

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 13 May 2025
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.30pm

The following members were present:

Clr Peter Wilkins - Chairperson
Clr Selena Clancy
Clr Denise Kemp
Clr Luciano Casmiri
Clr Karlee Dunn
Clr Jason Cox
Clr Bob Proudfoot
Clr Jemma Tribe
Clr Matthew Norris
Clr Gillian Boyd
Clr Natalee Johnston
Clr Ben Krikstolaitis

A statement was played advising those present that the proceedings of this meeting (including presentations, deputations and debate) will be webcast and may be recorded and broadcast under the provisions of the Code of Meeting Practice.

The meeting was opened by an Acknowledgement of Country by the Chairperson, followed with a Moment of Silence & Reflection and the playing of the Australian National Anthem.

Apologies / Leave of Absence

RESOLVED (Clr Wilkins / Clr Proudfoot) MIN25.213

That the request from Clr White for a leave of absence from 6 May 2025 – 23 May 2025, be granted.

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

AGAINST: Nil

CARRIED

Confirmation of the Minutes

RESOLVED (Clr Cox / Clr Tribe) MIN25.214

That the Minutes of the Ordinary Meeting held on Tuesday 29 April 2025 be confirmed.

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

Minutes Confirmed Tuesday 27 May 2025 – Chairperson

AGAINST: Nil

CARRIED

Declaration of Interests

Clr Casmiri – CL25.150 - Report to NoM - CL25.29 - Ongoing Maintenance of Vegetation at Collingwood Beach – less than significant non pecuniary interest declaration – Clr Casmiri resides on Elizabeth Drive, Vincentia – will remain in the room and will take part in discussion and vote.

Clr Dunn – CL25.152 - Post exhibition report - Planning Proposal: 131 St Vincent Street, Ulladulla – less than significant non pecuniary interest declaration – Clr Dunn is the Manager and Director of the neighbouring property/business – will remain in the room and will take part in discussion and vote.

Clr Norris - CL25.144 - Response to Notice of Motion - Display contact details for Community Service Clubs – less than significant non pecuniary interest declaration – Clr Norris is a member of the Rotary Nowra Service Club – will remain in the room and will take part in discussion and vote.

MAYORAL MINUTE**MM25.7 Mayoral Minute - Federal Election Results 2025****HPERM Ref:**
D25/199998**Recommendation**

That:

1. Council write to congratulate the newly elected Federal Member for Gilmore, Mrs Fiona Phillips MP and extend an invitation to meet Council's elected body and executive leadership team.
2. Council recognise and thank all the Federal Election Candidates for their pledges of support to the Shoalhaven made during their Gilmore election campaigns.

RESOLVED (Clr Wilkins / Clr Boyd)

MIN25.215

That:

1. Council write to congratulate the newly elected Federal Member for Gilmore, Mrs Fiona Phillips MP and extend an invitation to meet Council's elected body and executive leadership team.
2. Council recognise and thank all the Federal Election Candidates for their pledges of support to the Shoalhaven made during their Gilmore election campaigns.

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

AGAINST: Nil

CARRIED

MM25.8 Mayoral Minute - Surf Lifesaving NSW**HPERM Ref:**
D25/200500**Recommendation**

That Council notes the correspondence from Surf Lifesaving NSW dated 28 April 2025 outlining the recent tragic coastal incidents and writes in acknowledgement of the efforts of lifesavers during this horrific period.

RESOLVED (Clr Wilkins / Clr Johnston)

MIN25.216

That Council notes the correspondence from Surf Lifesaving NSW dated 28 April 2025 outlining the recent tragic coastal incidents and writes in acknowledgement of the efforts of lifesavers during this horrific period.

