

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 20 March 2012

**Minutes of the Ordinary Meeting
of Shellharbour City Council
held at the Council Chambers, Council Administration Centre
Shellharbour City Centre
on Tuesday 20 March 2012 commencing at 6.30 pm**

Present

Mayor	K Marsh
Deputy Mayor	M Saliba
Councillor	D Boyle
Councillor	H Stewart
Councillor	J Murray
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 City Strategy	G Hoynes
Group Manager Finance	T Gearon
Group Manager Infrastructure Services	M Boenisch
Group Manager City Development	G Meredith
Shell Cove Commercial Manager	K James
Manager Property	D Flanagan
Senior Subdivision & Development Engineer	M Davis
Executive Assistant	L Davey
Executive Assistant	D Arney
Executive Assistant	T Mattila
Property Officer	M Scozzafava
Trainee Environmental Engineer	S Boon

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 28 February 2012

46 RESOLVED: Saliba/Stewart

That the Minutes of the Ordinary Council Meeting held on 28 February 2012 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 Moran

47 RESOLVED: Saliba/Stewart.

That the apologies as tendered be accepted.

CARRIED UNANIMOUSLY

The General Manager advised he had received a request from Cr Moran that he be granted a Leave of Absence for this Council Meeting and the Council Meeting on 3 April 2012.

48 RESOLVED: Saliba/Stewart.

That Cr Moran be granted a Leave of Absence for this Meeting and the Council Meeting on 3 April 2012.

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.

Mrs Everdina Vossen	of	Albion Park
Mr Francis Dorans	formerly of	Albion Park
Mrs Joan McInerney	of	Albion Park
Mrs Sylvi Kuntsi	of	Albion Park Rail
Mr Frederick James Pepper	of	Barrack Heights
Mr Victor Cassar	of	Barrack Heights
Mr Jim Poland	of	Blackbutt
Mrs Marjorie Jean Harvey	of	Lake South
Mr Andrew Mark Vaughan	of	Oak Flats
Mrs Catherine Lorraine Staunton	of	Oak Flats
Mrs Debra McGuiggan	of	Oak Flats
Mrs Doreen Isobel Marshall (Gargett)	formerly of	Oak Flats
Mr Leo Hezemans	of	Oak Flats
Mr Donald George Asquith	of	Shellharbour
Mrs Helen Kollias	of	Shellharbour
Mr Robert Hedley Bruce Jordan	of	Shellharbour
Mr Thomas Andrew Duncan	formerly of	Shellharbour
Mr Graham Stanley Gibbons	of	Warilla

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The Mayor also noted the passing of Councillor Shane Read of Wollondilly Shire Council and extended Council's condolences to his family and Council colleagues.

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

7. Addresses to Council

Agenda Item No & Title	Name
11.3.1 NSW Local Infrastructure Renewal Scheme (9671525)	Sonya McKay
11.3.3 Rotorfix Pty Ltd Assignment of Lease to Touchdown Helicopters Pty Ltd at Lot 1 DP 1092398, Airport Road, Albion Park Rail (9672319)	Sonya McKay
11.4.1 Shell Cove Quarterly Report (9670219)	Sonya McKay

- 50 RESOLVED: Stewart/Saliba

That standing orders be suspended in order for Items 11.3.1, 11.3.3 and 11.4.1, the subject of Addresses to Council, to be considered here in the agenda.

CARRIED UNANIMOUSLY

11. Reports

11.3 Corporate Policy Directorate

11.3.1 NSW Local Infrastructure Renewal Scheme (9671525)

- 51 RESOLVED: Murray/Saliba

1. That Council note the priority attached to asset renewal
2. That Council approve the submission of an application to the Division of Local Government for a 4% loan interest subsidy for a \$3 million program of priority road renewal and repair projects as listed in the Asset Improvement Program.

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3. That a revised Asset Improvement Program be reported to Council, if the Division of Local Government approve Council's application for a loan interest subsidy.

CARRIED UNANIMOUSLY

11.3.3 Rotorfix Pty Ltd Assignment of Lease to Touchdown Helicopters Pty Ltd at Lot 1 DP 1092398, Airport Road, Albion Park Rail (9672319)

52 RESOLVED: Rankin/Saliba

1. That Council agree to allow Rotorfix Pty Ltd (ACN 133 974 106) to assign its interest in the lease between Shellharbour City Council and Rotorfix Pty Ltd to Touchdown Helicopters Pty Ltd (ACN 121 785 233).
2. That the Mayor and General Manager be authorised to execute documentation related to this lease assignment under Council seal.

CARRIED UNANIMOUSLY

11.4 Shellharbour Enterprises Directorate

11.4.1 Shell Cove Quarterly Report (9670219)

53 RESOLVED: Murray/Boyle

1. That the quarterly report for the period from 21 November 2011 to 11 March 2012 for the Shell Cove Project be received and noted.
2. That Council authorise the Mayor and General Manager (or his delegate - Public Officer) to execute the Subdivision Plan and 88B Instrument for the subdivision of Lot 206 DP 857030 and Lot 8251 DP 1153225, and any documents associated with the sale (including the Transfers) of proposed lots 1201 to 1238 (Stage 10D1), under Council Seal.

