

**Minutes of the Ordinary Meeting  
of Shellharbour City Council  
held at the Council Chambers, Warilla  
on Tuesday 22 July 2008 commencing at 7.17 pm**

**Present**

Administrator

D Jesson

**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.	M Forland
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 Planning Services	G Hoynes
Manager Development Services	G Mitchell
Manager Executive Offices	F MastroDomenico
Manager Media & Communications	N East
Executive Assistant	L Davey

**1. Acknowledgement to Country**

Shellharbour City Council acknowledges the Traditional Owners and Custodians of the Land on which we are meeting.

**2. Administrator's Address**

The Administrator addressed the Meeting and welcomed the public in attendance.

He advised that as from the next Council Meeting, he proposed Public Participation commencing at 6.00 pm. Public Participation and the Council Meetings would now be held in the Function Room at Lamerton House and this would be more efficient and beneficial for the Council.

He also stated that his main objectives were to carry out the roles previously held by the Mayor and Councillors, to prepare the Council for the elections scheduled for 2012 and to address the recommendations of Commissioner Colley emanating from the recent Public Inquiry.

He concluded by stating that he very much looked forward to working with the community of Shellharbour City and the staff of Council to fulfil the charter he was given.

**3. Apologies / Leave of Absence**

**Ordinary Council Meeting**

Nil

**4. Confidential Business (Committee of the Whole)**

Nil

**5. Recommendations from Committee of the Whole**

Nil

**6. Confirmation of Minutes**

**6.1 Ordinary Meeting 1 July 2008**

257 RESOLVED: That the Minutes of the Ordinary Council Meeting held on 1 July 2008 be confirmed as a correct record of proceedings.

**7. Condolences**

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

Mr William John Bartlett

Mrs Vera Farrell

Mr Peter Schnackenberg                      all of                      Albion Park

Mr Adrian Bruseker

Mr Marijan Pranic

Mr Leslie Souter

Ms Angela Pantalon

Mrs Vicki Lorraine Gordon                      all of                      Barrack Heights

Mr Tony Morichovitis

Mrs Olga O'Brien

Mrs Patrica Anne Steyns                      all of                      Mount Warrigal

Ms Catherine Park                              of                              Oak Flats

Mr John Smith

Mr Ron Prater

Mr Biagoja Ivanovski

Mr Gregory Alan Brian Walker

Mrs Gloria Ellis

Mrs Doris Hicks

Mr Donald Tuckfield                              all of                              Warilla

258      A Motion of condolence was passed by all present standing for one minute's silence.

**8. Presentations**

Nil

**9. Administrator's Minutes**

Nil

**10. General Manager's Office**

Nil

**11. Operations & Services Division**

**11.1 Albion Park Traffic Study - Public Exhibition (8946973)**

259 RESOLVED:

That Council:

1. Endorse the Albion Park Traffic Study for the purpose of placing it on public exhibition.
2. Exhibit the study for a minimum of 28 days.
3. Require that a further report on the submissions resulting from the public exhibition be submitted to Council.

**11.2 Request for Financial Assistance - Albion Park Oak Flats Rugby League Club (8947698)**

260 RESOLVED:

1. That Council allocate up to \$15,000 from Ward A sportsfield funds to provide a CCTV security system for the multi purpose indoor facility at Centenary Field and adjust the budget accordingly.
2. That Council consider the funding request for the installation of security shutters, on the glass panels on the lower floor of the multi purpose indoor facility at Centenary Field, in conjunction with the applications received under Round 1 2008 Sportsfield Capital Improvement Program.
3. That the General Manager approach the local State and Federal Members of Parliament to ascertain if any funding may be available towards the installation of the security shutters. Also, that the General Manager inform the Administrator of the outcome of the request, as well as inform Mr Tom Hawker who had spoken on the matter in Public Participation.