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

AGAINST: Nil

CARRIED

Procedural Motion – Introduction of Addendums

RESOLVED (Clr Proudfoot / Clr Norris)

MIN25.217

That the following Addendum Reports be introduced as items of business and brought forward for consideration:

- MM25.9 - Mayoral Minute - Report - Tom Bingle a celebrated figure in Australian Racing
- MM25.10 - Mayoral Minute - 50 Year Anniversary of End of Vietnam War

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

AGAINST: Nil

CARRIED

MM25.9 Mayoral Minute - Report - Tom Bingle a celebrated figure in Australian Racing

HPERM Ref:
D25/206217

Recommendation

That Council writes to congratulate Tom Bingle on his recent honour from the Australian Turf Club of more than 50 years' service in the colourful art of bookmaking.

RESOLVED (Clr Wilkins / Clr Proudfoot)

MIN25.218

That Council writes to congratulate Tom Bingle on his recent honour from the Australian Turf Club of more than 50 years' service in the colourful art of bookmaking.

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

AGAINST: Nil

CARRIED

MM25.10 Mayoral Minute - 50 Year Anniversary of End of Vietnam War

HPERM Ref:
D25/206307

Recommendation

That Council acknowledge all Vietnam Veterans who served admirably in the Vietnam War and at the same time the Vietnamese community of the Shoalhaven at this poignant marker in history.

RESOLVED (Clr Wilkins / Clr Kemp)

MIN25.219

That Council acknowledge all Vietnam Veterans who served admirably in the Vietnam War and at the same time the Vietnamese community of the Shoalhaven at this poignant marker in history.

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

AGAINST: Nil

CARRIED

DEPUTATIONS AND PRESENTATIONS

CL25.142 – Notice of Motion - Publishing of Culburra Beach/Orient Point Drain Clearing Schedule

Mr Adrian Ludman (representing Culburra Beach & Orient Point Community Forum) addressed the meeting to speak FOR the recommendation.

CL25.143 – Notice of Motion - National Emergency Management Agency (NEMA)

Mr Kingston Anderson addressed the meeting to speak FOR the recommendation.

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

Ms Sophie Quinn (representing The Fleming Group/Proponent) addressed the meeting to speak AGAINST the recommendation.

CL25.149 - Community Consultative Body Activity Report January 2024 - December 2024

Mr Russell Neeves (representing Sussex Inlet & Districts Community Forum) addressed the meeting to speak FOR the recommendation.

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL25.140 Notice of Motion - Reinstatement of the Central Blenheim Beach Access

HPERM Ref:
D25/193393

Recommendation

That Council reinstate and make safe the access way to Blenheim Beach recently closed by Council.

RESOLVED (Clr Casmiri / Clr Cox)

MIN25.220

That Council reinstate and make safe the access way to Blenheim Beach recently closed by Council at some time in the future.

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

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

CARRIED ON THE CASTING VOTE OF THE CHAIR

CL25.141 Notice of Motion - Huskisson & Vincentia - Dog Off Leash times

HPERM Ref: D25/198863

Recommendation

That Council extend dog off leash time by 1 hour for Huskisson Beach, Huskisson and Nelsons Beach, Vincentia to 9am between 1 Oct - 30 April.

MOTION (Clr Casmiri / Clr Cox)

MIN25.221

That Council direct the Acting CEO to advise and report back to Council on the extension of the dog off leash times for Huskisson Beach, Huskisson and Nelsons Beach, Vincentia to:

- Permit dogs to be off-leash at Huskisson Beach and Nelsons Beach during the following times:
 - 1 October to 30 April: from 4.00pm to **9.00am**
 - 1 May to 30 September: from 3.00pm to 10.00am

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

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

CL25.142 Notice of Motion - Publishing of Culburra Beach/Orient Point Drain Clearing Schedule

HPERM Ref: D25/186652

Note: A Deputation was received on this item.

Recommendation

That Council instructs the Acting CEO to:

1. Ensure a schedule of drain clearing works is planned for 4x per year, scheduled and published on Councils website.
2. Require relevant council engineers and planners to meet with CBOP CCB flooding subcommittee to discuss long term strategic solutions and allow them to present photos/evidence of flooding hotspots/impact.
3. Following the meeting, inspect vegetation on Council owned vacant lots and ensure vegetation undergrowth is cleared/maintained.
4. Inspect existing pipes and identify any that require replacement in the Culburra/Orient Point region.
5. Consider potential grant sources to assist long term solutions such as drain and pipeline upgrades.

