

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 24 February 2026
Location: The Studio, Shoalhaven Entertainment Centre, Bridge Road, Nowra
Time: 5.30pm

The following members were present:

Mayor Patricia White - Chairperson
Clr Debbie Killian
Clr Gillian Boyd
Clr Jemma Tribe
Clr Matthew Norris
Clr Karlee Dunn
Clr Peter Wilkins
Clr Bob Proudfoot
Clr Luciano Casmiri
Clr Selena Clancy
Clr Brett Steele
Clr Denise Kemp

A statement was played advising those present that the proceedings of this meeting (including presentations 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

An apology was received from Clr Krikstolaitis for this meeting.

Confirmation of the Audio-Visual Attendance

Nil

Confirmation of the Minutes

RESOLVED (Clr Casmiri / Clr Kemp) MIN26.26

That the Minutes of the Ordinary Meeting held on Tuesday 27 January 2026 and the Extra Ordinary Meeting held on Friday 13 February 2026 be confirmed.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

Minutes Confirmed Tuesday 24 March 2026 – Chairperson

CARRIED

Declaration of Interests

Clr Proudfoot declared a pecuniary interest in Item CL26.16 - Notice of Motion - Sussex Inlet Golf Village for the reason that his family owns a house in the Sussex Inlet Gold Village. Clr Proudfoot will leave the room and will not take part in discussion and vote.

During debate Clr Wilkins declared a less than significant non-pecuniary interest in CL26.32 - Exhibition Outcomes and Finalisation - 2024 Berry Heritage Review - Shoalhaven Local Environmental Plan 2014 (PP075) and Shoalhaven Development Control Plan 2014 Amendments for the reason that the he lives close to Berry. Clr Wilkins remained in the room and took part in discussion and vote on the matter.

At the introduction of the Matter of Urgency [see MIN26.35]:

Mayor White declared a less than significant non-pecuniary interest in item CL26.38 – Additional Item - Council Cooperation - Section 430 Investigation Office of Local Government (OLG) - CEO Recruitment for the reason that the Mayor was on the panel for recruitment of the CEO. Mayor White will remain in the room and will take part in the discussion and vote.

The Chief Executive Officer declared a less than significant non-pecuniary interest in item CL26.38 – Additional Item - Council Cooperation - Section 430 Investigation Office of Local Government (OLG) - CEO Recruitment for the reason that he was an applicant in the process being investigated.

The Director Shoalhaven Water declared a less than significant non-pecuniary interest in item CL26.38 – Additional Item - Council Cooperation - Section 430 Investigation Office of Local Government (OLG) - CEO Recruitment for the reason that they may be required to provide information as part of the OLG Investigation.

The Director City Performance declared a less than significant non-pecuniary interest in item CL26.38 – Additional Item - Council Cooperation - Section 430 Investigation Office of Local Government (OLG) - CEO Recruitment for the reason that they will likely be required to provide information on the Section 430 Investigation.

The Manager – Business Assurance & Risk declared a less than significant non-pecuniary interest in item CL26.38 – Additional Item - Council Cooperation - Section 430 Investigation Office of Local Government (OLG) - CEO Recruitment for the reason that they will be required to provide information to the investigation.

Clr Clancy declared a less than significant non-pecuniary interest in item CL26.38 – Additional Item - Council Cooperation - Section 430 Investigation Office of Local Government (OLG) - CEO Recruitment for the reason that the Councillor was on the panel for recruitment of the CEO. Clr Clancy will remain in the room and will take part in the discussion and vote.

Clr Wilkins declared a less than significant non-pecuniary interest in item CL26.38 – Additional Item - Council Cooperation - Section 430 Investigation Office of Local Government (OLG) - CEO Recruitment for the reason that the Councillor was on the panel for recruitment of the CEO. Clr Wilkins will remain in the room and will take part in the discussion and vote.

Clr Proudfoot declared a less than significant non-pecuniary interest in item CL26.38 – Additional Item - Council Cooperation - Section 430 Investigation Office of Local Government (OLG) - CEO Recruitment for the reason the Councillor was on the panel for recruitment of the CEO. Clr Proudfoot will remain in the room and will take part in the discussion and vote.