**11.3 Proposed Realignment of Part Calderwood Road, Albion Park and Compulsory Acquisition of Land (8947723)**

261 RESOLVED:

1. That Council acquire the land required for road re-alignment by compulsory acquisition in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 and the Roads Act 1993.
2. That the subject land be classified as Operational Land once acquired, under the Local Government Act 1993.
3. That the necessary applications for compulsory acquisition be made to the Minister for Local Government and/or Governor.

**11.4 Revised Model Code of Conduct (8940953)**

262 RESOLVED:

1. That Council adopt the new Model Code of Conduct as provided by the Department of Local Government Circular 08/38 and, for immediate application.
2. That Council create a Code of Conduct Committee to be made up of three persons, to be selected at a later date.
3. That Council advertise for appropriate persons to form its Code of Conduct Committee.
4. That a further report be submitted to this Council when the outcome of recommendation 3 is known.

**11.5 Stores and Material Stocktake (8946611)**

263 RESOLVED:

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 \$645.74.

**11.6 Stores LTA Stocktake (8946593)**

264 RESOLVED:

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 \$346.79.

**12. Community Planning & Strategies Division**

**12.1 Proposed Shellharbour Local Government Area Shared Use Path Strategy (8946820)**

265 RESOLVED:

That Council:

1. Endorse the Draft Shellharbour LGA Shared Use Path Strategy 2008 for public exhibition and comment for a period of 4 weeks; and
2. Require a post public exhibition report detailing issues raised in submissions, as part of any Council adoption of a strategy.

**12.2 Adoption of Draft Amendments to Woodlands Development Control Plan (Amendment 2) (8943454)**

266 RESOLVED:

1. That Council, in accordance with Section 74C of the *Environmental Planning & Assessment Act*, adopt Woodlands Development Control Plan (Amendment 2) as attached to this report.
2. That an advertisement be placed in a local newspaper notifying the community of Council's decision to adopt Woodlands Development Control Plan (Amendment 2).
3. That the Memorandum of Understanding between Council and Landcom setting out the requirements for the release of subdivision certificates for allotments between 230m<sup>2</sup> - 450m<sup>2</sup> where the construction of the dwelling house has not commenced or been completed, be revoked.

**12.3 Southern Council's Group Indemnification Policy (8949297)**

267 RESOLVED:

That Council execute the indemnification Deed, as attached to this report, relating to Kiama Council's performance of its functions as manager of the Southern Councils Group, and that further the Deed be executed under the Seal of Shellharbour City Council.

**12.4 Southern Council's Group Minutes (8949292)**

268 RESOLVED:

That Council endorse the minutes of the Southern Councils Group Meeting held 27<sup>th</sup> June 2008 as attached.

**12.5 2008/2009 Acceptance of Funding Variation (8944179 )**

269 RESOLVED:

That Council affix the Seal of Council to Funding Agreements from the Department Ageing, Disability and Home Care for HACC non-recurrent funds, and amend the Council's budget to the extent necessary.

**13. Shell Cove Business Division**

Nil

**14. Committee Recommendations**

**14.1 Recommendations from the Traffic Committee Meeting held 2 July 2008 recommended for adoption.**

270 RESOLVED:

That the Recommendations from the Traffic Committee Meeting held 2 July 2008 be adopted.

**15. Notices of Rescission Motion**

**15.1 Notice of Rescission Motion submitted by Councillors Briggs, Rose & Greig (8949660)**

The Notice of Rescission Motion submitted by former Councillors Briggs, Rose and Greig lapsed as the Administrator did not Move it.

**16. Notices of Motion**

Nil

**17. Items for Information**

**17.1 Killalea State Park Trust Council Information Reports for March to June 2008 (8947877)**

**17.2 Investments as at 31 May 2008 (8946699)**

271 RESOLVED:

That the items for information be formally noted.

**18. Urgent Business (as introduced by the Administrator)**

Nil

**Meeting closed 7.45 pm**

CONFIRMED as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Shellharbour held 12 August 2008

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General Manager

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Chairperson