

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 9 September 2025

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

Time: 5.30pm

The following members were present:

Mayor Patricia White - Chairperson

Clr Selena Clancy

Clr Denise Kemp (Remotely)

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

Others present:

Mr Brian Barrett – Acting CEO – Left at 6:55pm

Ms Katie Buckman – Director City Performance – Left at 6:55pm

Mr Gordon Clark – Acting Director City Development – Left at 6:55pm

Mr Kevin Norwood – Acting Director City Services – Left at 6:55pm

Mr Andrew McVey – Director Shoalhaven Water – Left at 6:55pm

Mr Mathew Badcock – Chief Financial Officer – Left at 6:55pm

Mr Bruce Gibbs – Manager – Development Services – Left at 6:55pm

Mr Gary George – Manager Building & Property Services – Left at 6:55pm

Ms Caitlin Lewis – Manager – Media & Communications – Left at 6:55pm

Ms Sara McMahon – Manager – Business Assurance & Risk

Ms Jenna Anderson – Governance Coordinator – Left at 6:55pm

Mr Benjamin Fischer – Governance Officer (Minute Taker)

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

Nil

Minutes Confirmed Tuesday 23 September 2025 – Chairperson.....

Confirmation of the Minutes

RESOLVED (Clr Casmiri / Clr Cox)

MIN25.426

That the Minutes of the Ordinary Meeting held on Tuesday 26 August 2025 be confirmed.

FOR: Mayor 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

Mayor White declared a Less than Significant Non-Pecuniary interest in item CMM25.2 - Mayoral Minute - Chief Executive Officer Recruitment Process & Outcome for the reason that one of the candidates is known to the Mayor in a professional capacity. Mayor White will remain in the room and take part in discussion and voting on the matter.

Councillor Clancy declared a Less than Significant Non-Pecuniary interest in item CMM25.2 - Mayoral Minute - Chief Executive Officer Recruitment Process & Outcome for the reason that one of the candidates is known to Councillor Clancy in a professional capacity. Councillor Clancy will remain in the room and take part in discussion and voting on the matter.

MAYORAL MINUTE

MM25.20 Mayoral Minute - Chief Executive Officer Recruitment

**HPERM Ref:
D25/345669**

Recommendation

That in accordance with Section 10A(2)(a) and (d)(i) of the Local Government Act the Council resolve to consider a separate confidential Mayoral Minute on the recruitment of a Chief Executive Officer by reason of the:

(a) personnel matters concerning particular individuals (other than Councillors), and

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

RESOLVED (Mayor White / Clr Clancy)

MIN25.427

That in accordance with Section 10A(2)(a) and (d)(i) of the Local Government Act the Council resolve to consider a separate confidential Mayoral Minute on the recruitment of a Chief Executive Officer by reason of the:

(a) personnel matters concerning particular individuals (other than Councillors), and

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

FOR: Mayor 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

DEPUTATIONS AND PRESENTATIONS

CL25.293 – DA24/1462 – 177 Princes Highway South Nowra – Lot 23 DP841302

Ms Michaela Endicott addressed the meeting on behalf of Kennards Self Storage to speak FOR the recommendation

CL25.294 – DA25/1448 – 682 Yalwal Rd Bamarang – Lot 3 DP 1277665

Mr Timothy Jirgens addressed the meeting to speak AGAINST the recommendation

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL25.279	Rescission Motion – CL25.270 Position on Unplanned Residential Development – Rural Area Adjoining Berry	HPERM Ref: D25/381779
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Note: This rescission motion was withdrawn by Clr Kemp, with support from Clr Casmiri and Clr Proudfoot.

CL25.280	Notice of Motion - CL25.270 Position on Unplanned Residential Development - Rural Area Adjoining Berry	HPERM Ref: D25/381835
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Note: The previous rescission motion was withdrawn, and therefore this item was not dealt with.

