

Ordinary Meeting

Meeting Date: Tuesday, 27 January, 2026

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

Time: 5:30 PM

Membership (Quorum – 7)

Clr Patricia White – Mayor

Ward 1

Clr Matthew Norris

Clr Peter Wilkins - Deputy Mayor

Clr Selena Clancy - Assist. Deputy Mayor

Clr Brett Steele

Ward 2

Clr Ben Krikstolaitis

Clr Bob Proudfoot

Clr Jemma Tribe

Clr Luciano Casmiri

Ward 3

Clr Denise Kemp

Clr Gillian Boyd

Clr Karlee Dunn

Clr Debbie Killian

Please note: The proceedings of this meeting (including presentations and debate) will be webcast, recorded and made available on Council's website, under the provisions of the Code of Meeting Practice. Your attendance at this meeting is taken as consent to the possibility that your image and/or voice may be recorded and broadcast to the public.

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<https://www.shoalhaven.nsw.gov.au/Council/Meetings/Stream-a-Council-Meeting>.

Statement of Ethical Obligations

The Mayor and Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the start of the council term to undertake their civic duties in the best interests of the people of Shoalhaven City and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act or any other Act, to the best of their skill and judgement.

The Mayor and Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.

Agenda

1. Acknowledgement of Country

Walawaani (welcome),

Shoalhaven City Council recognises the First Peoples of the Shoalhaven and their ongoing connection to culture and country. We acknowledge Aboriginal people as the Traditional Owners, Custodians and Lore Keepers of the world's oldest living culture and pay respects to their Elders past, present and emerging.

Walawaani njindawan (safe journey to you all)

Disclaimer: Shoalhaven City Council acknowledges and understands there are many diverse languages spoken within the Shoalhaven and many different opinions.

- 2. Moment of Silence and Reflection**
- 3. Australian National Anthem**
- 4. Apologies / Leave of Absence**
- 5. Confirmation of Audio-Visual Attendance**
- 6. Confirmation of Minutes**
 - Ordinary Meeting - 16 December 2025
- 7. Declaration of Interests**
- 8. Presentation of Petitions**
- 9. Mayoral Minute**
- 10. Presentations**

11. Notices of Motion / Questions on Notice**Notices of Motion / Questions on Notice**

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16. Confidential ReportsReports

CCL26.1 Tenders - Intersection Upgrade - Yalwal Rd & George Evans Rd, Mundamia

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

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.

CL26.1 Notice of Motion - Low-Cost Rental Initiative Working Group

HPERM Ref: D26/14825

Submitted by: Cllr Luciano Casmiri

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That:

1. Council approve the establishment of a Low-Cost Rental Initiative Working Group.
2. The CEO report back as a matter of urgency with the Terms of Reference.
3. The Working Group have the power to co-opt outsiders for specific tasks & advice and have a core membership of 4 Councillors with a quorum of 2 members.

Background

Purpose: The purpose of the Low-Cost Rental Initiative Working Group (the Working Group) is to support Shoalhaven City Council in the assistance to provide Low-Cost Rental by investigating the commercial outcome and the restrictions of temporary rental accommodation conditions and to provide input into the LEP development process. The Working Group recognises the benefits of working with Council and other stakeholders: to recommend its Strategy. The Working Group will lead work to execute the actions set in the Initiative by engaging the knowledge, skills, and connections of stakeholders in properties in the low-rental market with the aim to submit to Council a recommendation for Low-Cost Rental housing in the low rent available properties with restrictions by Shoalhaven City Council.

Background: Prior to year 2000 there were circa 1,000,000 “true visitors” per annum in Shoalhaven with a limited number of Hotels, Motels and privately owned holiday houses to rent, hence Council of the day rightly decided to provide incentives and implement restrictions for holiday type property for the use of holiday rental only, however.

- **Recent Years (post-2018):** The total number of visitors has stayed solid at around 3 million annually. The total visitor nights reached a record-breaking 5.41 million as of December 2018.
- **Growth Trends (2013–2018):** This period saw significant growth, with a 47% increase in domestic overnight visitors and a 133% increase in international overnight visitors.
- **General Context:** Shoalhaven is a popular destination and is often cited as the most visited Local Government Area (LGA) outside of the Sydney CBD for day and overnight visits. The facts are (as documented by experts) that due to the great technology advances and work practices (i.e. NBN and working from home) plus the improved roads conditions the number of visitors and permanent residents in Shoalhaven will continue to increase at a very rapid rate creating further restrictions and limitations for our younger generation and low-income earners to reside and remain in Shoalhaven. It is my understanding that there are hundreds if not

CL26.1

thousands or suitable low-cost rent cottages, cabins, caravans, etc that if available in the permanent low-rental market, it will resolve part of the affordable rental situation and potentially provide accommodation for homeless people in our Shoalhaven.

CL26.1

CL26.2 Notice of Motion - Investigation of Light Rail Options - Bomaderry to South Nowra

HPERM Ref: D26/7295

Submitted by: Clr Matthew Norris

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That Council:

1. Notes that the current rail service between Bomaderry and Kiama has limited capacity and does not meet current or future transport requirements of a growing Shoalhaven.
2. Recognises that the State Government is encouraging increased housing in the Shoalhaven, which will place additional demand on transport infrastructure.
3. Notes that successive Shoalhaven City Councils have supported calls for upgrades to the Kiama–Bomaderry stretch of the South Coast Railway Line, which have not been implemented despite repeated requests.
4. Requests that Transport for NSW investigate options for a full light rail system linking Bomaderry, Nowra, and South Nowra, including feasibility, potential route alignments, integration with existing transport infrastructure, and capacity benefits.
5. Requests that any report from Transport for NSW be presented to Council for consideration, to inform long-term planning and ensure transport infrastructure keeps pace with housing growth.

