

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

**held at the Council Administration Centre, Shellharbour City Centre
on Tuesday 24 February 2009 commencing at 7.15 pm**

Present

Administrator

Mr 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

Manager Executive Offices

F MastroDomenico

Manager Media & Communications

N East

Executive Assistant

L Davey

Executive Assistant

D Arney

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 16 December 2008

- 8 RESOLVED: That the Minutes of the Ordinary Council Meeting held on 16 December 2008 as circulated be taken as read and confirmed as a correct record of proceedings.

4.2 Extraordinary Meeting 20 January 2009

- 9 RESOLVED: That the Minutes of the Extraordinary Council Meeting held on 20 January 2009 as circulated be taken as read and confirmed as a correct record of proceedings.

4.3 Extraordinary Meeting 29 January 2009

- 10 RESOLVED: That the Minutes of the Extraordinary Council Meeting held on 29 January 2009 as circulated be taken as read and confirmed as a correct record of proceedings.

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5. Condolences

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

Mrs Anica Jelinic	of	Albion Park
Mrs Edna Duncan	of	Albion Park
Mrs Joan Stephens	of	Albion Park
Mrs Merle Ruth Williams	of	Albion Park
Mrs Meryl (Mim) Helen Mooney	of	Albion Park
Mrs Olwyn Joyce Harris	of	Albion Park
Mrs Sarah Ellen Roleston	of	Albion Park
Mr Adrian Lawrence (Shep) Shepherd	of	Albion Park
Mr Graham Darling	formerly of	Albion Park
Mr William Sawtell	formerly of	Albion Park
Mr Harvey (Harv) Wayne Oxman	of	Albion Park Rail
Mr James Jukes	of	Albion Park Rail
Mr John Herbert Francis	of	Albion Park Rail
Mr Keith Maber	of	Albion Park Rail
Mrs Claire Ruth Warren	of	Barrack Heights
Mr Leslie Train	of	Barrack Heights
Mr Rudolph Tholen	of	Blackbutt
Mr Dennis Cramp	of	Flinders
Mrs Joan Leece	of	Flinders
Mr Arthur John Hurrell	of	Lake Illawarra
Mr Brian Maxwell Castle	of	Lake Illawarra
Mr Franciso (Paco) Canero	of	Lake Illawarra
Mrs Gwen White	of	Lake Illawarra

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Mrs Rita May Channells	of	Lake Illawarra
Mr Douglas Hayes Thomas	of	Mt Warrigal
Mrs Ennis Moore	of	Mt Warrigal
Mr David Singer	of	Oak Flats
Mrs Evon Maureen Cochran	of	Oak Flats
Mr Gary Alfred Reid	of	Oak Flats
Mr Henry Kapmeyer	of	Oak Flats
Mr Henry Kunze	of	Oak Flats
Mrs Jill Rowney	of	Oak Flats
Mrs Katalin Varga	of	Oak Flats
Mr Keith Thomas Bond	of	Oak Flats
Mrs Maria Shiaxies	of	Oak Flats
Mrs Marianna Rosiak	of	Oak Flats
Mr George Ronald Batcheldor	formerly of	Oak Flats
Mrs Beatrice Docker	of	Shellharbour
Mrs Elaine Schodde	of	Shellharbour
Mr John Edgar Jackson	of	Shellharbour
Mrs Josephine Stempin	of	Shellharbour
Mr Andrew Ross Gerke	formerly of	Shellharbour
Mr David John Colliss	formerly of	Shellharbour
Mrs Edith Shephard	formerly of	Shellharbour Village
Mrs Carol Anne Pascoe	of	Warilla
Mr Keith Whitmarsh	of	Warilla
Mr Kevin (Kev) Bates	of	Warilla
Mr Larry Willstrop	of	Warilla

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Mr Ante (Tony) Milokanovic	of	Warilla
Mrs Sharon Taylor	of	Warilla
Mr Trevor Ronald Moore	formerly of	Warilla
Mr David William Andrews	formerly of	Warilla
Mr Frank Morris Terry	formerly of	Warilla

The Administrator also acknowledged the victims of the recent Victorian bushfires.

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

6. Administrator's Minutes

Nil

7. General Manager's Office

7.1 Management Plan Quarterly Review, October - December 2008 (9054052)

12 RESOLVED:

That the report be received, noted and endorsed.

7.2 December Quarter Budget Review (9057532)

13 RESOLVED:

1. That Council adopt the December Quarter Budget Review with all new items as contained in this report resulting in a revised budget deficit for the year ended 30 June 2009, of \$2,283,405.
2. That the Grants listed in the new items section of this report be accepted.

8. Operations & Services Division

8.1 DA No. 386/2008 - Lot 211, DP 1091773, 33 Cygnet Avenue, Blackbutt - Two Attached Dwellings with Garages, Retaining Walls & Torrens Title Subdivision - Section 82A Review Request (9053044)

14 RESOLVED:

That Council determine the review under Section 82A of the *Environmental Planning & Assessment Act 1979* by approving Development Application No. 386/2008 to construct two attached dwellings with garages, retaining walls and Torrens Title subdivision at Lot 211, DP 1091773, 33 Cygnet Avenue, Blackbutt under Section 82A of the *Environmental Planning & Assessment Act 1979* subject to the 72 conditions following the conclusion.

