINST: Nil

CARRIED

CL25.85 Report Back - AEC Financial Sustainability Review - Actions Taken to Reduce FBT Liability

**HPERM Ref:
D25/104616**

Recommendation

That Council receive this report in response to MIN25.65 resolved on 25 February 2025 Ordinary Meeting to report back what actions have been taken to date to reduce Council's FBT liability.

RESOLVED (Clr Cox / Clr White)

MIN25.134

That Council receive this report in response to MIN25.65 resolved on 25 February 2025 Ordinary Meeting to report back what actions have been taken to date to reduce Council's FBT liability.

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

AGAINST: Nil

CARRIED

Items marked with an * were resolved without discussion.

CL25.86 Ongoing Register of Pecuniary Interest Returns - February 2025

**HPERM Ref:
D25/44232**

RESOLVED* (Clr Norris / Clr Krikstolaitis)

MIN25.135

That the report of the Chief Executive Officer regarding the Ongoing Register of Pecuniary Interest Returns lodged for the period of 1 February 2025 to 28 February 2025 be received for information.

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

AGAINST: Nil

CARRIED

CL25.87 ALGA Annual Conference 2025 - National General Assembly

**HPERM Ref:
D25/51159**

Recommendation

That

1. Council notes the details of the following conferences to be held in the National Convention Centre, Canberra, ACT.
 - a. Regional Development and Cooperation Forum – Tuesday 24 June 2025
 - b. ALGA Annual Conference 2025 – National General Assembly - Tuesday 24 June to Friday 27 June 2025.
2. Councillor ["insert name"] be determined as the Council voting delegate for the conference and Councillor ["insert name"] as alternate delegate should the voting delegate not be in attendance.
3. Council endorse the motions contained within the report be submitted for inclusion in the ALGA Annual Conference 2025 – National General Assembly.

RESOLVED (Clr White / Clr Tribe)

MIN25.136

That Council

1. Notes the details of the following conferences to be held in the National Convention Centre, Canberra, ACT.
 - a. Regional Development and Cooperation Forum – Tuesday 24 June 2025
 - b. ALGA Annual Conference 2025 – National General Assembly - Tuesday 24 June to Friday 27 June 2025.
2. Limit the attendance to the Conference to the following Councillors:
 - a. Councillor White be determined as the Council voting delegate for the conference and Councillor Clancy as alternate delegate should the voting delegate not be in attendance.
3. Endorse the motions contained within the report together with the additional Motion 3 as follows, to be submitted for inclusion in the ALGA Annual Conference 2025 – National General Assembly:

Motion 3:

Title - Revenue Arising from Tourism Related Taxation for Local Infrastructure.

Motion - That the National General Assembly call on the Australian Government to consider a

percentage of Gross Regional Product collected as tax revenue from tourism industries to be distributed back to Local Government for the purposes of addressing asset maintenance.

Category - Financial Sustainability.

Background- Many local governments in Australia experience high levels of tourism influx throughout the year as travellers and visitors visit our country's beautiful natural areas. The contribution to the economy is significant, and it provides local areas with tourism related employment, contributing to the local, state and national economy. This places additional strain on critical infrastructure including roads, parks, natural areas requiring management and other core asset classes. This additional asset cost is passed onto ratepayers at present, where tax collected from tourism related activities could be apportioned to assist in upkeep of assets that play a positive role in ensuring tourism continues its economic contributions.

4. Receive a report back from Councillors attending the ALGA Annual Conference 2025.

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

AGAINST: Nil

CARRIED

CL25.88 Investment Report - February 2025

**HPERM Ref:
D25/100142**

Recommendation

That Council receive the Record of Investments for the period to 28 February 2025.

RESOLVED (Clr Proudfoot / Clr Clancy)

MIN25.137

That Council receive the Record of Investments for the period to 28 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 and Clr Krikstolaitis

AGAINST: Nil

CARRIED

CL25.89 Proposed Licence to the NRMA Electric Highways Pty Ltd over Part Lot 20 DP 801794 Berry Street, Nowra

**HPERM Ref:
D24/500032**

Recommendation

That Council:

1. Enter into a five-year licence with an additional five-year option over part of Lot 20 DP 801794 Berry Street, Nowra with NRMA Electric Highways Pty Ltd for the purpose of the provision of an electric vehicle charging station, with the commencing rent being \$6,000 excluding GST per annum, increased annually by CPI.
2. Authorise for the Common Seal of the Council of the City of Shoalhaven to be affixed to any documentation requiring to be sealed and delegate to the CEO and other delegated officers, authority to sign any documentation necessary to give effect to this resolution.

