

**Minutes of the Ordinary Meeting
of Shellharbour City Council
held at the Council Chambers, Warilla
on Tuesday 01 February 2005 commencing at 7:20 pm**

Present

His Worship the Mayor	Councillor D Hamilton
A Ward	Councillor M Greig Councillor T Hawker
B Ward	Councillor H Stewart Councillor C Jeffreys
C Ward	Councillor J Bailey Councillor D Briggs
D Ward	Councillor J Leedham Councillor T Hore
E Ward	Councillor C Mifsud Councillor G Rose
F Ward	Councillor B Bird Councillor H Gillett

In attendance

General Manager	B A Weir
Director of Operations & Services	A Webster
Director of Community Planning & Strategies	P O'Rourke
Director Shell Cove Business Unit	P Woodcock
Group Manager Community Services & Devel.	L Campbell
Group Manager Corporate Services	T Gearon
Group Manager Works & Services	C Watt
Group Manager Customer & Env. Services	G Standen
Group Manager Development & Tech Services	M Boenisch
Group Manager Corporate Planning	P Masterson
Group Manager Planning Services	J Tremain
Group Manager Organisational Development	B Rose
Manager Development	G Mitchell
Manager Executive Offices/Executive Assistant	F MastroDomenico
Manager Media & Communications	B Parker
Corporate Meetings Officer	J Larsen

Acknowledgement to Country

The Mayor read to the Meeting "Shellharbour City Council acknowledges the Traditional Owners and Custodians of the Land on which we are meeting".

1. Apologies / Leave of Absence

Nil

2. Confidential Business (Committee of the Whole)

Nil

3. Recommendations from Committee of the Whole

Nil

4. Confirmation of Minutes

4.1 Ordinary Meeting 14 December 2004

567 RESOLVED: Briggs/Bailey That the Minutes of the Ordinary Council Meeting held on 14 December 2004 be confirmed as a correct record of proceedings.

4.2 Committee of the Whole 14 December 2004

568 RESOLVED: Briggs/Bailey That the Minutes of the Committee of the Whole Council Meeting held on 14 December 2004 be confirmed as a correct record of proceedings.

5. Pecuniary Interest

Councillor Bailey: Item 12.1 Proposed closure of pathway - Ulster Avenue to Sunset Avenue, Warilla (8287395)

Nature of Interest: Councillor Bailey advised that he was supported in a local government election in the past by the owners of an adjacent property. While he did not consider there could be any pecuniary interest he wished to acknowledge the interest.

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 01 February 2005

6. Condolences

The mayor read details of the following deaths in the Local Government area.

Mr Vincent La Rosa	of	Albion Park
Mr Arthur Simpson	of	Albion Park
Mr William (Mick/Bill) Taylor	of	Albion Park
Mr Dion Leslie White	of	Albion Park
Mr Luke McNair	of	Albion Park
Mr Adam Goldyn	of	Albion Park Rail
Mrs Pauline Ann Banister	of	Albion Park Rail
Mrs Ellen Yvonne (Blondie) Henry	formerly of	Barrack Heights
Mr William Langtry	of	Barrack Heights
Mr Philip Leschnik (Snr)	of	Blackbutt
Mr Ronald Walker	formerly of	Blackbutt
Mrs Olga Kolusovska	of	Flinders
Mrs Jacqueline McCardell	of	Flinders
Mr Max Hutchinson	of	Lake Illawarra
Mrs Betty Winifred Ebdale	of	Lake Illawarra South
Mr Scott Ronald Sharp	of	Lake Illawarra South
Mrs Patricia Marjorie (Pat) Richardson (Mendygral)	formerly of	Mt Warrigal
Mrs Sarah Caroline (Sadie) Swanson nee Bailey (Hearne)	of	Mt Warrigal
Mr Joe Briffa	of	Oak Flats
Mr Charles (Charlie) Carriage	of	Oak Flats
Mr Walter (Wally) Dalton	of	Oak Flats
Mr Bill Mitchell	of	Oak Flats
Mr John Ernest Byrnes	of	Oak Flats

