

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

**held at the Council Administration Centre, Shellharbour City Centre
on Tuesday 21 September 2010 commencing at 3.00 pm**

Present

Administrator

Mr D Jesson

In attendance

Acting General Manager

P O'Rourke

Acting Director of Operations & Services

T Gearon

Acting Director of Community Planning & Strategies

P Masterson

Director Shell Cove Business Unit

P Woodcock

Group Manager Development & Technical Services

M Boenisch

Group Manager Customer & Environmental Services

G Standen (part)

Manager Executive Services / Public Officer

F MastroDomenico

Corporate Solicitor

B McCann

Manager Property

D Flanagan (part)

Media Officer

R Payne

Web Development Support Officer

G Kielly (part)

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

2. Confirmation of Minutes

2.1 Ordinary Meeting 31 August 2010

174 RESOLVED: That the Minutes of the Ordinary Council Meeting held on 31 August 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

Nil

6. Condolences

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

Mrs Beverley Craven of Albion Park

Mr Cecil Vincent Hayes of Albion Park

Mrs Janet Margaret Miller of Albion Park

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Mrs Jeanette Jolliffe (Nee Aitken)	of	Albion Park
Mr Kenneth (Sammy) Erskine	of	Albion Park
Mr Ronald Leslie Vincent Ross	of	Albion Park
Mr Anton Daxner	of	Albion Park Rail
Mr Herb Kellner	of	Albion Park Rail
Mr Peter Thompson	of	Albion Park Rail
Mrs Margretta Wright	of	Albion Park Rail
Mr Joe (Edward) Seymour	of	Barrack Heights
Mr Ruahine (Warni) Coates	of	Barrack Heights
Mr Vasil Kumcevski	of	Barrack Heights
Mr Spasitel Gorseski	of	Flinders
Mr Joseph Osman	of	Mt Warrigal
Master Mitchel Luis Carrasco	of	Mt Warrigal
Mr Robert Jarvis	of	Mt Warrigal
Mr Alfons (Fred) Gensbichler	of	Oak Flats
Mrs Carmen (Camie) Greenwell	of	Oak Flats
Mrs Doreen Elsie Coombs	of	Oak Flats
Mr Ivan Kosic	of	Oak Flats
Mrs Margaret Vidamour	of	Oak Flats
Mr Brian Douglas Mackie	of	Shellharbour
Ms Lola Kyle	of	Shellharbour
Mrs Valerie Brennan	of	Shellharbour
Mrs Elsie May Forrest	of	Warilla
Mr Garry Morrison	of	Warilla
Mrs Kaye Margaret Gee	of	Warilla
Mrs Pat Pattison	of	Warilla

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

7. Addresses to Council

Agenda Item No & Title	Name
12.4.1 Shell Cove Quarterly Report	Peter Moran
13.1 Recommendations from the Traffic Committee Meeting held 1 September 2010 recommended for adoption.	Peter Moran

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

- 176 RESOLVED: That the Council meeting be adjourned to enable it to consider matters raised during Addresses to Council.

Meeting adjourned at 3.13pm

Meeting resumed at 4.02pm

9. Administrator's Statements / Reports / Presentations

Nil

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

Nil

11. Administrator's Minutes

Nil

12. Reports

12.1 General Manager's Office

- 177 That Item Nos 12.1.1, 12.2.1, 12.2.2, 12.2.3, 12.2.4, 12.2.5, 12.2.6, 12.2.7 and 12.2.8 be adopted as follows:

12.1.1 Monthly Investment Report (9370002)

178 RESOLVED:

That Council receive and note the attached Investment Portfolio report, as at 31 August 2010.

12.2 Operations & Services Division

12.2.1 Regional Roads Repair Program 2010/2011 Grant Funding (9365721)

179 RESOLVED:

1. That the Council accept the RTA's offer of \$37,000 for the Regional Roads Repair Program 2010/2011 for use on Council's regional road, Terry Street/Jamberoo Road, Albion Park.
2. That authority be given for the Administrator and General Manager to execute all necessary documents under Council's Seal as appropriate in relation to this program.
3. That the budget be amended accordingly.

12.2.2 Floodplain Management Program: Acceptance of Grant Funding (9369752)

180 RESOLVED:

1. That the 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 the Council allocate \$8,000 toward this program of studies from the Stormwater Management Service Charge Program.
4. That the Council write a letter to the Minister for Climate Change and the Environment, thanking Mr Frank Sartor for the grant offer.
5. That the budget be amended accordingly.