Background

The Shoalhaven has long advocated for upgrades to the Kiama–Bomaderry section of the South Coast railway line, yet successive State Governments have not acted. Current patronage has been cited as a reason for inaction, but this underlines the need for more frequent, flexible, and higher-capacity services to support housing growth and increased commuter demand. A light rail system would enhance connectivity across Bomaderry, Nowra, and South Nowra, provide more options for commuters, and ensure transport infrastructure keeps pace with development. This motion seeks an investigation and a report to Council so that Shoalhaven can have a fully informed discussion about long-term transport solutions.

CL26.2

CL26.3 Notice of Motion - Congratulations to the new Member for Kiama

HPERM Ref: D26/14855

Submitted by: Clr Matthew Norris

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That Council:

1. Notes the declaration of the Poll for the State electoral district of Kiama following the state by-election held on 13 September 2025.
2. Congratulates Ms Katelin McInerny MP on her election as Member for Kiama.
3. Recognises and thanks all candidates who nominated for the electorate for their participation in the democratic process.

Background

Traditionally post-election a Mayoral minute has been passed to congratulate the returned or the new member.

Note by the CEO

The Mayor of Shoalhaven has commenced and agreed to regular meetings with the Member for Kiama to discuss matters of importance to local communities. At their first meeting the Mayor congratulated the newly elected MP and looks forward to their regular engagement.

CL26.3

CL26.4 Notice of Motion - Tomerong School of Arts Inc - Centenary Celebrations

HPERM Ref: D26/14750

Submitted by: Clr Bob Proudfoot

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That:

1. Council staff work with the Tomerong School of Arts Inc. (TSOA), in preparing for their Centenary Celebrations to be held in October this year, and in so doing give its in-principled support to this very important community event.
2. Further, Council provide assistance to the TSOA by way of the following:
 - a. Support the application for a grant.
 - b. Provide "in-kind" support wherever possible, or as the situation dictates.

Background

The Centennial Celebrations for the TSOA Hall will be a magnificent opportunity to reflect upon, and celebrate this wonderful history, and to make new memories and connections for the future.

This is a particularly important initiative for the youth of the area, with the organisers indicating that they will be liaising with Tomerong Public School in order to encourage their students to proactively engage with the festivities, and especially with the "Tomerong Tales" oral history component of the celebrations.

The Tomerong community has grown and changed quite dramatically over the course of the past 100 years and along the way has experienced a number of significant challenges, from severe droughts to swirling floods to devastating bushfires, with the TSOA being central to providing locals the support and space required to assist in the re-build, the re-connect and importantly the recovery.

Our support for the Tomerong community is vitally needed in order to appropriately celebrate its magnificent history in the style that is most fitting for the occasion. Council's involvement in the festivities will make a significant contribution to the success of the event, and will demonstrate that even in very difficult financial times we can still make a difference.

Note by the CEO

On 9 December 2025, the Mayor provided a letter of support to the Tomerong School of Arts Inc. in relation to their centennial celebrations for the purpose of assisting with grant applications to government or other funding sources.

I wish to advise the Centennial celebration organisers that Shoalhaven City Council does have an annual Community Wellbeing Grants Program. Depending on the events or activities planned, the group may be able to make application for funding within the guidelines of that program.

CL26.4

CL26.5 Notice of Motion - Peacocks in St Georges Basin

HPERM Ref: D26/14847

Submitted by: Clr Bob Proudfoot

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That the Chief Executive Officer (Director City Development) undertake an investigation into the impact on local amenity caused by peacocks in the vicinity of Deane Street, St Georges Basin, and determine an appropriate compliance response.

Background

A resident in Deane Street, St Georges Basin has made representation with respect to Peacocks which are kept in their local neighbourhood. I am advised that the amenity of the residents in that area is impacted as they are experiencing invasive behaviour by the peacocks which includes:

1. Peacocks constantly roaming and making horrible noises at all times.
2. Peacocks scratching and defecating on the solar panels of nearby homes
3. Peacocks leaving scratch marks on cars parked in the vicinity

A range of videos, audio files and pictures can be supplied to Council that highlight the invasive extent of the current intolerable situation.

CL26.5

CL26.6 Question on Notice - Investigate Financial Exposures & Risks - Flow Power Contract

HPERM Ref: D25/579204

Submitted by: Clr Denise Kemp

Question

At the Ordinary Meeting of 09 December 2025, Council considered item CL25.410 - Report of the Financial Review Panel meeting held on 13 November 2025.

1. If you receive dividends or are a shareholder etc. would that be a declared conflict of interest in this meeting?
2. What Councillors agreed to this \$34 million cost? as I can't find a Council meeting stating \$34 million for this.
3. Was this agreement with Flow Power / Repower put out to tender?
4. How much is Council paying for our power on a monthly & yearly basis for the last four years?
5. What do we get for our money and what sites are supplied with the power?
6. Can we investigate the price purchasing power under the NSW Government contract price comparison?
7. Consider investigation of links to ISJO or involvement if at all.

Response

1. Conflicts of Interest of staff were addressed as part of the Tendering process. Conflicts of Interests of Councillors are managed directly by each Councillor. Our records indicate there were no declarations of a conflict of interest by any Councillor or staff member in relation to this matter.
2. Council, at the Ordinary Meeting 26 April 2022, resolved to go to tender for a Large Sites and Streeting Lighting Contract, and delegated authority to the CEO to award the Tender (due to the potential of a limited tender validity period) and to execute the Contract on behalf of Shoalhaven City Council. At the conclusion of the Tender Process and the Execution of the Contract a briefing was distributed to all Councillors on 26 October 2022 to advise of the outcomes of the tender process.
3. Shoalhaven City Council partnered with Kiama and Shellharbour Council in a joint tendering activity for the supply of electricity to our Large Sites and Street Lighting. Flow Power was selected as the preferred tenderer for all three Councils.
4. The total expenditure across all Council sites on electricity for the last 4 full financial years:
 - FY22 – \$5.8M,
 - FY23 – \$7.5M,
 - FY24 – \$8.0M,
 - FY25 – \$8.0M