RESOLVED (Clr Casmiri / Clr Cox)

MIN25.138

That Council:

1. Enter into a five-year licence with an additional five-year option over part of Lot 20 DP 801794 Berry Street, Nowra with NRMA Electric Highways Pty Ltd for the purpose of the provision of an electric vehicle charging station, with the commencing rent being \$6,000 excluding GST per

annum, increased annually by CPI.

2. Authorise for the Common Seal of the Council of the City of Shoalhaven to be affixed to any documentation requiring to be sealed and delegate to the CEO and other delegated officers, authority 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 and Clr Krikstolaitis

AGAINST: Nil

CARRIED

CL25.90 Grant of Easement for Padmount Substation and Restriction on the Use of Land - Part Lot 227 DP 257580 & Part Lot 330 DP 41314, Ulladulla	HPERM Ref: D25/58379
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RESOLVED* (Clr Dunn / Clr Boyd) MIN25.139

That Council:

1. Grant an Easement for padmount substation (15.125m2 area) and the creation of a Restriction on the Use of Land in favour of Endeavour Energy over Lot 227 DP 257580 and Lot 330 DP 41314 (Ulladulla Leisure Centre), Ulladulla.
2. Authorise the Common Seal of the Council of the City of Shoalhaven affixed to any document required to be sealed and delegate authority to the Chief Executive Officer to sign any documentation necessary to give effect to this resolution.

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

AGAINST: Nil

CARRIED

CL25.91 Creation of Asset Protection Zone (APZ) over Council unmade road adjoining Lot 15 DP 249575 - 13 Ringbalin Crescent, Bomaderry	HPERM Ref: D25/67661
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RESOLVED* (Clr Clancy / Clr Norris) MIN25.140

That Council:

1. Approve the creation of an Asset Protection Zone (APZ) over Council's unmade road adjoining the southern boundary of Lot 15 DP 249575, 13 Ringbalin Crescent, Bomaderry, as shown in Attachment 1 (D25/81072), by way of the positive covenant in accordance with the provisions of the *Conveyancing Act 1919*.
2. Require that the landowners of Lot 15 DP 249575 indemnify Council against any loss, injury or damages incurred whilst on Council owned land and undertaking the activities defined in the APZ Management Plan and pay all costs, fees and charges (including legal) associated with the creation of the positive covenant.
3. Authorise the Common Seal of the Council of the City of Shoalhaven to be affixed to any document required to be sealed and delegate authority to the Chief Executive Officer to sign any documentation necessary to give effect to this resolution.

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

AGAINST: Nil

CARRIED

**CL25.92 Expression of Interest outcome - Thurgate Oval
Bomaderry Amenities Building**

**HPERM Ref:
D25/69924**

Recommendation

That Council

1. Accept the Expression of Interest received from Lions Club of Bomaderry Nowra Inc. (ABN 60 564 676 485) for the use of the Thurgate Oval amenities building for storage, located over part Lot 21 Sec 27 DP2886 and part Lot 9 DP544734) being Council owned community land, off Bowada Street Bomaderry and as shown in **Figure 1** of this report.
2. Subject to proposed licence advertising as required under s47A of the Local Government Act 1993 and if no objections are received to the proposed licence from that process, that Council enter a five-year licence with Lions Club of Bomaderry Nowra with annual gross rental of \$1,000 per annum (excluding GST) which includes part building insurance (changeroom area) under licence.
3. Apply annual rent increases in line with the Consumer Price Index (All Groups Sydney).
4. Delegate authority to the Chief Executive Officer to sign the necessary documentation to give effect to this resolution.

RESOLVED (Clr Cox / Clr Krikstolaitis)

MIN25.141

That Council

1. Accept the Expression of Interest received from Lions Club of Bomaderry Nowra Inc. (ABN 60 564 676 485) for the use of the Thurgate Oval amenities building for storage, located over part Lot 21 Sec 27 DP2886 and part Lot 9 DP544734) being Council owned community land, off Bowada Street Bomaderry and as shown in **Figure 1** of this report.
2. Subject to proposed licence advertising as required under s47A of the Local Government Act 1993 and if no objections are received to the proposed licence from that process, that Council enter a five-year licence with Lions Club of Bomaderry Nowra with annual gross rental of \$1,000 per annum (excluding GST) which includes part building insurance (changeroom area) under licence.
3. Apply annual rent increases in line with the Consumer Price Index (All Groups Sydney).
4. Delegate authority to the Chief Executive Officer to sign the necessary documentation 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 and Clr Krikstolaitis

AGAINST: Nil

CARRIED

**CL25.93 Tender - Road Rehabilitation – CH3497 to CH6849 Illaroo
Rd, North Nowra/Bangalee/Tapitallee**

**HPERM Ref:
D25/68670**

RESOLVED* (Clr Norris / Clr Clancy)

MIN25.142

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 and Clr Krikstolaitis

AGAINST: Nil

CARRIED

CL25.94 Reconciliation Action Plan - Adoption

**HPERM Ref:
D25/89134**

Recommendation

That Council:

1. Adopt the finalised Reflect Reconciliation Action Plan for implementation March 2025 – September 2026.
2. Acknowledge and thank the staff, community members and stakeholders involved in the development of the Reflect Reconciliation Action plan.

