

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 27 May 2025
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.30pm

The following members were present:

Clr Peter Wilkins - Chairperson
Clr Selena Clancy
Clr Denise Kemp
Clr Luciano Casmiri
Clr Karlee Dunn - Remotely
Clr Jason Cox
Clr Bob Proudfoot
Clr Jemma Tribe
Clr Matthew Norris - Remotely
Clr Gillian Boyd
Clr Natalee Johnston - Remotely
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 / Leave of Absence

A Leave of absence was granted for Clr White for this meeting, at the Ordinary Meeting 13 May 2025

RESOLVED (Clr Wilkins / Clr Casmiri) MIN25.242

That the request from Clr White for to extend her leave of absence to 2 June 2025 be granted.

FOR: 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

Confirmation of the Minutes

RESOLVED (Clr Cox / Clr Casmiri)

MIN25.243

That the Minutes of the Ordinary Meeting held on Tuesday 13 May 2025 be confirmed.

FOR: 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 Dunn – CL25.158 - Rescission Motion - CL25.152 Post exhibition report - Planning Proposal: 131 St Vincent Street, Ulladulla and CL25.159 - Notice of Motion - CL25.152 Post exhibition report - Planning Proposal: 131 St Vincent Street, Ulladulla – significant non pecuniary interest declaration – is the Manager and Director of the neighbouring building – will leave the room and will not take part in discussion or vote.

Presentation of Petitions

Clr Krikstolaitis advised that Council received an electronic petition containing 306 signatures which states:

We, the undersigned residents of Shoalhaven, express our concern over the excessive councillor expenses outlined in the Council's draft policy. It has come to our attention that Shoalhaven's councillor expenses are three times higher than the average of comparable councils, with the Mayor claiming approximately \$30,000 annually in travel allowances since 2012. <https://static1.squarespace.com/static/58216bc615d5dbd2a2354e5e/t/674ffd7d1ff3242aa3f5fc9c/1733295486819/Whitedollars.pdf>

We acknowledge the importance of supporting our elected officials in carrying out their duties effectively. However, we believe there is a fair and cost-effective solution to reduce excessive travel claims—providing the Mayor with a Council-owned vehicle for official duties.

By supplying a dedicated vehicle, Shoalhaven Council can significantly reduce the Mayor's personal vehicle travel claims, ensuring greater transparency and responsible use of ratepayer funds. This approach is already standard practice in many councils and would bring Shoalhaven in line with cost-effective governance standards.

We, the residents and ratepayers of Shoalhaven, urge the Council to:

1. Review the current travel allowance structure and ensure it aligns with best practices.
2. Allocate a Council-owned vehicle to the Mayor for official duties to reduce excessive claims.
3. Improve transparency and accountability in councillor expense reporting.

We seek your commitment to financial responsibility and fairness in Council spending.

CEO Note: It was noted that no hard copy of the petition was presented at the meeting, and that staff will check and assess the petition in line with Councils Petition Policy

Clr Clancy presented a petition containing 558 signatures which states:

To protect the community from flooding we, the undersigned, hereby respectfully request Shoalhaven City Council to amend the draft Entrance management Policy to include:

1. Intervention action to commence on a BOM Flood Watch and when the river height reaches 1.5m AHD
2. Maintenance of the dry notch at 1.8m AHD and sand berm height of 2m AHD
3. Publish survey information on dry notch maintenance on Council's website in a timely manner
4. A dredged channel leading towards the entrance breakout point to complement efficiency of entrance processes
5. A trial period of these changes for a period of five floods

Note: This petition will be assessed in line with Councils Petition Policy

Procedural Motion – Introduction of Addendum Report

RESOLVED (Clr Wilkins / Clr Proudfoot)

MIN25.244

That the following addendum report be introduced as a matter of urgency:

- MM25.11 Mayoral Minute - Recent Disaster Declarations for 16 LGA'S in the Mid North Coast Region.

FOR: 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

The Chairperson ruled the matter as one of urgency as it relates to urgent business of Council and allowed the introduction.

MAYORAL MINUTE

MM25.11 Mayoral Minute - Recent Disaster Declarations for 16 LGA'S in the Mid North Coast Region.