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Financial Year	Usage (kWh)	YoY Change (%)	Cost (\$)	YoY Cost Change (%)
2021-2022	35,374,688.0	-3	5,794,725	-7
2022-2023	36,637,508.0	4	7,510,443	30
2023-2024	35,137,485.0	-4	7,989,737	6
2024-2025	35,761,644.0	2	8,034,766	1
2025-2026	18,033,049.0	1	3,847,274	-5

- The Flow Power contract provides electricity for 55 Council sites across the Shoalhaven (Large Retail Electricity Sites, sites with greater than 100MWh Consumption) and all Streetlighting supplied with essential electricity to function.
- This is possible to investigate. The current contract, as at January 2026 will be 3 years into an 8 year contract with Flow Power. Council resolved at its meeting on the 9 December 2025 to direct the CEO to immediately investigate the financial exposure and potential risks to Shoalhaven rate payers of the Flow Power Contract. This question will be included in the investigation with the findings reported to Council.
- Kiama and Shellharbour Council participated in the 2022 Tender. The other ISJO Council Wollongong City Council had at the time recently completed a Power Purchase Agreement so were unable to join in this tender.

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CL26.7 Report of the Aboriginal Advisory Committee - 4 November 2025

HPERM Ref: D25/579783

AA25.12 Additional Item - Membership - Paul McLeod

Carly McWalters sought the committee's feedback on accepting Uncle Paul McLeod's membership re-nomination to the committee for another term.

Recommendation

That Council, as recommended by the Aboriginal Advisory Committee, endorse Paul McLeod's membership and note the importance of committee members being committed to the committee.

CL26.7

CL26.8 Report of the Shoalhaven Motor Sports Working Group - 15 December 2025

HPERM Ref: D25/598516

MS25.3 Report Back - Potential Development Pathways for a Motor Sports Complex

HPERM Ref:
D25/540575

Recommendation

That Council, as recommended by the Shoalhaven Motor Sports Working Group, provide further reports to the Working Group on the following:

1. The approach of Motorcycling NSW to gaining a copy of the approval from the Local Aboriginal Land Council for their Development Application (DA).
2. The process Bathurst followed to obtain a Planning Secretary's Environmental Assessment Requirements (SEARs) report for the purpose of developing a second racetrack, and the viability of Council submitting a similar Preliminary Environmental Assessment to the State Government.
3. Whether Council has any available biodiversity offsets that could assist the project.

CL26.8

CL26.9 Councillor Membership Vacancies - Financial Review Panel and Senior Staff Contractual Matter Subcommittee

HPERM Ref: D25/525089

Department: Business Assurance & Risk

Approver: Mathew Badcock, Acting Director, City Performance

Purpose:

The purpose of this report is to nominate a Councillor to fill vacancies on the following Committees created by the resignation of Councillor Jason Cox:

- **Financial Review Panel (the Panel) 74866E:** In accordance with the [Terms of Reference](#), the Councillor nominated will need to be from Ward 1
- **Senior Staff Contractual Matters Subcommittee (CEO Recruitment and Performance Review Panel) 5001E**

Recommendation

That Council:

1. Note the vacancies on the Financial Review Panel and Senior Staff Contractual Matter Subcommittee due to the resignation of Councillor Cox.
2. Appoint a Councillor as the Ward 1 representative to the Financial Review Panel for the period to September 2026.
3. Appoint a Councillor to the Senior Staff Contractual Matters Subcommittee.

Background

Financial Review Panel

At the Ordinary Meeting of Council held on 23 September 2025, Council resolved to appoint Councillor Cox as the Ward 1 representative to the Financial Review Panel ([MIN25.488](#)).

Following the recent resignation of Councillor Cox, a vacancy has arisen in the Ward 1 Councillor representation on the Panel. In accordance with the [Terms of Reference](#), there is a Councillor representative from each ward appointed in addition to the Mayor (Councillor White) and Deputy Mayor (Councillor Wilkins – Ward 1), leaving this position to be filled by another Councillor representing Ward 1.

Eligible Ward 1 Councillors are:

- Councillor Clancy
- Councillor Norris
- Councillor Steele

Councillor Ward representatives are voting members of the Panel. The Panel meets four (4) times per year with additional meetings held as required.

Senior Staff Contractual Matters Subcommittee

At the Extraordinary Meeting of Council held on 29 September 2025, Council resolved to appoint membership on the Senior Staff Contractual Matters Subcommittee (CEO Recruitment and Performance Review Panel) as follows ([MIN25.540](#)):

“Mayor White (Chairperson), the Deputy Mayor, Cr Casmiri, Cr Norris and Cr Cox”

Following the recent resignation of Councillor Cox, a vacancy has arisen on this Subcommittee. The [Guidelines for the Appointment and Oversight of the General Manager](#) from of the Office of Local Government suggest that *“Performance review panels should comprise of the mayor, the deputy mayor, another councillor nominated by council and a councillor nominated by the general manager.”*

Risk Implications

With regards to the Financial Review Panel, if another Ward 1 Councillor is not appointed the elected Council will not achieve representation on the Committee as required under the Terms of Reference. However, the Terms of Reference does permit for a non-voting Councillor member in attendance to be an alternate voting member to achieve quorum.

With regards to the Senior Staff Contractual Matters Subcommittee, the Council should ensure that achieves quorum and appropriate representation in the important matter of undertaking CEO recruitment and performance review processes.

Internal Consultations

Internal consultation was not required as part of this report.

External Consultations

External consultation was not required as part of this report.

Community Consultations

Community consultation was not required as part of this report.

Policy and Statutory Implications

This report ensures that the membership requirements of the Financial Review Panel Terms of Reference are met and that Council achieves adequate representation on the Senior Staff Contractual Matters Subcommittee.

