

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 13 December 2011

**Minutes of the Ordinary Meeting
of Shellharbour City Council
held at the Council Chambers, Council Administration Centre
Shellharbour City Centre
on Tuesday 13 December 2011 commencing at 6.30 pm**

Present

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

In attendance

General Manager	M Willis
Director of City Outcomes	C McIntyre
Director Corporate Policy	L Furness
Director Shellharbour Enterprises	B Green
Group Manager Finance	T Gearon
Group Manager Customer & Environmental Services	G Standen
Group Manager Infrastructure Services	M Boenisch
Manager Executive Services / Public Officer	F MastroDomenico
Manager Environment & Recreation	M Fields
Media Officer	C Lewis
Executive Assistant	L Davey
Executive Assistant	D Arney
Executive Assistant	T Mattila

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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 29 November 2011

253 RESOLVED: Stewart/Rankin

That the Minutes of the Ordinary Council Meeting held on 29 November 2011 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

3. Apologies / Leave of Absence

Nil

4. Confidential Business (Committee of the Whole)

Nil

5. Pecuniary Interest and Conflict of Interest Declarations

Note: Councillors who declare a Pecuniary Interest at the Council Meeting are also required to complete a Pecuniary Interest Declaration form.

Councillor Saliba: Item 11.2.1 Small Environment Projects Fund 2011/12

Nature of Interest: Cr Saliba declared a non-pecuniary interest in this item as her children attend a school named in the report.

Councillor Rankin: Item 11.2.1 Small Environment Projects Fund 2011/12

Nature of Interest: Cr Rankin declared a non-pecuniary interest in this item as his children attend a school named in the report.

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Carey McIntyre -

Director City Outcomes: Item 11.2.1 Small Environment Projects Fund 2011/12

Nature of Interest: Carey McIntyre declared a non-pecuniary interest in this item as his wife recently resigned from Shellharbour Anglican College and he is intending to send his son to the College in 2012.

6. Condolences

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

Mr Grahame William Bartlett	of	Albion Park
Mrs Edith Joan Boyle (Nee Crawford)	of	Albion Park Rail
Mr Istvan Vizi	of	Barrack Heights
Mr Bob Webber	of	Flinders
Mr Joseph Terho Korte	formerly of	Mt Warrigal
Mrs Lorna Grace Benedetti	formerly of	Mt Warrigal
Mr Donald Bede Simpson	of	Oak Flats
Mr Barry Ian Fletcher	of	Shellharbour
Mr Ron Woodhouse	of	Warilla
Mr George Greenwood	formerly of	Warilla

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

7. Addresses to Council

Agenda Item No & Title	Name
15.1 Notice of Motion Submitted by Councillor Peter Moran re: Child Care during Council Meetings (9627066)	Sonya McKay

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During Ms McKay's address, Cr Rankin MOVED a POINT of ORDER that she 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

Nil

10. Mayoral Minutes

10.1 Mayoral Minute: Local Government Remuneration Tribunal call for Submissions (9626734)

255 RESOLVED: Rankin/Saliba

1. That Council in consultation with the Mayor and Councillors, make its submission to the Local Government Remuneration Tribunal on the fees payable to Councillors and Mayors, no later than 1 February 2012.
2. Further, that suggested matters to be included in the response include:
 - (a) reduction in Councillor numbers from 13 to 7;
 - (b) same representation on committees;
 - (c) no wards;
 - (d) categories;
 - (e) city status.

CARRIED UNANIMOUSLY

10.2 Mayoral Minute: Support for Wollongong City Council's commitment to ruling out Coal Seam Gas (CSG) mining in the Sydney and Illawarra Water Supply Catchments (9626434)

256 RESOLVED: Moran/Rankin

That Shellharbour City Council support Wollongong City Council's position on Coal Seam Gas mining, in that:

1. Council express its concerns that the short term and long term environmental impacts of Coal Seam Gas (CSG) activities are not well understood, at either a State-wide or regional level.
2. Council acknowledges that there is widespread local community concern about and opposition to CSG in the Illawarra.
3. Council urges the State Government to rule out CSG activities in water catchment areas and agricultural lands in the City of Wollongong, and other surrounding local government areas and anywhere in Shellharbour Local Government area which could potentially impact on inflows into Lake Illawarra.

CARRIED UNANIMOUSLY

11. Reports

11.1 General Manager

Nil

11.2 City Outcomes Directorate

11.2.1 Small Environment Projects Fund 2011/2012 (9615781)

257 RESOLVED: Saliba/Rankin

1. That the Council approve the following four grant applications and amend the budget accordingly.
 - Oak Flats Primary School - Natural area restoration and biodiversity corridor extension project \$2,368
 - Oakey Creek BushCare - Oakey Creek bird and frog habitat revegetation project \$2,994

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- Shellharbour Anglican College - Creation and maintenance of a junior school sustainable veggie garden \$3,090
 - Lake Illawarra High School - Doing the job, spreading the word \$1,548
2. That the Council decline applications from Illawarra Birders, Corpus Christi Catholic High School, Stella Maris Catholic Primary School, Wallaroo Children's Centre, Warilla Occasional Care Children's Centre, St Josephs High School and Albion Park Primary School. These projects received lower scores in the assessment matrix and after funding the four highest scoring applications there was insufficient funds remaining to fund these applications.
 3. That Council provide the unsuccessful applicants with constructive feedback in relation to their application.