HPERM Ref: D25/232032

Recommendation

That Council note the natural disaster declarations in the Mid North Coast and Hunter LGA's following the recent significant weather events across NSW and write to each council to express our support and offer any assistance we may be able to provide to aid in their recovery efforts.

RESOLVED (Clr Wilkins / Clr Clancy)

MIN25.245

That Council note the natural disaster declarations in the Mid North Coast and Hunter LGA's following the recent significant weather events across NSW and write to each council to express our support and offer any assistance we may be able to provide to aid in their recovery efforts.

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

AGAINST: Nil

CARRIED

DEPUTATIONS AND PRESENTATIONS

CL25.158 - Rescission Motion - CL25.152 Post exhibition report - Planning Proposal: 131 St Vincent Street, Ulladulla

Ms Alexandra Arnold and Ms Sophie Quinn addressed the meeting on behalf of Fleming Group to speak FOR the recommendation.

Note: Clr Dunn declared a significant non pecuniary interest as she is the Manager and Director of the neighbouring building and left the meeting for the hearing of the deputations, the time being 5:43pm

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

CL25.161 - Notice of Motion - Shoalhaven War Memorials

Mr Cris George addressed the meeting to speak FOR the recommendation.

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL25.158 Rescission Motion - CL25.152 Post exhibition report - Planning Proposal: 131 St Vincent Street, Ulladulla

**HPERM Ref:
D25/221509**

Clr Dunn – significant non pecuniary interest declaration – Councillor is the Manager and Director of the neighbouring building – left the room and did not take part in discussion or vote.

Note: Deputations were received on this item.

Recommendation

That Council rescind the Motion relating to Item CL25.152 Post exhibition report - Planning Proposal: 131 St Vincent Street, Ulladulla of the Council Meeting held on Tuesday 13 May 2025.

RESOLVED (Clr Casmiri / Clr Cox)

MIN25.246

That Council rescind the Motion relating to Item CL25.152 Post exhibition report - Planning Proposal: 131 St Vincent Street, Ulladulla of the Council Meeting held on Tuesday 13 May 2025.

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

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

CARRIED

CL25.159 Notice of Motion - CL25.152 Post exhibition report - Planning Proposal: 131 St Vincent Street, Ulladulla

**HPERM Ref:
D25/221530**

Clr Dunn – significant non pecuniary interest declaration – she is the Manager and Director of the neighbouring building – left the room and did not take part in discussion or vote.

Note: Deputations were received on this item.

Recommendation

That Council:

1. Adopt the Planning Proposal (PP-2024-109) for 131 St Vincent Street, Ulladulla as exhibited, to amend the Shoalhaven Local Environmental Plan 2012 as follows:
 - a. Rezone the land to MU1 Mixed Use
 - b. Increase the maximum height of buildings to 15m, 17m and 21m
 - c. Introduce a Floor Space Ratio of 3.5:1
2. Forward the endorsed Planning Proposal to the NSW Parliamentary Counsel's Office to proceed to finalisation.
3. Advise stakeholders, including those who have made a submission, of this decision and when

amendments will be effective.

RESOLVED (Clr Casmiri / Clr Kemp)

MIN25.247

That Council:

1. Adopt the Planning Proposal (PP-2024-109) for 131 St Vincent Street, Ulladulla as exhibited, to amend the Shoalhaven Local Environmental Plan 2014 as follows:
 - a. Rezone the land to MU1 Mixed Use
 - b. Increase the maximum height of buildings to 15m, 17m and 21m
 - c. Introduce a Floor Space Ratio of 3.5:1
2. Liaise with the NSW Department of Planning, Housing & Infrastructure (DPHI) on a potential local provision to be included in the amendment that requires the delivery of the promised 50 (or an equivalent percentage) of affordable housing outcomes, given that the gateway determination does not require a Voluntary Planning Agreement to be entered into before the LEP is amended.
3. Forward the endorsed Planning Proposal to the NSW Parliamentary Counsel's Office to proceed to finalisation.
4. Advise stakeholders, including those who have made a submission, of this decision and when amendments will be effective.

