

**Minutes of the Ordinary Meeting
of Shellharbour City Council
held at the Council Chambers, Warilla
on Tuesday 30 August 2005 commencing at 5.15 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 Organisational Development	B Rose
Corporate Solicitor – Manager Legal & Property Services	B McCann
Manager Financial Services	P Henderson
Manager Development Services	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)

In accordance with the *Local Government Act 1993*, and the *Local Government (Meetings) Regulation 1993*, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

Set out below is Section 10A(2) of the Local Government Act 1993, in relation to Confidential Business:

10A(2) Which parts of a meeting can be closed to the public? The matters and information are the following:

- (a) personnel matters concerning particular individuals;
- (b) the personal hardship of any resident or ratepayer;
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business;
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law;
- (f) matters affecting the security of the council, councillors, council staff or council property;
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.

976 RESOLVED: Briggs/Greig

- 1. That Council resolve into Committee of the Whole to consider the following business as listed, together with any late reports tabled at the meeting.
- 2. That pursuant to Section 10A(1-3) of the *Local Government Act 1993*, the press and public be excluded from the proceedings on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2) of the Act as outlined above.
- 3. That the correspondence and reports relevant to the subject business be withheld from access to the press and public as required by the *Local Government Act 1993*, Section 11(2).

CONFIDENTIAL ITEMS

2.1 Development Application No. 147/2005 - Lot 1, SP 71677, 1/29 - 31 Durgadin Drive, Albion Park Rail - Training & Development of the External Sales Force, Warehouse, Product Assembly & Distribution of Tupperware & Ancillary Office & Signage (8403921)

Reason for Confidentiality

This item is classified CONFIDENTIAL under the provisions of Section 10A(2)(g) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

This matter is classified confidential because it contains privileged legal advice, the disclosure of which may jeopardise the Council's legal position.

2.2 Tender 2005/11 - Shellharbour Beachside Tourist Park Management (8401838)

Reason for Confidentiality

This item is classified CONFIDENTIAL under the provisions of Section 10A(2)(d) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it

Tender details, should they be revealed, may result in commercial disadvantage to parties involved in the tendering process. Some information provided to Council by tenderers is provided on the basis that Council will treat it as commercial in confidence.

It is not in the public interest to reveal all details of these tenders or the assessment process. Tenderers have provided sensitive information about their operations in the confidence that their details will not be made public by Council. The practice of publication of sensitive information provided by tenderers could result in the withholding of such information by tenderers and reduction in the provision of information relevant to Council's decision.

2.3 Tender 2005/12 - Supply of Street Sweeper (8400542)

Reason for Confidentiality

This item is classified CONFIDENTIAL under the provisions of Section 10A(2)(d) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it

Tender details, should they be revealed, may result in commercial disadvantage to parties involved in the tendering process. Some information provided to Council by tenderers is provided on the basis that Council will treat it as commercial in confidence.

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Meeting adjourned at 5.15 pm

Meeting resumed at 7.18 pm

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".

3. Recommendations from Committee of the Whole

The following Recommendations to Council from the Committee of the Whole Council were read to the Meeting by the General Manager.

2.1 Development Application No. 147/2005 - Lot 1, SP 71677, 1/29 - 31 Durgadin Drive, Albion Park Rail - Training & Development of the External Sales Force, Warehouse, Product Assembly & Distribution of Tupperware & Ancillary Office & Signage (8403921)

That the report be received and noted.

2.2 Tender 2005/11 - Shellharbour Beachside Tourist Park Management (8401838)

That Council award the Shellharbour Tourist Park Management Contract to Mr Juri Tarmo from 10 October 2005 to 30 June 2008, subject to the terms of his tender submission and the management contract to be entered into.

2.3 Tender 2005/12 - Supply of Street Sweeper (8400542)

That Council accept the tender for the supply of a MacDonald Johnston VT605 Sweeper 15,000kg Cab Chassis at the tendered changeover price of \$176,350.