MAYORAL MINUTE

Introduction of Items as Matters of Urgency

RESOLVED (Clr Norris / Clr Clancy) MIN26.27

That the following addendum reports be introduced as matters of urgency:

1. MM26.3 Mayoral Minute - Acknowledgement of 12-Month Anniversary of the passing of Airlie Montgomery
2. CL26.37 Finance Review Panel Terms of Reference Review – 2026

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

The Chairperson ruled the items as matters of urgency as they relate to urgent business of Council and allowed their introduction.

MM26.2 Mayoral Minute - 2026 Australia Day Honours **HPERM Ref: D26/32985**

Recommendation

That Council recognise and congratulate Mr Kenneth Neil Hutt OAM of Berry, who was the only Shoalhaven recipient in the Governor General’s 2026 Australia Day Honours.

RESOLVED (Mayor White / Clr Wilkins) MIN26.28

That Council recognise and congratulate Mr Kenneth Neil Hutt OAM of Berry, who was the only Shoalhaven recipient in the Governor General’s 2026 Australia Day Honours.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

MM26.3 Mayoral Minute - Acknowledgement of 12-Month Anniversary of the passing of Airlie Montgomery **HPERM Ref: D26/75861**

Recommendation

That Shoalhaven City Council formally acknowledges the 12-month anniversary of the passing of Airlie Montgomery at the Grotto in North Nowra by:

1. Holding a moment of quiet reflection following deliberations regarding this mayoral minute;
2. Reiterating its support for the development of concept designs by Council staff, in collaboration with the Montgomery family, for a new playground at Drexel Park in Airlie’s name focused on providing opportunities for children living with neurodiversity and their carers.

RESOLVED (Mayor White / Clr Norris) MIN26.29

That Shoalhaven City Council formally acknowledges the 12-month anniversary of the passing of Airlie Montgomery at the Grotto in North Nowra by:

1. Holding a moment of quiet reflection following deliberations regarding this mayoral minute;
2. Reiterating its support for the development of concept designs by Council staff, in collaboration with the Montgomery family, for a new playground at Drexel Park in Airlie’s name focused on providing opportunities for children living with neurodiversity and their carers.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

The Council then observed a minute of quiet reflection.

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL26.16 Notice of Motion - Sussex Inlet Golf Village

HPERM Ref:
D26/54410

Clr Proudfoot declared a pecuniary interest in this item for the reason that the his family owns a house in the Sussex Inlet Gold Village. Clr Proudfoot left the room and did not take part in discussion and vote.

Clr Proudfoot left the meeting, the time being 5:42pm.

Recommendation

That Council continue to give its strong support for the ongoing establishment of the Sussex Golf Village and the retention of the Sussex Inlet Golf Course and clubhouse. Further, it is both noted and acknowledged that the current golf course/clubhouse is zoned RE2 private recreation and the Sussex Inlet Settlement Strategy, related Planning Proposal and DCP which led to R1 and RE2 zones in this location was all based on it being a golf course estate.

RESOLVED (Mayor White / Clr Clancy)

MIN26.30

That Council continue to give its strong support for the ongoing establishment of the Sussex Golf Village and the retention of the Sussex Inlet Golf Course and clubhouse. Further, it is both noted and acknowledged that the current golf course/clubhouse is zoned RE2 private recreation and the Sussex Inlet Settlement Strategy, related Planning Proposal and DCP which led to R1 and RE2 zones in this location was all based on it being a golf course estate.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

CL26.17 Notice of Motion - Invitations to Councillors to attend Ward meetings and consultations

HPERM Ref:
D26/55757

Clr Proudfoot returned to the meeting, the time being 5:44pm.

Recommendation

That Council staff and/or the mayor invite relevant ward councillors to meetings or consultations that specifically relate to issues within their respective wards. Councillors can choose whether or not they accept the invitation.

RESOLVED (Clr Boyd / Clr Tribe)

MIN26.31

That Council staff and/or the Mayor invite Councillors to Council initiated meetings or consultations that specifically relate to issues within their respective wards. Councillors can choose whether or not they accept the invitation.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy and Clr Steele

AGAINST: Clr Kemp

CARRIED

**CL26.18 Notice of Motion - Greening Our City Grant for 102 Trees
- Process & Implementation**

**HPERM Ref:
D26/56357**

Clr Dunn left the meeting, the time being 6:10pm.