MOTION (Clr Tribe / Clr Proudfoot)

That Council instructs the Acting CEO to:

1. Ensure a schedule of drain clearing works is planned for 4x per year, scheduled and published on Councils website.
2. Require relevant council engineers and planners to meet with CBOP CCB flooding subcommittee to discuss long term strategic solutions and allow them to present photos/evidence of flooding hotspots/impact.
3. Following the meeting, inspect vegetation on Council owned vacant lots and ensure vegetation undergrowth is cleared/maintained.

4. Inspect existing pipes and identify any that require replacement in the Culburra/Orient Point region.
5. Consider potential grant sources to assist long term solutions such as drain and pipeline upgrades.

AMENDMENT (Clr Kemp / Clr Cox)

That Council instructs the Acting CEO to:

1. Ensure a schedule of drain clearing works is planned for 4x per year, scheduled and published on Councils website.
2. Require relevant council engineers and planners to meet with CBOP CCB flooding subcommittee to discuss long term strategic solutions and allow them to present photos/evidence of flooding hotspots/impact.
3. Following the meeting, inspect vegetation on Council owned vacant lots and ensure vegetation undergrowth is cleared/maintained.
4. Inspect existing pipes and identify any that require replacement in the Culburra/Orient Point region.
5. Consider potential grant sources to assist long term solutions such as drain and pipeline upgrades.
6. Undertake removal of the reeds at affected locations.

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

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

AMENDMENT LOST**RESOLVED (MOTION) (Clr Tribe / Clr Proudfoot)****MIN25.222**

That Council instructs the Acting CEO to:

1. Ensure a schedule of drain clearing works is planned for 4x per year, scheduled and published on Councils website.
2. Require relevant council engineers and planners to meet with CBOP CCB flooding subcommittee to discuss long term strategic solutions and allow them to present photos/evidence of flooding hotspots/impact.
3. Following the meeting, inspect vegetation on Council owned vacant lots and ensure vegetation undergrowth is cleared/maintained.
4. Inspect existing pipes and identify any that require replacement in the Culburra/Orient Point region.
5. Consider potential grant sources to assist long term solutions such as drain and pipeline upgrades.

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

AGAINST: Nil

CARRIED

CL25.143 Notice of Motion - National Emergency Management Agency (NEMA)

HPERM Ref:
D25/195661

Note: A Deputation was received on this item.

Recommendation

That Council instruct the A/CEO:

1. To apply for a grant from the federal agency NEMA - The National Emergency Management Agency – to investigate, scope out works and carry out the necessary drainage infrastructure upgrade to Culburra Beach and Orient Point.
2. The above Council application to NEMA be prioritised and considered a matter of urgency.
3. To collaborate with the CBOP CCB Water Management Sub-committee and residents and ratepayers of Culburra Beach on this grant application to ensure that they are fully apprised of the ongoing status of the grant and the infrastructure works.

RESOLVED (Clr Tribe / Clr Norris)

MIN25.223

That Council:

1. Apply for funding via the NEMA (National Emergency Management Agency) to scope the extent of works required to address stormwater drainage at Orient Point and Culburra Beach.
2. Note that the scoping study will inform the extent of works required over the long term to address drainage matters, and future grant applications.
3. Note that there is no allocated co-contribution for this scoping study, or undertaking of works within current budgets, and if successful, internal funding will need to be assessed for allocation.
4. Keep the CBOP CCB Water Management Sub-Committee informed of progress of the grant application, any study arising, and future funding arrangements to ensure they are fully appraised.
5. Apply for a specific project noting broken and aging infrastructure as identified by current investigations.
6. Write to the Federal Member for Gilmore Ms Fiona Phillips MP and seek written endorsement to advocate for the Shoalhaven on behalf of this issue.