CL25.281	Notice of Motion - Cost Shifting Onto Local Government	HPERM Ref: D25/384757
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Recommendation

That

1. Council note the findings of the LGNSW Cost Shifting report for the 2023/2024 financial year; and
2. A copy of the cost shifting report be placed on Council's website so that our communities can access it; and
3. Council writes to the Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently address these costs through a combination of regulatory reform and appropriate funding.

RESOLVED (Clr Cox / Clr Proudfoot)

MIN25.428

That

1. Council note the findings of the LGNSW Cost Shifting report for the 2023/2024 financial year; and
2. A copy of the cost shifting report be placed on Council's website so that our communities can access it; and
3. Council writes to the Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently address these costs through a combination of regulatory reform and appropriate funding.

FOR: Mayor 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

CL25.282 Notice of Motion - Disability Inclusion Action Plan - Employees With a Disability

HPERM Ref: D25/384668

Recommendation

That Council Staff prepare a report on the following:

1. The number of people with a disability who are currently employed by Shoalhaven City Council, across permanent, temporary and casual positions together with a statement of their respective roles.
2. An assessment as to what extent Council's Disability Inclusion Action Plan (D.I.A.P) is meeting set targets.
3. The strategies that Council is using to attract and retain employees with a disability, including how well and how frequently we are engaging with local disability organisations.
4. The identification of opportunities to work with disability enterprises, such as Flagstaff, in order to deliver better outcomes regarding disability awareness and workplace support programmes.
5. Funding opportunities that may present themselves through government agencies and the private sector.

RESOLVED (Clr Proudfoot / Clr Cox)

MIN25.429

That Council Staff prepare a report on the following:

1. The number of people with a disability who are currently employed by Shoalhaven City Council, across permanent, temporary and casual positions.
2. An assessment as to what extent Council's Disability Inclusion Action Plan (D.I.A.P) is meeting set targets.
3. The strategies that Council is using to attract and retain employees with a disability, including how well and how frequently we are engaging with local disability organisations.
4. The identification of opportunities to work with disability enterprises, such as Flagstaff, in order to deliver better outcomes regarding disability awareness and workplace support programmes.
5. Funding opportunities that may present themselves through government agencies and the private sector.

FOR: Mayor 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

CALL OVER OF THE BUSINESS PAPER

Call Over of Business Paper - En block

RESOLVED (Clr Cox / Clr Casmiri)

MIN25.430

That the following items from the reports section of the business paper be resolved en block:

- CL25.284 - Report Back - Review - Inclusion of Submission - Previous Council Report - Expenses and Facilities Policy - CL25.164
- CL25.285 - 2024/25 Draft Financial Statements
- CL25.287 - Proposed New Licence - 20 Otway Street, Orient Point - Culburra & Districts

Preschool Inc

- CL25.288 - Proposed Renewed Lease - Cottage 1/80 Park Road, Nowra - Family Services Illawarra Ltd
- CL25.289 - Acquisition of Land for Road Widening - Part Lot 1 DP 576975, 9 Worrigee Road, Worrigee
- CL25.290 - Acquisition of Land for Road Widening - Part Lot 1 DP 228057, Croobyar Road, Croobyar
- CL25.291 - Half Yearly Compliance Report
- CL25.292 - Modification of Development Application – 59 South St Ulladulla – Lot 1 DP 530697
- CL25.293 - DA24/1462 - 177 Princes Highway South Nowra - Lot 23 DP841302

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

FOR: Mayor 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

CL25.283 Staff Benchmarking and Organisation Chart

HPERM Ref:
D25/378903

Recommendation

That Council:

1. Receives and notes the report;
2. Requests changes to its Delivery Program and Operational Plan that deliver greater transparency to the Shoalhaven community on services, service levels, service delivery methods, revenue generation capacity and costs by 1 July 2026.