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

AGAINST: Clr Tribe, Clr Norris, Clr Boy, Clr Johnston and Clr Krikstolaitis

CARRIED

CL25.160 Notice of Motion - Addressing Illegal Tobacco and Vaping Concerns in Shoalhaven

**HPERM Ref:
D25/219701**

Note: Clr Dunn rejoined the meeting remotely, the time being 7:19pm

Recommendation

That Council:

1. Acknowledges that smoking remains the leading cause of preventable disease and death in Australia, and that vaping is an emerging public health challenge, particularly among young people.
2. Notes with concern that Shoalhaven, particularly Nowra CBD, has seen a proliferation of tobacco retailers with approximately 9 stores in the central Nowra locale, all within walking distance of schools.
3. Notes with concern that according to NSW Health data, there has been an increase in the number of tobacconists opening across NSW, rising from 14,500 four years ago to 19,500 today.
4. Acknowledges the recent roundtable discussions held in Nowra with NSW Opposition Health Minister Kellie Sloane regarding the concerning growth of illegal tobacco trade and its links to organised crime.
5. Advocates to the NSW Government in support of the proposed Upper House inquiry into illegal tobacco sales, which would examine:
 - a. The proliferation of tobacco and vape outlets
 - b. Departmental responsibility for compliance and enforcement
 - c. Licensing schemes for tobacconists

- d. Landlord responsibilities
 - e. Money laundering schemes operating via tobaccoconists
 - f. Impact on human health and business profits
6. Advocates to the NSW Government that the standard instrument LEP zonings related to mixed-use and employment zones, and the exempt and complying criteria under the SEPP (Exempt and Complying Development Codes) 2008 are revised to mandate that tobaccoconist stores require approval through a development application.
 7. Investigates, as part of the current LEP review process, any existing mechanisms to require development applications for tobaccoconist stores to open in the Shoalhaven Local Government Area, even where it is a change of use of an existing retail or commercial space.
 8. Advocate to NSW Health for them to liaise directly with local schools to develop and implement educational programs about the dangers of vaping and smoking, with a particular focus on prevention among young people.
 9. Advocates to both State and Federal Governments for increased compliance officers and resources dedicated to enforcement against illegal tobacco and vape sales in the Shoalhaven region.
 10. Writes to the NSW Government expressing Council's concern about the proximity of tobacco retailers to schools in Nowra and requesting their cooperation in enacting appropriate regulatory changes.

RESOLVED (Clr Clancy / Clr Krikstolaitis)

MIN25.248

That Council:

1. Acknowledges that smoking remains the leading cause of preventable disease and death in Australia, and that vaping is an emerging public health challenge, particularly among young people.
2. Notes with concern that Shoalhaven, particularly Nowra CBD, has seen a proliferation of tobacco retailers with approximately 9 stores in the central Nowra locale, all within walking distance of schools.
3. Notes with concern that according to NSW Health data, there has been an increase in the number of tobaccoconists opening across NSW, rising from 14,500 four years ago to 19,500 today.
4. Acknowledges that from July 1, 2024, all vapes and vaping products, regardless of whether they contain nicotine, can only be legally sold by pharmacies to people with a prescription from a medical doctor. This change in legislation effectively bans the sale of vapes by any other retailers, such as tobaccoconists, vape shops, and convenience stores.
5. Advocates to the NSW Government in support of the proposed Upper House inquiry into illegal tobacco sales, which would examine:
 - a. The proliferation of tobacco and vape outlets
 - b. Departmental responsibility for compliance and enforcement
 - c. Licensing schemes for tobaccoconists
 - d. Landlord responsibilities
 - e. Money laundering schemes operating via tobaccoconists
 - f. Impact on human health and business profits
6. That Shoalhaven City Council revise the LEP through the current review process to mandate that tobaccoconist stores require approval through a development application.

7. Recognises the collaborative efforts between NSW Health and NSW public schools in delivering comprehensive, curriculum-based training and education to students regarding the dangers to tobacco, vapes and e-cigarettes.
8. Shoalhaven City Council undertakes an educational program via social media to inform the community on:
 - a. The dangers of vaping
 - b. The legislation and regulations regarding the sale and purchase of tobacco, vapes and e-cigarettes
 - c. How community members can report incidents where they believe that store owners are breaking tobacco retailing laws, including selling illicit tobacco or illegally selling vaping goods via the online reporting tool or by calling the Tobacco Information Line in 1800 357 412.

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

AGAINST: Clr Kemp

CARRIED

CL25.161 Notice of Motion - Shoalhaven War Memorials

**HPERM Ref:
D25/221391**

Note: A Deputation was received on this item.