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

AGAINST: Nil

CARRIED

CALL OVER OF THE BUSINESS PAPER

Call Over of Business Paper - En block – City Services

RESOLVED (Clr Johnston / Clr Krikstolaitis)

MIN25.224

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

- CL25.147 - Proposed Road Closure and Classification of Land - Milton Bushfire Station - Croobyar Road and Woodstock Road, Milton
- CL25.148 - Proposed New Licence - Part No.5 Birriley Street, Bomaderry

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

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

AGAINST: Nil

CARRIED

Call Over of Business Paper - En block – City Development

RESOLVED (Clr Krikstolaitis / Clr Boyd)

MIN25.225

That the following item from City Development Directorate be resolved en block:

- CL25.153 - Exhibition Outcomes and Proposed Finalisation - Draft Shoalhaven Community Participation Plan 2025

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

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

AGAINST: Nil

CARRIED

Call Over of Business Paper - En block – Shoalhaven Water

RESOLVED (Clr Norris / Clr Cox)

MIN25.226

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

- CL25.155 - Shoalhaven Water Rebate Policies

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

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

AGAINST: Nil

CARRIED

REPORTS

CL25.144 Response to Notice of Motion - Display contact details for Community Service Clubs

HPERM Ref:
D25/120045

Clr Norris - less than significant non pecuniary interest declaration – Clr is a member of the Rotary Nowra Service Club – remained in the room and took part in discussion and voted.

Recommendation

The Community Information Hubs be utilised for the promotion of Community Service Club contact details and information as the most financially prudent option available.

RESOLVED (Clr Cox / Clr Krikstolaitis)

MIN25.227

That:

1. The Community Information Hubs be utilised for the promotion of Community Service Club contact details and information as the most financially prudent option available.

2. If there is a will to do so, community organisations can utilise the existing Council approved sign design (per Berry signage already in place) and initiate a community lead project, subject to Council approval and at no cost to Council.

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

AGAINST: Nil

CARRIED

CL25.145 Proposal to Rename Portion of Susan Street Vincentia - Road Name Recommendation

HPERM Ref: D25/144189

Recommendation

That Council

1. Determine to proceed with the road name Caravel Court as the preferred option for renaming as supported through consultation with the community and affected property owners.
2. Determine that, in the unforeseen circumstance that the GNB does not approve the first preference, the next preferred road name shall be submitted.

RESOLVED (Clr Casmiri / Clr Krikstolaitis)

MIN25.228

That Council Determine:

1. To proceed with the road name Caravel Court as the preferred option for renaming as supported through consultation with the community and affected property owners.
2. That, in the unforeseen circumstance that the GNB does not approve the first preference, the next preferred road name shall be submitted.

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

AGAINST: Nil

CARRIED

CL25.146 Proposed New Lease to Millhouse Art Society - Shops 4 & 5, 69 Princes Highway, Milton

HPERM Ref: D25/152792

Recommendation

That Council

1. Enter a new five-year lease with Millhouse Art Society of Milton Ulladulla Incorporated (ABN 38 561 508 034) over Council operational land known as Shops 4 & 5, 69 Princes Highway, Milton (Part Lot 1 DP 736273, Part Lot 5 DP 631087 & Part Lot 1 DP325570).
2. Establish commencement lease rental of \$6,281.31 (excluding GST) per annum with annual rent increases in line with the Consumer Price Index (All Groups Sydney).
3. Lessee to be responsible for operating costs of the leased premises including proportional building insurance, garbage, water & sewerage usage at an estimated cost of \$1,345 (excluding GST) per annum.
4. Authorise the Common Seal of the Council of the City of Shoalhaven to be affixed to any document required to be sealed and delegate authority to the Chief Executive Officer or delegated officer to sign any documentation necessary to give effect to this resolution.

