

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

**held at the Council Administration Centre, Shellharbour City Centre
on Tuesday 10 August 2010 commencing at 3.00 pm**

Present

Administrator

Mr D Jesson

In attendance

General Manager	B A Weir
Director of Operations & Services	A Webster
Acting Director of Community Planning & Strategies	P Masterson
Director Shell Cove Business Unit	P Woodcock
Group Manager Development & Technical Services	M Boenisch
Group Manager Corporate Services	T Gearon
Group Manager Planning Services	G Hoynes
Group Manager Works & Services	C Watt
Corporate Solicitor	B McCann
Manager Media & Communications	N East (part)
Manager Property	D Flanagan
Manager Executive Services / Public Officer	F MastroDomenico
Manager Development Services	G Meredith
Development Assessment Officer	R Welsh
Media Officer	R Payne
Community Planner	J Brady
Trainee Town Planner	T Collins
Executive Assistant	L Davey
Executive Assistant	D Arney

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 usual advice regarding the webcasting of the meetings of the Council.

2. Confirmation of Minutes

2.1 Ordinary Meeting 20 July 2010

147 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 20 July 2010 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

6. Condolences

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

Mr Anthony Hurd	of	Albion Park
Mr Moyir (Jack) Shephard	of	Albion Park Rail

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Ms Aimee Leonard	of	Barrack Heights
Mr Alexander (Bill) Singers	of	Barrack Heights
Mr Brian Stephen Smith	of	Barrack Heights
Mrs Cathy Higgins	of	Mt Warrigal
Mrs Agnes Ella Whittaker	of	Warilla
Mrs Brenda Murphy	of	Warilla
Mrs Elsie May Passlow	of	Warilla

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

7. Addresses to Council

Agenda Item No & Title	Name
12.2.1 DA No. 102/2010 - Lot 8012, DP 1019349, 73 Jindabyne Road, Flinders and Lot 1, DP 1034595, 75 Jindabyne Road, Flinders: Alterations To The Existing Dwelling and Car Park, Change of Use to Doctor's Surgery and Associated Pharmacy and Signage	Graham Rollinson - Martin Morris & Jones Andrew Erlik Aiden Erlik Jacqueline Graf Neil Cosgrove
12.2.3 Tender - Supply of Plant and Equipment 2010/2012	Sonya McKay
12.3.1 Shellharbour Local Government Area Shared Use Path Strategy 2010	Werner Steyer Sonya McKay
12.3.2 Illawarra Regional Airport Study Stage 1 - Flight Operational Capacity	Sonya McKay

8. Adjournment – Consideration of Addresses to Council (meeting not to resume until 4.00pm at the earliest)

149 RESOLVED:

That the Council meeting be adjourned to enable it to consider matters raised during Addresses to Council.

Meeting adjourned at 3.40 pm

Meeting resumed at 4.36 pm

9. Administrator’s Statements / Reports / Presentations

Nil

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

Nil

11. Administrator’s Minutes

11.1 Former Member for Throsby: Acknowledgement of Service (9350755)

See Minute No. 159.

RESOLVED: That Item Nos 12.1.1, 12.2.2, 12.2.4, 12.2.5 and 13.1 be adopted as follows:

12. Reports

12.1 General Manager’s Office

12.1.1 NSW Rural Fire District Service Agreement - Illawarra Zone (9338730)

- 150
1. That Council enter into the Rural Fire District Service Agreement - Illawarra Zone with the NSW Rural Fire Service to provide rural fire services for the Shellharbour City Council area.
 2. That Council affix the Common Seal of Shellharbour City Council to the Rural Fire District Service Agreement - Illawarra Zone.

