

**Minutes of the Ordinary Meeting
of Shellharbour City Council**

**held at the Council Administration Centre, Shellharbour City Centre
on Tuesday 12 August 2008 commencing at 7.15 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 Corporate Planning

P Masterson

Manager Executive Offices/Executive Assistant

F MastroDomenico

Manager Media & Communications

N East

Executive Assistant

J Frasca

Acknowledgement to Country

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

1. Apologies / Leave of Absence

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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 22 July 2008

272 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 22 July 2008 as circulated be taken as read and confirmed as a correct record of proceedings.

5. Condolences

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

Mrs Else Margarete Ekelund		
Mrs Gertrude Andrusiow		
Mr Thomas Patrick Crilly		
Mr Alexander Najdovski		
Mr Barry Rodgers	all of	Albion Park
Mr Josef Muzyka		
Mr Alan Slater		
Mr Francis Xavier Micallef	all of	Albion Park Rail
Mr Robert Malcolm Angles	of	Barrack Heights

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Ms Patricia Marie Allen	of	Barrack Point
Mrs Rosanne Pendergast	of	Flinders
Mrs Carolynn Nicholson		
Mr Gary Sheppard	both of	Lake Illawarra
Mr Stanley Finch	of	Lake Illawarra South
Mrs Joanna Monnier		
Mr John Bailey		
Mr Kenneth Maxwell		
Mr Garry Bailey		
Mrs Mavis Ellen Phillips		
Mrs Edith Daphne McBeth	all of	Mount Warrigal
Ms Joanna Julie May Terry		
Mr Rodney James Paterson	both of	Oak Flats
Mr Robert Edwin Jones		
Mr Russell East	both of	Shellharbour
Mrs Ethel Sheppeard		
Mr Albert Phillip Giles		
Mrs Ann Varty	all of	Warilla

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

6. Administrator's Minutes

The Administrator stated that he was reviewing Council's Code of Meeting Practice and other key policies. He had no objection to the recording and filming of Council Meetings. He was also meeting with the residents and planned to allocate two afternoons per week to this.

He outlined items of interest that he had undertaken since the previous Council meeting. These included the IAS Sponsor Reception where he was able to present Council's grant to the Academy and a one-day tour of the City for which he thanked Mr Weir and Council staff for organising.

The Administrator said he was very impressed with the Council projects he had been shown.

6.1 Performance Agreement: General Manager - Contract of Employment (8959518)

274 RESOLVED:

That Kleem Consulting be engaged to prepare a performance agreement between the Council and the General Manager Mr Brian Weir and further that Kleem Consulting recommend to the Council the preferred processes for performance reviews to be undertaken during both the period of administration and beyond.

7. General Manager's Office

7.1 Management Plan Review for the Quarter and Year Ended 30 June 2008 (8961126)

275 RESOLVED:

That the report be received, noted and endorsed.

7.2 June 2008 Quarter Budget Review (8959676)

276 RESOLVED:

That this report be received and noted.

8. Operations & Services Division

8.1 DA No. 132/2008 - Lots 9-12, DP 236403, 10-20 Ash Ave, Albion Park Rail - Staged Development for Demolition of Existing Structures, Const. of Aldi Store and 3 Retail Shops, Associated Signage & Subdivision to Create 7 Residential Allotments (8958032)

277 RESOLVED:

That Council approve Development Application No. 132/2008 for Demolition of Existing Structures, Construction of Aldi Store and three Retail Shops, Associated Signage and Subdivision to Create seven Residential Allotments at Lots 9-12, DP 236403, 10-20 Ash Avenue, Albion Park Rail under Section 80 of the *Environmental Planning & Assessment Act, 1979*, as amended, subject to the 109 conditions following the conclusion.