Recommendation

That Council:

1. Establish a War Memorials Register for the Shoalhaven that:
 - a. Documents all war memorials on public and private land in the Shoalhaven LGA.
 - b. Ensures all memorials are listed on the NSW War Memorials Register.
 - c. Includes condition assessments and maintenance requirements.
 - d. Identifies which memorials are included in Council's asset register.
2. Develop a comprehensive War Memorials Management Policy that:
 - a. Clearly defines responsibilities for memorial management between Council and other stakeholders (e.g., RSL).
 - b. Establishes maintenance standards and schedules.
 - c. Sets out processes for applying for grants, including from the NSW Office for Veterans Affairs Community War Memorials Fund.
 - d. Ensures inclusion of all service branches in appropriate memorials.
 - e. Establishes protocols for new memorial proposals.
3. Take immediate action regarding the following specific memorials:
 - a. Formally assess and document the condition of the Wall of Remembrance at the JB Maritime Museum and the Court of Remembrance in Voyager Memorial Park.
 - b. Register the RAAF 107 Squadron memorial on Island Point Road with the NSW War Memorials Register.
 - c. Investigate the discrepancies in the Court of Remembrance regarding tri-service representation and the absence of Merchant Navy recognition.

- d. Verify the dedication of the Court of Remembrance War Memorial element (No record has ever been located that the Court of Remembrance has been dedicated as a War Memorial, and it remains unregistered.
- e. Review and standardise the criteria for inclusion on war memorials, addressing the inconsistency where names range from the Fallen to civilian committee members of local RSL.
4. Apply for funding through the NSW Office for Veterans Affairs Community War Memorials Fund for:
 - a. Restoration and ongoing maintenance of the Wall of Remembrance.
 - b. Appropriate recognition of the 50 personnel who lost their lives locally during WWII, including immediate reversal or justification of the Council policy that excludes fallen listed on the Wall of Remembrance from being commemorated on the Court of Remembrance on the grounds that it is a 'Single Service' memorial.
 - c. Improvement of signage and interpretive materials at local war memorials.
5. Direct the CEO to prepare a report on:
 - a. The status of all war memorials in the Shoalhaven, their condition, and maintenance requirements.
 - b. The current process for managing memorial applications and maintenance. Noting that the Shoalhaven City Council Plaques and Memorials Policy dated 28 October 2022 states a review of the forementioned policy within 12 months of the date of the election of the new Council is available on request. Confirmation that this is the correct policy is also requested.
 - c. Historical grant applications and allocations for memorial maintenance.
 - d. Recommendations for improved coordination between Council, RSL, and other stakeholders.
 - e. Budget implications for implementing a comprehensive memorial management system.
 - f. Implementation status of Ordinary Meeting resolution of 07 February 2022 to promulgate both Heritage Consultants report and Working Groups report with identified errors and omissions.
6. Establish a War Memorial Advisory Committee to:
 - a. Review grant applications.
 - b. Provide ongoing advice to Council on memorial management.
 - c. Ensure appropriate recognition of all service branches.
 - d. Include representatives from Council, RSL, historical societies, representatives from HMAS Albatross (including Chaplain services), Special Operations Command and relevant community members.

RESOLVED (Clr Clancy / Clr Casmiri)

MIN25.249

That Council:

1. Establish a War Memorials Register for the Shoalhaven that:
 - a. Documents all war memorials on public and private land in the Shoalhaven LGA.
 - b. Ensures all memorials are listed on the NSW War Memorials Register.
 - c. Includes condition assessments and maintenance requirements.
 - d. Identifies which memorials are included in Council's asset register.