12.2.3 Tender 2010/04 - Elliott Lake Bridge Pedestrian/Cycle Bridge and Mandatory Price Option for Northern Pathway (9365791)

181 RESOLVED:

1. That the Council resolve to enter into a contract with Fernandes Constructions Pty Ltd for the Elliott Lake Cycle/Pedestrian Bridge and Mandatory Price Option for Northern Pathway Contract 2010/04.
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.
3. That the Council allocates an additional \$75,100 from Section 94 Open Space Embellishments to fund the project.

12.2.4 Sportsfields: Amended Fees & Charges (9371469)

182 RESOLVED:

1. That the Council adopt the following amended fees and charges for sportsfields to apply from 1 October 2010 to 30 June 2011.
 - 1.1 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.
 - 1.2. Amenities Fee
 - a. where less than 25 players per day - \$155 season charge
 - b. where more than 25 players per day - \$36 daily charge.
 - 1.3. 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.
 - 1.4. 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.

1.5. Casual Users

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

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

1.6. Sportsfield Lighting

- a. Floodlights
 - i. Albion Park Showground \$45 per hour
 - ii. All other grounds \$43 per hour
- b. Training lights \$33 per hour.

2. That the Sports and Recreation Working Party continue to monitor the implementation of the amended fees and charges, and liaise with sportsfield user groups as appropriate.

12.2.5 Disclosure of Interest Returns 1 July 2009 - 30 June 2010 (9368639)

183 RESOLVED:

1. That the names and positions set out in this report be identified as the designated persons for the lodgement of Disclosure of Interest Forms for Shellharbour City Council, for the period 1 July 2009 to 30 June 2010.
2. That Council note the tabling of the register of returns.

12.2.6 Requests for Donation (9370836)

184 RESOLVED:

That Council donate the following donations/contributions totalling	\$3,800:
1. Shellharbour City Rowing Club - towards the cost of a pair of new sculling oars	\$400
2. TJ Viney - Zumbathon to assist Variety Children's Charity - offset costs for use of Shellharbour Stadium for charity event	\$800
3. St Vincent de Paul - Oak Flats - Material aid for disadvantaged local residents	\$1,000
4. Illawarra Classic Motor Cycle Club - towards cost for BBQ for charity events	\$200
5. Albion Park Disability Ten Pin Bowling Committee - Support member's attendance at Nationals in South Australia	\$1,000
6. Shellharbour City Ladies Falcons Soccer Club - towards purchase of equipment	\$400

12.2.7 Sale of Land - Lot 101 DP 1134848 - part Lamerton Crescent - to The Trust Company Limited (9358350)

185 RESOLVED:

1. That Council note the information in the report and that the \$4,728,341.49 (GST excl) received from the proceeds of sale of this part of Lamerton Crescent, be restricted for use by Council, in acquiring land for public roads or for carrying out road work on public roads in keeping with the Roads Act.
2. That the budget be amended accordingly.

12.2.8 69 - 73 Benaud Crescent, Warilla: Proposed Renewal of Licence Agreement with Warilla Senior Citizens Club Incorporated (9365410)

186 RESOLVED:

1. That Council commence the formal process, including advertising, to renew the licence agreement with Warilla Senior Citizens Club Inc. for the

use and occupation of the building at 69 - 73 Benaud Crescent, Warilla, shown on the attached aerial photograph.

2. That provided no submissions are received during the exhibition period, that Council enter into a five year non-exclusive licence agreement with Warilla Senior Citizens Club Inc. for the use and occupation of the building at 69 - 73 Benaud Crescent, Warilla shown on the attached aerial photograph 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.

12.3 Community Planning & Strategies Division

Nil

12.4 Shell Cove Business Division

12.4.1 Shell Cove Quarterly Report (9348344)

187 RESOLVED:

1. That the quarterly report for the period 24 May 2010 to 12 September 2010 for the Shell Cove Project be received and noted.
2. That Council authorise the Administrator and General Manager to execute the Lease, its duplicates and any associated documents for Lot B DP 420074 and Lot 74 DP 229374, as required by the signed contract for sale of land with Warilla Bowls & Recreation Club Limited (Land Swap), under Council Seal.

13. Committee Recommendations

13.1 Recommendations from the Traffic Committee Meeting held 1 September 2010 recommended for adoption.

188 RESOLVED:

That the Recommendations from the Traffic Committee Meeting held of 1 September 2010 be adopted.

13.2 Recommendations from the Disabilities Services Advisory Committee Meeting held 8 September 2010 recommended for adoption.

189 RESOLVED:

That the Recommendations from the Disabilities Services Advisory Committee Meeting held of 8 September 2010 be adopted.

14. Items for Information

Nil

15. Notices of Rescission/Alteration Motions

Nil

16. Notices of Motion

Nil

17. Questions on Notice

18. Urgent Business

Nil

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

Meeting closed 4.07pm