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 01 February 2005

Mr Herbert Seymour Thane	of	Oak Flats
Mr Wilhelm (Bill) Von Appen	of	Oak Flats
Mr Paul John Carter	of	Shellharbour
Mrs Mercia Julia Devery	of	Shellharbour
Mr Donald John (Donny) Barnes	of	Warilla
Mrs Frances Cowie	of	Warilla
Mr Walter (Wally) Cuzen	of	Warilla
Mr Robert John Ford	of	Warilla
Mr Alfred (Alf) Molnar	of	Warilla
Mr John (Jock) Taggart	of	Warilla
Mrs Lois Williams	of	Warilla
Mrs Iris Coleman	of	Warilla
Mr Erwin Hoffman	of	Warilla

569 A Motion of condolence was passed by all present standing in one minutes silence.

7. Presentations

Nil

8. Mayoral Minutes

8.1 Tsunami Disaster Relief Appeal (8284688)

570 RESOLVED: Greig/Briggs

That Council donate \$5,000 to the Tsunami Disaster Relief Appeal as a one off donation.

Further that Council advise the Southern Councils Group of the estimated total donation from the Shellharbour City local government area.

Further that Council agree to consider further means of assistance, in cash and/or kind, at an appropriate further time.

That the budget be amended accordingly.

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 01 February 2005

8.2 Approval to attend Quality Lifestyle Forum and site inspections - Bayswater City Council, Perth (8284890)

571 RESOLVED: Gillett/Bird

1. That Council approve the attendance of the Mayor at the Quality Lifestyle Forum hosted by Bayswater City Council, Perth, Western Australia in order to make a presentation on Council's Foreshore developments and the Beacon Foundation.
2. That Council formally approve the attendance of those Councillors who have declared their interest to visit Perth to attend the Quality Lifestyle Forum and to inspect the boat harbour/marina, and new urbanism developments in the area.

9. Councillors' Reports

9.1 Australian Local Government National General Assembly - 7-10 November 2004 (8284961)

572 RESOLVED: Hawker/Hore

That this Report be received and noted.

10. General Manager's Office

10.1 Australian Local Government Women's Association Annual Conference - 17-20 March 2005 (8286717)

573 RESOLVED: Bailey/Briggs

1. That Council resolve to approve attendance at the 2005 Australian Local Government Women's Association (NSW) (ALGWA) Conference by any interested Councillor.
2. That any Councillors interested in attending the ALGWA Conference advise the Councillor's Liaison Officer by Monday, 7 February 2005 in order to meet early bird registration.
3. That approval be given to any Councillor wishing to become a financial member of ALGWA. Further that Councillors advise the Councillor's Liaison Officer by Monday 7 February 2005 in order to complete the membership form.

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 01 February 2005

11. Operations & Services Division

11.1 Installation of a roundabout at the intersection of Moore Street & Fisher Street, Oak Flats and the construction of a median in Moore Street between Hopetoun Street and Brigadoon Circuit, Oak Flats

574 RESOLVED: Briggs/Jeffreys

1. To accept the RTA's offer to fund up to 50% of the construction of a roundabout at the intersection of Moore Street and Fisher Street, Oak Flats and the construction of a median in Moore Street between Hopetoun Street and Brigadoon Circuit, Oak Flats.
2. To allocate \$18,000 from Ward B Traffic Facilities and \$3,000 from Ward B Works Funds towards the construction of the roundabout.
3. To amend the budget accordingly.

11.2 Installation of a roundabout at the intersection of The Boulevard & Leamington Road/Barton Street, Oak Flats

575 RESOLVED: Hore/Jeffreys

1. To accept the RTA's offer to fund up to 50% of the construction of a roundabout at the intersection of The Boulevard and Leamington Road/Barton Street, Oak Flats.
2. To allocate \$20,000 from Ward B Grant Matching Funds towards the construction of the roundabout.
3. To amend the budget accordingly.

11.3 Old Council Chambers - Air Conditioning System (8285194)

576 RESOLVED: Jeffreys/Leedham

That Council allocate \$8,550 from the City Buildings Refurbishment funds and \$8,550 from savings on Old Council Chambers Maintenance funds to enable the installation of two additional reverse cycle air conditioning cassette systems in the Old Council Chambers Meeting Room.