2. Take immediate action regarding the following specific memorials:
 - a. Formally assess and document the condition of the Wall of Remembrance at the JB Maritime Museum and the Court of Remembrance in Voyager Memorial Park.
 - b. Register the RAAF 107 Squadron memorial on Island Point Road with the NSW War Memorials Register.
 - c. Investigate the discrepancies in the Court of Remembrance regarding tri-service representation and the absence of Merchant Navy recognition.
 - d. Verify the dedication of the Court of Remembrance War Memorial element (No record has ever been located that the Court of Remembrance has been dedicated as a War Memorial, and it remains unregistered.
 - e. Review and standardise the criteria for inclusion on war memorials, addressing the inconsistency where names range from the Fallen to civilian committee members of local RSL.
3. Establish a War Memorial Advisory Committee to:
 - a. Review grant applications.
 - b. Provide ongoing advice to Council on memorial management.
 - c. Ensure appropriate recognition of all service branches.
 - d. Include representatives from Council, RSL, historical societies, representatives from HMAS Albatross (including Chaplain services), Special Operations Command and relevant community members.
4. Receive a briefing on the following parts of the published Notice of Motion:
 - a. Develop a comprehensive War Memorials Management Policy that:
 - i. Clearly defines responsibilities for memorial management between Council and other stakeholders (e.g., RSL).
 - ii. Establishes maintenance standards and schedules.
 - iii. Sets out processes for applying for grants, including from the NSW Office for Veterans Affairs Community War Memorials Fund.
 - iv. Ensures inclusion of all service branches in appropriate memorials.
 - v. Establishes protocols for new memorial proposals.
 - b. Apply for funding through the NSW Office for Veterans Affairs Community War Memorials Fund for:
 - i. Restoration and ongoing maintenance of the Wall of Remembrance.
 - ii. Appropriate recognition of the 50 personnel who lost their lives locally during WWII, including immediate reversal or justification of the Council policy that excludes fallen listed on the Wall of Remembrance from being commemorated on the Court of Remembrance on the grounds that it is a 'Single Service' memorial.
 - iii. Improvement of signage and interpretive materials at local war memorials.
 - c. Direct the CEO to prepare a report on:
 - i. The status of all war memorials in the Shoalhaven, their condition, and maintenance requirements.
 - ii. The current process for managing memorial applications and maintenance. Noting that the Shoalhaven City Council Plaques and Memorials Policy dated 28 October 2022 states a review of the forementioned policy within 12 months of the date of the election of the new Council is available on request. Confirmation that this is the

correct policy is also requested.

- iii. Historical grant applications and allocations for memorial maintenance.
- iv. Recommendations for improved coordination between Council, RSL, and other stakeholders.
- v. Budget implications for implementing a comprehensive memorial management system.
- vi. Implementation status of Ordinary Meeting resolution of 07 February 2022 to promulgate both Heritage Consultants report and Working Groups report with identified errors and omissions.

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

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

CARRIED ON THE CASTING VOTE OF THE CHAIRPERSON

PROCEDURAL MOTION (Clr Tribe / Clr Boyd)

That the following FORESHADOWED MOTION proposed by Councillor Tribe be recorded in the Minutes: *That the matter be deferred to a Councillor Briefing to understand the implications of each matter and get a recommendation from staff on how to move forward within the current budget.*

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

AGAINST: Clr Kemp, Clr Casmiri and Clr Cox

PROCEDURAL MOTION CARRIED

CALL OVER OF THE BUSINESS PAPER

Call Over of Business Paper - En block – City Performance

RESOLVED (Clr Proudfoot / Clr Krikstolaitis)

MIN25.250

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

- CL25.165 - Ongoing Register of Pecuniary Interest Returns - April 2025
- CL25.166 - Kangaroo Valley Show - Request for Application of Partial Public Holiday 2026/2027
- CL25.167 - Investment Report - April 2025

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

FOR: 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 Services

RESOLVED (Clr Proudfoot / Clr Wilkins)

MIN25.251

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

- CL25.168 - Proposed Sub-Lease - 42 Clipper Road, Nowra - Illawarra Area Child Care Ltd

- CL25.169 - Proposed New Lease - Shop 3, 69 Princes Highway, Milton (Milton Courtyard Studios) - Mark Hurley
- CL25.170 - Report Back - Nowra CBD Parallel/Angle Parking Investigation

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

FOR: 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 Services

RESOLVED (Clr Casmiri / Clr Tribe) MIN25.252

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

- CL25.173 - Landfill Gas Services Contract Extension
- CL25.174 - Tenders - Shoalhaven Material Recovery Facility - Pavements
- CL25.175 - Tenders - Traffic Control Services Panel

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

FOR: 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 Krikstolaitis / Clr Tribe) MIN25.253

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

- CL25.177 - Proposed Exhibition - Shoalhaven Water Development Servicing Plan

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

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

AGAINST: Nil

CARRIED

REPORTS

CL25.162 Financial Sustainability Productivity and Efficiency Report

HPERM Ref:
D25/185722

Recommendation

That Council:

1. Receive the productivity and efficiency report for the period from January to March 2025.
2. Note the actions taken during the period that have supported progress towards the vision identified in Council's Sustainable Financial Futures Plan.

