

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

**held at the Council Administration Centre, Shellharbour City Centre
on Tuesday 09 November 2010 commencing at 3.01 pm**

Present

Administrator

Mr D Jesson

In attendance

General Manager	M Willis
Director Community Planning & Strategies	P O'Rourke
Director of Operations & Services	A Webster
Director Shell Cove Business Unit	P Woodcock
Manager Executive Services / Public Officer	F MastroDomenico
Manager Media & Communications	N East
Corporate Solicitor	B McCann
Group Manager Planning Services	G Hoynes
Group Manager Development & Technical Services	M Boenisch
Group Manager Customer & Environmental Services	G Standen (part)
Group Manager Corporate Planning	P Masterson (part)
Group Manager Corporate Services	T Gearon (part)
Manager Development Services	G Meredith (part)
Property Manager	D Flanagan (part)
Senior Strategic Planner	C Lappin
Media Officer	R Payne
Executive Assistant	J Frasca
Executive Assistant	L Davey

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 12 October 2010

217 RESOLVED: That the Minutes of the Ordinary Council Meeting held on 12 October 2010 as circulated be taken as read and confirmed as a correct record of proceedings.

2.2 Extraordinary Meeting 19 October 2010

218 RESOLVED: That the Minutes of the Extraordinary Council Meeting held on 19 October 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 Lynda Maree Snider	of	Albion Park
Mrs Jennie Willis	of	Albion Park
Mrs Aagje (Agnes) Stolk	of	Albion Park Rail
Mr Fred Irwin	of	Albion Park Rail
Mr Grenville Thomas Jones	of	Barrack Heights
Mrs Carol King (Nee Chin)	of	Barrack Point
Mrs Ruth Robinson	of	Mt Warrigal
Mr John (Junior) Duffy	of	Oak Flats
Mr Paul John Towse	of	Shellharbour
Mrs Patricia Holdsworth	of	Shellharbour
Mr Alan Keith Duncan	of	Warilla
Mr James Paul Krauss	of	Warilla
Mrs Jill Marie Hickey	of	Warilla
Mrs Dulcie Dallimore	of	Warilla
Mr George McKenna	of	Warilla
Mr Ronald Gordon (Wally) Purnell	of	Warilla
Mrs Catalina (Kitty) Perulero	of	Warilla
Mrs Sophia Kalaitzidis	of	Warilla

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

The Administrator formally introduced the new General Manager Michael Willis to the meeting.

The General Manager then addressed the Meeting.

7. Addresses to Council

Agenda Item No & Title	Name
12.2.2 Tender 2010/36: Construction of Shellharbour Arts Exhibition Centre (9391917)	Peter Moran
12.2.4 Lot 5 DP 1092398 - Illawarra Regional Airport - Public Private Partnership & Lease Agreement - Illawarra Hangar Pty Ltd (9397860)	Peter Moran Anthony Boucaut Sonya McKay
12.2.5 Part Lot 2001 DP 1132715 - Illawarra Regional Airport - Public Partnership & Lease Agreement - Illawarra Flyers Aircraft Storage Incorporated (9397950)	Sonya McKay Peter Moran
12.2.6 Council Policy Review (9401131)	Sonya McKay

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

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

Meeting adjourned at 3.41 pm

Meeting resumed at 4.22 pm

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

12.1.1 Monthly Investment Report (9395547)

221 RESOLVED:

That Council receive and note the attached Investment Portfolio report, as at 30 September 2010.

12.2 Operations & Services Division

12.2.1 Destination Albion Park: Funding (9365722)

222 RESOLVED:

1. That the Council allocate additional funding of \$423,000 from Section 94 'Passive Open Space Embellishment' toward the Destination Albion Park project.
2. That the Council request to vary its contract with the Commonwealth for the Destination Albion Park project in relation to completion date, scope and funding split.
3. That the Council delegate to the General Manager, the authority to execute the Contract Variation on behalf of Shellharbour City Council.
4. That the budget be amended accordingly.

12.2.2 Tender 2010/36: Construction of Shellharbour Arts Exhibition Centre (9391917)

223 RESOLVED:

1. That the Council resolve to enter into a contract with Camarda & Cantrill Pty Ltd for the construction of Shellharbour Arts Exhibition Centre Contract 2010/36, for the amount of \$779,617 (excluding GST).