Recommendation

1. That Shoalhaven City Council notes community concerns that have been raised about the damage in numerous carparks, footpaths, roadways, asphalted areas and council infrastructure as a result of tree planting and the types of species used in that tree planting.
2. That Council notes community concerns about future tree planting programs in a highly susceptible bushfire prone region and any potential liability issues that may arise as a result.
3. As a result of these concerns Shoalhaven City Council:
 - Provides a full detailed report of any proposed tree or vegetation plantings across the city, prior to obtaining grants or council funding in the future.
 - Undertakes community consultation with affected residents by notifying and including residents in any future planting plans.
 - That councillors are informed of any plantings on any council owned or council managed lands.
 - Council staff provide a report back to Council on the ongoing cost of maintenance, inspections, program costs, the types/species/size of the tree and exact locations, prior to the implementation of the program.
 - That an investigation/report of the species be provided for the intended site and that staff make this available to local communities.

PROCEDURAL MOTION – EXTENSION OF DEBATE (Clr Proudfoot / Clr Steele)

That Clr Kemp be granted an extension for debate.

FOR: Mayor White, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Clr Killian

CARRIED

RESOLVED (Clr Kemp / Clr Casmiri)

MIN26.32

1. That Shoalhaven City Council notes community concerns that have been raised about the damage in numerous carparks, footpaths, roadways, asphalted areas and council infrastructure as a result of tree planting and the types of species used in that tree planting.
2. That Council notes community concerns about future tree planting programs in a highly susceptible bushfire prone region and any potential liability issues that may arise as a result.
3. As a result of these concerns Shoalhaven City Council:
 - Provides a full detailed report of any proposed tree or vegetation plantings across the city, prior to obtaining grants or council funding in the future.
 - Undertakes community consultation with affected residents by notifying and including residents in any future planting plans.
 - That councillors are informed of any plantings on any council owned or council managed lands.

- Council staff provide a report back to Council on the ongoing cost of maintenance, inspections, program costs, the types/species/size of the tree and exact locations, prior to the implementation of the program.
- That an investigation/report of the species be provided for the intended site and that staff make this available to local communities.

FOR: Mayor White, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Clr Killian, Clr Boyd, Clr Tribe and Clr Norris

CARRIED

CL26.19 Notice of Motion - Safer Cities Grant Opportunity

HPERM Ref:
D26/52784

Clr Dunn returned to the meeting, the time being 6:28pm.

Recommendation

That Council requests the CEO to consider applying for festoon lighting or similar for the Nowra CBD under the 'Safer Cities' Grant Opportunity (open now until March 6, 2026). In order to enhance public safety and vibrancy in and around the Stewart Place Bus Terminal.

RESOLVED (Clr Tribe / Clr Casmiri)

MIN26.33

That Council

1. Requests the CEO to consider applying for festoon lighting or similar for the Nowra CBD under the 'Safer Cities' Grant Opportunity (open now until March 6, 2026). In order to enhance public safety and vibrancy in and around the Stewart Place Bus Terminal.
2. Requests the CEO to explore whether it would meet eligibility to apply for appropriate lighting to be placed at the Huskinson Voyager Memorial Park Wall of Remembrance Precinct under the "Safer Cities" grant opportunity.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy and Clr Steele

AGAINST: Clr Kemp

CARRIED

Procedural Motion - Matters of Urgency

RESOLVED (Clr Killian / Clr Tribe)

MIN26.34

That an additional item in relation to the Section 430 investigation being undertaken by the Office of Local Government (OLG) be introduced as a matter of urgency.

FOR: Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins and Clr Proudfoot

AGAINST: Mayor White, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

CARRIED

NB: As all Councillors were not present to vote on the above recommendation, a ruling of the Chairperson was required under S.3.29 of the Code of Meeting Practice.

The Chairperson ruled the matter as urgent as the item relates to the announced Section 430 investigation being undertaken by the Office of Local Government (OLG) and the Council will not be meeting again until 24 March 2026.