RESOLVED (Clr Proudfoot / Clr Kemp)

MIN25.254

That Council:

1. Receive the productivity and efficiency report for the period from January to March 2025.
2. Note the actions taken during the period that have supported progress towards the vision identified in Council's Sustainable Financial Futures Plan.
3. Direct the Acting CEO (Executive Management Team and Finance Department) to work with the Financial Review Panel in order to further examine existing benchmarks and KPI's to ensure that financial sustainability is readily measured and achieved.

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

AGAINST: Clr Norris

CARRIED

CL25.163 DPOP 2024-25 - Quarterly Performance and Budget Report (January - March)

HPERM Ref: D25/158720

Recommendation

That Council:

1. Receive the March Quarterly Performance Report on the 2022-26 Delivery Program and 2024-25 Operational Plan and publish on Council's website.
2. Receive the March 2025 Quarterly Budget Review Report.
3. Adopt the budget adjustments as outlined in the March 2025 Quarterly Budget Report Document.

RESOLVED (Clr Proudfoot / Clr Krikstolaitis)

MIN25.255

That Council:

1. Receive the March Quarterly Performance Report on the 2022-26 Delivery Program and 2024-25 Operational Plan and publish on Council's website.
2. Receive the March 2025 Quarterly Budget Review Report.
3. Adopt the budget adjustments as outlined in the March 2025 Quarterly Budget Report Document.

FOR: 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

CL25.164 Councillor Expenses and Facilities Policy - For Adoption

HPERM Ref: D25/173597

Note: A rescission motion was received on this item.

Recommendation

That Council in accordance with Section 252 of the Local Government Act 1993, adopt the draft Councillor Expenses and Facilities Policy (Formerly known as "Council Members – Payment of Expenses and Provision of Facilities Policy") as publicly exhibited and attached. (Attachment 1) to commence from 1 July 2025.

RESOLVED (Clr Tribe / Clr Casmiri)

MIN25.256

That Council in accordance with Section 252 of the Local Government Act 1993, adopt the draft Councillor Expenses and Facilities Policy (Formerly known as “Council Members – Payment of Expenses and Provision of Facilities Policy”) as publicly exhibited and attached. (Attachment 1) to commence from 1 July 2025, with the the following amendment:

1. That ‘*Meetings with ratepayers and residents*’ be removed from official business definitions under section 19 of the Policy.

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

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

CARRIED

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

CL25.165 Ongoing Register of Pecuniary Interest Returns - April 2025

HPERM Ref: D25/152050

RESOLVED* (Clr Proudfoot / Clr Krikstolaitis)

MIN25.257

That the report of the Chief Executive Officer regarding the Ongoing Register of Pecuniary Interest Returns lodged for the period of 1 April 2025 to 30 April 2025 be received for information.

FOR: 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

CL25.166 Kangaroo Valley Show - Request for Application of Partial Public Holiday 2026/2027

HPERM Ref: D25/59803

RESOLVED* (Clr Proudfoot / Clr Krikstolaitis)

MIN25.258

That Council:

1. Notes the comments received as a result of the public consultation outlined in the attachments to the report; and
2. Make a biennial application to the Minister for Industrial Relations under the Public Holidays Act 2010, over the Locality of Kangaroo Valley within the Shoalhaven City Council area, as highlighted in the map (detailed in the report and published on Council’s webpage), for the proclamation of a partial public holiday (9am-5pm) on the first day of the Kangaroo Valley Show to be held on the following dates:
 - a. Friday 13 February 2026
 - b. Friday 12 February 2027

FOR: 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

CL25.167 Investment Report - April 2025

HPERM Ref: D25/197929

RESOLVED* (Clr Proudfoot / Clr Krikstolaitis)

MIN25.259

That Council receive the Record of Investments for the period to 30 April 2025.

