

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 08 November 2011

Minutes of the Ordinary Meeting of Shellharbour City Council

held at the Council Chambers, Council Administration Centre

Shellharbour City Centre

on Tuesday 08 November 2011 commencing at 6.30 pm

Present

Mayor	K Marsh
Deputy Mayor	M Saliba
Councillor	H Stewart
Councillor	J Murray
Councillor	P Moran
Councillor	P Rankin

In attendance

General Manager	M Willis
Director City Outcomes	C McIntyre
Director Corporate Policy	L Furness
Director Shellharbour Enterprises	B Green
Group Manager Development & Technical Services	M Boenisch
Group Manager Corporate Services	T Gearon
Acting Group Manager Community Services & Development	N Williams
Manager Financial Services	P Henderson
Manager Executive Services / Public Officer	F MastroDomenico
Manager Development & Regulation Services	G Meredith
Media Officer	C Lewis
Executive Assistant	L Davey
Executive Assistant	D Arney

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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 Statement

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

2. Confirmation of Minutes

2.1 Ordinary Meeting 18 October 2011

221 RESOLVED: Saliba/Rankin

That the Minutes of the Ordinary Council Meeting held on 18 October 2011 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

2.2 Extraordinary Meeting 1 November 2011

222 RESOLVED: Murray/Saliba

That the Minutes of the Extraordinary Council Meeting held on 1 November 2011 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

3. Apologies / Leave of Absence

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An apology was tendered on behalf of Councillor Boyle

223 RESOLVED: Rankin/Saliba

That the apologies as tendered be accepted.

CARRIED UNANIMOUSLY

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4. Confidential Business (Committee of the Whole)

Nil

5. Pecuniary Interest and Conflict of Interest Declarations

Nil

6. Condolences

The Council acknowledged the following deaths in the Local Government area.

Mr Bennie Sheldon OAM	of	Albion Park
Mrs Elaine Marjorie Lord	of	Albion Park
Mrs Carman Joy Sheen	of	Albion Park Rail
Mrs Erminia (Ernie) Pickup	of	Albion Park Rail
Mrs Ivy May Hooper	of	Albion Park Rail
Mr Laurence (Laurie) Doonar	of	Albion Park Rail
Mr Robert Gordon (Bob) Bubb	of	Albion Park Rail
Mrs Elaine Morrison	formerly of	Albion Park Rail
Mr Jock (John) Taylor	of	Barrack Heights
Mr Ken Garrett	of	Barrack Heights
Mr Mark Medaris	of	Barrack Heights
Mr Don Ritchie	of	Barrack Point
Mr Francis (Frank) Cook	of	Barrack Point
Mrs Dulcie Vera Hunt	of	Lake Illawarra
Mrs Maria Zielinski	of	Oak Flats
Mr Otto Korinek	of	Oak Flats
Mrs Ruth Stanford	of	Oak Flats
Mrs Rhonda Philomena Davis	formerly of	Oak Flats

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Mr Terrance John Sheehan	of	Shellharbour
Mrs Marcia Calderwood	formerly of	Shellharbour
Mr Eric Mearing	of	Warilla
Mrs Joyce Campbell	of	Warilla
Mrs Judith Jean Rogers	of	Warilla
Mrs Violet Rudkin	formerly of	Warilla
Mr William (Bill) Steele	of	Warilla

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

7. Addresses to Council

Agenda Item No & Title	Name
10.2 Mayoral Minute: Applications for Membership to the Australian Local Government Women's Association (ALGWA) by Councillors and Staff	Sonya McKay
11.3.1 Proposed Review of all Licences to Operate Caravan Parks in the Shellharbour Local Government Area	Marie McCormick Barry Creary Margaret Woods Graham Arapali Patrick Walsh Sonya McKay
11.3.2 Acceptance of Grant Funding - Floodplain Risk Management Program for Horsley Creek, Elliott Lake / Little Lake and Macquarie Rivulet Catchments	Darrell White
11.3.4 Princes Highway Shared Use Path: Illawarra Highway to Airport Road Albion Park Rail	Sonya McKay

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During Ms Sonya McKay's address to the Council on Item 10.2, Cr Murray MOVED a POINT of ORDER that Ms McKay not make derogatory comments. The Mayor accepted this POINT of ORDER and requested that Ms McKay refrain from such comments.

During Ms Sonya McKay's address to the Council on Item 10.2, Cr Murray MOVED a further POINT of ORDER that Ms McKay speak to the topic. The Mayor accepted this POINT of ORDER and requested that Ms McKay stay on point.

During Ms Marie McCormick's address on Item 11.3.1, Cr Murray MOVED a MOTION that she be allowed an extension of time to finish her address.

225 RESOLVED: Murray/Rankin

That Ms Marie McCormick be allowed an extension of time to finish her address to the Council.

CARRIED UNANIMOUSLY

During Ms McKay's address to the Council on Item 11.3.1, Cr Saliba MOVED a POINT of ORDER that Ms McKay not make accusations and speak to the topic. The Mayor accepted the POINT of ORDER and requested that Ms McKay stay on point.

8. Mayor's Statements / Reports / Presentations

Nil

9. Councillors' Reports

9.1 Councillor Report: Local Government Association of NSW Annual Conference, 23-26 October 2011, Shoalhaven City (9605203)

226 RESOLVED: Saliba/Stewart

That this report be received and noted.

CARRIED UNANIMOUSLY

10. Mayoral Minutes

10.1 Mayoral Minute: Refugee Welcome Zone Declaration (9601307)

Cr Rankin MOVED a POINT of ORDER taking exception to the Mayor's wording during her address on this matter. The Mayor accepted the POINT of ORDER and rephrased her address.