2.4 General Manager's Verbal Report

That best wishes be extended to the staff member referred to in Committee of the Whole and his family from all Councillors.

- 977 RESOLVED: Briggs/Hawker. That the Recommendations to Council from the Committee of the Whole Meeting held earlier today be adopted.

4. Confirmation of Minutes

4.1 Ordinary Meeting 9 August 2005

Councillor Mifsud stated that he believed that his comments regarding Item 11.4 Code of Conduct – Conduct Committee should have been included in the Minutes from last meeting, particularly his comments stating that he believed that the Code of Conduct Committee and the disciplinary system is flawed - as there is no record of his statement to the Meeting.

Councillor Rose supported Councillor Mifsud and added that he believed the Conduct Committee system is flawed and would have liked to have had that recorded in the Minutes especially as he and Councillor Mifsud had recently attended a seminar where several speakers had similar views.

The General Manager advised that the Code of Conduct has been signed off by the Department of Local Government and the Minister. He acknowledged that there are differing opinions regarding it and that the practical workings of it are being tested at the moment, however that does not mean the Council are doing anything wrong by adopting the Code of Conduct Committee model and implementing it.

- 978 RESOLVED: Briggs/Hawker That the Minutes of the Ordinary Council Meeting held on 9 August 2005 be confirmed as a correct record of proceedings with the correction of the spelling mistake of Wiradjuri on page 4.

CARRIED UNANIMOUSLY

5. Pecuniary Interest

Nil

6. Condolences

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

Mr Frederick George Pallas	of	Albion Park
Mrs Annie (Nancy) Gain	of	Albion Park Rail
Mrs Josephine Jordan	of	Barrack Heights
Mr Giuseppe (Joe) Piana	of	Barrack Heights
Mr Risto Tunevski	of	Barrack Heights
Mrs Angelina Stevoska	of	Blackbutt
Mr Charles Frederick Crew	of	Lake Illawarra South
Mrs Ruby Denise Maliphant	of	Lake Illawarra South
Mr Raymond Eric Carter	of	Mount Warrigal
Mr Bruce Aubrey Lawson	of	Oak Flats
Mr Hans Willi Nauruschat	of	Oak Flats
Mrs Dorothy Matilda Wells	of	Oak Flats
Mr Alexander Park	of	Warilla
Mrs Narelle Price	of	Warilla
Mr William Norman (Bill) Strickland	of	Warilla

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

7. Presentations

Nil

8. Mayoral Minutes

Nil

9. Councillors' Reports

Nil

10. General Manager's Office

10.1 NSW 14th Annual Coastal Conference - Narooma

980 RESOLVED: Hawker/Briggs

That any interested councillors advise the General Manager as soon as possible so that numbers can be confirmed and bookings made.

10.2 2005 National General Assembly of Local Government

981 RESOLVED: Hawker/Briggs

- a) That any interested councillors advise the General Manager as soon as possible of their desire to attend the 2005 National General Assembly so that numbers can be confirmed and bookings made.

That Councillor Hawker be nominated as Council's Voting delegate for the plenary session.

- b) That Council endorse the attendance of any Councillors wishing to attend as observers.
- c) That Council consider any Motions, if any, it wishes to submit to the 2005 National General Assembly.
- d) That the General Manager frame suitable Motions (as resolved by recommendation (c) above) to be forwarded to ALGA before 9 September 2005.
- e) That Council agree to send the General Manager or his delegate to the Assembly.

10.3 June 2005 Quarter Budget Review (8396621)

In response to questions asked by Councillors, Council Officers elaborated upon and explained several items listed in the Budget Review.

Councillor Jeffreys suggested that it would be helpful to Councillors if a little more detail was included in the items to make it clearer for Councillors.