FOR: 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

CL25.168 Proposed Sub-Lease - 42 Clipper Road, Nowra - Illawarra Area Child Care Ltd

HPERM Ref: D25/164547

RESOLVED* (Clr Wilkins / Clr Proudfoot)

MIN25.260

That Council:

1. Enter a five-year sub-lease with Illawarra Area Child Care Ltd (ABN 87 002 974 076) over the land leased by Shoalhaven City Council from NSW Land and Housing Corporation known as Lots 141-143 DP 703670, 42 Clipper Road, Nowra.
2. Establish commencement sub-lease gross rental amount of \$17,000 (excluding GST) per annum with annual step-up rent increases of \$12,000 (excluding GST) for the term of the sub-lease, with annual rent increases adjusted to the Consumer Price Index (All Groups Sydney).
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 or delegated officer to sign any documentation necessary to give effect to this resolution.

FOR: 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

CL25.169 Proposed New Lease - Shop 3, 69 Princes Highway, Milton (Milton Courtyard Studios) - Mark Hurley

HPERM Ref: D25/185507

RESOLVED* (Clr Wilkins / Clr Proudfoot)

MIN25.261

That Council:

1. Enter a new five-year lease with Mark Hurley (ABN 39 421 030 235) over Council Operational land known as Shop 3, 69 Princes Highway, Milton (Part Lot 1 DP 736273, Part Lot 5 DP 631087 & Part Lot 1 DP325570).
2. Establish commencement new lease rental of \$5,507 (excluding GST) per annum with annual rent increases in line with the Consumer Price Index (All Groups Sydney).
3. Lessee to be responsible for operating costs of the leased premises including proportional building insurance at an estimated cost of \$346.04 (excluding GST) per annum.
4. Authorise the Common Seal of the Council of the City of Shoalhaven to be affixed to any document required to be sealed and delegate authority to the Chief Executive Officer or delegated officer to sign any documentation necessary to give effect to this resolution.

FOR: 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

CL25.170 Report Back - Nowra CBD Parallel/Angle Parking

HPERM Ref:

Investigation	D25/193469
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RESOLVED* (Clr Wilkins / Clr Proudfoot) MIN25.262

That Council receive for information, the report back on Nowra CBD Parallel/Angle Parking Investigation.

FOR: 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

CL25.171 Progress Report - Financial & Practical Feasibility of increasing internal delivery of Traffic Control Services	HPERM Ref: D25/207006
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Recommendation

That Council receive for information, the Progress Report for the Feasibility Study for establishment of a Traffic Control Function.

RESOLVED (Clr Boyd / Clr Krikstolaitis) MIN25.263

That Council receive for information, the Progress Report for the Feasibility Study for establishment of a Traffic Control Function.

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

AGAINST: Clr Clancy and Clr Kemp

CARRIED

CL25.172 Deed of Mutual Termination - BLERF - 0111 Improve resilience of four showgrounds in Shoalhaven	HPERM Ref: D25/198373
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Recommendation

That Council

1. Endorse the execution of the Deed of Mutual Termination of the Bushfire Local Economic Recovery Fund grant, BLERF - 0111 Improve resilience of four showgrounds in Shoalhaven.
2. Provide a repayment of \$579,456.39 to the New South Wales Government, Department of Primary Industries and Regional Development.
3. Delegate authority to the Chief Executive Officer (Director of City Services) to sign any documentation necessary to give effect to this resolution.

RESOLVED (Clr Kemp / Clr Krikstolaitis) MIN25.264

That Council

1. Endorse the execution of the Deed of Mutual Termination of the Bushfire Local Economic Recovery Fund grant, BLERF - 0111 Improve resilience of four showgrounds in Shoalhaven.
2. Provide a repayment of \$579,456.39 to the New South Wales Government, Department of Primary Industries and Regional Development.
3. Delegate authority to the Chief Executive Officer (Director of City Services) to sign any documentation necessary to give effect to this resolution.