CARRIED UNANIMOUSLY

8. Mayor's Statements / Reports / Presentations

The Mayor read a statement to the Council, advising that the Minister for Police and Emergency Services has announced that Shellharbour City Local Government Area has been declared a Natural Disaster following recent flooding and storm events. She thanked the NSW Government for including Shellharbour in the declarations and the Member for Kiama, Gareth Ward for his advocacy in this matter. She also thanked the

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SES for their tireless efforts and acknowledged Council staff member, Mick Dee for his assistance.

9. Councillors' Reports

Nil

10. Mayoral Minutes

54 RESOLVED: Marsh/Murray

That Council write to the NSW Premier, Deputy Premier, Minister for Trade & Investment and Minister for Finance & Services in support of IRIS and urge the NSW Government to immediately reinstate its annual grant to IRIS of \$150K.

CARRIED UNANIMOUSLY

11. Reports

11.1 General Manager

11.1.1 National General Assembly of Local Government: 17 - 20 June 2012 (9674932)

55 RESOLVED: Saliba/Rankin

1. That any Councillor wishing to attend the National General Assembly of Local Government advise the Executive Services office by no later than 20 April 2012.
2. That any Councillor with a proposed motion to the National General Assembly of Local Government, submit this to the General Manager by no later than 27 March 2012, to allow sufficient time for Council staff to investigate the matter, prepare the motion and report back to the 24 April Council Meeting.

CARRIED UNANIMOUSLY

11.2 City Outcomes Directorate

11.2.1 DA No. 203/2007 - Proposed Harbour Boulevarde (North), Associated Intersection Works & Six Lot Subdivision At Various Lots, Wattle Road, Addison Street & Shellharbour Road, Shell Cove & Shellharbour (9658088)

56 RESOLVED: Murray/Boyle

1. That the Council adopt the recommendation of the Independent Development Assessment Panel and approve Development Application No. 203/2007 for Proposed Harbour Boulevarde (North), Associated Intersection Works & Six Lot Subdivision at Lot 74, DP 229374, Lot B, DP 420074, Lot 8250, DP 1153225, Lot 2, DP 109304 & Lot 82, DP 729172, Wattle Road, Addison Street & Shellharbour Road, Shell Cove & Shellharbour under Section 80 of the Environmental Planning & Assessment Act, 1979, as amended, subject to the conditions in this report.
2. Further, that Condition G4 be amended to read that "Monitoring of vehicular movements must commence within one year of the opening of Harbour Boulevarde and be conducted annually thereafter".

CARRIED UNANIMOUSLY

11.3 Corporate Policy Directorate

11.3.1 NSW Local Infrastructure Renewal Scheme (9671525)

This item was considered following Addresses to Council (refer to Resolution No. 51)

11.3.4 Proposed Licence to Hockey NSW Limited: Croom Regional Sporting Complex, Lot 7 DP 1038941 Croome Road, Croom (9676921)

57 RESOLVED: Murray/Rankin

1. That Council enter into an interim licence agreement for a period of up to six (6) months with NSW Hockey Ltd for the use and occupation of the hockey fields located on Lot 7 DP 1038941, Croom Regional Sporting Complex, Croome Road, Croom for the amount of \$12,500 per quarter.
2. That the General Manager and Mayor be authorised to execute the Licence Agreement, under Council Seal.

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CARRIED UNANIMOUSLY

11.3.2 Proposed Lease Agreement for Outdoor Plaza Dining Area over Part Lot 8 DP 1072916 Memorial Drive and Bimbala Place Shellharbour City Centre (9668965)

58 RESOLVED: Saliba/Rankin

1. That Council commence the formal process of advertising the lease agreement terms for a period of twenty-eight (28) days.
2. After the twenty-eight (28) days should no objections be received, Council enter into a Lease Agreement with Errol Nominees Pty Limited involving 125m² of community land for an amount of \$6700 GST Exclusive for a term of twelve (12) months.
3. That the Mayor and General Manager be authorised to execute documentation related to this lease agreement under Council Seal.

CARRIED UNANIMOUSLY

11.3.3 Rotorfix Pty Ltd Assignment of Lease to Touchdown Helicopters Pty Ltd at Lot 1 DP 1092398, Airport Road, Albion Park Rail (9672319)

This item was considered following Addresses to Council (refer to Resolution No. 52)

11.3.4 Proposed Licence to Hockey NSW Limited: Croom Regional Sporting Complex, Lot 7 DP 1038941 Croome Road, Croom (9676921)

This item was considered before Item 11.3.2 (refer to resolution No. 57)

11.4 Shellharbour Enterprises Directorate

11.4.1 Shell Cove Quarterly Report (9670219)

This item was considered following Addresses to Council (refer to Resolution No. 53)

12. Committee Recommendations

Nil

13. Items for Information

The General Manager addressed the Council with regard to the Notice of Motion moved by Cr Moran at the Council Meeting held on 29 November 2011. He advised that advice had now been received from the Division of Local Government and it will be reported back to Council when Cr Moran returns from his Leave of Absence.

14. Notices of Rescission/Alteration Motions

Nil

15. Notices of Motion

Nil

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

Nil

17. Urgent Business

Cr Saliba: Addressed the Council, noting the recent celebrations for International Women's Day. Cr Saliba recognised the commitment and dedication of Council's female staff members, in particular congratulating Council's Aboriginal Community Liaison Officer, Veronica Bird on receiving the Rural and Regional Women in Local Government Award which was presented by the Hon Prue Goward, NSW Minister for Women.

Cr Marsh: Addressed the Council on the successful launch of Seniors Week, thanking the staff involved in organising the functions and events that took place.

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

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

Nil

Meeting closed 7.26 pm