Financial Implications

There are no financial implications associated with this report.

CL26.9

CL26.10 Ongoing Register for Pecuniary Interest Returns - December 2025

HPERM Ref: D25/598340

Department: Business Assurance & Risk

Approver: Mathew Badcock, Acting Director, City Performance

Purpose:

To provide Council with the Register of Pecuniary Interest Returns from newly designated persons lodged with the Chief Executive Officer for the period of 1 December 2025 to 31 December 2025 as required under Section 440AAB of the Local Government Act 1993 and Part 4.26 of Council's adopted Code of Conduct (implemented in accordance with the Model Code of Conduct released by the Office of Local Government).

Recommendation

That the report of the Chief Executive Officer regarding the Ongoing Register of Pecuniary Interest Returns lodged for the period of 1 December 2025 to 31 December 2025 be received for information.

Background

Under Section 440AAB of the *Local Government Act 1993* and Part 4.26 of Council's adopted Code of Conduct (the Code), newly designated persons are required to complete an Initial Pecuniary Interest Return within 3 months of becoming a designated person.

Section 440AAB (2) of *The Local Government Act 1993* states:

"Returns required to be lodged with the general manager must be tabled at a meeting of the council, being the first meeting held after the last day specified by the code for lodgement, or if the code does not specify a day, as soon as practicable after the return is lodged."

Part 4.21 of the Code states:

"A Councillor or designated person must make and lodge with the Chief Executive Officer a return in the form set out in schedule 2 to this Code, disclosing the Councillor's or designated person's interests as specified in schedule 1 to this Code within 3 months after:

- a. becoming a Councillor or designated person, and
- b. 30 June of each year, and
- c. the Councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b)."

In regard to this, Part 4.26 of the Code states:

"Returns required to be lodged with the general manager under clause 4.21(c) must be tabled at the next council meeting after the return is lodged."

This report is one of a series of reports of this nature which will be provided throughout the year to align with the legislative requirements and, in this instance, is lodged under Part 4.21(a) of the Code.

Those persons who have submitted a return within the period in accordance with their obligation to lodge an initial pecuniary interest return are listed below:

Directorate	Name	Designated Position Start Date	Returned
Councillor	Brett Steele	9 December 2025	11 December 2025
City Services	Tim McLeod	26 August 2024*	16 December 2025
City Development	Shannon Cable	29 November 2025	8 December 2025
City Services	Jackson Green	12 November 2025	17 December 2025
City Development	Kerry Grennard	15 December 2025	23 December 2025

*This role was not identified as a designated role until December 2025.

Electronic versions of the disclosure documents (with relevant redactions) are available on the Council website, in accordance with requirements under the *Government Information (Public Access) Act, 2009*.

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Risk Implications

A failure to meet the obligations with respect to the Pecuniary Interest Returns by a designated officer leaves Council at risk of non-compliance with legislative requirements, conflict of interests and limited transparency.

Failure of a designated officer or Councillor to complete a return within the required timeframe or include relevant information in a return may amount to a breach of Part 4 of the Code of Conduct. Allegations of such are to be referred to the Office of Local Government for investigation in accordance with the Procedures for the Code of Conduct.

Internal Consultations

Internal consultation is not required as the process for Initial Pecuniary Interest forms is governed by the *Local Government Act 1993*, the Model Code of Conduct and the *Government Information (Public Access) Act, 2009*.

External Consultations

External consultation is not required as the process for Initial Pecuniary Interest forms is governed by the *Local Government Act 1993*, the Model Code of Conduct, Council's adopted Code of Conduct, and the *Government Information (Public Access) Act, 2009*.

Community Consultations

Community consultation is not required as the process for Initial Pecuniary Interest forms is governed by the *Local Government Act 1993*, the Model Code of Conduct, Council's adopted Code of Conduct, and the *Government Information (Public Access) Act, 2009*.

Policy and Statutory Implications

The obligations with respect to the Pecuniary Interest Returns by designated officers are in accordance with the Code and the *Government Information (Public Access) Act, 2009*.

Financial Implications

There are no financial implications for this report.

CL26.10

CL26.11 Budget Strategies and Parameters - 2026/2027

HPERM Ref: D26/1526

Department: Finance

Approver: Mathew Badcock, Acting Director, City Performance

Purpose:

To seek adoption of the budgeting strategies and economic parameters to guide the preparation of the draft 2026/27 Budget.

Recommendation

That Council adopt the following budgeting strategies and guiding economic parameters for the preparation of the initial Draft of the 2026/27 Budget

1. Principal budgeting strategies:
 - a. The budget will not result in an unrestricted cash deficit
 - b. Prioritise funding in the following order:
 - i. Provide sufficient funding for all continuing services
 - ii. Continue Council's commitment to asset renewal
 - iii. Continue a program of capital improvements to address historic budget shortfalls
 - c. Maintain or improve Council's financial and asset management performance indicators reported in the special schedules of the annual financial statements
 - d. Increase Council's unrestricted cash balance
 - e. Minimise carry forwards through substantial completion and long-term planning of the capital works program
2. Economic parameters for budgeting:
 - a. Rates are increased by the rates peg set by IPART of 3.1%
 - b. User charges and fees are increased by 6% (non-statutory fees only)
 - c. Salaries and wages will increase in accordance with the Local Government (State) Award (projected to be increased by 4%)
 - d. Superannuation is at 12%
 - e. Materials and other expenditures increase by 3.1%
 - f. The capital works program is appropriately set in order to assist in the management of Council's financial sustainability challenges and to ensure there is no reduction in Council's unrestricted cash balance
 - g. Consistent with Council's Long Term Financial Plan, no additional loan borrowing borrowings are to be taken out in FY 2026/27
3. Repairs to Council's Road Network be a primary focus of the initial draft of the Capital Works Program.