FOR: 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

CL25.173 Landfill Gas Services Contract Extension

**HPERM Ref:
D25/215554**

RESOLVED* (Clr Casmiri / Clr Tribe)

MIN25.265

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

FOR: 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

CL25.174 Tenders - Shoalhaven Material Recovery Facility - Pavements

**HPERM Ref:
D25/206559**

RESOLVED* (Clr Casmiri / Clr Tribe)

MIN25.266

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

FOR: 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

CL25.175 Tenders - Traffic Control Services Panel

**HPERM Ref:
D25/207780**

RESOLVED* (Clr Casmiri / Clr Tribe)

MIN25.267

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

FOR: 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

CL25.176 Report Back: Impact of Events in Huskisson

**HPERM Ref:
D25/154148**

Note: The Acting CEO left the room for this item, the time being 8:49pm

Recommendation

That Council:

1. Receive the report on the Impacts of Events in Huskisson for their information.
2. Note that this report addresses MIN24.659 from the Ordinary Council Meeting on 10 December 2024.

RESOLVED (Clr Proudfoot / Clr Krikstolaitis)

MIN25.268

That Council:

1. Receive the report on the Impacts of Events in Huskisson for their information.
2. Note that this report addresses MIN24.659 from the Ordinary Council Meeting on 10 December 2024.

FOR: 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

CL25.177 Proposed Exhibition - Shoalhaven Water Development Servicing Plan

HPERM Ref: D25/168969

RESOLVED* (Clr Krikstolaitis / Clr Tribe)

MIN25.269

That Council:

1. Exhibit the draft Development Servicing Plan and Audit Report for a minimum of 30 working days with a 10-day notice period in accordance with the 2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater.
2. Accept the Development Servicing Plan charges as proposed, including capping of the Kangaroo Valley Sewer charge to the next highest sewer DSP charge.
3. Receive a further report providing the outcomes of the public exhibition and community and interest group feedback.

FOR: 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 Kemp left the meeting and was absent for Confidential session.

Note: The Acting CEO rejoined the meeting, the time being 8:58pm.

RESOLVED (Clr Cox / Clr Krikstolaitis)

MIN25.270

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.

CCL25.15 Landfill Gas Services Contract Extension

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.

CCL25.16 Tenders - Shoalhaven Material Recovery Facility - Pavements

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.

CCL25.17 Tenders - Traffic Control Services Panel

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

AGAINST: Nil

CARRIED

The meeting moved into confidential the time being 8.59pm.

The meeting moved into open session, the time being 9.00pm.

Note: Clr Kemp returned to the meeting, the time being 9:00pm

REPORT FROM CONFIDENTIAL SESSION

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

CCL25.15 Landfill Gas Services Contract Extension

**HPERM Ref:
D25/135760**

RESOLVED*

MIN25.271C

That Council

1. Approve the variation to the Landfill Gas Services contract to have a term of 25 years from the commissioning of the power generation plant.
2. Approve the sale of Australian Carbon Credit Units (ACCU) that Council receives through the

Landfill Gas Services contract.

3. Delegate authority to the Chief Executive Officer (Director City Services) to sign the contract documents and any other associated documents necessary to give effect to this resolution.

CARRIED

CCL25.16 Tenders - Shoalhaven Material Recovery Facility - Pavements

**HPERM Ref:
D25/206910**

RESOLVED*

MIN25.272C

That

1. Council endorses the recommendation of the Tender Evaluation Panel and accepts the Tender from Jirgens Civil Pty Ltd for Shoalhaven Material Recovery Facility - Pavements for a total cost of \$1,039,975.15 (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 (Manager, Technical Services).

CARRIED

CCL25.17 Tenders - Traffic Control Services Panel

**HPERM Ref:
D25/207761**

RESOLVED*

MIN25.273C

That:

1. Council endorses the recommendation of the Tender Evaluation Panel and accepts the following list of Tenders for the Traffic Control Supply Panel.
 - Allied Integrated Management Group Pty Ltd
 - Altus Traffic Pty Ltd
 - APX Civil Pty Ltd, Crown Traffic Pty Ltd
 - Evolution Traffic Management Pty Ltd
 - Go Traffic Pty Ltd, Lack Group Traffic Pty Ltd
 - Nowra Traffic 24/7 Pty Ltd
 - Roadworx Group Pty Ltd
 - Site Specific Traffic Management Planning
 - State Asphalt Services Pty Ltd
 - Stop Slow Traffic Control (NSW) Pty Ltd
 - TMPACS Pty Ltd
 - Wallala Traffic Group Pty Ltd
 - Workforce Internation Group
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 9.04pm.

Clr Wilkins
CHAIRPERSON