In response to a question from Councillor Rose, the Group Manager Development & Technical Services advised that the Lake Illawarra Authority (LIA), Wollongong Council and Shellharbour Council keep balance sheets in order to "keep tabs" on which party is paying what amount for what project with regard to entrance works at Lake Illawarra. When all items are balanced out and reconciled and all parties have met their commitment, no monies will be owed by anyone. The figure provided in the Budget Review is not a final figure.

Note: While the Group Manager Development & Technical Services was speaking several members of the gallery made comments and interjected. The Mayor asked the gallery to refrain from making comments and interjecting.

During the debate the Mayor again warned the gallery that if the disturbance continued the offending party or parties would be asked to leave the meeting. He named Mrs Turnbull and Mr Moran on this occasion.

The General Manager advised that the June Quarter budget review is a wrap up of the quarter's results and also an unofficial wrap up of the year's results which will be endorsed by the auditor later in the year.

982 RESOLVED: Hawker/Greig

That this report be received and noted.

10.3a Elsa Dixon Aboriginal Employment Funding Program - Late Report

The Director Community Planning & Strategies explained that in order to meet conditions of previously approved grant funding through the Elsa Dixon Aboriginal Employment Funding Program it is necessary for the approved positions to be filled by 30 August 2005. (See Memo provided to Councillors at tonight's meeting attached at p.19).

An extension to the 30 August deadline has been requested from the Department of Education and Training, however no advice with regard to this has been received to date. The Director Community Planning & Strategies advised that the recruitment process has been completed and offers of employment can be made for two of the permanent positions. He therefore requested that Council consider approval of the two positions tonight to prevent jeopardising the approved funding by non-compliance with the conditions.

983 RESOLVED: Bird/Briggs

1. That offers of employment be made to the successful applicants under the Elsa Dixon Program funding (2 positions), but the offers be strictly conditional on the Council being able to secure the grant funding involved, and not being ruled ineligible because of the passing of imposed "deadlines" by the Department.
2. That Council's budget be amended accordingly. Further that Council allocate \$13,708 for the administrative position, and \$16,560 for the Environmental Officer position, being 35% of the funds required of Council for the remaining portion of the current financial year.

CARRIED UNANIMOUSLY

10.4 Management Plan Quarterly Report April - June 2005 and Full 2004/05 Year Review (8403914)

Councillor Greig congratulated the staff and General Manager on the achievements highlighted in the report.

Councillor Jeffreys asked for an explanation of inconsistencies in the report and attachment with regard to waste management.

The General Manager advised that he would take her question on notice.

984 RESOLVED: Greig/Hawker

That the report be received, noted and endorsed.

10.5 Councillor Requisition - Councillor Stewart (8405866) - Late Report

985 RESOLVED: Hawker/Rose

That Council accept the General Manager's late report

986 RESOLVED: Hawker/Bird

That any interested Councillor be able to inspect RSPCA facilities.

Councillor Stewart advised that she only requested that she be able to view the minutes from June 1993 where they related to conditions of the dog pound, not the whole document. She also stated that she would have appreciated a phone call advising her of the outcome of her request rather than formalising her request in this late report.

The General Manager replied that where he was unable to release information to a Councillor, that refusal to release was then reported to Council for endorsement or otherwise.

In reply to a comment by Councillor Stewart referring to Minutes regarding Lot 100 at Oak Flats, he replied that he had always made available Confidential Minutes to assist Councillors in considering matters when they came before Council.

The Mayor advised that Council has no policy on release of Confidential Minutes at the moment and this would need to be addressed. The General Manager stated that that was being considered at present.

11. Operations & Services Division

11.1 Development Application No. 77/2005 - Lot 2017, DP 1051789, 1 Whittaker Street, Flinders - Construction of a 46 Place Child Care Centre, Storage Shed, Retaining Walls & Associated Signage (8399659)

Public Participation

Mr Peter Moran – advised that he no longer wished to speak on this item.