MOTION: Rankin/Stewart

That this item be deferred to a future meeting for a further report to Council.

Cr Saliba FORESHADOWED a MOTION that should the motion be defeated she would be moving that the recommendation as printed in the business paper be adopted.

227 The MOTION on being PUT to the Meeting was CARRIED on the Mayor's casting vote.

FOR VOTE - Cr Murray, Cr Rankin, Cr Stewart
AGAINST VOTE - Cr Saliba, Cr Moran, Cr Marsh

10.2 Mayoral Minute: Applications for Membership to the Australian Local Government Women's Association (ALGWA) by Councillors and Staff (9603353)

228 RESOLVED: Saliba/Stewart

That Shellharbour City Council encourage and support any Councillor or member of staff who wishes to apply for membership or associate membership of the Australian Local Government Women's Association, including the payment of the annual fee.

CARRIED UNANIMOUSLY

11. Reports

229 RESOLVED: Rankin/Stewart

That standing orders be suspended to consider Item 11.3.1 as the first officer's report.

CARRIED UNANIMOUSLY

11.3 Corporate Policy Directorate

11.3.1 Proposed Review Of All Licences To Operate Caravan Parks In The Shellharbour Local Government Area (9589596)

230 RESOLVED: Saliba/Stewart

1. That the Council review all Licences to Operate Caravan Parks in the Shellharbour LGA.
2. That the Council endorse the continuation of preparing a strategy to address land use management issues associated with Caravan Parks in the Shellharbour LGA.
3. That the Council reiterate its offer to engage with Surf rider Caravan Park management and resident representatives and that this now includes all caravan parks on flood prone lands in the Shellharbour LGA.
4. That following completion of the draft strategy and receipt of further legal advice, this matter is reported back to the Council prior to March 2012.
5. That Council and staff work cooperatively with park managers and residents to ensure appropriate community inputs into the Floodplain Risk Management Study process and park licensing requirements.

CARRIED UNANIMOUSLY

231 RESOLVED: Saliba/Stewart

That the meeting recess for 5 minutes.

CARRIED UNANIMOUSLY

Meeting adjourned at 7.52 pm

Meeting resumed at 8.02 pm

11.1 General Manager

11.1.1 2010/2011 Annual Financial Statements (9597435)

232 RESOLVED: Murray/Saliba

That the 2010/2011 Annual Financial Statements be adopted.

CARRIED UNANIMOUSLY

11.1.2 Monthly Investment Report (9597449)

233 RESOLVED: Murray/Rankin

That Council receive and note the attached Investment Portfolio reports, as at 30 September 2011.

CARRIED UNANIMOUSLY

11.2 City Outcomes Directorate

Nil

11.3 Corporate Policy Directorate

11.3.2 Acceptance of Grant Funding - Floodplain Risk Management Program For Horsley Creek, Elliott Lake/Little Lake and Macquarie Rivulet Catchments (9593139)

234 RESOLVED: Moran/Saliba

1. That the Council endorse the acceptance of the NSW Government's funding offer of \$176,000 towards the Floodplain Risk Management Program, to conduct the Horsley Creek and Elliott Lake/Little Lake

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Floodplain Risk Management Studies and Draft Plans and the Macquarie Rivulet Flood Study.

2. That the Council allocate \$88,000 from the Floodplain Mapping budget to supplement available matching funds.
3. That the budget be amended accordingly.

CARRIED UNANIMOUSLY

11.3.3 2011/2012 Regional Roads Block Grant (9590103)

235 RESOLVED: Saliba/Stewart

1. That the Council endorse the Mayor's acceptance of the RTA's offer of \$183,000 for funding the 2011/2012 Regional Roads Block Grant.
2. That authority be given to execute all necessary documents, including use of the Council Seal as required, in relation to this grant.
3. That Council's budget be amended accordingly.

CARRIED UNANIMOUSLY

11.3.4 Princes Highway Shared Use Path:Illawarra Highway to Airport Road, Albion Park Rail

236 RESOLVED: Saliba/Rankin

1. That the Council endorse the acceptance of the RTA's funding offer of \$180,000 towards the installation of a shared use path connection on the Princes Highway, Albion Park Rail between the Illawarra Highway and Airport Road.
2. That the Council allocate \$33,000 from the Traffic Facilities budget to supplement available matching funds.
3. That the budget be amended accordingly.

CARRIED UNANIMOUSLY

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11.3.5 Shop 134b Lamerton House: Proposed renewal of lease agreement - Hearsol Pty Ltd T/As Active Hearing Solutions (9592367)

237 RESOLVED: Moran/Rankin

1. That Council renew the lease agreement with Hearsol Pty Ltd trading as Active Hearing Solutions for a period of four (4) years with a four (4) year option at an annual rental of \$34,277.28 plus GST to be increased annually by CPI plus 1.5% with a market rent review prior to the option period being exercised;
2. That the Mayor and General Manager or his delegate be authorised to execute all documents associated with the lease agreement including the lease agreement following the exercise of the option, under Council Seal.
3. That Council officers investigate the cost of separate metering of both water and electricity for all shops on the lower ground floor.

CARRIED UNANIMOUSLY

11.4 Shellharbour Enterprises Directorate

Nil

12. Committee Recommendations

Nil

13. Items for Information

Nil

14. Notices of Rescission/Alteration Motions

Nil

15. Notices of Motion

Nil

16. Questions on Notice (must be submitted in writing)

Nil

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17. Urgent Business

Nil

18. Committee of the Whole in Closed Session: Adjournment

Nil

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

Nil

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

Nil

Meeting closed 8.32 pm