CL26.38 Additional Item - Council Cooperation - Section 430 Investigation Office of Local Government (OLG) - CEO Recruitment

Mayor White declared a less than significant non-pecuniary interest in this item CL26.38 – Additional Item - Council Cooperation - Section 430 Investigation Office of Local Government (OLG) - CEO Recruitment for the reason that Mayor White was on the panel for recruitment of the CEO. Mayor White remained in the room and took part in the discussion and vote.

The Chief Executive Officer declared a less than significant non-pecuniary interest in item CL26.38 – Additional Item - Council Cooperation - Section 430 Investigation Office of Local Government (OLG) - CEO Recruitment for the reason that he was an applicant to the process being investigated.

The Director Shoalhaven Water declared a less than significant non-pecuniary interest in item CL26.38 – Additional Item - Council Cooperation - Section 430 Investigation Office of Local Government (OLG) - CEO Recruitment for the reason that they may be required to provide information as part of the OLG Investigation.

The Director City Performance declared a less than significant non-pecuniary interest in item CL26.38 – Additional Item - Council Cooperation - Section 430 Investigation Office of Local Government (OLG) - CEO Recruitment for the reason that they will likely be required to provide information on the Section 430 Investigation.

The Manager – Business Assurance & Risk declared a less than significant non-pecuniary interest in item CL26.38 – Additional Item - Council Cooperation - Section 430 Investigation Office of Local Government (OLG) - CEO Recruitment for the reason that they will be required to provide information to the investigation.

Clr Clancy declared a less than significant non-pecuniary interest in item CL26.38 – Additional Item - Council Cooperation - Section 430 Investigation Office of Local Government (OLG) - CEO Recruitment for the reason that the Councillor was on the panel for recruitment of the CEO. Clr Clancy remained in the room and took part in the discussion and vote.

Clr Wilkins declared a less than significant non-pecuniary interest in item CL26.38 – Additional Item - Council Cooperation - Section 430 Investigation Office of Local Government (OLG) - CEO Recruitment for the reason that the Councillor was on the panel for recruitment of the CEO. Clr Wilkins remained in the room and took part in the discussion and vote.

Clr Proudfoot declared a less than significant non-pecuniary interest in item CL26.38 – Additional Item - Council Cooperation - Section 430 Investigation Office of Local Government (OLG) - CEO Recruitment for the reason that the Councillor was on the panel for recruitment of the CEO. Clr Proudfoot remained in the room and took part in the discussion and vote.

RESOLVED (Clr Killian / Clr Tribe)

MIN26.35

1. Council is committed to assisting fully in any way requested by the Office of Local Government (OLG) in relation to the Department’s Section 430 Investigation into the recruitment of the CEO on the basis that should there be any issues identified they will be addressed according to OLG advise or instruction.
2. While recognising that OLG will run the investigation and reporting of its investigation according to its own procedures, Council encourages provision of information to the community at every appropriate opportunity and as early as allowable.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

CALL OVER OF THE BUSINESS PAPER

Call Over of Business Paper – Without Debate

RESOLVED (Clr Clancy / Clr Steele) MIN26.36

That the following item from Committee reports be resolved without debate:

- CL26.23 - Broughton Creek Flood Study 2025

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

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

Call Over of Business Paper – Without Debate

RESOLVED (Clr Proudfoot / Clr Norris) MIN26.37

That the following item from the City Performance Directorate be resolved without debate:

- CL26.26 – Ongoing Register for Pecuniary Interest Returns - January 2026

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

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

Call Over of Business Paper – Without Debate

RESOLVED (Clr Proudfoot / Clr Casmiri) MIN26.38

That the following item from the Shoalhaven Water Directorate be resolved without debate:

- CL26.34 – Acquisition - Easement for Drainage of Sewage - Part Lot 76 DP 755907 - 66 Wrights Beach Rd, Bream Beach

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

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

Call Over of Business Paper - Without Debate

RESOLVED (Clr Dunn / Clr Norris) MIN26.39

That the following from the Shoalhaven Water Directorate be resolved without debate:

- CL26.35 – Easement Acquisition - Crown Land - Part Lot 377 DP 755952 and Part Lot 7310 DP 1165171

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

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil
CARRIED

Call Over of Business Paper - Without Debate

RESOLVED (Mayor White / Clr Dunn) MIN26.40

That the following item from the City Performance Directorate be resolved without debate:

- CL26.37 – Finance Review Panel Terms of Reference Review - 2026

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

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil
CARRIED

REPORT OF THE NORTHERN FLOODPLAIN RISK MANAGEMENT COMMITTEE - 10 DECEMBER 2025

Items marked with an * were resolved without debate.