12.2 Operations & Services Division

12.2.2 Sportsfields: Amended Fees & Charges (9347439)

151 That Council publicly exhibit for a period of 28 days the following amended fees and charges for sportsfields:

1. Sportsfield Facility Charge
 - a For Touch Football, Oztag and Netball:
 - i. \$13 per senior registered player per season
 - ii. \$6.50 per junior registered player per season
 - b For all other codes:
 - i. \$20 per senior registered player per season
 - ii. \$10 per junior registered player per season
2. Amenities Fee to apply from 1/10/10 to 30/6/11
 - i. where less than 25 players per day - \$155 season charge
 - ii. where more than 25 players per day - \$36 daily charge
3. Canteen Fee
 - a. Cricket Clubs and Clubs with less than 30 registered players \$60 per season
 - b. Senior Clubs other than those included in (a) \$250 per season
 - c. Junior Clubs other than those included in (a) \$125 per season
4. Schools
 - a. no charge for reasonable use of sportsfields for school sport and PE classes
 - b. For school carnivals and gala days the following fees apply:
 - i. \$28 application fee
 - ii. \$36 amenities fee per day
 - iii. \$110 per day/additional fee for bookings from schools outside the LGA
5. Casual Users

For any casual use of sportsfields, the following fees apply:

 - i. \$28 application fee
 - ii. \$20 per field per hour sportsfield facility charge
 - iii. \$110 per day/additional fee for bookings from users who reside outside the LGA

6. Sportsfield Lighting
 - a. Floodlights
 - i. Albion Park Showground \$45 per hour
 - ii. All other grounds \$43 per hour
 - b. Training lights \$33 per hour
7. That Council proceed in accordance with its Community Engagement Policy and that a report on the community responses be presented to Council.

12.2.4 Business Ethics: Revised Statement (9345923)

- 152 1. That Council revise its Statement of Business Ethics to incorporate Council's updated corporate Vision, Purpose, Values and Service Charter statements:

Our Vision:

To be a dynamic, responsive organisation working with the community to create a city we can all be proud of.

Our Purpose:

To provide open, responsible leadership and quality service to our community, while striving for sustainability in all aspects of our operations.

Our Values:

- *Integrity*
- *Respect*
- *Service*
- *Adaptability*
- *Collaboration*
- *Safety*

Our Service Commitment:

- *We will always do our best in performing our duties.*
- *We will aim to answer your enquiry during your first contact with us.*
- *We will listen to you and provide easy-to-understand information.*
- *We will act professionally and with respect, honesty and impartiality in our dealings with you.*
- *We will provide a comfortable and friendly environment and convenient ways for you to complete your business.*

And delete the previous wording:

Our Purpose

Is to protect and enhance the environment, residential amenity, integrity and character of Shellharbour City, while accommodating legally compliant development. We will achieve this through working to optimise community representation and leadership, community safety, quality of life and the pursuit of excellence.

Organisational Values

Our organisational values are to:

- *Understand more fully the needs of Shellharbour City's community.*
- *Provide a range of services and programmes that meet the needs of the community as effectively and economically as possible.*
- *Promote principles of ecologically sustainable development (ESD).*
- *Work with other City organisations as partners.*
- *Manage resources and logistics efficiently and effectively.*
- *Use information ethically and appropriately to improve our services.*
- *Make fair and responsible decisions.*
- *Provide leadership and planning.*

2. That the existing wording under the remaining headings in the Statement of Business Ethics, remain unchanged.

12.2.5 Croom Regional Sporting Complex, Croome Road, Croom: Proposed Renewal of Licence Agreement with Southlake BMX Club Incorporated (9322015)

- 153
1. That Council commence the formal process, including advertising, to renew the licence agreement with Southlake BMX Club Inc. for the use and occupation of the BMX track and associated clubhouse at Croom Regional Sporting Complex, Croome Road, Croom.
 2. That provided no submissions are received during the exhibition period, that Council enter into a five year non-exclusive licence agreement with Southlake BMX Club Inc. for the use and occupation of the BMX track and associated clubhouse at Croom Regional Sporting Complex, Croome Road, Croom for a period of five years at an annual rental of \$100.00 plus GST to be increased annually by CPI.
 3. That the Administrator and General Manager be authorised to sign the licence agreement and any associated documentation, under Council Seal.

13. Committee Recommendations

13.1 Recommendations from the Aboriginal Advisory Committee Meeting held 13 July 2010 recommended for adoption.

154 That the recommendations from the Aboriginal Advisory Committee Meeting held on 13 July 2010 be adopted except for item 4.5 which is deferred to enable a representative of the Aboriginal Advisory Committee to consult with the Destination Albion Park Steering Committee and the artwork consultant to investigate the inclusion of an Aboriginal heritage theme into the community's preferred gateway signage option.