RESOLVED (Clr Proudfoot / Clr Cox)

MIN25.431

That Council:

1. Receives and notes the report;
2. Requests changes to its Delivery Program and Operational Plan that deliver greater transparency to the Shoalhaven community on services, service levels, service delivery methods, revenue generation capacity and costs by 1 July 2026.

FOR: Mayor 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 'en block'.

CL25.284 Report Back - Review - Inclusion of Submission - Previous Council Report - Expenses and Facilities Policy - CL25.164

HPERM Ref:
D25/386505

RESOLVED* (Clr Cox / Clr Casmiri)

MIN25.432

That the report be received for information.

FOR: Mayor 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

CL25.285 2024/25 Draft Financial Statements

**HPERM Ref:
D25/366572**

RESOLVED* (Clr Cox / Clr Casmiri)

MIN25.433

That:

1. Council refer the Draft Financial Statements for the year ended 30 June 2025 for audit in accordance with Section 413(1) of the *Local Government Act 1993*.
2. The Mayor and Deputy Mayor be authorised to sign the “Statement by Councillors and Management” pursuant to Section 413(2)(c) of the *Local Government Act 1993*, with the Chief Executive Officer and the Responsible Accounting Officer.
3. Council fixes the date of 25 November 2025 for the audited Financial Statements, together with the auditor’s reports, to be presented to the public in accordance with Section 418(1)(a) and (1)(b) of the *Local Government Act 1993*.

FOR: Mayor 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

CL25.286 History of Investigations - Sanctuary Point Shopping Centre - Rear Area and Laneway

**HPERM Ref:
D25/82363**

Recommendation

1. That Council write to the relevant shop owners, requiring them to:
 - a. Cease using Francis Ryan Reserve for the storage of commercial waste.
 - b. Confine all waste storage activities to within their own premises.
 - c. Install fencing or screening to provide both visual and physical separation between their waste storage areas and Francis Ryan Reserve. Council assists relevant shop owners to seek appropriate grant funding.
2. Council officers make inspections within 3 months of the initial correspondence to confirm the requested items have been completed. Should there be unaddressed items, Council issue orders to the relevant shop owners under Section 124 of the Local Government Act 1993.

MOTION (Clr Proudfoot / Clr Casmiri)

1. That Council write to the relevant shop owners, requiring them to:
 - a. Confine all waste storage activities to within their own premises.
 - b. Install fencing or screening to provide both visual and physical separation between their waste storage areas and Francis Ryan Reserve. Council assists relevant shop owners to seek appropriate grant funding and approaches the Local Members of Parliament for potential funding.

2. Council officers make inspections within 3 months of the initial correspondence to confirm the requested items have been completed. Should there be unaddressed items, Council issue orders to the relevant shop owners under Section 124 of the Local Government Act 1993.

AMENDMENT (Clr Tribe / Clr Norris)

1. That Council write to the relevant shop owners, requiring them to:
 - a. Confine all waste storage activities to within their own premises.
 - b. Install fencing or screening to provide both visual and physical separation between their waste storage areas and Francis Ryan Reserve. Council assists relevant shop owners with, or itself seeks, appropriate grant funding and approaches the Local Members of Parliament for potential funding.
2. Council officers make inspections within 3 months of the initial correspondence to confirm the requested items have been completed. Should there be unaddressed items, Council issue orders to the relevant shop owners under Section 124 of the Local Government Act 1993.

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

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

LOST

RESOLVED (Clr Proudfoot / Clr Casmiri)

MIN25.434

1. That Council write to the relevant shop owners, requiring them to:
 - a. Confine all waste storage activities to within their own premises.
 - b. Install fencing or screening to provide both visual and physical separation between their waste storage areas and Francis Ryan Reserve. Council assists relevant shop owners to seek appropriate grant funding and approaches the Local Members of Parliament for potential funding.
2. Council officers make inspections within 3 months of the initial correspondence to confirm the requested items have been completed. Should there be unaddressed items, Council issue orders to the relevant shop owners under Section 124 of the Local Government Act 1993.