CL26.11

Background

Proposed Budget Strategies and Parameters

The adoption of the following principal budgeting strategies is proposed for the preparation of the draft 2026/27 Budget:

1. The budget will not result in an unrestricted cash deficit
2. Prioritise funding in the following order:
 - i. Provide sufficient funding for all continuing services
 - ii. Continue Council's commitment to asset renewal
 - iii. Continue a program of capital improvements to address historic budget shortfalls
3. Maintain or improve Council's financial and asset management performance indicators reported in the special schedules of the annual financial statements
4. Increase Council's unrestricted cash balance
5. Minimise carry forwards through substantial completion and long-term planning of the capital works program

The following economic parameters are recommended for adoption.

General Rates Increase

Independent Pricing and Regulatory Tribunal (IPART) has set the rate peg for the 2026-27 financial year using the rate peg methodology. The rate peg applicable to Shoalhaven City Council for the 2026/27 financial year is 3.1%.

Recommendation – Economic Parameter 1

Rates are increased by the rate peg set by IPART of 3.1%

User Charges and Fees

To ensure Council's fees remain market competitive, align with those of other councils, and improve cost recovery for services provided, it is proposed that user charges and fees be increased by an amount greater than the rate peg. This approach reflects the true cost of delivering services, particularly considering the estimated 4% increase in employee costs under the Local Government (State) Award, rather than simply offsetting budget pressures. Legislative requirements will continue to dictate certain fees, and an assessment of impacts on utilisation and affordability will be undertaken when setting each fee or charge.

Recommendation – Economic Parameter 2

User charges and fees are increased by 6% non-statutory fees only)

Employee Costs

The Local Government (State) Award is currently under negotiation and the Award increase for 2026/27 is unknown at the time of this report. It is expected that the Award will be released by June 2026. An increase of 4% is estimated at this stage.

Recommendation – Economic Parameter 3

Salaries and wages will increase in accordance with the Local Government (State) Award (projected to be increased by 4%)

Recommendation – Economic Parameter 4

Superannuation is at 12% in line with legislated increases

Materials and Other Expenditure

The most recent annualised CPI was 3.2% at the September 2025 quarter and based on the Reserve Bank of Australia's Statement on Monetary Policy (November 2025), inflation is projected to peak at 3.7% by mid-2026 before easing to 2.6% by the end of 2027. It is recommended that a 3.1% increase be applied to all Material and Other Expenditure items, consistent with Council's rate peg of 3.1%. This figure reflects a rate close to the average projected inflation for the upcoming financial year and aligns with the upper end of the Reserve Bank's target range of 2–3%.

Statement on Monetary Policy – November 2025

	Jun-25	Dec-25	Jun-26	Dec-26	Jun-27	Dec-27
Inflation						
Consumer Price Index	2.1	3.3	3.7	3.2	2.7	2.6
Trimmed mean inflation	2.7	3.2	3.2	2.7	2.6	2.6

Recommendation – Economic Parameter 5

Materials and other expenditures increase by 3.1%

The Capital Budget

General Fund

Council's Enterprise Project Management Office (ePMO) are developing an achievable capital program for 2026/27 where:

- Projects committed can be delivered by the end of June 2027, reducing the amount of capital carry forwards
- Council acts responsibly and works within its current financial constraints, and
- Council does not take on any new debt which was not already factored into the Long-Term Financial Plan

The 2026/27 capital program will allocate funding based on priorities. Capital works will be categorised into Categories 0, 1, 2 and 3. These are defined as follows:

- CAT0
 - There is a legal obligation to undertake the work or failure to undertake the work would result in an unacceptable exceedance of Council's risk appetite
 - Project is required to meet minimum acceptable obligations for a critical service
- CAT1
 - Failure to undertake project will result in significantly increased likelihood that minimum levels of service will be compromised, significant increase in operational costs and increased risk of loss of revenue
- CAT2
 - Failure to undertake project will likely increase operational costs and not arrest declining service levels
- CAT3
 - All other projects, including discretionary upgrades, proactive renewals and new assets

Improvements to Council's road network continues to be the highest priority of the community. Where possible, repairs to Council's road network continue to be a primary focus of the initial draft of the Capital Works Program. However, road related projects will be subject to the same project categorisation as all other capital works projects as detailed above.

Recommendation – Economic Parameter 6

The capital works program is appropriately set in order to assist in the management of Council's financial sustainability challenges and to ensure there is no reduction in Council's unrestricted cash balance.

Recommendation – Economic Parameter 7

Consistent with Council's Long Term Financial Plan, no additional loan borrowing borrowings are to be taken out in FY 2026/27

Risk Implications

Delays in approving budget strategies and economic parameters, or changes to the approved parameters after the fact, increases the risk that legislative timelines are not adhered to and may result in breaches of the Local Government Act 1993.

Internal Consultations

Executive Leadership Team

Senior Leadership Team

Enterprise Project Management Office (EPMO)

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External Consultations

Nil.

Community Consultations

Nil.

Policy and Statutory Implications

Nil.

Financial Implications

Council faces significant challenges in delivering a balanced Draft 2026/27 Budget, given the low-rate peg, rising costs, and the need for further savings under the Sustainable Financial Future Plan. The demand for funding essential asset repairs continues to exceed available resources. To achieve the primary objective of avoiding an unrestricted cash deficit, Council will seek to maximise opportunities to increase revenue beyond general rates through user charges and fees and carefully manage inflationary impacts.

CL26.12 Tenders - Intersection Upgrade - Yalwal Rd & George Evans Rd, Mundamia

HPERM Ref: D25/597713

Department: Project Delivery

Approver: Kevin Norwood, Director - City Services

Purpose:

To inform Council of the tender process for Intersection Upgrade - Yalwal Rd & George Evans Rd, Mundamia.

In accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, some information should remain confidential as it would, if disclosed, prejudice the commercial position of the person who supplied it. It is not in the public interest to disclose this information as it may 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. This information will be considered under a separate confidential report.

Recommendation

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

Background

The intersection upgrade is an aspect of the Yalwal Road Upgrade to cater for the expected traffic impacts from the Mundamia Urban Release Area (URA).

Council is receiving funding assistance from the NSW Government's Low-Cost Loan Initiative and S7.11 to deliver the project.

Project Description

Council is seeking a qualified contractor to carry out the upgrade of the intersection of Yalwal Road and George Evans Road in Mundamia, NSW 2540.

The scope of the project includes full channelised right turn from Yalwal Road into George Evans Road, full channelised left turn from Yalwal Road into George Evans Road, construction of two approach lanes on George Evans Road to Yalwal Road from the existing roundabout, kerb and gutter, sub-soil drainage, pavement rehabilitation, street lighting, services relocation, signage and line marking.

Tendering

Council called tenders for Intersection Upgrade - Yalwal Rd & George Evans Rd, Mundamia on 29 October 2025 which closed at 10:00 am on 02 December 2025. 3 tenders were received at the time of closing. Tenders were received from the following:

Tenderer	Location
Fulton Hogan Industries Pty Ltd	Dapto NSW 2530
A1 Earthworx Mining and Civil Pty Ltd t/a Cleary Bros	Croom NSW 2527
Menai Civil Contractors Pty Ltd	Campbelltown NSW 2560

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Details relating the evaluation of the tenders are contained in the confidential report.

Risk Implications

Details relating to the Risk Implications are contained in the confidential report.

Internal Consultations

The Strategic Planning – Local Planning Team has been involved in the planning of the project and coordination with the funding body. Technical Services has been involved in design consultant coordination and design reviews. Shoalhaven Water have been consulted regarding impacts to their assets. The central district has been consulted regarding the works and the impact of the works on the community during construction.

External Consultations

Services Providers – Endeavour Energy, AARNET, TPG, Optus, NBN and Telstra regarding service impacts and required relocations.

Community Consultations

Information regarding the project has been made available on Shoalhaven City Council's website.

Opportunity for community feedback was provided from 17 August to 19 September 2022, with the majority of submissions being in support of the proposed intersection upgrade (SCC reference D22/428815). Those responding that the upgrade is not needed, typically referred to current traffic levels as being too low to warrant the upgrade and did not appear to have considered future traffic level increase due to the Mundamia URA development.

Notification of upcoming works and potential delays shall be provided to users of Yalwal Rd via variable message boards prior to commencement.

Policy Implications

Nil. The tender process has followed the requirements under the provisions of the Local Government Act 1993.

Financial Implications

Sufficient funds have been allocated in the Intersection Upgrade - Yalwal Rd & George Evans Rd, Mundamia budget for 2025/26 financial year. Funding is available to cover the tender amount including other project costs.

CL26.13 Proposed Public Exhibition - Draft Shoalhaven Contributions Plan

HPERM Ref: D25/538268

Department: Strategic Planning

Approver: Gordon Clark, Acting Director, City Development

Attachments:

1. Draft Shoalhaven Contributions Plan 2026 (under separate cover) [✉](#)
2. Draft Chapter G21: Car Parking and Traffic - Shoalhaven DCP 2014 (under separate cover) [✉](#)
3. Draft Planning Agreement Policy 2026 (under separate cover) [✉](#)
4. Draft Works In Kind Agreement Policy 2026 (under separate cover) [✉](#)

Recommendation

That Council:

1. Place the following draft documents (at Attachments 1 to 4) on public exhibition for at least 28 days, as per legislative requirements:
 - a. Shoalhaven Contributions Plan 2026.
 - b. Chapter G21: Car Parking and Traffic of Shoalhaven Development Control Plan 2014.
 - c. Planning Agreement Policy.
 - d. Works in Kind Agreement Policy.
2. Receive a further report following the conclusion of the public exhibition period to consider the feedback received and any recommended adjustments to the exhibition package, prior to finalising it.
3. Advise key stakeholders of the future public exhibition arrangements.

Background

Development contributions are a funding mechanism for infrastructure delivery under the provisions of the *NSW Environmental Planning and Assessment Act 1979*. The Act provides an opportunity for councils to collect funds from developers towards the provision, extension or augmentation by Council of public amenities and public services (or recoupment of funds for such) that is required because of that development. This ensures that new development pays an appropriate contribution towards the infrastructure that is required to support that development, rather than relying wholly on Council general funds.

Examples of local infrastructure often funded via a contributions framework includes new or upgraded public parks and open space, new or upgraded local roads and traffic management facilities, drainage infrastructure and community facilities.

The [Shoalhaven Contributions Plan 2019](#) is the current contributions plan applying to the Shoalhaven Local Government Area (LGA). The plan has many aspects that currently limit its effectiveness, including being under costed, not reflective of Council's delivery program, unachievable delivery timeframes and no awareness of Council's current financial position.

In 2023, Council resolved to commence the preparation of a new Contributions Plan, as well as a broader policy/process review in this space. This work is being resourced as part

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of a focus on the broader ‘new land use planning scheme’ project that Council’s Strategic Planning Team is preparing/managing.

The AEC Financial Sustainability Review recommended (No. 13) that: *Council should complete the review of its developer contributions plans, before undertaking any substantial asset programs to ensure that the current contribution levels are able to support the future development costs.*

The new draft Contributions Plan is now reported to Council for endorsement for public exhibition. Council was briefed on this matter at the initial meeting of the new Land Use Planning & Development Advisory Committee on 18 November 2024.

The new draft Contributions Plan is a ‘hybrid’ model, providing the opportunity to collect contributions under both the section 7.11 contribution and section 7.12 levy streams. It is proposed that section 7.11 contributions will be charged for the following development:

- Residential accommodation that will result in a net increase in the number of dwellings on the development site.
- Subdivision of land that creates a lot for the purpose of a dwelling, therefore resulting in a net increase in the number of residential lots over the land.

