

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

**held at the Council Administration Centre, Shellharbour City Centre
on Tuesday 15 December 2009 commencing at 6.00 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
Group Manager Corporate Planning	P Masterson
Group Manager Corporate Services	T Gearon
Group Manager Development Services	M Boenisch
Group Manager Customer & Environmental Services	G Standen
Corporate Solicitor	B McCann
Manager Media & Communications	N East
Acting Manager Development Services	G Meredith
Social Planner	L Wellington
Community Planner	J Brady
Executive Assistant	D Arney
Executive Assistant	J Frasca

1. Acknowledgement to Country

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

Webcasting

Administrator's Comment

The Administrator read the normal advice regarding the webcasting of the meetings of the Council.

2. Confirmation of Minutes

2.1 Ordinary Meeting 1 December 2009

236 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 1 December 2009 as circulated be taken as read and confirmed as a correct record of proceedings.

3. Apologies / Leave of Absence

Nil

4. Confidential Business (Committee of the Whole)

Nil

5. Pecuniary Interest and Conflict of Interest Declarations

Nil

6. Condolences

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

Mr William Oliver "Bill" Bridge of Albion Park

Mrs Violet May Lynch (Nee Hester) of Albion Park

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Mr Ronald Mitchell	of	Albion Park Rail
Mrs Annunziata (Tina) Bahrow	of	Barrack Heights
Mrs Lidia Jodkowski	of	Barrack Heights
Mr Alfred Thomas Dubos	of	Lake Illawarra
Mrs Violet Lillian Smith	formerly of	Mt Warrigal
Mrs Regina Meisel	of	Oak Flats
Mr Ronald David Sookee	of	Shellharbour
Mr Antonio (Tony) Taddeo	of	Warilla
Mrs Irene May (Chookie) Field	of	Warilla
Mrs Marguarite Thompson	of	Warilla

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

7. Addresses to Council

Agenda Item No & Title	Name
11.1 Address to Council: Mr Peter Moran	Sonya McKay Bernie Payne Helen Stewart Peter Moran
12.1.1 Promoting Better Practice Review Recommendations - Action Plan Progress Report	Peter Moran
12.4.1 Shell Cove Quarterly Report	Geoff Rose Sue Moran
12.2.4 Plan of Subdivision - Lot 2 in DP 508735: Macquarie Rivulet	Sonya McKay

8. Adjournment – Consideration of Addresses to Council

Meeting adjourned at 6.46pm

Meeting resumed at 7.00pm

9. Administrator’s Statements / Reports / Presentations

This report was presented later in the Meeting following Item 22.

10. Councillors' Reports (not applicable at this time)

RESOLVED: The following items:

11. Administrator’s Minutes

11.1 Address to Council: Mr Peter Moran (9216244)

- 238
1. That arising out of Mr Moran's address, the Council express its continuing confidence in its General Manager Mr Brian Weir and its Manager Executive Services Ms Flora MastroDomenico.
 2. That in the event of the Council being joined in any legal action commenced as a result of Mr Moran's address to the Council on 10 November 2009 that it appoint suitably qualified and experienced legal counsel to represent its interests and hence those of its broader community.

12. Reports

12.1 General Manager’s Office

12.1.1 Promoting Better Practice Review Recommendations - Action Plan Progress Report (9211194)

- 239 That this report be received and noted.

12.2 Operations & Services Division

12.2.1 Tender 2009/34 - Supply & Install of Geosynthetic Clay & HDPE Liners & Leachate Collection System (9213777)

- 240 1. That the Council resolve to enter into a contract with Merit Lining Systems Pty Ltd for the supply and installation of geosynthetic clay and HDPE liners and leachate collection system at Council's Dunmore Recycling & Waste Disposal Depot at the tendered rates.
2. That the Council delegates to the General Manager, the authority to sign the Letter of Award to the Contractor on behalf of Shellharbour City Council.