987 RESOLVED: Gillett/Bird

- A. That Council resolve to release the Terms of (a) of the Easement for Acoustic Barrier 3 wide fifthly referred to in the Instrument created pursuant to Section 88B of the *Conveyancing Act, 1919* accompanying DP 1051789, subject to all costs being borne by the applicant.
- B. That Council approve Development Application No. 77/2005 for the construction of a 46 place child care centre, storage shed, retaining walls and associated signage at Lot 2017, DP 1051789, 1 Whittaker Street, Flinders under Section 80 (3) (Deferred Commencement) of the *Environmental Planning & Assessment Act, 1979*, as amended, subject to the 80 conditions following the conclusion.

11.2 Development Application No. 147/2005 - Lot 1, SP 71677, 1/29 - 31 Durgadin Drive, Albion Park Rail - Training & Development of the External Sales Force, Warehouse, Product Assembly & Distribution of Tupperware & Ancillary Office & Signage (8361700)

Public Participation

Ms Rosie Derskon - not in attendance

Mr Graham Appleby

- Can't understand difference between two QCs.
- Council's QC's opinion based on what was provided by Council
- Last council meeting a site inspection was requested – if councillors visited they would see that operation is not just an administrative office.
- Senior Development Assessment Officer and Council's solicitor only ones in attendance at site inspection
- This business recognised last week as high achiever in business
- Business is growing and developing quickly
- Hope to have 300 demonstrators on books by Christmas.
- Closure would force business to move to Wollongong

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Note: While Mr Appleby was speaking, the Mayor observed that Mrs Turnbull, who was part of the public gallery, had left her chair at the rear of the public gallery and moved to a front row seat and appeared to be acting in an intimidating manner toward a Council staff member (presumably the Manager Development Services) despite the gallery having been earlier warned to behave properly. The Mayor interrupted Mr Appleby and requested that Mrs Turnbull leave the Meeting. He requested a Motion from Councillors to that effect if they so wished.

988 RESOLVED: Jeffreys/Briggs

That Mrs Turnbull be asked to leave the Chamber. Further that she not be allowed to return without apologising to Council for her behaviour.

Mrs Turnbull left the Chamber

The Mayor vacated the Chair and the Deputy Mayor took the Chair.

Mr Peter Moran

- Acknowledge that some aspects not permissible in zone.
- The QC for Council accuses the proprietor of artificially elevating some uses to dominant position.
- Suggest Council seeking to elevate some uses in order to justify an argument
- Report claims that Industrial land in relevant area is scarce – not obvious from observation of area – many vacant premises observed.

The Mayor resumed the Chair.

MOTION: Bird/Gillett

That Council refuse Development Application No. 147/2005 for the development described as *training and development of the external sales force, warehouse, product assembly and distribution of Tupperware and ancillary office and signage* at Lot 1 in SP 71677 under Section 80 of the *Environmental Planning & Assessment Act, 1979*, as amended, subject to the reasons immediately following the conclusions of this report.

Councillor Mifsud FORESHADOWED a MOTION:

That Council approve Development Application No. 147/2005 for the development described as *training and development of the external sales force, warehouse, product assembly and distribution of Tupperware and ancillary office and signage* at Lot 1 in SP 71677 under Section 80 of the *Environmental Planning & Assessment Act, 1979*, as amended.

989 The MOTION on being PUT to the Meeting was CARRIED 8/5

(Councillors Stewart, Mifsud, Rose, Bailey and Jeffreys dissenting).

Note: Councillor Mifsud advised that he would be submitting a Rescission Motion.

11.3 Adoption of Floodplain Risk Management Development Control Plan (8399502)

Public Participation

Mr Peter Moran - Not present when called.

990 RESOLVED: Bird/Leedham

1. That Council adopt the Floodplain Risk Management Development Control Plan
2. That Council resolve to prepare draft amendments to Shellharbour Local Environmental Plan 2000 and Shellharbour Rural Local Environmental Plan 2004 as outlined in the report.