RESOLVED (Clr Cox / Clr Krikstolaitis)

MIN25.229

That Council:

1. Enter a new five-year lease with Millhouse Art Society of Milton Ulladulla Incorporated (ABN 38 561 508 034) over Council operational land known as Shops 4 & 5, 69 Princes Highway, Milton (Part Lot 1 DP 736273, Part Lot 5 DP 631087 & Part Lot 1 DP325570).
2. Establish commencement lease rental of \$6,281.31 (excluding GST) per annum with annual rent increases in line with the Consumer Price Index (All Groups Sydney).
3. Lessee to be responsible for operating costs of the leased premises including proportional building insurance, garbage, water & sewerage usage at an estimated cost of \$1,345 (excluding GST) per annum.
4. Authorise the Common Seal of the Council of the City of Shoalhaven to be affixed to any document required to be sealed and delegate authority to the Chief Executive Officer or delegated officer to sign any documentation necessary to give effect to this resolution.

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

AGAINST: Nil

CARRIED

Items marked with an * were resolved 'en block'.

**CL25.147 Proposed Road Closure and Classification of Land -
Milton Bushfire Station - Croobyar Road and Woodstock
Road, Milton**

**HPERM Ref:
D25/154134**

RESOLVED* (Clr Johnston / Clr Krikstolaitis)

MIN25.230

That Council

1. Approve the road closure under section 38D of the *Roads Act 1993* for the unused surplus road reserve at Croobyar Road and Woodstock Road, Milton as shown on Figure 1 in this report and subject to final survey, by notice in the NSW Government Gazette.
2. Consent to the grant of easements over the land as required and in accordance with Endeavour Energy and Shoalhaven Water requirements.
3. Classifies the closed section of road as Operational land following public notice of the proposed classification under the *Local Government Act 1993*.
4. Authorise the Common Seal of the Council of the City of Shoalhaven to be affixed to any document required to be sealed and delegate authority to the Chief Executive Officer to sign any documentation necessary to give effect to this resolution.

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

AGAINST: Nil

CARRIED

CL25.148 Proposed New Licence - Part No.5 Birriley Street, Bomaderry

HPERM Ref: D25/195185

RESOLVED* (Clr Cox / Clr Norris)

MIN25.231

That Council:

1. Enter a five-year licence with Salt Care (ABN 66 625 075 890) over Council community land known as Part No.5 Birriley St Bomaderry (Part Lot 2 DP 568955).
2. Establish commencement licence rental of \$5,094.65 (excluding GST) per annum with annual rent increases in line with the Consumer Price Index (All Groups Sydney).
3. Licensee to be responsible for operating costs of the licensed premises including building insurance, garbage and water & sewerage usage at an estimated cost of \$3,600 (excluding GST) per annum.
4. Authorise the Common Seal of the Council of the City of Shoalhaven to be affixed to any document required to be sealed and delegate authority to the Chief Executive Officer or delegated officer to sign any documentation necessary to give effect to this resolution.

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

AGAINST: Nil

CARRIED

CL25.149 Community Consultative Body Activity Report January 2024 - December 2024

HPERM Ref: D25/92571

Note: A Deputation was received on this item.

Recommendation

That:

1. Council ceases their endorsement of Pride of Bomaderry CCB as a CCB due to their inability to meet the minimum eligibility criteria for representing their community as outlined in the CCB Guidelines.
2. Council continues to endorse the Sussex Inlet & Districts Community Forum as a CCB due to their ability to demonstrate sufficient characteristics of a resident group suitable for endorsement to act as a CCB as outlined in the CCB Guidelines.
3. Council acknowledges that the Culburra Beach and Orient Point Community Forum CCB interim committees have demonstrated communication with community to ensure they are fully informed and confident in the process taken to establish the CCB.