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 allocate \$220,000 towards the project cost from:
 - a. \$10,000 from the Department of Environment Climate Change & Water (DECCW), Waste & Sustainability Improvements Program (WaSIP).
 - b. \$10,000 from the Tourism Signage Budget.
 - c. \$200,000 from Unrestricted Reserves.

12.2.3 Auction of Surplus and Obsolete Plant and Equipment (9392793)

224 RESOLVED:

That the Council approve the disposal of its listed surplus and obsolete equipment (attached to this report) through South Coast Pty Ltd Auction.

12.2.4 Lot 5 DP 1092398 - Illawarra Regional Airport - Public Private Partnership & Lease Agreement - Illawarra Hangar Pty Ltd (9397860)

225 RESOLVED:

That Council:

1. Enter into a Public-Private Partnership with Illawarra Hangar Pty Ltd as required under *Local Government Act, 1993*.
2. Enter into an Agreement to Lease, between Shellharbour City Council and Illawarra Hangar Pty Ltd, whilst the construction of the hangar and office is being undertaken.
3. Enter into a Lease agreement between Shellharbour City Council and Illawarra Hangar Pty Ltd, on completion of the project, for a term of 30 years with an annual rental of \$7,000.00 per year plus GST, increased annually by CPI.
4. Authorise the Administrator and General Manager to affix the Seal of Council to the Agreement to Lease and the Lease agreement between Shellharbour City Council and Illawarra Hangar Pty Ltd, for the occupation of Lot 5 DP 1092398 at the Illawarra Regional Airport.

12.2.5 Part Lot 2001 DP 1132715 - Illawarra Regional Airport - Public Private Partnership & Lease Agreement - Illawarra Flyers Aircraft Storage Incorporated (9397950)

226 RESOLVED:

That Council:

1. Enter into a Public-Private Partnership with the Illawarra Flyers Aircraft Storage Incorporated as required under *Local Government Act, 1993*.
2. Enter into an Agreement to Lease between Shellharbour City Council and Illawarra Flyers Aircraft Storage Incorporated whilst the development is being undertaken.
3. Enter into a Lease agreement between Shellharbour City Council and Illawarra Flyers Aircraft Storage Incorporated on completion of the project for a term of five years with an annual rental of \$7,422.00 per year plus GST increased annually by CPI.
4. Authorise the Administrator and General Manager to affix the Seal of Council to the Agreement to Lease and the Lease agreement between Shellharbour City Council and Illawarra Flyers Aircraft Storage Incorporated, for the occupation of part of Lot 2001 DP 1132715 at the Illawarra Regional Airport.

12.2.6 Council Policies Review (9401131)

227 RESOLVED:

That the list of Council Policies presented to Council at its meeting on 9 November 2010 be reaffirmed as the current policies of the Council in effect as at that date.

12.3 Community Planning & Strategies Division

12.3.1 Shellharbour Coastal Hazard Study and Coastal Zone Management Plan (9397017)

228 RESOLVED:

1. That Council endorse the Coastal Hazard Study as contained in Attachment 1 of this report

2. That Council adopt the recommendations of the Coastal Hazard Study and Council's initial response to those recommendations, as contained in Attachment 2 of this report
3. That Council make the Coastal Hazard Study publicly available on its website
4. That Council apply appropriate notations on Section 149 Certificates for properties affected by the recommendations of the Coastal Hazard Study
5. That Council resolve to prepare a Coastal Zone Management Plan for the Shellharbour Local Government Area
6. That Council accept the \$40,000 grant from the NSW Department of Environment, Climate Change and Water and amend its budget accordingly
7. That Council allocate \$40,000 to match the grant referred to in Recommendation 6
8. That a community engagement strategy be developed for the preparation of the Coastal Zone Management Plan

12.4 Shell Cove Business Division

Nil

13. Committee Recommendations

Nil

14. Items for Information

Nil

15. Notices of Rescission/Alteration Motions

Nil

16. Notices of Motion

Nil

SHELLHARBOUR CITY COUNCIL

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17. Questions on Notice

Nil

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 4.45 pm