It is proposed that a section 7.12 levy will be charged for the following development:

- Residential accommodation that will not result in an increase in the number of dwellings on the development site (e.g., alterations and additions to an existing dwelling, first dwelling on a development site, or the rebuilding of an existing dwelling).
- Other residential development that is not defined as residential accommodation (e.g., not exclusively, boarding houses, co-living housing, group homes, hostels, residential care facilities).
- All types of non-residential development.

This model allows greater revenue to be received from development to ensure that development covers the cost of the infrastructure that is required due to that development. Currently, Council is covering a far greater share of infrastructure costs than envisaged in the Shoalhaven Contributions Plan 2019, which is not considered to be in the broader public interest.

The plan is a simplified contemporary model and reflective of industry best practice. It considers Council’s current financial situation and includes a works schedule that better meets the needs of future development and Council’s strategic infrastructure aspirations.

The works schedules in the new draft Contributions Plan include 40 projects, and whilst this is a lower number of projects than previously included in a Council contributions plan, it does provide a solid starting point for the new contributions regime. The projects reflect Council’s ability to financially contribute to the infrastructure delivery, which is significantly constrained at this time. Council will be able to add new projects to the works schedule in the plan in the future following the adoption of contemporary infrastructure needs analysis work.

The proposed consultation package includes:

- Draft Shoalhaven Contributions Plan 2026 (**Attachment 1**).
- Draft Chapter G21: Car Parking and Traffic of Shoalhaven DCP 2014 (DCP). This proposed amendment provides a mechanism to collect a monetary contribution towards non-residential parking deficits in certain town centres, to facilitate coordinated and centralised parking facilities across the City (**Attachment 2**). For convenience, this attachment only shows the page of Chapter G21 with changes proposed.

- Draft Planning Agreement (**Attachment 3**) and Works in Kind Policies (**Attachment 4**).

Risk Implications

The progression of a new Contributions Plan and agreement policy framework is critical to managing and resolving a range of risks that are currently present in this space, including adverse impacts on Council's cash flow, delayed infrastructure delivery and the limitations of the existing Contribution Plan and related framework.

It is important that:

- New development contributes towards the infrastructure demand it creates, rather than existing ratepayers.
- The projects are reflective of Council's current financial sustainability position. Importantly, Council must be able to afford its share of infrastructure proposed.
- The projects in the Plan are reflective of Council's delivery program. Projects must meet the needs of future development across the new plan horizon.
- Council can effectively recoup the costs of projects already completed by Council that will benefit development (i.e., repay internal loans back to the general fund).

Progression to public exhibition moves Council closer to achieving the AEC recommendation to complete a new contributions plan.

Internal Consultations

Significant internal consultation has been undertaken to date with all key stakeholders in the infrastructure contributions space and a period of formal internal consultation took place in November 2025.

The Development Contributions Advisory Group (DCAG), an internal governance group consisting of the CEO, Directors and key department managers, has been established to oversee the progress of the new Contributions Plan.

An update on the new Contributions Plan process was provided to Council's new Land Use Planning & Development Advisory Committee on 18 November 2025. In accordance with its resolution, the Committee will receive a progress report during the public exhibition period.

External and Community Consultations

The new Contributions Plan package needs to be formally exhibited in accordance with legislative requirements for a minimum period of 28 days. This is the formal opportunity for the community, development industry and others to consider the proposed new plan and associated documentation. An information session/s or similar is proposed to be held during this period.

Policy and Statutory Implications

The new Contributions Plan has been a catalyst for the review and adjustment of the existing framework surrounding infrastructure contributions in Council, including a range of internal and external policies. New Planning Agreement and Works in Kind Agreement policies are proposed to be exhibited alongside the new Plan, as well as an amendment to the parking and traffic chapter of the DCP.

Future amendments will be required to the DCP to reflect various references to current and former contributions plans; however, this can be undertaken as part of Council's proposed new land use planning scheme approach adopted by Council at its 25 November 2025 meeting (MIN25.601).

Financial Implications

The new contributions framework will result in significant financial benefits to the organisation and community, including a more efficient infrastructure focus and delivery program, better oversight of income and expenditure/delivery, better line of sight to long term financial planning and a more efficient resourcing strategy.

The draft Contributions Plan includes 40 works items, with a total estimated cost of approximately \$247million (excluding grants), across a range of infrastructure typologies including recreation, roads and community facilities. Council's contribution to this infrastructure over the draft Contributions Plan horizon (2026-2046) is approximately \$86million.

Only approximately 30% of projects in the current Shoalhaven Contributions Plan 2019 have been carried across into the new draft Contributions Plan. The remaining projects have either been completed (and funds collected), the projects are no longer required or viable, the projects are on hold following a Council resolution or there are other more cost-effective ways to deliver the infrastructure (e.g., grants).

Not including projects in the draft Contributions Plan does not necessarily mean that these projects will not be delivered by Council in the future, if that remains Council's intent, but it does mean that development contributions will not be a source of funding at this stage. This is critically important as Council must be able to afford its share of infrastructure proposed, and inclusion of a project in a contributions plan provides an expectation that the infrastructure will be provided within the plan horizon.

Funds collected from the section 7.11 contributions will be used to deliver the development share of works items in the section 7.11 works schedule. Levies collected under the section 7.12 pathway can be used to deliver the development share of works items in the section 7.11 and 7.12 works schedule. This provides greater flexibility for infrastructure delivery and a significantly lower financial risk to Council, as unplanned 'topping up' from General Fund should not be needed.

It is critical that any adjustments to the works schedules be carefully considered to ensure the changes will not place Council in an adverse financial situation.