RESOLVED (Clr Proudfoot / Clr Tribe)

MIN25.232

That:

1. Council ceases their endorsement of Pride of Bomaderry CCB as a CCB due to their inability to meet the minimum eligibility criteria for representing their community as outlined in the CCB Guidelines.
2. Council continues to endorse the Sussex Inlet & Districts Community Forum as a CCB due to their ability to demonstrate sufficient characteristics of a resident group suitable for endorsement to act as a CCB as outlined in the CCB Guidelines.
3. Council acknowledges that the Culburra Beach and Orient Point Community Forum CCB interim committees have demonstrated communication with community to ensure they are fully informed and confident in the process taken to establish the CCB.

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

AGAINST: Nil

CARRIED

CL25.150 Report to NoM - CL25.29 - Ongoing Maintenance of Vegetation at Collingwood Beach

HPERM Ref: D25/123805

Clr Casmiri – less than significant non pecuniary interest declaration – Clr resides on Elizabeth Drive, Vincentia – remained in the room and took part in discussion and voted.

Recommendation

That Council receive the report for information.

RESOLVED (Clr Proudfoot / Clr Casmiri)

MIN25.233

That Council receive the report for information.

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

AGAINST: Nil

CARRIED

CL25.151 Report to NoM - CL24.387 - Revegetation of Foreshore Areas - Community Concerns

HPERM Ref: D25/123843

Recommendation

That Council receive this report for information.

RESOLVED (Clr Proudfoot / Clr Cox)

MIN25.234

That Council receive this report for information.

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

AGAINST: Nil

CARRIED

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

HPERM Ref: D25/144300

Note: A Deputation was received on this item.

Clr Dunn – less than significant non pecuniary interest declaration – Clr is the Manager and Director of the neighbouring property/business – remained in the room and took part in discussion and voted.

Recommendation

That Council:

1. More fully consider the potential land use conflict concerns associated with noise and dust from the adjacent concrete batching plant before finalising the Planning Proposal.
2. Consult with the owner of the adjacent concrete batching plant (Heidelberg Materials) to better understand the existing site operations and future plans.

3. In collaboration with the proponent, commission an independent desktop review of the proponent's Air and Odour Assessment and Acoustic Assessment and risk assessment of land use conflict issues (noise and dust) raised in community and agency submissions as follows:
 - a. The scope of the desktop assessment, project brief and list of consultant/s be agreed to with Council staff.
 - b. The proponent fund and commission the assessment to streamline the procurement process.
 - c. The draft report is reviewed by Council staff.
4. If the independent review concludes that the risks can be satisfactorily addressed through suitable provisions in the Local Environmental Plan (LEP) amendment and at development application stage, finalise the Planning Proposal as exhibited subject to the following:
 - a. Liaise with the NSW Department of Planning, Housing & Infrastructure (DPHI) on a potential local provision that to be included in the amendment that requires the delivery of the promised affordable housing outcomes, given that the Gateway determination does not require a Voluntary Planning Agreement to be entered into before the LEP is amended.
 - b. Acknowledge that the height and floor space ratio (FSR) controls resulting from this Planning Proposal will potentially be increased by 20 to 30% under the affordable housing bonus incentives in the Housing State Environmental Planning Policy.
5. If the independent review concludes that the land use conflict risks cannot be satisfactorily addressed at development application stage, report the matter back to Council for direction.

RESOLVED (Clr Boyd / Clr Cox)

MIN25.235

That Council:

1. More fully consider the potential land use conflict concerns associated with noise and dust from the adjacent concrete batching plant before finalising the Planning Proposal.
2. Consult with the owner of the adjacent concrete batching plant (Heidelberg Materials) to better understand the existing site operations and future plans.
3. In collaboration with the proponent, commission an independent desktop review of the proponent's Air and Odour Assessment and Acoustic Assessment and risk assessment of land use conflict issues (noise and dust) raised in community and agency submissions as follows:
 - a. The scope of the desktop assessment, project brief and list of consultant/s be agreed to with Council staff.
 - b. The proponent fund and commission the assessment to streamline the procurement process.
 - c. The draft report is reviewed by Council staff.
4. If the independent review concludes that the risks can be satisfactorily addressed through suitable provisions in the Local Environmental Plan (LEP) amendment and at development application stage, finalise the Planning Proposal as exhibited subject to the following:
 - a. Liaise with the NSW Department of Planning, Housing & Infrastructure (DPHI) on a potential local provision that to be included in the amendment that requires the delivery of the promised affordable housing outcomes, given that the Gateway determination does not require a Voluntary Planning Agreement to be entered into before the LEP is amended.
 - b. Acknowledge that the height and floor space ratio (FSR) controls resulting from this Planning Proposal will potentially be increased by 20 to 30% under the affordable housing bonus incentives in the Housing State Environmental Planning Policy.