NFM25.4 Broughton Creek Flood Study 2025	HPERM D25/535026	Ref:
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RESOLVED* (Clr Clancy / Clr Steele) MIN26.41

That Council, noting endorsement from the Northern Floodplain Risk Management Committee, adopt the *Broughton Creek Flood Study (Arcadis, 2025)*.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil
CARRIED

REPORTS

CL26.24 DPOP 2025-26 - Quarterly Performance and Budget Report (October - December)	HPERM Ref: D26/16267
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Recommendation

That Council:

1. Receive the December Quarterly Performance Report on the 2025-2029 Delivery Program and 2025-26 Operational Plan and publish on Council’s website.
2. Receive the December 2025 Quarterly Budget Review Report.
3. Adopt the budget adjustments as outlined in the December 2025 Quarterly Budget Report Document.
4. Pay \$8.854M in additional loan repayments from unspent loan borrowings prior to 30 June 2026 for projects that have finished under budget, have been abandoned, or have been paused.

5. Repurpose \$966K of unspent loan proceeds from loan 1241 drawn down in June 2024 for Waste projects, to the Material Recovery Facility project
6. Receive the Uncompleted and Completed Notices of Motion/Mayoral Minutes Reports.
7. Receive the December 2025 update of the Sustainable Financial Futures Plan and note the \$7.435 million operational savings achieved to date of the \$10 million savings target.

RESOLVED (Mayor White / Clr Kemp)

MIN26.42

That Council:

1. Receive the December Quarterly Performance Report on the 2025-2029 Delivery Program and 2025-26 Operational Plan and publish on Council's website.
2. Receive the December 2025 Quarterly Budget Review Report.
3. Adopt the budget adjustments as outlined in the December 2025 Quarterly Budget Report Document.
4. Pay \$8.854M in additional loan repayments from unspent loan borrowings prior to 30 June 2026 for projects that have finished under budget, have been abandoned, or have been paused.
5. Repurpose \$966K of unspent loan proceeds from loan 1241 drawn down in June 2024 for Waste projects, to the Material Recovery Facility project
6. Receive the Uncompleted and Completed Notices of Motion/Mayoral Minutes Reports.
7. Receive the December 2025 update of the Sustainable Financial Futures Plan and note the \$7.435 million operational savings achieved to date of the \$10 million savings target.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

Against: Ni

ICARRIED

CL26.25 Australian Local Government Association Annual Conference 2026 - National General Assembly

HPERM Ref: D26/35669

Recommendation

That Council:

1. Notes the details of the ALGA Annual Conference 2026 – National General Assembly – to be held at the National Convention Centre, Canberra from Tuesday 23 June to Thursday 25 June 2026.
2. Determine the voting delegate for the conference and an alternate delegate should the voting delegate not be in attendance.
3. Approve attendance and associated costs for the nominated Councillors at the 2026 ALGA National General Assembly.
4. Consider the development of new motions for submission to the 2026 ALGA National General Assembly, consistent with ALGA guidelines.

RESOLVED (Mayor White / Clr Wilkins)

MIN26.43

That Council:

1. Notes the details of the ALGA Annual Conference 2026 – National General Assembly – to be held at the National Convention Centre, Canberra from Tuesday 23 June to Thursday 25 June 2026.