12.2.2 Small Environmental Project Grants (9209872)

- 241 1. That the Council approve the following grants and amend the budget accordingly:
- a. Warilla North Community Centre- Handle with Care; Practical Ways to Care for Our Environment \$1,000
 - b. Tullimbar Landcare - Elizabeth Brownlee Reserve Regeneration \$2,000
 - c. Tullimbar Village Community Garden Association - Creation of a Sustainable Community Vegetable and Fruit Garden at Tullimbar Village (the release of these funds is pending the receipt of an updated insurance policy) \$1,716
 - d. Illawarra Women's Community Health Centre, Warilla Occasional Care Centre - Towards a Sustainable Child Care Centre at Warilla \$1,450
 - e. Shellharbour Anglican College – Native Species Planting Project \$2,000
 - f. Illawarra Area Child Care, Wallaroo Children's Centre - Towards a Sustainable Child Care Centre at Wallaroo \$1,500
2. That the Council decline Illawarra Christian School Tongarra Campus application this financial year on the basis that the project received the lowest ranking assessment and that after funding the six higher scoring applications, there was insufficient funds remaining to fund this application.

12.2.3 Tender 2009/46 - Supply and Delivery of One Self Propelled Midsized Street Sweeper (9210416)

242 That the Council accept the tender for the supply of a MacDonald Johnston CN 200 at the tendered changeover price of \$161,822.

12.2.4 Plan of Subdivision - Lot 2 in DP 508735: Macquarie Rivulet (9357297)

243 That Council affix the Seal of Council to the Plan of Subdivision for Lot 2 in DP 508735.

12.2.5 Creation of an easement over operational land - Lot 1 DP 419907 - Dunmore Recycling and Waste Disposal Depot, Buckley's Road, Dunmore (9357761)

- 244
1. That Council grant approval to create an easement, new pole and substation for electricity purposes within Lot 1 DP 419907, being the Dunmore Recycling and Waste Disposal Depot at Buckley's Road Dunmore.
 2. That the Administrator and General Manager be authorised to execute the necessary documentation under Council Seal.

12.2.6 Part Lot 462 DP 15987 Reserve Road, Deakin Reserve, Oak Flats: Proposed Licence to Shellharbour Rowing Club (9357295)

- 245
1. That Council resolve to commence the process including advertising to enter into a licence agreement with the Shellharbour City Rowing Club Inc. for the occupation of the clubhouse located on Part Lot 462 DP 15987 Reserve Road, Deakin Reserve, Oak Flats.
 2. That provided no submissions or objections are received following advertising of the proposal, Council resolve to enter into a licence agreement with Shellharbour City Rowing Club Inc. for an initial period of one year which will include a nominal annual rental of \$100.00 plus GST.
 3. That the Administrator and General Manager be authorised to execute the licence agreement under Council Seal.

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12.2.7 Lot 80 DP 700658, Wattle Road, Barrack Heights: Proposed Licence Agreement for occupation of Community Garden by Community Services (9213648)

- 246
1. That Council enter into a licence agreement with the Community Service Department of Shellharbour City Council for the use and occupation of Part Lot 80 in DP 700658.
 2. That the Licence Agreement be for an initial period of three years, in line with Clause 6 of the Development Application, with an annual licence fee of \$100.00 plus GST, to be increased annually by CPI.
 3. That the Administrator and General Manager be authorised to execute the licence agreement, under Council Seal.

12.2.8 Part Lot 200 DP 786257 Lowe Park, George Street, Warilla: Renewal of Lease to The Scout Association of Australia New South Wales Branch (9187655)

- 247
1. That Council commence the process including advertising to renew the lease agreement with The Scout Association of Australia New South Wales Branch for the occupation of the scout hall located on Part Lot 200, DP 786257, Lowe Park, George Street, Warilla.
 2. That provided no submissions or objections are received following advertising of the proposal, Council resolve to renew the lease agreement for a period of five year to include a nominal annual rental of \$100.00 plus GST and annually increased by CPI.
 3. That the Administrator and General Manager be authorised to execute the lease agreement under Council Seal.