11.4 Embargo on James Hardie Products (8286301)

MOTION: Leedham/Mifsud That Council support the USU recommendation to lift the ban on James Hardie products.

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 01 February 2005

The Motion was moved by Councillor Leedham and seconded by Councillor Mifsud and on speaking to the Motion, as seconder, Councillor Mifsud sought to amend the Motion.

Councillor Hawker MOVED a POINT of ORDER that Councillor Mifsud as seconder could not amend the motion.

The Mayor agreed with Councillor Hawker's POINT of ORDER and explained his ruling.

Councillor Mifsud withdrew his proposed amendment.

577 The MOTION on being PUT to the Meeting was CARRIED

11.5 Community Land Plans of Management - Albion Park - Section 36 Local Government Act (8272055)

578 RESOLVED: Rose/Hawker

1. That in accordance with the *Local Government Act 1993*, (S 38), the draft Plans of Management for Community Land as listed in this report, be placed on public exhibition for a period of not less than 28 days, but allowing a period of not less than 42 days after the date on which the draft plans are first placed on public exhibition, during which submissions may be made to the Council.
2. That following the public exhibition and submission stage a further report be presented to Council for consideration of any submissions and the adoption or otherwise of the draft Plans of Management for Community Land.

11.6 Stores LTA Stocktake (8287904)

579 RESOLVED: Hawker/Gillett

That the appropriate journal entries be prepared to record in the Stores LTA Ledger and General Ledgers the write-off of stock to the value of \$1,308.71.

11.7 Stores & Materials Stocktake (8287921)

580 RESOLVED: Greig/Bailey

That the appropriate journal entries be prepared to record in the Stores & Materials Ledger and the General Ledgers the net write-on of stock of \$1,263.26.

12. Community Planning & Strategies Division

12.1 Proposed Closure of Pathway - Ulster Avenue to Sunset Ave, Warilla (8287395)

Note: Councillor Bailey declared an interest in Item 12.1 and left the Chamber whilst this matter was being considered pursuant to Section 451 of the Local Government Act 1993.

581 RESOLVED: Rose/Mifsud

That the pathway between Ulster Avenue and Sunset Avenue Warilla remain open with the stipulation that closure may be reinvestigated should levels of reported crime in the area increase significantly.

Further that a chicane be installed in the middle of the laneway, that broken lights be repaired, and that the laneway be cleaned up.

Councillor Bailey here returned to the Chamber.

12.2 Proposed amendments to the Exempt and Complying Development Control Plans (DCPs), Shellharbour Local Environmental Plan 2000 and Shellharbour Rural Local Environmental Plan 2004 (8287400)

582 RESOLVED: Bird/Hawker

That Council resolve to prepare amendments to the Exempt and Complying Development Control Plans, Shellharbour LEP 2000 and Shellharbour Rural LEP 2004.

12.3 Shellharbour City Heritage Study (8287671)

583 RESOLVED: Jeffreys/Briggs

That Council resolve to receive and note this report.

12.4 Funding of Playground Equipment in Oak Flats (8287679)

584 RESOLVED: Hawker/Stewart

1. That Council allocate \$30,000 in funds from Section 94 Contributions received to the provision of playground equipment in Oak Flats.
2. That the budget be amended accordingly.

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 01 February 2005

13. Shell Cove Business Division

Nil

14. Committee Recommendations

14.1 Recommendations from the Disabilities Services Advisory Committee Meeting held 15 December 2004 recommended for adoption.

585 RESOLVED: Stewart/Briggs That the Recommendations from the Disabilities Services Advisory Committee Meeting held 15 December 2004 be adopted.

14.2.1 Recommendations from the Australia Day/Special Promotions Committee Meeting (in Committee of the Whole) held 12 January 2005 recommended for adoption.

586 RESOLVED: Hawker/Leedham That the Recommendations from the Australia Day/Special Promotions Committee Meeting (in Committee of the Whole) held 12 January 2004 be adopted.

14.2.2 Recommendations from the Australia Day/Special Promotions Committee Meeting held 12 January 2005 recommended for adoption.