FOR: Mayor 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

CL25.287 Proposed New Licence - 20 Otway Street, Orient Point - Culburra & Districts Preschool Inc.

HPERM Ref: D25/344236

RESOLVED* (Clr Cox / Clr Casmiri)

MIN25.435

That Council:

1. Enter a five-year Licence with Culburra & Districts Preschool Inc. (ABN 17 648 135 107) over Council operational land Lot 185 DP8789, 20 Otway Street, Orient Point.
2. Establish commencement gross rental of \$15,000 (excluding GST) per annum with annual step-up rent increases of \$3,000 (excluding GST) for the term of the licence, notwithstanding the licensee is separately responsible for associated usage charges (waste, electricity, gas, fire safety compliance).
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 Delegate to sign any documentation necessary to give effect to this resolution.

FOR: Mayor 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

CL25.288 Proposed Renewed Lease - Cottage 1/80 Park Road, Nowra - Family Services Illawarra Ltd

HPERM Ref: D25/355118

RESOLVED* (Clr Cox / Clr Casmiri)

MIN25.436

That Council:

1. Enter a five-year lease with Family Services Illawarra Ltd (ABN 47 907 536 122) over Council operational land known as Cottage 1/80 Park Road, Nowra (part Lot 2 DP 708441) as shown in **Figure 1** of this report.
2. Establish lease rental of \$15,000 (excluding GST) per annum.
3. Apply annual rent increases in line with the Consumer Price Index (All Groups Sydney).
4. Authorise the Common Seal of the Council of the City of Shoalhaven to be affixed to any document required to be sealed and delegate authority to the Chief Executive Officer or Delegate to sign any documentation necessary to give effect to this resolution.

FOR: Mayor 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

CL25.289 Acquisition of Land for Road Widening - Part Lot 1 DP 576975, 9 Worrigea Road, Worrigea

HPERM Ref: D25/230759

RESOLVED* (Clr Cox / Clr Casmiri)

MIN25.437

That Council consider a separate confidential report in accordance with Section 10A(2)(c) and (d)(iii) of the *Local Government Act 1993* in relation to the acquisition of Part Lot 1 DP 576975, 9 Worrigea Road, Worrigea.

FOR: Mayor 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

CL25.290 Acquisition of Land for Road Widening - Part Lot 1 DP 228057, Croobyar Road, Croobyar

HPERM Ref: D25/345737

RESOLVED* (Clr Cox / Clr Casmiri)

MIN25.438

That Council consider a separate confidential report in accordance with Section 10A(2)(c) of the *Local Government Act 1993* in relation to the acquisition of Part Lot 1 DP 228057, Croobyar Road, Croobyar.

FOR: Mayor 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

CL25.291 Half Yearly Compliance Report

**HPERM Ref:
D25/288850**

RESOLVED* (Clr Cox / Clr Casmiri)

MIN25.439

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

FOR: Mayor 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

**CL25.292 Modification of Development Application – 59 South St
Ulladulla – Lot 1 DP 530697**

**HPERM Ref:
D25/312266**

RESOLVED* (Clr Cox / Clr Casmiri)

MIN25.440

That Council in relation to the modification of Development Application DA22/1708 (MA2025/1123) for a Mixed Use building containing comprising three (3) commercial offices and twenty four (24) residential apartments, with Eight (8) units to be allocated as affordable rental housing, basement car parking for twenty one (21) vehicles, tree removal and landscaping works at Lot 1 in DP 530697, 59 South St, Ulladulla:

1. Confirm that it supports the proposed application as modified.
2. Approve the Modified Application (MA2025/1123) in accordance with the recommended conditions of the consent (**Attachment 4**).

FOR: Mayor 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

**CL25.293 DA24/1462 - 177 Princes Highway South Nowra - Lot 23
DP841302**

**HPERM Ref:
D25/228356**

Note: A deputation was received on this item.

