

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

**held at the Council Administration Centre, Shellharbour City Centre
on Tuesday 30 September 2008 commencing at 8.21 pm**

Present

Administrator

Mr D Jesson

In attendance

General Manager
Director of Operations & Services
Director of Community Planning & Strategies
Director Shell Cove Business Unit
Manager Executive Offices
Media Officer
Executive Assistant

B A Weir
A Webster
P O'Rourke
P Woodcock
F MastroDomenico
R Payne
L Davey

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

Nil

2. Ordinary Meeting Cycle (8980250)

316 RESOLVED:

That Council continue with the existing 3 week meeting cycle for the next 12 months (September 2009) and adopt the Council meeting dates as detailed in this report and shown in the following table.

Proposed Ordinary Council Meeting dates October 2008 – September 2009			
OCTOBER 2008 21 October <i>(Local Gov Ann Conf 25-29 Oct)</i>	NOVEMBER 11 November <i>(Aboriginal Network Conf 25-27 Nov)</i>	DECEMBER 2 December <i>(ALGA Conf 8-11 December)</i> 16 December	JANUARY 2009 No Meetings
FEBRUARY 24 February	MARCH 17 March	APRIL 7 April 28 April	MAY 19 May
JUNE 2 June <i>(150th Anniversary Thurs 4 June)</i> 23 June	JULY 14 July	AUGUST 4 August 25 August	SEPTEMBER 15 September

STAFF REPORTS

3. General Manager's Division

3.1 Review of Council's Code of Meeting Practice

The review of Council's Code of Meeting Practice is almost completed. The Administrator has sought further clarification and this report will be deferred to a later meeting of Council.

3.2 Review of Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy (8986499)

317 RESOLVED:

1. That Council determine its draft policy on the Payment of Expenses and Provision of Facilities to the Mayor and Councillors, in compliance with the provisions of the *Local Government Act 1993*.
2. That the attached draft policy be adopted for public exhibition in accordance with the provisions of the Local Government Act 1993 and Departmental guidelines.
3. That the draft policy together with any public submissions, be reported back to Council for consideration following the close of the exhibition period.

3.3 Review of Council Delegates to Committees and Working Parties (8987443)

318 RESOLVED:

That the attached list of Committees and Working Parties 2008/2009 be endorsed and adopted by Council.

4. Operations & Services Division

4.1 Delegation of Authority to the General Manager (8983811)

319 RESOLVED:

That Council review the delegation to the General Manager and adopt the following:

1. Council delegates to the General Manager all of the delegable functions of the Council, excluding those functions specified in clauses (a) to (u) of section 377(1) of the *Local Government Act 1993 (NSW)* and, further excluding:

The determination of a development application:-

- a) where an objection has been submitted, unless the objection (in the opinion of the General Manager):
 - i. is unreasonable
 - ii. can be satisfied by the imposition of a reasonable condition of consent; or
 - iii. concerns a matter which is to be taken into consideration under s79C of the *Environmental Planning & Assessment Act 1979*,
 - b) for designated development as defined in the *Environmental Planning & Assessment Act 1979*;
 - c) for the erection of, or alteration to, flat buildings containing more than 20 dwellings;
 - d) for development which does not comply with any Council policy (including a development control plan) or development standard unless the General Manager considers that:
 - i. compliance with the policy is unreasonable and unnecessary in the circumstances; or
 - ii. compliance with the development standard is unreasonable or unnecessary in the circumstances of the case having regard to the provisions of State Environmental Planning Policy No. 1;
 - e) for a subdivision creating more than 100 lots;
 - f) for development having an estimated value exceeding \$5,000,000.
2. Council delegates to the General Manager the functions contained in the Director General's Instrument of Delegation dated 16 February 2006 regarding his functions under sections 65(1) and 69(1) of the *Environmental Planning and Assessment Act 1979*.
 3. Council delegates to the General Manager authority with respect to the Shell Cove project to act, and when necessary, react on behalf of Council to achieve and support Council's stated policies and objectives.

Meeting closed 8.28 pm

CONFIRMED as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Shellharbour held 21 October 2008.

General Manager

Chairperson