

NSW DEPARTMENT OF PLANNING, HOUSING AND INFRASTRUCTURE
OFFICE OF LOCAL GOVERNMENT

NOTICE OF DECISION TO CONDUCT AN INVESTIGATION
AND INSTRUMENT OF AUTHORISATION AND DELEGATION
LOCAL GOVERNMENT ACT 1993

I, Brett Whitworth, Deputy Secretary, Office of Local Government, Planning, Housing and Infrastructure, under delegation from the Secretary, Department of Planning, Housing and Infrastructure, have DETERMINED that there should be an investigation under section 430 of the *Local Government Act 1993* (the Act) into those aspects of Shoalhaven City Council, and its work and activities set out in the Terms of Reference below and I hereby AUTHORISE Manager Investigations Ashley Hinds, Principal Investigator Jag Biring and Principal Investigator Julie Wells of the Office of Local Government to conduct the investigation.

Terms of reference

To investigate and report upon:

1. whether the recruitment process for the General Manager was conducted in a transparent, fair, and merit-based manner in accordance with legislative, regulatory and best-practice requirements
2. the nature and influence of Stephen Blackadder Consultancy's involvement in the recruitment and appointment of the Council's General Manager, and to determine whether all required recruitment records, documents and communications were appropriately created, managed and retained in compliance with relevant legislative, regulatory and policy obligations
3. whether conflicts of interest involving the recruitment panel was properly declared, managed and addressed throughout the recruitment process
4. Whether serious maladministration or governance failure has occurred by failing to properly deal with Code of Conduct matters, contrary to the requirements of the *Local Government Act 1993*, the Model Code of Conduct, and associated procedures in relation to confidentiality breaches during the recruitment process
5. whether the Council's recruitment policies, procedures, and training programs are appropriate, effective, and compliant with the relevant legislative and procedural frameworks

6. any other matter relevant to, or arising from, the investigation

AND

Under section 745(2) of the Act I hereby SUB-DELEGATE to Principal Investigator Jag Biring and Principal Investigator Julie Wells of the Office of Local Government all the powers and functions of the Secretary, NSW Department of Planning, Housing and Infrastructure under section 429, 431, 432 and 434C of the Act, for the purpose of conducting the investigation.

This instrument takes effect from the date of signature.

Signed this 11th day of February, 2026



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Brett Whitworth PSM
Deputy Secretary
Office of Local Government
Department of Planning, Housing and Infrastructure