12.2.9 Donation Requests (9199573)

- 248
1. That Council donate the following donations/contributions totalling \$2,600:
 1. Greenacres Disability Services - Shellharbour
- Entry and lane hire Oak Flats Swimming Pool for people with a disability up to the value of \$1,050
 2. Shell Cove "Thursdays" Playgroup
- 50% of costs for use of Shell Cove Community Hall to June 2010 \$300
 3. Shellharbour Community Church
- Christmas lunch for underprivileged residents \$250
 4. Illawarra Aboriginal Community Golf Day
- Sponsor Golf Day \$500

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5. Shellharbour Surf Lifesaving Club Inc.
- Towards new ride-on mower \$500

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

Salvo's Stores (The Salvation Army) exemption from tipping fees for waste dumped at charity bins up to the value of \$3,000.

St Vincent De Paul Society 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 2010, Cash for City Charities programme:
 1. Rotary Club of Shellharbour
 2. St Vincent de Paul Society
 3. Shellharbour Hospital Auxilliary
 4. Lioness Club of Oak Flats
 5. Dunmore Rural Fire Service
 6. Lake Illawarra PCYC
 7. Illawarra Rural Fire Service - Support Brigade
 8. Central Oak Flats Scouting Group
 9. Warilla Occasional Child Care Centre

12.3 Community Planning & Strategies Division

12.3.1 Shellharbour City Council Social Plan 2009-2011 (9212733)

- 249 That Council endorse the Shellharbour City Council Social Plan 2009 - 2011 for implementation.

12.3.2 Acceptance of Grant - Elliott Lake Shared Use Pathway and Bridge (9213729)

- 250
1. That Council accept the grant of \$242,500 from the Department of Infrastructure, Transport, Regional Development and Local Government.
 2. That the General Manager be authorised to execute the funding agreement between Council and the Federal Government for this grant.
 3. That Council's budget be amended accordingly.

12.4 Shell Cove Business Division

12.4.1 Shell Cove Quarterly Report (9191185)

- 251 1. That the quarterly report for the period 17 August 2009 to 22 November 2009 for the Shell Cove Project 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 Lots 1162, 1163 & 1165 DP 1076113 and on the Transfers for proposed lots 100 to 103 (Stage 10A4) under Council Seal.

13. Committee Recommendations

13.1 Recommendations from the Disabilities Services Advisory Committee Meeting held 25 November 2009 recommended for adoption.

- 252 That the Recommendations from the Disabilities Services Advisory Committee Meeting held of 25 November 2009 be adopted.

13.2 Recommendations from the Traffic Committee Meeting held 2 December 2009 recommended for adoption.

- 253 That the Recommendations from the Traffic Committee Meeting held of 2 December 2009 be adopted.

13.3 Recommendations from the Australia Day Committee Meeting held 2 December 2009 recommended for adoption.

- 254 That the Recommendations from the Australia Day Committee Meeting held of 2 December 2009 be adopted.

14. Items for Information

14.1 Investments (9358511)

- 255 RESOLVED: That the Item for Information be formally noted.

15. Notices of Rescission/Alteration Motions

Nil

16. Notices of Motion

Nil

17. Questions without Notice

Nil

18. Questions on Notice

Nil

19. Urgent Business

Nil

20. Committee of the Whole in Closed Session: Adjournment

Nil

21. Committee of the Whole: Consideration of Adoption of Decisions Reached in Closed Session

Nil

22. Committee of the Whole: Consideration of Declassification of Reports

Nil

9. Administrator's Statements / Reports / Presentations

The Administrator outlined the functions/events he had attended since the Council Meeting of 1 December 2009.

The Administrator, in closing the Meeting wished the Compliments of the Season to all in attendance.

Meeting closed 7.10 pm