5. If the independent review concludes that the land use conflict risks cannot be satisfactorily addressed at development application stage, report the matter back to Council for direction.

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

AGAINST: Clr Kemp, Clr Casmiri, Clr Wilkins and Clr Proudfoot

CARRIED

Items marked with an * were resolved 'en block'.

CL25.153 Exhibition Outcomes and Proposed Finalisation - Draft Shoalhaven Community Participation Plan 2025

HPERM Ref: D25/148893

RESOLVED* (Clr Krikstolaitis / Clr Boyd)

MIN25.236

That Council:

1. Adopt the exhibited draft *Community Participation Plan 2025* with the following adjustments that respond to matters raised during the exhibition period:
 - a. Amendment of the second dot point in "Extension of Exhibition Timeframes" (page 18) relating to exhibition over the Christmas and New Year period as follows:

"For significant strategic planning documents, or development applications (DAs) that are:

 - 1) *Classified as Level 3 or above*, and*
 - 2) *Placed on exhibition between the end of the first full week in December and 15 January, inclusive,*

the public exhibition and submissions period will be extended to 31 January, at a minimum.

** Refer to Table 2: Consultation for Development Matters and Appendix B: Community Consultation Matrix for Development Applications (DAs) for development categories."*
 - b. Inclusion of the following additional advisory note on page 7:

"Council encourages developers and applicants to consult early when providing pre-lodgement advice on rezoning proposals and development applications."
 - c. Minor and procedural amendments identified via internal review, as detailed in **Attachment 1**.
2. Incorporate the *Community Participation Plan 2025* into Council's recently adopted *Community Engagement Strategy 2025-2029* as Chapter 2, replacing the current *Community Participation Plan 2019*.
3. Publish the *Community Participation Plan 2025* on Council's website and the NSW Planning Portal.
4. Rescind Council policy *POL22/8: Community Consultation Policy for Development Applications (including Subdivision)*, following the addition of the new *Community Participation Plan* to Council's *Community Engagement Strategy 2025-2029*.

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

AGAINST: Nil

CARRIED

CL25.154 Proposed Amendment - Executed Voluntary Planning Agreement - Dedication of Land to include a Maintenance Contribution - Suncrest Ave, Sussex Inlet

**HPERM Ref:
D25/155993**

Recommendation

That Council:

1. Provide 'in principle' support to negotiate an amendment to the VPA associated with SF10916 at Lot 22 DP 1270620, Suncrest Av, Sussex Inlet to:
 - a. Reduce the drainage reserve land dedication area from 4,303sqm to 1,505sqm.
 - b. Include a maintenance contribution from the developer for the gross pollutant trap (GPT) stormwater treatment device totalling \$172,110.70.
2. Delegate authority to Council's Chief Executive Officer, or his delegate, to
 - a. Prepare the draft amendment to the VPA and associated Explanatory Note.
 - b. Publicly exhibit the draft amendment to the VPA and associated Explanatory Note for a minimum period of 28 days as required by legislation.
 - c. Where no feedback warranting consideration is received, proceed to amend the VPA consistent with the terms in this report, except where issues raised as a result of public notification result in substantial changes to the proposal, in which case Council will receive a further report prior to proceeding.
3. Notify the developer of this resolution.