Following considerable discussion, Cr Murray moved a POINT of ORDER that the Motion before the meeting be put. The Mayor accepted that POINT of ORDER.

CARRIED UNANIMOUSLY

MOTION: Saliba/Stewart

That three Councillors be nominated as members of an Environmental Working Party.

258 The MOTION on being PUT to the Meeting was LOST 3/4

FOR VOTE - Cr Saliba, Cr Rankin, Cr Stewart

AGAINST VOTE - Cr Boyle, Cr Moran, Cr Murray, Cr Marsh

11.3 Corporate Policy Directorate

11.3.1 Progress on The Shellharbour City Hub (9627156)

259 RESOLVED: Murray/Rankin

That the Council receive and note this report.

CARRIED 5/2

FOR VOTE - Cr Boyle, Cr Saliba, Cr Murray, Cr Rankin, Cr Marsh

AGAINST VOTE - Cr Moran, Cr Stewart

11.3.2 Tender No. 2011/19 - Croom Regional Sporting Complex Stormwater Harvesting Project (9617033)

260 RESOLVED: Saliba/Boyle

1. That in accordance with Clause 178(a) of the *Local Government (General) Regulation 2005*, the Council decline to accept any of the tenders received and to cancel the proposal for the contract.
2. That the Council arrange for the return of unspent grant funds to the Office of Environment and Heritage (OEH).

CARRIED UNANIMOUSLY

11.3.3 Proposed Licence Agreement with AML Fitness Pty Ltd Trading As Anytime Fitness (Shellharbour, NSW): City Park, Shellharbour City Centre (9614100)

261 RESOLVED: Saliba/Boyle

1. That Council commence the formal process, including advertising and public exhibition, to enter into a licence agreement with AML Fitness Pty Ltd trading as Anytime Fitness (Shellharbour, NSW) for a period of 12 months;
2. That provided no objections are received, Council enter into a 12 month licence agreement with AML Fitness Pty Ltd trading as Anytime Fitness (Shellharbour, NSW) for the use and occupation of the approved section of City Park, at an annual rental of \$2,200.00 plus GST with annual CPI increases with a maximum of 25 participants per session. The hours of operation are to be limited to Mondays to Thursdays, 6.00 am to 8.00 am and 5.00 pm to 7.00 pm Mondays to Saturdays.

CARRIED UNANIMOUSLY

11.3.4 Proposed Licence Agreement with Osborne Health & Fitness: Strong Reserve, Warilla (9613122)

262 RESOLVED: Boyle/Murray

1. That Council commence the formal process, including advertising and public exhibition, to enter into a licence agreement with Osborne Health & Fitness for a period of 12 months;
2. That provided no objections are received, Council enter into a 12 month licence agreement with Osborne Health & Fitness for the use and occupation of the approved section of Strong Reserve, at an annual rental of \$1,500.00 plus GST with annual CPI increases. The hours of operation are to be limited to Mondays to Thursdays, 6.00 am to 6.00 pm during non-daylight savings times and 6.00 am to 7.00 pm during daylight savings times, Fridays 6.00 am to 5.00 pm and Saturdays during winter only from 7.30 am to 8.30 am.

CARRIED UNANIMOUSLY

11.3.5 Proposed Licence Agreement with Craft Warehouse Pty Ltd Trading As Jetts Fitness Shellharbour: City Park, Minga Avenue, Shellharbour City Centre

263 RESOLVED: Saliba/Rankin

1. That Council commence the formal process to enter into a twelve month licence agreement with Craft Warehouse Pty Ltd trading as Jetts Fitness Shellharbour, including advertising and exhibition of the proposal.
2. That provided no objections are received, Council enter into a twelve month licence agreement with Craft Warehouse Pty Ltd trading as Jetts Fitness Shellharbour for the use and occupation of part of City Park, at an annual rental of \$1,500.00 plus GST with annual CPI increases with the maximum of 12 participants per session. The hours of operation are to be limited to 6.00 am to 6.00 pm Mondays to Saturdays in non-daylight savings times and 6.00 am to 7.00 pm in daylight savings times. Activities are to be prohibited on ANZAC Day, Remembrance Day and any other day where memorial events are to be held at the Park.

CARRIED UNANIMOUSLY

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11.4 Shellharbour Enterprises Directorate

Nil

12. Committee Recommendations

12.1 Recommendations from the Disabilities Services Advisory Committee Meeting held 30 November 2011 recommended for adoption.

264 RESOLVED: Saliba/Stewart

That the Recommendations from the Disabilities Services Advisory Committee Meeting held of 30 November 2011 be adopted.

CARRIED UNANIMOUSLY

13. Items for Information

Nil

14. Notices of Rescission/Alteration Motions

Nil

15. Notices of Motion

15.1 Notice of Motion Submitted by Councillor Peter Moran re: Child Care during Council Meetings (9627066)

265 RESOLVED: Moran/Saliba

1. That council officers prepare a report into the feasibility of providing appropriate child care for the children of Councillors, Council staff and members of the public attending ordinary and extraordinary meetings of this Council.

2. That such a report be presented to Council when completed.

Cr Murray MOVED a POINT of ORDER that discussion should remain on the issue. The Mayor accepted the POINT of ORDER.

CARRIED UNANIMOUSLY

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

Nil

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 7.45 pm