

**Minutes of the Ordinary Meeting**

**of Shellharbour City Council**

**held at The Links Hotel, Shell Cove, Function Room**

**on Tuesday 30 August 2011 commencing at 5.33 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 Customer & Environmental Services	G Standen
Group Manager Planning Services	G Hoynes
Group Manager Development & Technical Services	M Boenish
Manager Executive Services / Public Officer	F MastroDomenico
Manager Development & Regulation Services	G Meredith
Manager Property	D Flanagan
Shell Cove Commercial Manager	K James
Manager Financial Services	P Henderson
Manager Design	B Short
Manager Media & Communications	N East
Senior Strategic Planner	C Lappin
Corporate Planning Accountant	H Webster
Corporate Planning Officer	S Basa
Executive Assistant	D Arney
Executive Assistant	L Davey
Executive Assistant	M Olsen
Network & Desktop Support Officer	M Baez
Network & Desktop Support Officer	D Gollop
Executive Assistant	T Mattila
Administrative Assistant	J Harwood

**1. Acknowledgement to Country**

Shellharbour City Council acknowledges the Traditional Owners and Custodians of the Land on which we are meeting and pays its respects to Elders past and present.

**Webcasting**

**Administrator's Comment**

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

The Administrator acknowledged the presence in the gallery of five former mayors of Shellharbour: Ray Clay, John O'Dwyer, Bob Harrison, Joan Vinton and David Hamilton, and; former councillors: Ann Harrison; Helen Stewart and John Murray.

He also acknowledged Bob Harrison as Former Member for Kiama, and Former Member for Illawarra, Marianne Saliba.

**2. Confirmation of Minutes**

**2.1 Ordinary Meeting 16 August 2011**

152 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 16 August 2011 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 Fernando Marino	of	Albion Park
Ms Karen McGovern	of	Albion Park
Mr Herbert Michael Kawalla	of	Albion Park
Mrs Lillian Agnes Smith	of	Albion Park Rail
Mr Thomas Alexander Hodges	of	Albion Park Rail
Mr Leonard George Cusbert	of	Barrack Heights
Mrs Sylvia Bond	of	Barrack Heights
Mr Tasa Mitrovski	of	Barrack Heights
Mr Johan Burgess	of	Blackbutt
Mr Hans Jurgen Braunig	of	Blackbutt
Mr Nazareno (Ron) Dingli	of	Blackbutt
Mr Barry Phelps	of	Lake Illawarra
Mr Ray Beasley	of	Lake Illawarra
Mrs Margaret Honeysett	of	Mt Warrigal
Ms Jessie Irene Napper	of	Mt Warrigal
Mr William Osborn	of	Mt Warrigal
Mr Laurence George Sinclair	of	Mt Warrigal
Mrs Helen Amy Ransome	of	Shellharbour
Mr Gregory James Bolton	of	Warilla
Mrs Jean Elizabeth Hayes	of	Warilla
Mrs Teresa Mary Boxsell	of	Warilla
Mrs Nola Elizabeth Connolly	of	Warilla
Mr Thomas Robinson	of	Warilla
Mrs Joy Connell	of	Warilla

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

**7. Addresses to Council**

Nil

**8. Adjournment – Consideration of Addresses to Council (only to be taken where deemed to be required by the Council and determined by Resolution of the Council)**

Not required.

**9. Administrator's Statements / Reports / Presentations**

The Administrator noted his intention to resolve to suspend standing orders to enable the Administrator's Statements / Reports / Presentations to be deferred until later in the meeting.

The General Manager noted that a presentation was to be made to the Administrator by Bob Harrison on behalf of the five former mayors.

Bob Harrison presented a gift to the Administrator and then he, Joan Vinton, Ray Clay, David Hamilton and John O'Dwyer addressed the meeting.

154 RESOLVED:

That Standing Orders be suspended to enable the Administrator's Statements / Reports / Presentations to be further addressed later in the meeting.

**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 Review of Management Plan as at 30 June 2011 (9556797)**

155 RESOLVED:

That the Management Plan Review for the Quarter ended 30 June 2011 be received noted and endorsed.

#### **12.1.2 June 2011 Quarter Budget Review (9558851)**

156 RESOLVED:

That the report be received and noted.

#### **12.1.3 2010/2011 Annual Financial Reports (9565596)**

157 RESOLVED:

1. That Council make the Statements (as attached) and approve the application of the signatures of the Administrator and General Manager to those statements, as required by Clause 215 of the *Local Government (General) Regulation 2005*.
2. That the Annual Financial Reports be formally referred for audit.

#### **12.1.4 Monthly Investment Report (9558109)**

158 RESOLVED:

That Council receive and note the attached Investment Portfolio reports, as at 31 July 2011.

#### **12.1.5 Illawarra Regional Airport Master Plan (9559455)**

159 RESOLVED:

1. That Council appoint Airport Master Planning Consultants Pty Ltd (AMPC) to prepare a draft Master Plan for the Illawarra Regional Airport.
2. That Council allocate \$32K in its 2011/12 budget for the provision of the draft Airport Master Plan and amend the budget accordingly.

## **12.2 Operations & Services Division**

### **12.2.1 Tender 2011/28 - Horsley Creek Floodplain Risk Management Study & Draft Plan (9558862)**

160 RESOLVED:

1. That the Council, as Principal, engage GHD Pty Ltd to carry out Horsley Creek Floodplain Risk Management Study and Draft Plan to the sum of \$105,413 exclusive of GST.
2. That the General Manager or the General Manager's delegate, the Director Operations & Services, be authorised to execute the documentation related to this Tender.
3. That the Budget be amended accordingly.

### **12.2.2 Tender 2011/29 - Elliott Lake - Little Lake Floodplain Risk Management Study & Draft Plan (9559033)**

161 RESOLVED:

1. That the Council, as Principal, engage Cardno (NSW/ACT) Pty Ltd to carry out Elliott Lake - Little Lake Floodplain Risk Management Study and Draft Plan to the sum of \$115,840 exclusive of GST.
2. That the General Manager or the General Manager's delegate, the Director Operations & Services, be authorised to execute the documentation related to this tender.
3. That the budget be amended accordingly.

### **12.2.3 Tender 2011/01 - Mechanical Services Contract - Air Conditioning Upgrade, Council Administration Centre, Lamerton House, Shellharbour City Centre (9559863)**

162 RESOLVED:

1. That Council enter into a contract with Coral Air Pty Ltd to upgrade the mechanical services system at Council's Administration Offices, Lamerton House for the lump sum amount of \$461,000.00 excluding GST.
2. That the General Manager or the General Manager's delegate, Director Operations & Services, be authorised to sign the Letter of Award to the Contractor related to this Tender.

3. That Council allocate \$150,500 from restricted asset (asset maintenance) monies and amend the budget accordingly.

**12.2.4 2011/2012 Asset Improvement Program - Road Related (9558815)**

163 RESOLVED:

1. That Council confirms the 2011/2012 Road Related Asset Improvement Program as detailed in this report.
2. That the budget be amended accordingly.

**12.2.5 Part Lot 10 DP 1157377 Airport Road, Albion Park Rail, Illawarra Regional Airport; Renewal of lease to Lloyd Off-Shore Helicopters Pty Ltd trading as CHC Helicopters (Australia) (9558205)**

164 RESOLVED:

1. That Council enter into a lease with Lloyd Off-Shore Helicopters Pty Ltd trading as CHC Helicopters (Australia) for occupation of part Lot 10 DP 1157377 Airport Road, Albion Park Rail, for a term of two years with a one year option, commencing on 19 June 2011, at a rental of \$8,240.00 plus GST per annum to be increased by CPI annually.
2. That the lease of part Lot 10 DP 1157377 Airport Road, Albion Park Rail to Lloyd Off-Shore Helicopters Pty Ltd trading as CHC Helicopters (Australia) be executed under Council Seal.

**12.2.6 Proposed Transfer of Licence Agreement from Albion Park Rail Tennis Club to Shellharbour Kiama District Tennis Association Inc: McDonald Park Tennis Courts (9553436)**

165 RESOLVED:

That Council transfer the licence agreement for McDonald Park Tennis Courts, Tongarra Road, Albion Park Rail from Albion Park Rail Tennis Club Inc. to Kiama Shellharbour District Tennis Association Inc. for the remainder of the term of the current licence .

**12.2.7 Proposed Renewal of Licence Agreement: Police & Community Youth Clubs (9553271)**

166 RESOLVED:

1. That Council renew the licence agreement with Police & Community Youth Clubs NSW Ltd for the occupation of part Hooker Park Reserve Trust (R87493, Lot 7006 DP 1029495) for a further term of five years at

an annual rental of \$417.00, with terms and conditions in accordance with the LPMA licence agreement template.

2. That the licence agreement for part Hooker Park Reserve Trust (R87493, Lot 7006 DP 1029495) be executed under Council Seal.

### **12.3 Community Planning & Strategies Division**

Nil

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

#### **12.4.1 Shell Cove Quarterly Report (9551684)**

167 RESOLVED:

1. That the quarterly report for the period 6 June 2011 to 21 August 2011 for the Shell Cove Project be received and noted.
2. That Council authorise the Administrator and General Manager's delegate (Public Officer) to execute the Subdivision Plan and 88B Instrument for the subdivision of Lot 6830 DP 1154429, and any documents associated with the sale (including the Transfers) of proposed lots 6850 to 6893 (Stage 6D), under Council Seal.

## **9. Administrator's Statements / Reports / Presentations**

### **Suspension of Standing Orders**

168 RESOLVED:

That standing orders be suspended to enable the Administrator to address the meeting on the following issues:

The retirement of Arthur Webster and Peter O'Rourke.

169 RESOLVED (Carried by Acclamation):

1. That Council records its appreciation for the long service of senior staff members Arthur Webster, Director of Operations & Services, and Peter O'Rourke, Director of Community Planning & Strategies.
2. Further that Council acknowledge that over their cumulative period of employment exceeding 60 years they have both contributed significantly to the strategies and decisions of the Council and have been master



architects in shaping the Shellharbour community over its rapid development, particularly in the last 20 years, and the Council wishes them all health and happiness in their retirement and every best wish for their future endeavours.

Incoming Council

170 RESOLVED:

That this Council extend to the incoming Council to be democratically elected on 3 September its very best wishes for its journey safe in the knowledge that it will be a capable and effective body of people possessing the capability to represent their constituents in achieving the promise held by the future.

**13. Committee Recommendations**

Nil

**14. Items for Information**

Nil

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

Nil

**16. Notices of Motion**

Nil

**17. Questions on Notice**

Nil

**18. Urgent Business**

Nil

**19. Committee of the Whole in Closed Session: Adjournment**

Nil

**SHELLHARBOUR CITY COUNCIL**

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**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 6.55 pm**