8.2 Small Environmental Project Grants (9051208)

15 RESOLVED:

1. That Council approve the following grants and amend the budget accordingly.

- Tullimbah Landcare - Bush Regeneration in Elizabeth Brownlee Reserve \$960
- Shellharbour Public School - Shellharbour Public School Community Garden \$2,000
- Corpus Christi Catholic High School - Indigenous Garden and Outdoor Learning Centre \$2,000
- Shellharbour Anglican College – Native Species Plantings \$2,000
- Flinders Primary School - Bush Tucker and Rainforest Garden \$2,000

2. That Council defer Lake Illawarra South Primary School's application pending further discussions with the School.

3. That Council decline Warilla High School's application this financial year on the basis that it does not directly meet the funding criteria and that the project is one which should be funded from the school's normal property maintenance allocation.

8.3 Minor Concrete Works - Tender 2008/31 (9049971)

16 RESOLVED:

1. That Council accept all tenders for the provision of 'Minor Concrete Works' throughout the City for the period 1 January 2009 to 31 December 2010.
2. That a ranked contractors list be created based on the assessment of three typical activities performed using the tendered schedule of rates.

8.4 Stores and Material Stocktake (9054350)

17 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 \$2,258.41.

8.5 Stores LTA Stocktake (9054366)

18 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 \$602.98.

8.6 Proposed Licence Agreement - TML Catering Pty Ltd t/a Relish at the Links, Golf Drive, Shell Cove (9054758)

19 RESOLVED:

1. That Council enter into a licence to utilise space for restaurant and function purposes at Links Shell Cove for \$5,000.00 plus GST per annum, commencing 1 January 2009 for a one year term with two x one year options, with a market rent review at each option.
2. That the Council and the General Manager be authorised to execute documentation related to this licence under Council Seal.

8.7 Proposed Lease Renewal - Albion Park Girl Guides, 10 Parsons Place, Albion Park (8947754)

20 RESOLVED:

1. That Council renew the lease agreement with the Girl Guides Association of New South Wales for the occupation of Lot 49 DP 253407 Parsons Place, Albion Park for a term of five years at a rental of \$100 per annum plus GST on the basis that the works identified on the list of building maintenance issues/rectifications are fully completed.
2. That the Council and the General Manager be authorised to execute documentation associated with the lease under Council Seal.

8.8 Proposed Sub-Lease to Australian Air Force Cadets within Historical Aircraft Restoration Society Hangar, Airport Road, Albion Park Rail (9053928)

21 RESOLVED:

1. That parts 1 and 2 of Council's resolution No. 244 of 1 July 2008 be rescinded.
2. That Council consent to the proposed sub-lease between the Historical Aircraft Restoration Society (HARS) and the Australian Air Force Cadets (AAFC) for the partial occupation of the HARS hangar on Lot 201 DP 1111193, Boomerang Avenue, Albion Park Rail for a lease term to terminate on 31 December 2047 at an annual rental of \$1.00 and otherwise on the same terms and conditions contained in the head lease between HARS and Council.

8.9 Proposed Licence Agreement - Shellharbour/Kiama Family Day Care Incorporated - 2 Wilga Close, Albion Park Rail (9008479)

22 RESOLVED:

1. That Council enter into a Licence Agreement for the use and occupation of the weatherboard building and associated car spaces located on part of Lot 676 DP 264470, 2 Wilga Close, Albion Park Rail, under similar terms and conditions as the current lease agreement, for a term of five years at a rental of \$1.00 p.a;
2. That the Council and the General Manager be authorised to execute documentation related to this licence under Council Seal.

9. Community Planning & Strategies Division

9.1 Cancer Council NSW: Community Partnership (9045901)

23 RESOLVED:

1. That Shellharbour City Council acknowledges the high level of physical and emotional suffering, premature death and financial burden caused by cancer in this community. By becoming a Cancer Council Community Partner, we undertake to help lessen the impact of cancer in our community by:
 - Learning about and adopting new policies that will help reduce the incidence of cancer in our area,
 - Supporting Cancer Council advocacy campaigns that will benefit the people of our community,
 - Using our communication channels, venues and networks to help deliver Cancer Council information and education,
 - Allowing use of Council venues and other resources for support group meetings, education programs and other activities that benefit cancer patients and their families in our area,
 - Supporting Cancer Council efforts in our area to raise money for cancer research, prevention and support.

2. That Council nominate the Group Manager, Community Services and Development, and Council's Social Planner, as the dedicated Relationship Managers for this community partnership.

10. Shell Cove Business Division

10.1 Shell Cove Quarterly Report (9042521)

24 RESOLVED:

1. That this report be received and noted.

2. That Council authorise the Administrator and General Manager to execute the Subdivision Plan and 88B Instrument for the subdivision of proposed lot 6536 (from the subdivision of Lot 6214 DP 1113813, being Stage 6G1) and on the Transfer for proposed lot 6701 (SPS1145) under Council Seal.

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11. Committee Recommendations

11.1 Recommendations from the Australia Day Committee Meeting held 17 December 2008 recommended for adoption.

25 RESOLVED:

That the Recommendations from the Australia Day Committee Meeting held 17 December 2008 be adopted.

11.2 Recommendations from the Australia Day Committee Meeting (in Committee of the Whole – Confidential) held 17 December 2008 recommended for adoption.

26 RESOLVED:

That the Recommendations from the Australia Day Committee Meeting (in Committee of the Whole – Confidential) held 17 December 2008 be adopted.

11.3 Recommendations from the Traffic Committee Meeting held 4 February 2009 recommended for adoption.

27 RESOLVED:

That the Recommendations from the Shellharbour Traffic Committee Meeting held 4 February 2008 be adopted.

12. Items for Information

12.1 Investments December 2008 & January 2009 (9057815)

28 RESOLVED:

That the Item for Information be formally noted.

13. Urgent Business (as introduced by the Administrator)

Nil

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Meeting closed 7.35 pm

CONFIRMED as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Shellharbour held 17 March 2009.

General Manager

Chairperson