11.4 Sand Mining and Landfill Proposal - Dunmore Refuse Depot (8396275)

991 RESOLVED: Gillett/Bird

That Council progress with the necessary environmental studies, utilising appropriate consultants, to prepare and submit a development application to permit additional sand to be mined from Council's landfill and sand mine site at Buckleys Road, Dunmore.

That Council accept a deposit of \$200,000 from Australand to secure space at the landfill site to deposit a quantity of potential acid sulphate soil.

11.5 Renewal of Licence agreement with Shellharbour Fishing & Yacht Club Inc (8404108)

992 RESOLVED: Rose/Bailey

1. That Council renew the licence agreement with Shellharbour Fishing & Yacht Club Inc for the occupation of the boat ramp slipway facility and winch house being part Cowrie Island (D580064) Reserve Trust a period of five (5) years at a fee of \$1,500.00 per annum.
2. That the Seal of Council be affixed to the licence agreement with the Shellharbour Fishing & Yacht Club Inc for the occupation of the boat ramp slipway facility and winch house being part Cowrie Island (D580064) Reserve Trust.

11.6 2004/2005 Financial Reports (8396528)

993 RESOLVED: Hawker/Greig

1. That Council make the Statements (as attached) and approve the application of the signatures by the Mayor, one other Councillor and the General Manager to those statements, as required by Clause 19 of *the Local Government (Financial Management) Regulation 1999* as amended.
2. That the Financial Reports be formally referred for audit.

12. Community Planning & Strategies Division

12.1 Laneway between Wall Street and Trumper Street, Warilla (8403872)

Public Participation

Mr Les Johnston

- Mr Johnston advised that he lives next to the laneway.
- Offensive behaviour, graffiti on fence, fires etc going on for a long time.
- In letter sent by Council to nearby residents, it appears that a lot of complaints have not been reported
- Mr Johnston has reported incidents several times at Dapto police station and to Council
- What is reported only half of what has gone on
- Should not have to put up with this.
- Syringes in laneway a danger to Council workers who have to mow area.

994 RESOLVED: Hore/Leedham

That Council close the Laneway between Wall Street and Trumper Street, Warilla.

Further, that Council delegate authority to the General Manager to commence the proper procedure to effect closure of the laneway and to either find an alternate use for the land or dispose of it.

12.2 Draft Stormwater Management Development Control Plan (8403933)

995 RESOLVED: Rose/Briggs

That Council resolve to prepare a Draft Stormwater Management Development Control Plan.

13. Shell Cove Business Division

13.1 Shell Cove Project Progress Report to 21 August 2005 (8381171)

Public Participation

Mr Peter Moran – not present when called.

Councillor Rose congratulated the Director Shell Cove Business and Shell Cove Commercial Manager on the report and achievements.

996 RESOLVED: Rose/Greig

1. That this report be received and noted.

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2. That Council resolves to sign the Deed of Agreement with Killalea State Park (as contained in this report) and to affix the Seal of Council on the Deed.
3. That Council resolves to close the temporary road (Lot 1207 DP 864021 and Lot 4716 DP 1061816) to Killalea State Park upon registration of the Subdivision Plan (a subdivision of Lot 1207 DP 864021, Lot 22 DP 1035074, Lot 4717 DP 1061816 and Lot 1169 DP 1076113) creating a public road access to the Park, not transfer the land ownership as Council is the adjoining landowner (all as part of the Shell Cove Project) and to place the notice in the Government Gazette.
4. That Council resolves to affix the Seal of Council on the Subdivision Plan and 88B Instrument for the subdivision of Lot 1207 DP 864021, Lot 22 DP 1035074, Lot 4717 DP 1061816 and Lot 1169 DP 1076113.
5. That Council resolves to affix the Seal of Council on the Subdivision Plan and 88B Instrument for the subdivision (from the subdivision of Lot 1207 DP 864021, Lot 22 DP 1035074, Lot 4717 DP 1061816 and Lot 1169 DP 1076113) and on the Transfers for proposed lots 6001 to 6045 (Stage 6A).

