

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

**held at the Council Administration Centre, Shellharbour City Centre
on Tuesday 16 December 2008 commencing at 7.15 pm**

Present

Administrator

Mr D Jesson

In attendance

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

P O'Rourke
A Webster
P Woodcock
F MastroDomenico
N East
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. Confidential Business (Committee of the Whole)

Nil

3. Recommendations from Committee of the Whole

Nil

4. Confirmation of Minutes

4.1 Ordinary Meeting 2 December 2008

354 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 2 December 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.

Mr Charles William Chudleigh	of	Albion Park
Mrs Joan Stephens	of	Albion Park
Mrs Anne Roberts	of	Albion Park Rail
Mrs Daphne Jean Bignell	of	Albion Park Rail
Mr Hedwig Daxner	of	Albion Park Rail
Mr Christopher Goodhew	of	Lake Illawarra
Mr Franklin Linn	of	Mount Warrigal
Mr Thomas Thistlewaite	of	Mount Warrigal

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 16 December 2008

Mr David John Colliss	of	Shellharbour
Mr Jack Lennox Turner	of	Warilla
Mrs Muriel Guy	of	Warilla

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

6. Administrator's Minutes

6.1 Code of Meeting Practice: Draft for Public Exhibition (9026008)

356 RESOLVED:

1. That the draft Code of Meeting Practice presented to the Council on 16 December 2008 be formally adopted for the purposes of public exhibition.
2. That the draft Code be publicly exhibited between 18 December 2008 and 20 February 2009 and that submissions be received from the community until 27 February 2009.
3. That a further report be presented to the Council following the exhibition and submission periods detailing the purport of the submissions received (if any) and the way in which those submissions have impacted on the draft Code.

7. General Manager's Office

7.1 Draft Community Engagement Policy (9025846)

357 RESOLVED:

That the Council publicly exhibit the Draft Community Engagement Policy from 18 December 2008 to 20 February 2009 and accept submissions until 27 February 2009.

7.2 Australia Day Committee - Delegated Authority (9025855)

358 RESOLVED:

That Council give the Australia Day Committee delegated authority to immediately adopt the Minutes from the meeting to be held on 17 December 2008 in order for the recommendations to be carried out for the Australia Day event.

8. Operations & Services Division

8.1 DA No. 263/2008 - Lot 50, DP 1123554, Pioneer Drive, Oak Flats - Construction of a new Police Station for Lake Illawarra Area Command (9025615)

359 RESOLVED:

1. That Council seek the concurrence of NSW Police Force to the imposition of the 86 conditions following the conclusion pursuant to the provisions of Section 116C of the *Environmental Planning & Assessment Act, 1979*, as amended.
2. That upon receipt of acceptance of the 86 conditions by NSW Police Force, Council grant delegated authority to the General Manager to determine Development Application No. 263/2008 for a new Police Administration Building for Lake Illawarra Local Area Command at Lot 50, DP 1123554, Pioneer Drive, Oak Flats under Section 80 of the *Environmental Planning & Assessment Act, 1979*, as amended.
3. That following consultation with NSW Police Force, should the General Manager consider any variation sought to the conditions is warranted, that delegation be granted to make those variations.

8.2 Floodplain Management Program - Acceptance of Grant Funding (9024019)

360 RESOLVED:

1. That Council endorse the actions of the General Manager in accepting the grant offer from the Minister for Climate Change and the Environment.
2. That any necessary documentation be executed by the Council under seal.
3. That Council allocate \$17,500 toward this program of studies from City Wide Grant Matching.
4. That Council write a letter to the Minister for Climate Change, Environment and Water thanking Ms Carmel Tebbutt for the grant offer.
5. That the budget be amended accordingly.

8.3 Department of Environment & Climate Change - Coastal Management Program - Grant Funding Offers (9020661)

361 RESOLVED:

That Council:

1. accept the Coastal Management Program grants totalling \$105,000 from Department of Environment & Climate Change
2. allocate its 50% matching funding as follows:
 - a. Shellharbour Foreshore Boardwalk – Cowrie Island to North Shellharbour Beach - \$30,000 from Council's City Wide Grant Matching Funds
 - b. That Council consider funding the remaining \$75,000 matching funds as part of the 2009/2010 budget process.
3. amend the current budget accordingly.

8.4 Sport & Recreation Capital Improvement Requests (9021771)

362 RESOLVED:

1. That Council allocate:
 - a. \$2,000 from Ward A Sportsfield Funds to assist with the installation of a rain water tank at Croom Cricket Oval
 - b. \$8,000 from Ward B Sportsfield Funds for the upgrade to seating facilities at Slaters Bridge, Horsley Creek

and amend the budget accordingly.

2. That Council support the request for capital improvement from Albion Park Cricket Club, Shellharbour Hockey Centre and Graham Park Tennis Club pending approval for funding from the NSW Department of Sport and Recreation.
3. That Council consider the Shellharbour Sharks Rugby League Football Club application, requesting a \$180,000 Council contribution for the construction of amenities and grandstands at Ron Costello Oval in conjunction with the 2009/2010 budget.
4. That Council defer consideration of the requests for capital improvements from Albion Park/Oak Flats Junior Rugby League Club, South Coast Equestrian Club, Oak Flats Junior Soccer Club, Warilla Wanderers Senior

Soccer Club and Albion Park Netball Club until discussions are held with the groups to further define the projects.