2. Determine Mayor White to be the voting delegate for the conference and the Deputy Mayor as the alternate delegate should the voting delegate not be in attendance.
3. Approve attendance and associated costs for the following nominated Councillors at the 2026 ALGA National General Assembly:
 - a. Mayor White and Deputy Mayor
 - b. Clr Clancy
 - c. Clr Casmiri
4. Submit the following motion to the 2026 ALGA National General Assembly, consistent with ALGA guidelines:
 - a. That council's which have evidence based asset maintenance plans in place for essential infrastructure such as roads and storm water be provided additional financial assistance to address this.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

CL26.26 Ongoing Register for Pecuniary Interest Returns - January 2026

**HPERM Ref:
D26/15079**

RESOLVED* (Clr Proudfoot / Clr Norris)

MIN26.44

That the report of the Chief Executive Officer regarding the Ongoing Register of Pecuniary Interest Returns lodged for the period of 1 January 2026 to 31 January 2026 be received for information.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

CL26.27 Investment Report - December 2025

**HPERM Ref:
D26/41763**

Recommendation

That Council receive the Record of Investments for the period ending 31 December 2025.

RESOLVED (Clr Proudfoot / Clr Tribe)

MIN26.45

That Council receive the Record of Investments for the period ending 31 December 2025.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

CL26.28 Investment Report - January 2026

**HPERM Ref:
D26/46930**

Recommendation

That Council receive the Record of Investments for the period ending 31 January 2026.

RESOLVED (Clr Proudfoot / Clr Tribe)

MIN26.46

That Council receive the Record of Investments for the period ending 31 January 2026.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

CL26.29 Proposed Grant of Easement to Endeavour Energy for Community Battery - Part Lot 36 DP 258600, Jacobs Drive, Sussex Inlet

HPERM Ref: D25/576289

Recommendation

That Council:

1. Grant an easement for construction and maintenance of a community battery pursuant to Section 46(1)(a1) of the *Local Government Act 1993*, approximately 18m² area (subject to final survey) over Council owned Community land known as Lot 36 DP 258600, Jacobs Drive, Sussex Inlet in favour of Endeavour Energy as shown on Figure 2 to this report.
2. Accept payment in the amount of \$8,000 (excluding GST) including compensation for the grant of easement.
3. Consent to Endeavour Energy being responsible for preparation of the plan of easement including plan registration with NSW Land Registry Services.
4. Authorise the Common Seal of the Council of the City of Shoalhaven be affixed to any document required to be sealed and delegates authority to the Chief Executive Officer or Delegate to sign any documentation necessary to give effect to this resolution.

MOTION (Clr Steele / Clr Casmiri)

That Council defer this matter to obtain further information around safety risks.

FOR: Clr Steele and Clr Kemp

AGAINST: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri and Clr Clancy

LOST

RESOLVED (FORESHADOWED MOTION) (Clr Norris / Clr Tribe)

MIN26.47

That Council:

1. Grant an easement for construction and maintenance of a community battery pursuant to Section 46(1)(a1) of the *Local Government Act 1993*, approximately 18m² area (subject to final survey) over Council owned Community land known as Lot 36 DP 258600, Jacobs Drive, Sussex Inlet in favour of Endeavour Energy as shown on Figure 2 to this report.
2. Accept payment in the amount of \$8,000 (excluding GST) including compensation for the grant of easement.
3. Consent to Endeavour Energy being responsible for preparation of the plan of easement including plan registration with NSW Land Registry Services.
4. Authorise the Common Seal of the Council of the City of Shoalhaven be affixed to any document required to be sealed and delegates authority to the Chief Executive Officer or Delegate to sign any documentation necessary to give effect to this resolution.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot and Clr Clancy

AGAINST: Clr Casmiri, Clr Steele and Clr Kemp
CARRIED

CL26.30 Temporarily Extension of Memberships - Northern and Central Floodplain Risk Management Committees

**HPERM Ref:
D26/42140**

Recommendation

That Council extend the membership of the Northern and Central Floodplain Risk Management Committees until the committees have endorsed the Lower Shoalhaven River Floodplain Risk Management Study and Plan (FRMS&P) and the St Georges Basin FRMS&P for adoption.

RESOLVED (Clr Killian / Clr Boyd)

MIN26.48

That Council extend the membership of the Northern and Central Floodplain Risk Management Committees until the committees have endorsed the Lower Shoalhaven River Floodplain Risk Management Study and Plan (FRMS&P) and the St Georges Basin FRMS&P for adoption.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

CL26.31 Bereavement Services - EOI Outcome

**HPERM Ref:
D25/601529**

Recommendation

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

RESOLVED (Clr Killian / Clr Norris)

MIN26.49

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

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

CL26.32 Exhibition Outcomes and Finalisation - 2024 Berry Heritage Review - Shoalhaven Local Environmental Plan 2014 (PP075) and Shoalhaven Development Control Plan 2014 Amendments

**HPERM Ref:
D25/556408**

Clr Wilkins declared a less than significant non-pecuniary interest in this item for the reason that he lives close to Berry. Clr Wilkins remained in the room and took part in the discussion and vote.