587 RESOLVED: Hawker/Leedham That the Recommendations from the Australia Day/Special Promotions Committee Meeting held 12 January 2004 be adopted.

15. Notices of Rescission Motion

Nil

16. Notices of Motion

Nil

17. Items for Information

17.1 Warilla Child Care Centre, 100% High Quality Accreditation for the next 4 years (8287401)

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 01 February 2005

17.2 Outcomes of Section 94 Contributions & Development Levies Taskforce (8287402)

17.3 Investments (8280968)

588 RESOLVED: Briggs/Leedham That Council receive and note this information.

Questions without Notice

589 **Councillor Stewart** advised that she has had discussions with the Animal Welfare League and they have shown interest in speaking with Council with regard to entering into a joint option for operation of the Council pound.

The Mayor advised Councillor Stewart to approach the appropriate Council department

590 **Councillor Leedham** advised that the Lake Authority EIS is on public exhibition from 29 January to 4 March 2005 and that an "open house" will be held on 12 February to review the EIS and give an opportunity for the public to ask questions.

591 **Councillor Hore** advised that work approved by a resolution at the 23 November Council Meeting at the laneway between Harvey Street and Fleetwood Cres has not yet been carried out. He asked that this be followed up.

592 **Councillor Bird** advised that he has received complaints about speeding on Pioneer Road Blackbutt between the two roundabouts. He asked whether the transportable speed display could be positioned there in peak hours to encourage compliance with speed restrictions.

593 **Councillor Rose** asked whether the golf course lease has been signed yet.

The Group Manager Corporate Planning advised that the lease has only just been returned to Council from our solicitors and has not been signed yet. He advised that he will be reviewing it in the next few days.

594 **Councillor Mifsud** asked that the Addison Street Memorial be given a "face lift".

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 01 February 2005

595 Councillor Mifsud asked whether anything could be done about overgrown vacant blocks of land in the city.

596 Councillor Mifsud advised that work on the Daycare centre at Shell Cove has commenced. He asked whether this was allowable without a Construction Certificate from Council.

The Manager Development Services advised that a Construction Certificate is not necessary as the development is on Crown land.

He reiterated that when Council approved the application a number of conditions were imposed and these will have to be complied with including changes to the carpark.

597 Councillor Bailey expressed concern that the new microphones do not appear to be working adequately. He asked that they be replaced if possible.

598 Councillor Briggs asked the General Manager whether Council was going to be party to what is going on with regard to the sewerage upgrade recently announced by the Member for Kiama. He expressed concern that that Council have the opportunity to be players in the development of infrastructure and decisions about ocean outfall.

The General Manager advised that this has been an ongoing concern for many years. He added that the sewage system is not restricted to Shellharbour City but encompasses other areas as well which does complicate matters. He advised that he will follow-up.

The Mayor advised that he has made appointments with Water Board to discuss the issues.

599 Councillor Hawker asked whether there had been any progress with regard to the bypass in Albion Park from Yallah to the proposed Tullimbah roundabout.

The Director Operations and Services advised that the resolution to write to government departments and Wollongong City Council has been acted on. He advised that a possible route was identified and a response requested.

He advised that he has received acknowledgement from the various parties and they are taking Council's concerns on board and will respond in due course.

600 Councillor Hawker asked how we decide on the purchase of playground equipment and whether it meets Australian Standards.

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 01 February 2005

The Director Operations and Services advised that Council only purchases equipment that meets the Australian Standard.

- 601 Councillor Hawker** asked whether rainfall tanks, similar to the one installed at Albion Park soccer ground, could be installed at other sporting grounds in the city.

The Director Operations and Services advised that Council is currently on a program to investigate alternative sources of water for all sports fields.

19. Late Items of Business / Urgent Business (as introduced by the Chairperson)

Nil

Meeting adjourned at 8.30 pm

Meeting resumed at 9.55 pm

There being no further business the Mayor closed the Meeting at 9.55 pm

Meeting closed at 9.55 pm

CONFIRMED as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Shellharbour held 22 February 2005.

General Manager

Chairperson