

# **SHELLHARBOUR CITY COUNCIL**

Ordinary Council Meeting - