

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

**held at the Council Administration Centre, Shellharbour City Centre  
on Tuesday 30 November 2010 commencing at 3.02 pm**

**Present**

Administrator

Mr D Jesson

**In attendance**

General Manager	M Willis
Director of Operations & Services	A Webster
Director of Community Planning & Strategies	P O'Rourke
Group Manager Corporate Planning	P Masterson
Group Manager Development & Technical Services	M Boenisch
Group Manager Corporate Services	T Gearon
Group Manager Planning Services	G Hoynes
Manager Executive Services / Public Officer	F MastroDomenico
Manager Development Services	G Meredith
Shell Cove Project Engineer	J McAndrew
Corporate Solicitor	B McCann
Manager Property	D Flanagan
Acting Manager Financial Services	A Bateman
Senior Strategic Planner	C Lappin
Manager Media & Communications	N East (Part)
Media Officer	R Payne
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 9 November 2010**

229 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 9 November 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.

Master Oscar Schofield of Albion Park

Mrs Elma Madge Condran of Albion Park

## SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 30 November 2010

---

Mrs Jean Cotton	of	Albion Park
Mr John Amos	of	Albion Park
Mr Kevin James (Jim) Hoppo	of	Albion Park Rail
Mr Michael Knowles	of	Albion Park Rail
Mrs Winifred Reilly	of	Albion Park Rail
Mrs Doreen Bates	of	Barrack Heights
Mrs Elizabeth Gladys Hort	of	Barrack Heights
Mrs Leigh Anne Eyers (Nee McAloon)	of	Barrack Heights
Mr Neville Woods	of	Barrack Heights
Mr Edgar (Ed) Holt	of	Blackbutt
Mrs Shirl Shirley Carroll	of	Blackbutt
Mr Reginald Wilson	of	Flinders
Mr Eugene Bailey	of	Lake Illawarra
Mr George Evans	of	Lake Illawarra
Mr Jimmy (Jim) Nemeth	of	Mt Warrigal
Mr Laurie (Trigger) Treglown	of	Mt Warrigal
Mr Eric Mathews	of	Oak Flats
Mrs Griseldis Ursela (Sella) Ossa	of	Oak Flats
Mrs Olive Dalton	of	Oak Flats
Mrs Nevenka Dragovic	of	Shellharbour
Mr Clifford John Wallace	of	Warilla
Mrs Heather Irene Eke (Nee Dodd)	of	Warilla
Mr John Joseph (Jack) Gill	of	Warilla
Mrs Leonie McMeekan	of	Warilla
Mrs Liselott (Lilo) Lehmann	of	Warilla
Mr Nicholas John (Nick) Broad	of	Warilla
Mrs Mavis Everill (Bea) Gibbons	of	Warilla

## SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 30 November 2010

---

Mr Victor Goroch of Warilla  
Mrs Victoria Ruiz of Warilla  
Mr Zivko Popovski of Warilla

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

### 7. Addresses to Council

Agenda Item No & Title	Name
12.1.1 Management Plan Review for the Quarter Ended 30 September 2010	Sonya McKay
12.1.2 September 2010 Quarter Budget Review	Peter Moran
12.2.2 Illawarra Regional Airport - Renewal of Lease to NSW Air Pty Ltd - Lot 6 DP 1092398	Sonya McKay
12.3.1 Shellharbour Local Environmental Plan 2000 Amendment 15	Joan Vinton Grant Brennan Sonya McKay

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

231 RESOLVED:

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

**Meeting adjourned at 3.47 pm**

**Meeting resumed at 4.30 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 Management Plan Review for the Quarter Ended 30 September 2010 (9410393)**

232 RESOLVED:

That the Management Plan Review for the Quarter ended 30 September 2010 be received, noted and endorsed

**12.1.2 September 2010 Quarter Budget Review (9409384)**

233 RESOLVED:

1. That Council adopt the September 2010 Quarter Budget Review, with all new items as contained in this report, resulting in a revised budget surplus for the year ended 30 June 2011, of \$104,631.
2. That the Grants listed in the new items section of this report, be accepted.

**12.1.3 Monthly Investment Report (9410307)**

234 RESOLVED:

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

**12.1.4 Delegations to General Manager (9411525)**

235 RESOLVED:

1. That Council endorse the delegations and sub-delegations to the General Manager as detailed in Attachment 1 of this report.
2. That Council receive and note the schedule of General Manager delegations and register of delegations which are posted on Council's website.

**12.1.5 Proposed acquisition of Kiama Independent and Lake Times by Fairfax Media Limited: Submission to ACCC (9413688)**

236 RESOLVED:

That the Council endorse the completion and lodging of a submission to the Australian Competition and Consumer Commission on the proposed acquisition of the *Kiama Independent* and *Lake Times* by Fairfax Media Limited.

**12.1.6 Christmas/New Year Closure of Council Operations (9414394)**

237 RESOLVED:

That this report be received and noted, specifically including the closure of Council Library services.

**12.2 Operations & Services Division**

**12.2.1 Tender 2010/42: Shellharbour Beachside Tourist Park Management Contract (9410946)**

238 RESOLVED:

1. That the Council award the Shellharbour Beachside Tourist Park Management Contract to Blackwatch Management Services Pty Ltd from 13 December 2010 to 30 June 2014, subject to the terms of their tender and the management contract to be entered into.
2. That the Council delegates to the General Manager, the authority to sign the Letter of Award to the Contractor and the Contract on behalf of Shellharbour City Council.

**12.2.2 Illawarra Regional Airport - Renewal of Lease to NSW Air Pty Ltd - Lot 6 DP 1092398 (9411501)**

239 RESOLVED:

1. That Council renew the Lease agreement with NSW Air Pty Ltd for the occupation of Lot 6 DP 1092398 for a period of five (5) years at a lease fee of \$15,618 plus GST per annum indexed for CPI, with all terms and conditions in accordance with the existing lease.
2. That Council authorise the Administrator and General Manager to affix the Seal of Council to the Lease agreement between Shellharbour City Council and NSW Air Pty Ltd, for the occupation of Lot 6 DP 1092398 at the Illawarra Regional Airport.

**12.2.3 Illawarra Regional Airport - Renewal of Lease to Australian Aerial Patrol - Part Lot 7 DP 1092398 (9411666)**

240 RESOLVED:

1. That Council renew the Lease agreement with Australian Aerial Patrol for the occupation of Part Lot 7 DP 1092398 for a period of five (5) years at a lease fee of \$19,285 plus GST per annum indexed for CPI, with all terms and conditions in accordance with the existing lease.
2. That Council authorise the Administrator and General Manager to affix the Seal of Council to the Lease agreement between Shellharbour City Council and Australian Aerial Patrol, for the occupation of Part Lot 7 DP 1092398 at the Illawarra Regional Airport.

**12.3 Community Planning & Strategies Division**

**12.3.1 Shellharbour Local Environmental Plan 2000 Amendment 15 (9412059)**

241 RESOLVED:

That in accordance with Section 68 of the Environmental Planning and Assessment Act 1979:

1. Council adopt the Shellharbour Local Environmental Plan 2000-Amendment 15 to:
  - a. rezone Lot B DP 420074 from 6(b) Private Open Space to Part 2(f) Mixed Use Residential F and Part 9(c) Local Road Reservation;
  - b. rezone Lot 74 DP 229374 from 2(a) Residential A and to 2(f) Mixed Use Residential F;

- c. rezone parts of Pioneer Drive and Addison Street, Shellharbour (as indicated on the draft plan attached to this report) from unzoned land to Part 6(a) Public Open Space and Part 9(c) Local Road Reservation;
  - d. rezone Part Lot 2 DP 109304 and Part Lot 82 DP 729172 from 6(a) Public Open Space to 9(c) Local Road Reservation; and
  - e. reclassify Lot 2 DP 109304 and Lot 82 DP 729172 from 'Community Land' to 'Operational Land' under the Local Government Act 1993.
2. Council forward the Draft Plan and required information to the Department of Planning for approval by the Minister.

#### **12.4 Shell Cove Business Division**

Nil

#### **13. Committee Recommendations**

##### **13.1 Recommendations from the Traffic Committee Meeting held 3 November 2010 recommended for adoption.**

242 RESOLVED:

That the Recommendations from the Traffic Committee Meeting held of 3 November 2010 be adopted.

##### **13.2 Recommendations from the Australia Day Committee Meeting held 17 November 2010 recommended for adoption.**

243 RESOLVED:

That the Recommendations from the Australia Day Committee Meeting held of 17 November 2010 be adopted.

#### **14. Items for Information**

Nil

#### **15. Notices of Rescission/Alteration Motions**

Nil



## **SHELLHARBOUR CITY COUNCIL**

Ordinary Council Meeting - Tuesday 30 November 2010

---

**16. Notices of Motion**

Nil

**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 4.52 pm**