14. Committee Recommendations

14.1 Recommendations from the Traffic Committee Meeting held 3 August 2005 recommended for adoption.

997 RESOLVED: Greig/Rose

That the Recommendations from the Traffic Committee Meeting held 3 August be adopted.

15. Notices of Rescission Motion

Nil

16. Notices of Motion

Nil

17. Items for Information

17.1 Items for Information Events and Activities (8403867)

17.2 Investments (8402103)

17.3 Beacon Foundation School Industry Partnership

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The General Manager advised that today he attended the 2005 Shellharbour City Beacon Foundation Business Launch at Warilla High School. The overall aim of the initiative is to assist students to find a future pathway upon leaving school so that they do not go on the dole.

Council received accolades for their involvement in this project though the efforts of Council's various Community Services staff in a number of ways to assist the students at Warilla High School including the employment of a part-time youth worker and assisting/mentoring some less motivated students with great success.

998 RESOLVED: Hawker/Greig

That the Items for Information be received and noted.

18. Questions without Notice

999 **Councillor Stewart** asked if she could have copies of previous Lake Authority minutes as requested in a previous requisition.

1000 **Councillor Stewart** asked that a fairer system of electing voting delegates to the Local Government Conference be considered – Independent councillors would like the experience of being a voting delegate.

1001 **Councillor Jeffreys** advised that she drove past Park Crescent and the gate at the park was left open again.

1002 **Councillor Leedham** requested that No Parking signs be erected on Reddall Reserve near the kiosk.

1003 **Councillor Leedham** commented on the recent stabbing on Windang Bridge. He asked whether Council can request enforcement of the No Fishing restriction on the bridge.

The Mayor advised that he will relay this request to the Police.

1004 **Councillor Bird** asked whether it is time for a free micro-chipping day to be organised and advertised.

The Director Operations & Services advised that there is one due soon and that Council will go through marketing process.

1005 **Councillor Bird** advised that barriers have been cut through at the Sebastian Place entrance to Blackbutt Reserve to enable unauthorised access. He requested that this be repaired.

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1006 Councillor Gillett requested that site maps be erected at Stockland Shellharbour directing people to the ramps around Lamerton House as an alternative to the stairs to assist people in wheelchairs or with children in strollers trying to navigate the stairs.

1007 Councillor Gillett highlighted the HACC Centre 10th anniversary celebrations which occurred this week. She advised that she has a DVD about the centre and its services if any councillors would like to borrow it.

1008 Councillor Rose requested that the car park behind Tangs and Addison's Restaurant at Shellharbour Village be cleaned up to present a better image to visitors to the area.

1009 Councillor Rose requested advice on the police audit report.

The Mayor advised that he has received the report and is presently going through it and will report back to Council very shortly on its contents.

1010 Councillor Rose asked for advice on when the Lake Entrance works will be starting.

Councillor Leedham advised that he believed work will commence by end of the year – currently waiting on the final say from the State Government.

1011 Councillor Rose advised that he has received numerous phone calls about the condition of a number of roads in the city and asked if more could be done to improve them.

1012 Councillor Mifsud expressed support for Councillor Leedham's suggestion that the No Fishing restrictions on Windang Bridge be enforced. He commented on the mess left on the road and bridge by fishermen and the difficulties disabled people, children on bikes etc have when attempting to cross the bridge.

1013 Councillor Mifsud asked why, as the alternative delegate to the Workplace Consultative Committee, that he was not advised when Councillor Greig was not able to attend the meeting on 4 August. He asked how he is meant to find out about these occurrences.

1014 Councillor Mifsud read from the Minutes from 9 August 2005 and asked the General Manager about a statement made in the memo recently sent to the Department of Local Government.

The Mayor requested that Councillor Mifsud put his request in writing so that it could more clearly be addressed.

1015 Councillor Mifsud asked for progress on his request for costs incurred to Council at the Regional Airport.

The Director Operations & Services advised that this report has been prepared and that Councillor Mifsud should have it very soon.