Recommendation

That Council

1. Adopt the Planning Proposal (PP075) largely as exhibited, with the removal of 45 Prince Alfred Street, Berry that will not proceed to be heritage listed.
2. Request the NSW Department of Planning, Housing and Infrastructure to draft and finalise the amendment to the Shoalhaven Local Environmental Plan (LEP) 2014 Schedule 5 to introduce

the new Heritage Conservation Area (HCA) in the area of Princess Street, Berry and the additional new heritage items (nine) within the HCA and (eight) outside the HCA, but within the area of Berry east of the Princes Highway, Berry.

3. Endorse the new Chapter N2: Town of Berry and supporting documents at **Attachment 1** and the Dictionary amendment at **Attachment 2**, inclusive of the post-exhibition amendments highlighted throughout both Attachments, for incorporation into the Shoalhaven Development Control Plan (DCP) 2014.
4. Update Supporting Map 2: Heritage Conservation Area Contributory Item Map of DCP Chapter N2: Town of Berry, as required, to remove properties that become heritage listed items in accordance with 2 above.
5. Publish a public notice advising that the amendment to Shoalhaven DCP 2014 will commence on 24 March 2026.
6. Advise key stakeholders, relevant landowners and submitters of this resolution.

RESOLVED (Mayor White / Clr Steele)

MIN26.50

That Council

1. Adopt the Planning Proposal (PP075) largely as exhibited, with the removal of 45 Prince Alfred Street, Berry that will not proceed to be heritage listed.
2. Request the NSW Department of Planning, Housing and Infrastructure to draft and finalise the amendment to the Shoalhaven Local Environmental Plan (LEP) 2014 Schedule 5 to introduce the new Heritage Conservation Area (HCA) in the area of Princess Street, Berry and the additional new heritage items (nine) within the HCA and (eight) outside the HCA, but within the area of Berry east of the Princes Highway, Berry.
3. Endorse the new Chapter N2: Town of Berry and supporting documents at **Attachment 1** and the Dictionary amendment at **Attachment 2**, inclusive of the post-exhibition amendments highlighted throughout both Attachments, for incorporation into the Shoalhaven Development Control Plan (DCP) 2014.
4. Update Supporting Map 2: Heritage Conservation Area Contributory Item Map of DCP Chapter N2: Town of Berry, as required, to remove properties that become heritage listed items in accordance with 2 above.
5. Publish a public notice advising that the amendment to Shoalhaven DCP 2014 will commence on 24 March 2026.
6. Advise key stakeholders, relevant landowners and submitters of this resolution.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Casmiri, Clr Clancy and Clr Steele

AGAINST: Clr Proudfoot and Clr Kemp

CARRIED

CL26.33 1 WHARF ROAD SHOALHAVEN HEADS - LOT 2, DP701597 - COST ANALYSIS REPORT - LAND AND ENVIRONMENT COURT HEARING

HPERM REF: D25/444921

Item dealt with later in the meeting see MIN26.54

CL26.34 Acquisition - Easement for Drainage of Sewage - Part Lot 76 DP 755907 - 66 Wrights Beach Rd, Bream Beach

HPERM Ref: D25/564196

RESOLVED* (Clr Proudfoot / Clr Casmiri)

MIN26.51

That Council:

1. Rescind MIN19.30.
2. Under the Land Acquisition (Just Terms Compensation) Act 1991 compulsory acquire from Crown Land an easement for drainage of sewage variable width, approximately 1145m² in area (subject to final survey) over part Lot 76 DP 755907, Wrights Beach Rd, Bream Beach.
3. Agrees to pay compensation and costs associated with the acquisition, in accordance with the determination of the Valuer General under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.
4. Endorse funding for this acquisition from the Shoalhaven Water - Sewer Fund.
5. Make the necessary application to the Minister for Local Government and the Governor for approval of the compulsory acquisition under the Local Government Act 1993.
6. Authorise the common seal of the Council of the City of Shoalhaven be affixed to any documentation required to be sealed and delegates authority to the Chief Executive Officer to sign any documentation necessary to give effect to this resolution.