RESOLVED (Clr Proudfoot / Clr Krikstolaitis)

MIN25.237

That Council:

1. Provide 'in principle' support to negotiate an amendment to the VPA associated with SF10916 at Lot 22 DP 1270620, Suncrest Av, Sussex Inlet to:
 - a. Reduce the drainage reserve land dedication area from 4,303sqm to 1,505sqm.
 - b. Include a maintenance contribution from the developer for the gross pollutant trap (GPT) stormwater treatment device totalling \$172,110.70.
2. Delegate authority to Council's Chief Executive Officer, or his delegate, to
 - a. Prepare the draft amendment to the VPA and associated Explanatory Note.
 - b. Publicly exhibit the draft amendment to the VPA and associated Explanatory Note for a minimum period of 28 days as required by legislation.
 - c. Where no feedback warranting consideration is received, proceed to amend the VPA consistent with the terms in this report, except where issues raised as a result of public notification result in substantial changes to the proposal, in which case Council will receive a further report prior to proceeding.
3. Notify the developer of this resolution.

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

AGAINST: Nil

CARRIED

Items marked with an * were resolved 'en block'.

CL25.155 Shoalhaven Water Rebate Policies

**HPERM Ref:
D25/154711**

RESOLVED* (Clr Norris / Clr Cox)

MIN25.238

That Council reaffirm the Payment Assistance Scheme & Undetected Leak Rebate Policies with minor changes and additions.

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

AGAINST: Nil

CARRIED

CL25.156 Submission Response - Policy - Water & Sewer Headworks Charges (Section 64 Contributions) Assistance for Developments

**HPERM Ref:
D25/166092**

Recommendation

That Council notes the submission received and the response to those submissions, and,

1. Approve the modifications to the Policy - Water & Sewer Headworks Charges (Section 64 Contributions), Assistance for Developments to reintroduce the Water Section 64 discount for the first 2 ETs for the subdivision of land.
2. Endorse the Policy – Water & Sewer Headworks Charges (Section 64 Contributions) Assistance for Developments, which will come into force on 1 July 2025.

RESOLVED (Clr Proudfoot / Clr Johnston)

MIN25.239

That Council notes the submission received and the response to those submissions, and,

1. Approve the modifications to the Policy - Water & Sewer Headworks Charges (Section 64 Contributions), Assistance for Developments to reintroduce the Water Section 64 discount for the first 2 ETs for the subdivision of land.
2. Endorse the Policy – Water & Sewer Headworks Charges (Section 64 Contributions) Assistance for Developments, which will come into force on 1 July 2025.

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

AGAINST: Nil

CARRIED

ADDENDUM REPORTS

MM25.9 Mayoral Minute - Report - Tom Bingle a Celebrated Figure in Australian Racing

**HPERM REF:
D25/206217**

Item dealt with earlier in the meeting see MIN25.218.

MM25.10 Mayoral Minute - 50 Year Anniversary of End of Vietnam War**HPERM REF:
D25/206307**

Item dealt with earlier in the meeting see MIN25.219.

Procedural Motion - Matter of Urgency**RESOLVED** (Clr Wilkins)

MIN25.240

That an additional item regarding the Assistant Deputy Mayors attendance at the Berry Celtic Festival be introduced as a matter of urgency.

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

AGAINST: Nil

CARRIED

The CHAIRPERSON ruled the matter as URGENT as the Mayor and Deputy Mayor will be unable to attend the Berry Celtic Festival on 24 May 2025, which the Mayor would usually attend.

CL25.157 Additional item - Berry Celtic Festival - Mayoral Robe & Chains - Mayors Absence**RESOLVED** (Clr Wilkins / Clr Clancy)

MIN25.241

That Council, noting the Mayors leave of absence and the Deputy Mayors inability to attend, resolve that the Assistant Deputy Mayor attend in the Mayors absence and wear's the Mayoral Robes and Chains, as it is normal practice for the Mayor to do so at this event.

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

AGAINST: Nil

CARRIED

There being no further business, the meeting concluded, the time being 9.16pm.

Clr Wilkins
CHAIRPERSON