12.2 Operations & Services Division

12.2.1 DA No. 102/2010 - Lot 8012, DP 1019349, 73 Jindabyne Road, Flinders and Lot 1, DP 1034595, 75 Jindabyne Road, Flinders: Alterations To The Existing Dwg and Car Park, Change of Use to Doctor's Surgery and Associated Pharmacy and Signage (9345219)

155 RESOLVED:

That the Council approve Development Application No. 102/2010 for alterations to the existing dwelling and car park, change of use to doctor's surgery and associated pharmacy and signage at Lot 8012, DP 1019349 73 Jindabyne Road, Flinders & Lot 1, DP 1034595, 75 Jindabyne Road, Flinders under Section 80 of the *Environmental Planning & Assessment Act, 1979*, as amended, subject to the conditions following the Conclusions section in this report.

12.2.3 Tender - Supply of Plant and Equipment 2010/2012 (9346488)

156 RESOLVED:

1. That the Council accept all of the submitted tenders for the hire of plant and trucks to Shellharbour City Council for the period 1 July 2010 to 30 June 2012.
2. That the hire of plant and trucks for the next two years be based on the use of the Shellharbour City Council Hired Equipment System 2010/2012.

12.3 Community Planning & Strategies Division

12.3.1 Shellharbour Local Government Area Shared Use Path Strategy 2010 (9347049)

157 RESOLVED:

1. That Council adopt the Shellharbour LGA Shared Use Path Strategy as contained in Attachment 9 of this report; and
2. That Council place an advertisement in a local newspaper notifying Council's decision to adopt the Shellharbour LGA Shared Use Path Strategy.

12.3.2 Illawarra Regional Airport Study Stage 1 – Flight Operational Capacity (9347041)

158 RESOLVED:

1. That Council receive and note the Illawarra Regional Airport Study Stage 1 - Flight Operational Capacity.
2. That Council make the study available on Council's web site for information and place a notice in a local newspaper to this effect.
3. That Council endorse Section 12 of the study as the basis for the way forward beyond the study, towards a business plan and masterplan for the airport.

11. Administrator's Minutes

11.1 Former Member for Throsby: Acknowledgement of Service (9350755)

159 RESOLVED:

1. That the Council place on record its sincere gratitude on behalf of the Shellharbour and Illawarra communities for Ms Jennie George's record of public service as the Member for Throsby from 2001 to 2010.
2. That a formal letter of thanks for her service be prepared and forwarded to her reflecting the sentiments expressed in the report to this Minute.

12.4 Shell Cove Business Division

Nil

14. Items for Information

Nil

15. Notices of Rescission/Alteration Motions

Nil

16. Notices of Motion

16.1 Notice of Motion: General Manager Appointment (9350983)

160 RESOLVED:

1. That Michael Willis be appointed as the General Manager of the Shellharbour City Council and further that the contract of employment be based on the standard contract modified to reflect the agreed terms, conditions and remuneration package including in particular:
 - an initial contract period of five years; and
 - the sponsorship of Michael Willis to attend the annual conference of the International City Management Association.
2. That the contract of employment be executed by the Council under common seal.
3. That Council note:
 - That Michael Willis will commence duties with the Council on 1 November 2010.
 - That the remuneration package will be met entirely from the General Fund and that Council will continue to seek an appropriately indexed sum from the Shell Cove Project to compensate the General Fund for the responsibility required of the General Manager to manage the Shell Cove Project.

17. Questions on Notice

Nil

18. Urgent Business

Nil

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19. Committee of the Whole in Closed Session: Adjournment

Nil

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

Nil

21. Consideration of Motions to Declassify Reports Considered in Closed Session

Nil

The Administrator noted that this was the General Manager's final Council Meeting before his retirement and thanked him for his years of service to Council and the community noting that the Council had previously recorded its thanks and appreciation by resolution.

Meeting closed 5.06 pm