CARRIED

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

CL26.35 Easement Acquisition - Crown Land - Part Lot 377 DP 755952 and Part Lot 7310 DP 1165171	HPERM Ref: D26/19851
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RESOLVED* (Clr Dunn / Clr Norris) MIN26.52

That Council:

1. Under the Land Acquisition (Just Terms Compensation) Act 1991 compulsorily acquire from Crown Land an easement for drainage of sewage 5 metres wide over:
 - a. part Lot 377 DP 755952, Yalwal Road Mundamia
 - b. part Lot 7310 DP 1165171, Rainford Road West Nowra
2. Agrees to pay compensation and costs associated with the acquisition, in accordance with the determination of the Valuer General under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.
3. Endorse funding for this acquisition from the Shoalhaven Water - Sewer Fund.
4. Make the necessary application to the Minister for Local Government and the Governor for approval of the compulsory acquisition under the Local Government Act 1993.
5. Authorise the common seal of the Council of the City of Shoalhaven be affixed to any documentation required to be sealed and delegates authority to the Chief Executive Officer to sign any documentation necessary to give effect to this resolution.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

CL26.36 Australian Local Government Womens Association Conference 2025 (ALGWA) Report	HPERM Ref: D26/47791
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Recommendation

That Council receive the report from Clr Gillian Boyd on the Australian Local Government Womens Association Conference 2025 (ALGWA) for information.

RESOLVED (Clr Boyd / Clr Killian)

MIN26.53

That Council receive the report from Clr Gillian Boyd on the Australian Local Government Womens Association Conference 2025 (ALGWA) for information.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

CL26.33 1 Wharf Road Shoalhaven Heads - Lot 2, DP701597 - Cost Analysis Report - Land and Environment Court Hearing

HPERM Ref: D25/444921

Recommendation

That Council receive and note the report.

RESOLVED (Clr Casmiri / Clr Kemp)

MIN26.54

That Council receive and note the report.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

ADDENDUM REPORTS

MM26.3 MAYORAL MINUTE - ACKNOWLEDGEMENT OF 12-MONTH ANNIVERSARY OF THE PASSING OF AIRLIE MONTGOMERY

HPERM REF: D26/75861

Item dealt with earlier in the meeting see MIN26.29

CL26.37 Finance Review Panel Terms of Reference Review - 2026

HPERM Ref: D26/68673

RESOLVED* (Mayor White / Clr Dunn)

MIN26.55

That Council:

1. Receive and adopt the proposed Finance and Infrastructure Review Panel Terms of Reference (TOR).
2. Commence the expression of interest process to fill the 2 vacant community representative membership positions as detailed in section 8 of the Terms of Reference (TOR).

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil
CARRIED

CONFIDENTIAL REPORTS

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

No members of the public made representations.

RESOLVED (Clr Norris / Clr Dunn) MIN26.56

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.

CCL26.2 Bereavement Services - EOI 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 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 Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil
CARRIED

The meeting moved into confidential the time being 8:38pm.

The meeting moved into open session, the time being 8:46pm.

REPORT FROM CONFIDENTIAL SESSION

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

CCL26.2 Bereavement Services - EOI Outcome

**HPERM Ref:
D25/588445**

RESOLVED (Clr Killian / Clr Boyd) MIN26.57C

That Council does not proceed to a Targeted Request for Tender (RFT) for the outsourcing of Bereavement Services operations, based on the risks and financial considerations identified through the EOI evaluation process.

FOR: Mayor White, Clr Killian, Clr Boyd, Clr Tribe, Clr Norris, Clr Dunn, Clr Wilkins, Clr Proudfoot, Clr Casmiri, Clr Clancy, Clr Steele and Clr Kemp

AGAINST: Nil

CARRIED

There being no further business, the meeting concluded, the time being 8:48pm.

Mayor White
CHAIRPERSON