5. That Council not offer funding assistance to Oak Flats Tennis Club as the project has been previously funded by Council in 2004.
6. That Council resolve not to offer further funding assistance to Albion Park Oak Flats Rugby League Club, as Council provided funds towards the project in July this year.
7. That Council adopt the following priority for applications lodged under the NSW Department of Sport & Recreation Capital Assistance Program: Lake Illawarra Little Athletics, Albion Park Cricket Club, Shellharbour Hockey Centre, Graham Park Tennis Club, The Rail Cricket Club, Shellharbour City Rugby League Football Club, Eagles Sports Development Group, Oak Flats Tennis Club, Albion Park Netball Club, Warilla Wanderers Senior Soccer Club.

8.5 Mattresses and Mattress Bases - Fee Proposal for Recovery (9021879)

363 RESOLVED:

Council implement a fee of \$20.00 (inc GST) for each mattress and \$20.00 (inc GST) for each mattress base received at the Dunmore Recycling and Waste Disposal Depot and further that these rates apply to mattresses and mattress bases presented for collection by the on-call clean up service.

8.6 Trustees of the Roman Catholic Church - Proposed Licence Agreement for the Occupation of Land (9017296)

364 RESOLVED:

1. That Council enter into a licence agreement with the Trustees of the Roman Catholic Church for the occupation of the section of Industrial Road proposed to be closed and the residue of Lot 101, DP 801536 effective for the period until such time that the road closure has been gazetted and the contract for land sale completed.
2. That the licence agreement be for a period of up to five (5) years with an annual licence fee of \$200 plus GST.
3. That Council and the General Manager be authorised to sign documentation related to this licence under Council seal.

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 16 December 2008

8.7 Mount Terry - Permanent Closure of "Paper" Road (9024510)

365 RESOLVED:

1. That Council commence a formal road closure for that section of land adjoining Lot 1, DP 998390 by requesting the Department of Lands to process a road closure application and that the land when closed vest in Council's ownership as operational land.
2. That Council and the General Manager be authorised to sign documentation related to this matter under Council seal.

8.8 "Myimbarr Community Park" - Extinguishment of Easement - Lot 303 DP 1051235 (9024511)

366 RESOLVED:

1. That Council approve the Transfer Extinguishing Easement and Transfer Releasing Easement to allow the extinguishment of sewerage and water easements through the site created by DP 635918.
2. That Council and the General Manager be authorised to sign documentation related to this matter under Council seal.

8.9 Requests for Donations (9022257)

367 RESOLVED:

1. That Council resolve to donate the following contributions totalling \$2,765:
 1. 1st Albion Park Scout Group –
Offset Local Approval Fee for Christmas Function \$165
 2. Shellharbour City Baptist Church Assist Inc. –
Material aid for disadvantaged in Shellharbour community \$1,000
 3. Illawarra Aboriginal Community Golf Day –
Sponsorship of Community Golf Day \$500
 4. Lakeview Village Residents Association –
Subsidise costs of Exercise classes & equipment for Seniors \$600
 5. Flinders Public School P & C -
Recycling / composting initiative \$500

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 16 December 2008

2. That the following group receive fee reduction at Dunmore Recycling and Waste Depot:

St Vincent De Paul Society be granted an exemption from tipping fees for waste dumped at charity bins up to the value of \$3,000.

3. That the following groups be recipients of proceeds from the Australia Day Breakfast by the Lake 2009, Cash for City Charities:

1. Calderwood Rural Fire Brigade
2. Oak Flats Lions Club – Educational equipment for Special School, Repairs to Transporter for child with Cerebral Palsy
3. The Rotary Club of Shellharbour City Inc. – bike track at Mt Warrigal School for children with special needs.
4. St Vincent De Paul Society (Oak Flats)
5. Australian Irish Welfare Bureau & Resource Centre – subsidise community bus for Shellharbour residents
6. Lake Illawarra South Primary School P&C Breakfast Club
7. M.I.D.A.S (Mentally Ill Do Have A Say) – towards equipment for patients at Shellharbour Hospital Psychiatric Unit
8. Southern Division Girls' Brigade – subsidise activities for low income families
9. MNDfree Inc. – Education and support Hereditary Motor Neurone Disease.

8.10 Mayor and Councillors (Administrator) - Policy for Payment of Expenses and Provision of Facilities (9021449)

368 RESOLVED:

That Council adopt the amended draft policy for Payment of Expenses & Provision of Facilities to the Mayor and Councillors (Administrator) under S252 and S253 of the *Local Government Act 1993* and that a copy of it be forwarded to the Department of Local Government as required under the legislation.

9. Community Planning & Strategies Division

9.1 Shellharbour Local Government Area Household and Demographic Projections Study (9020823)

369 RESOLVED:

That Council endorse the Shellharbour LGA Small Area Household and Demographic Projections Study as a strategic policy basis for the preparation of Council's comprehensive City wide Local Environmental Plan, Development Control Plan, Community Infrastructure Plan and new Social Plan.

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 16 December 2008

10. Shell Cove Business Division

Nil

11. Committee Recommendations

11.1 Recommendations from the Traffic Committee Meeting held 3 December 2008 recommended for adoption.

370 RESOLVED:

That the Recommendations from the Traffic Committee Meeting held 3 December 2008 be adopted and further that the Director of Operations & Services have further traffic studies undertaken and presented to the Traffic Committee with a view of better controlling traffic flows in the Moore Street/Kingston Street area identified in Item 4.1 Moore St & Kingston St, Oak Flats – Road Safety Issues.

12. Items for Information

Nil

13. Urgent Business (as introduced by the Administrator)

Nil

The Administrator outlined the functions and events he had attended since the last Council meeting. The Administrator also paid his respects to the late Hon Frank Crean whose funeral he had attended the previous week whilst in Melbourne.

The Administrator wished all present a merry festive season and a safe New Year.

Meeting closed 7.54 pm

CONFIRMED as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Shellharbour held 24 February 2009.

General Manager

Chairperson