RESOLVED* (Clr Cox / Clr Casmiri)

MIN25.441

That Council approves Development Application (DA24/1462) for multi-storey self-storage buildings at 177 Princes Highway, South Nowra subject to the conditions of consent listed in the Draft Determination Notice listed at Attachment 1.

FOR: Mayor 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

**CL25.294 DA25/1448 – 682 Yalwal Rd Bamarang – Lot 3 DP
1277665**

**HPERM Ref:
D25/338781**

Note: A deputation was received on this item.

Recommendation

That development application DA25/1448 to change the use of the existing approved training centre building into a dwelling house at 682 Yalwal Rd Bamarang, Lot 3 DP 1277665, be refused

for the reasons contained in Attachment 2 of this report.

RESOLVED (Clr Proudfoot / Clr Clancy)

MIN25.442

That with respect to Development application DA25/1448 to change the use of the existing approved training centre building into a dwelling house at 682 Yalwal Rd Bamarang, Lot 3 DP 1277665, Council supports the proposed variation to the development standard and refers the application back to staff to negotiate further information required in relation to the biodiversity impacts of the proposal.

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

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

CARRIED

CL25.295 2025 Australian Coastal Councils Conference

HPERM Ref:
D25/370017

Recommendation

That Council receive the report from Clr Patricia White and Clr Selena Clancy on the 2025 Australian Coastal Councils Conference for information.

RESOLVED (Mayor White / Clr Clancy)

MIN25.443

That Council receive the report from Clr Patricia White and Clr Selena Clancy on the 2025 Australian Coastal Councils Conference for information.

FOR: Mayor 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

Procedural Motion – Invite Attendees to Confidential Session

RESOLVED (Mayor White / Clr Clancy)

MIN25.444

That Mr Stephen Blackadder, Managing Director of SBC Pty Ltd, and Captain Paul Hannigan (Independent Member of Selection Sub-Committee), be invited to attend the meeting during the consideration of report CMM25.2 - *Mayoral Minute - Chief Executive Officer Recruitment Process & Outcome* in confidential session to provide information to the Council if required.

FOR: Mayor 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 Dunn / Clr Casmiri)

MIN25.445

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.

- CMM25.2 Mayoral Minute - Chief Executive Officer Recruitment Process & Outcome
Personnel matters concerning particular individuals (other than Councillors). 10(A)(2)(a)
There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to contrary to the guidelines for the appointment of Senior Staff and may give rise to contractual issues.
- CCL25.25 Acquisition of Land for Road Widening - Part Lot 1 DP 576975, 9 Worrigee Road, Worrigee
Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. 10(A)(2)(c)
Information that would, if disclosed, reveal a trade secret. 10(A)(2)(d)(iii)
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.
- CCL25.26 Acquisition of Land for Road Widening - Part Lot 1 DP 228057, Croobyar Road, Croobyar
Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. 10(A)(2)(c)
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: Mayor 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 6:48pm.

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.

**CCL25.25 Acquisition of Land for Road Widening - Part Lot 1 DP
576975, 9 Worrigee Road, Worrigee**

**HPERM Ref:
D25/230789**

RESOLVED

MIN25.446C

That Council:

1. Acquire by negotiation under section 177 of the *Roads Act 1993* the land described as part Lot 1 DP 576975, shown on Figure 1 to this report, for road widening purposes comprising an area of approximately 425m² (subject to final survey and plan of acquisition).
2. Authorise the Chief Executive Officer or Delegate with authority to complete negotiations including the agreed compensation payable generally in accordance with the report of the independent certified valuer.
3. Authorise that in the event an agreement cannot be reached with the landowner for negotiated acquisition under the *Land Acquisition (Just Terms Compensation) Act 1991* within a reasonable timeframe, that Council is authorised to proceed via Compulsory Acquisition to acquire part Lot 1 DP 576975 (subject to final survey and plan of acquisition) for road widening purposes by applications to the Minister for Local Government and the Governor under authority contained within section 177 of the *Roads Act 1993* and pursuant to the *Land Acquisition (Just Terms Compensation) Act 1991*.
4. Dedicate the identified area of part Lot 1 DP 576975 as public road pursuant to section 10 of the *Roads Act 1993* including notice in the NSW Government Gazette.
5. 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*.
6. Authorise the Common Seal of the Council of the City of Shoalhaven to be affixed to any document required to be sealed and delegate authority to the Chief Executive Officer or Delegate to sign any documentation necessary to give effect to this resolution.

CARRIED

**CCL25.26 Acquisition of Land for Road Widening - Part Lot 1 DP
228057, Croobyar Road, Croobyar**

**HPERM Ref:
D25/345825**

RESOLVED

MIN25.447C

That Council:

1. Acquire by negotiation under section 177 of the *Roads Act 1993* the land described as part Lot 1 DP 228057, shown on Figure 1 to this report, for road widening purposes comprising an area of approximately 66m² (subject to final survey and plan of acquisition).
2. Authorise the Chief Executive Officer or Delegate with authority to complete negotiations including compensation payable (and any minor adjustment to compensation with final plan of acquisition) generally in accordance with the report of the independent certified valuer
3. Dedicate the identified area of part Lot 1 DP 228057 as public road pursuant to section 10 of the *Roads Act 1993* including notice in the NSW 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 signed and delegate authority to the Chief Executive Officer or Delegate to sign any documentation necessary to give effect to this resolution.

CARRIED

**CMM25.2 Mayoral Minute - Chief Executive Officer Recruitment
Process & Outcome****HPERM Ref:
D25/391239****RESOLVED**

MIN25.448C

That:

1. Council receives the Progress and Outcomes Report 1 September 2025 from Stephen Blackadder Managing Director SBC PTY LTD provided in hard copy only as Attachment 1.
2. The candidate selected by the Sub-Committee after final interviews for the position of General Manager, styled as the Chief Executive Officer, of Shoalhaven City Council, and as outlined in the confidential Process and Outcome report circulated to Councillors separately be offered the position.
3. Should the selected candidate not accept the position and in accordance with the merit-based assessment undertaken as part of the recruitment process, the whole Council review the remaining three candidates identified in the report.
4. The Mayor, with advice from the Recruitment Consultant, be authorised to finalise negotiations with the accepting candidate and sign a contract based on the following:
 - a. A five (5) year performance-based Contract in accordance with the Standard Contract of Employment applying to all general manager positions in NSW.
 - b. A total remuneration package up to the amount specified in the report on processes and outcomes.
 - c. Provision of a motor vehicle for full private use based on a contribution of \$15,000 by the CEO to private use costs from the total remuneration package and subject to the conditions outlined in the contract.
 - d. The preparation of a Professional and Leadership Development Program for the Chief Executive Officer to be agreed with the Mayor, including membership of the Local Government Chief Officers Group.
5. No public announcement of the name of the successful candidate be made until the Mayor has obtained a written acceptance of the offer.
6. The Employment Contract between the appointee and the Council be executed under the Common Seal of the Council.
7. Following the successful appointment and prior to commencement of the Chief Executive Officer council receive a further report to determine the following:
 - a. Appointment of members to the Chief Executive Officer Performance Review Panel.
 - b. Assign all delegations as required to the Chief Executive Officer.
 - c. Define what acting arrangements are to be put in place should the Chief Executive Officer take leave or be unable to act in their capacity as Chief Executive Officer.
8. The Council thank the members of the Recruitment Sub-Committee for their diligence and commitment in overseeing the recruitment process

CARRIED

There being no further business, the meeting concluded, the time being 9:06pm.

Mayor White
CHAIRPERSON