8.2 Regional Roads Block Grant (8957432)

278 RESOLVED:

1. That Council accept the RTA's offer of \$173,000 for funding the 2008/2009 Regional Roads Block Grant.
2. That the RTA's grant offer of \$41,000 for the EX 3 x 3 Program be used to accelerate works on Council's Regional Road, Terry Street.
3. That authority be given to execute all necessary documents, including use of the Council Seal as required, in relation to this grant.
4. That Council's budget be amended accordingly.

8.3 Regional Roads Repair Program 2008/2009 (8957873)

279 RESOLVED:

1. That Council accept the RTA's offer of \$30,000 for the Regional Roads Repair Program 2008/2009 for use on Council's Regional Road, Terry Street.
2. That authority be given for the General Manager to execute all necessary documents under Council's Seal as appropriate in relation to this program.
3. That the budget be amended accordingly.

8.4 2008/2009 Roads to Recovery Program (8957779)

280 RESOLVED:

1. That Council confirms the 2008/2009 Roads to Recovery Program as detailed in this report.
2. That the budget be amended accordingly.

8.5 Tender 2008/17 - Shellharbour City Foreshore Improvement Works Professional Services Consultancy (8958654)

281 RESOLVED:

1. Council, as Principal, engage Site Plus Pty Ltd to carry out the Shellharbour City Foreshore Improvement Works Professional Consultancy Services to the sum of \$202,356 exclusive of GST.
2. Shellharbour City Council delegate to the General Manager the authority to sign the *Letter of Award* to the consultant for and on behalf of Shellharbour City Council.

8.6 Renewal of Licence Agreement between Shellharbour City Council and National Australia Trustees Ltd. Disabled carparking space identification and control, Stockland Shellharbour Shopping Centre - Lot 4001, DP 809913 (8956912)

282 RESOLVED:

1. That Council enter into a new licence agreement with National Australia Trustees Limited for the identification of free disabled carparking spaces over Lot 4001, DP 809913 and the erection of a notice pursuant to Section 650 (2)(c) of the *Local Government Act 1993* - parking space availability for persons with a disability.
2. That the General Manager and Administrator be authorised to sign relevant documentation associated with the licence renewal including the affix of the Seal of Council.

8.7 Access to Information under Section 12 of the Local Government Act (8942856)

283 RESOLVED:

That the Public Officer's action in restricting access to information as outlined in this report, be endorsed and remain in force and that the requests for information be referred to the Administrator to consider in conjunction with the task relating to Shell Cove set by Commissioner Colley in his report following the Public Inquiry.

9. Community Planning & Strategies Division

9.1 Domestic Violence Prevention Coordinator Funding (8961198)

284 RESOLVED:

That Council accept the funding of \$50,000 (plus GST) from the NSW Attorney General's Department (Crime Prevention Division) for the employment of a Domestic Violence Prevention Coordinator for 12 months and that the budget be adjusted to reflect this additional funding.

9.2 Shellharbour Local Government Area Retail and Commercial Centres Study (8946107)

285 RESOLVED:

That Council endorse the Shellharbour LGA Retail and Commercial Centres Study:

- as a strategic policy basis for the review of Council's Local Environmental Plans and Development Control Plans; and
- to inform development proposal/application conceptualisation and assessment.

10. Shell Cove Business Division

Nil

11. Committee Recommendations

11.1 Recommendations from the Aboriginal Advisory Committee Meeting held 15 July 2008 recommended for adoption.

286 RESOLVED:

That the Recommendations from the Aboriginal Advisory Committee Meeting held 15 July 2008 be adopted.

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11.2 Recommendations from the Traffic Committee Meeting held 6 August 2008 recommended for adoption.

287 RESOLVED:

That the Recommendations from the Traffic Committee Meeting held 6 August be adopted.

12. Items for Information

12.1 Investments (8959423)

288 RESOLVED:

That Council receive and note the item for information.

13. Urgent Business (as introduced by the Administrator)

Nil

Meeting closed 7.51 pm

CONFIRMED as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Shellharbour held 2 September 2008.

General Manager

Chairperson