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1016 Councillor Mifsud commented on continuing antisocial behaviour in the city and particularly at Shellharbour foreshore and requested that Council seriously consider the implementation of security cameras.

The Mayor advised that his investigations revealed that there were two schools of thought about the desirability of installing surveillance cameras. Further that it was probably desirable for a briefing for Councillors to be arranged in relation to the collection of crime statistics by the NSW Police Force.

1017 Councillor Mifsud asked about what money has actually been allocated for upgrade of the Shellharbour Cemetery carpark.

1018 Councillor Bailey requested a report from the Mayor in regards to criminal activity in Shellharbour City Centre. He advised that shop owners are now complaining about the situation. He advised that he has received advice back in response to a past requisition which says there is no problem but he strongly disagrees.

1019 Councillor Hawker asked whether the toilet block behind Albion Park Library could be reopened.

1020 Councillor Hawker advised that the debris from a recent fire on the cycle path in Croom Sporting Complex opposite the soccer club needs cleaning up.

1021 Councillor Hawker asked who is responsible for the removal of burnt out cars.

The Director Operations & Services advised that Council facilitates it. There is a process of identification etc then a contract with a scrap metal business for removal.

1022 Councillor Hawker advised that he knows of a device that can be used to see if graves have been actually used without disturbing the sites. He suggested this might be useful as the space in Council's cemeteries declines. He also suggested it might be useful to do an audit of reserved sites to see whether people still require them.

The Director Operations & Services advised that a survey of cemeteries has been done.

1023 Councillor Greig asked whether Council could investigate the possibility of councillors using more electronic means to access information rather than the wasteful use of paper copies of all information – perhaps provide laptops and education for their use.

1024 Councillor Rose expressed thanks to the Manager Executive Offices and the Councillor Liaison Officer for assistance recently given to him.

1025 Councillor Stewart asked whether Councillor Leedham could provide Council with a report on the Lake Illawarra works.

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

Meeting closed 9.55 pm

CONFIRMED as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Shellharbour held 20 September 2005

General Manager

Chairperson

Attachment to Item 10.3a – Elsa Dixon Aboriginal Employment Funding Program – Late Report

Memo to Mayor and General Manager
Elsa Dixon Aboriginal Employment Funding Program
From: Director of Community Planning and Strategies
Date: 30 August 2005

Previous reports to the Aboriginal Advisory Committee, and to Council, advised that applications had been made to the above program to secure grant funding for additional full-time positions (4), and (2) Graduate Work Experience placements. The Department of Education and Training made an offer of grant funding in June 2005, but this could not be actioned until the Council's Budget and Management Plan was adopted on 29th June.

The grant off was \$136,828.51 on the proviso that the four full time positions were filled by the end of August 2005. An offer of \$13,000 was made for the Work Experience placements. This funding was to assist with the placements for the first twelve months only, and represented 65% of the employment costs.

Given the manner in which the Advisory Committee suggested recruitment take place, we anticipated that the lead time to fulfil strict grant requirements would not be sufficient. We wrote to the Minister seeking an extension, justifying our position. No Ministerial decision has been advised by today.

Now that interviews and associated requirements have been completed, we can advise that an offer of employment can be made for two of the permanent positions, but technically this needs to occur by tomorrow, given no response by the Minister to the extension request. No applications were received for the Graduate placements.

Accordingly, the following recommendation is made.

Recommendation.

1. That offers of employment be made to the successful applicants under the Elsa Dixon Program funding (2 positions), but the offers be strictly conditional on the Council being able to secure the grant funding involved, and not being ruled ineligible because of the passing of imposed "deadlines" by the Department.

2. That Council's budget be amended accordingly, if (1) above is approved. Further that Council allocate \$13,708 for the administrative position, and \$16,560 for the Environmental Officer position, being 35% of the funds required of Council for the remaining portion of the current financial year.



Peter O'Rourke
Director of Community Planning and Strategies.