RESOLVED (Clr Proudfoot / Clr White)

MIN25.143

That Council:

1. Adopt the finalised Reflect Reconciliation Action Plan for implementation March 2025 – September 2026.
2. Acknowledge and thank the staff, community members and stakeholders involved in the development of the Reflect Reconciliation Action plan.

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

AGAINST: Nil

CARRIED

**CL25.95 Development Contributions Refund Request - DA24/1312
- 45 Wedgetail Street, Badagarang**

**HPERM Ref:
D25/84576**

RESOLVED* (Clr White / Clr Krikstolaitis)

MIN25.144

That Council:

1. Not proceed with a full refund of development contributions associated with DA24/1312.
2. Issue a partial refund of \$578.95 to the owner/applicant consistent with the adopted Shoalhaven Contributions Plan 2019.

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

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

CARRIED

**CL25.96 Payment of Shoalhaven Water Dividend 2023-2024
Financial Year Results**

**HPERM Ref:
D25/93792**

Recommendation

That Council:

1. Has effective, evidence-based strategic planning in place under the Regulatory and Assurance Framework for Local Water Utilities (July 2022) and the dividend (\$163,503) will be paid from the Water Fund as declared in 2023-2024.
2. Has effective, evidence-based strategic planning in place under the Regulatory and Assurance Framework for Local Water Utilities, (July 2022) and the dividend (\$1,555,800) will be paid from the Sewer Fund as declared in 2023-2024.

RESOLVED (Clr White / Clr Casmiri)

MIN25.145

That Council:

1. Has effective, evidence-based strategic planning in place under the Regulatory and Assurance Framework for Local Water Utilities (July 2022) and the dividend (\$163,503) will be paid from the Water Fund as declared in 2023-2024.
2. Has effective, evidence-based strategic planning in place under the Regulatory and Assurance Framework for Local Water Utilities, (July 2022) and the dividend (\$1,555,800) will be paid from the Sewer Fund as declared in 2023-2024.

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

AGAINST: Nil

CARRIED

CONFIDENTIAL REPORTS

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

No members of the public made representations.

RESOLVED (Clr Norris / Clr Dunn)

MIN25.146

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.

CCL25.5 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.

CCL25.7 Tender - Road Rehabilitation – CH3497 to CH6849 Illaroo Rd, North Nowra/Bangalee/Tapitallee

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, Clr Boyd and Clr Krikstolaitis

AGAINST: Nil

CARRIED

The meeting moved into confidential the time being 7.26pm.

The meeting moved into open session, the time being 7.28pm.

REPORT FROM CONFIDENTIAL SESSION

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

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

HPERM Ref:
D25/20129

RESOLVED

MIN25.147C

That Council:

1. In accordance with Section 178(1)(b) of the NSW Local Government (General) Regulation 2021 decline to accept any Tender for Tenders - West Nowra Material Recovery Facility - Design, Supply and Install Water Tanks as the only submission did not meet the mandatory criteria of the request for tender.
2. In accordance with Section 178(3)(e) NSW Local Government (General) Regulation 2021 authorise the CEO (delegated officer) to enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender.
3. In accordance with Section 178(4) of the NSW Local Government (General) Regulation 2021;
 - a. declines to invite fresh tenders or applications as an open tender process was undertaken that included notifications to 2091 businesses with only 1 non-compliant tender submission received, and therefore a fresh tender is unlikely to attract further interest.
 - b. will directly negotiate with industry-specific contractors with experience in providing works identified in the tender scope. Seeking targeted quotes will optimise the potential to receive multiple submissions and determine value for money.

CARRIED

CCL25.7 Tender - Road Rehabilitation – CH3497 to CH6849 Illaroo Rd, North Nowra/Bangalee/Tapitallee

HPERM Ref:
D25/68695

RESOLVED

MIN25.148C

That

1. Council endorses the recommendation of the Tender Evaluation Panel and accepts the Tender from A1 Earthworks Mining and Civil Pty Ltd t/a Cleary Bros for Road Rehabilitation CH3497 to CH6849 Illaroo Road, North Nowra/Bangalee/Tapitallee for a total cost of \$4,255,218.04 (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 7.32pm.

Clr White
CHAIRPERSON

Minutes Confirmed Tuesday, 15 April 2025 – Chairperson