The new Plan includes a provision that any funds received from projects under repealed plans (including the Shoalhaven Contributions Plan 2019) will be allocated towards:

- The development share of the works, where the project is carried over into the draft Contributions Plan.
- Council's share of the cost of works towards comparable or any other projects in the draft Contributions Plan, where a project is not carried over into the draft Contributions Plan.

This provides certainty that local infrastructure funds collected remain ringfenced for the purposes of local infrastructure delivery under the contributions plan framework. This will see the timelier delivery of infrastructure to meet the needs of future development.

With regards to the delivery of infrastructure in the Mundamia Urban Release Area, a formal request has been made to the NSW Minister of Planning and Public Spaces to increase the cap (maximum amount Council can charge per dwelling or new residential lot) from \$20,000 to \$30,000, to ensure that the full cost of infrastructure delivery is covered by the new development in that area. This is consistent with the approach already approved by the

Minister for the Moss Vale Road South and North Urban Release Areas. This process will run concurrently with the progression of the new Contributions Plan. It is understood that the NSW Department of Planning, Housing and Infrastructure have recommended support for the increase and will formally present the request to the Minister once Council resolves to progress the draft Contributions Plan to public exhibition.

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CL26.14 Review of Public Policies - Undetected Leak Rebate, Community Service Obligations and Rain Water Tank Rebate

HPERM Ref: D25/572117

Department: Water Business Services

Approver: Andrew McVey, Director - Shoalhaven Water

Attachments:

1. Policy - Rainwater Tank Rebate (under separate cover) [🔗](#)
2. Policy - Community Service Obligations - Water Supply, Wastewater, Effluent, Trade Waste Services and Section 64 Contributions (under separate cover) [🔗](#)
3. Policy - Shoalhaven Water - Undetected Leak Rebate (under separate cover) [🔗](#)

Purpose:

The review of all Public and Local Approval Policies has been the practice of each elected Council. This report will propose that Council consider and reaffirm the attached Policies.

Recommendation

That Council adopt the revised policies with minor changes and additions as attached to this report.

Background

The Policies attached have been marked up with the proposed changes for consideration and adoption by Council, a summary of the changes proposed are as follows:

Rain Water Tank Rebate Policy (POL24/158)

- Update of relevant codes and standards.
- Simplified procedure for assessment and approval.
- Simplified policy reference fee waiver if applicable.
- Addition of Risk Assessment table.

Community Service Obligations - Water Supply, Wastewater, Effluent, Trade Waste Services and Section 64 Contributions Policy (POL24/148)

- Additional detail on determinations of S64 reduction.
- Clarify eligibility for S64 rebate.
- Addition of Risk Assessment table.

Undetected Leak rebate Policy (POL25/116)

This policy was recently adopted by Council, one further change to the policy is proposed:

- Addition of a time limit of 6 months for a customer to make a claim under this policy.

In addition to the items outlined above for each policy, minor wording/grammatical changes have been made to improve clarity and ensure the information is easy to follow. For ease of reference, all edits have been tracked in the policy document.

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Risk Implications

As no significant changes have been proposed, there is no change to the current risk implications of these policies.

Internal Consultations

Key staff within Shoalhaven Water have been consulted and have provided feedback on the proposed changes along with key staff across Council that have a role in the administration of the policies.

External Consultations

No external consultation has been conducted as part of the review of these policies as no significant changes have been proposed in the review of these.

Community Consultations

No community consultation has been conducted as part of the review of this policy as no significant change has been proposed.

Policy and Statutory Implications

The nature of the proposed changes are considered minor and therefore have no implications or deviation from the intent of the existing adopted policies.

Financial Implications

No financial implications have been identified from the proposed changes.

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LOCAL GOVERNMENT ACT 1993

Chapter 3, Section 8A Guiding principles for councils

(1) Exercise of functions generally

The following general principles apply to the exercise of functions by councils:

- (a) Councils should provide strong and effective representation, leadership, planning and decision-making.
- (b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Councils should work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Councils should work with others to secure appropriate services for local community needs.
- (h) Councils should act fairly, ethically and without bias in the interests of the local community.
- (i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

(2) Decision-making

The following principles apply to decision-making by councils (subject to any other applicable law):

- (a) Councils should recognise diverse local community needs and interests.
- (b) Councils should consider social justice principles.
- (c) Councils should consider the long term and cumulative effects of actions on future generations.
- (d) Councils should consider the principles of ecologically sustainable development.
- (e) Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

(3) Community participation

Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

Chapter 3, Section 8B Principles of sound financial management

The following principles of sound financial management apply to councils:

- (a) Council spending should be responsible and sustainable, aligning general revenue and expenses.
- (b) Councils should invest in responsible and sustainable infrastructure for the benefit of the local community.
- (c) Councils should have effective financial and asset management, including sound policies and processes for the following:
 - (i) performance management and reporting,
 - (ii) asset maintenance and enhancement,
 - (iii) funding decisions,
 - (iv) risk management practices.
- (d) Councils should have regard to achieving intergenerational equity, including ensuring the following:
 - (i) policy decisions are made after considering their financial effects on future generations,
 - (ii) the current generation funds the cost of its services

Chapter 3, 8C Integrated planning and reporting principles that apply to councils

The following principles for strategic planning apply to the development of the integrated planning and reporting framework by councils:

- (a) Councils should identify and prioritise key local community needs and aspirations and consider regional priorities.
- (b) Councils should identify strategic goals to meet those needs and aspirations.
- (c) Councils should develop activities, and prioritise actions, to work towards the strategic goals.
- (d) Councils should ensure that the strategic goals and activities to work towards them may be achieved within council resources.
- (e) Councils should regularly review and evaluate progress towards achieving strategic goals.
- (f) Councils should maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals.
- (g) Councils should collaborate with others to maximise achievement of strategic goals.
- (h) Councils should manage risks to the local community or area or to the council effectively and proactively.
- (i) Councils should make appropriate evidence-based adaptations to meet changing needs and circumstances.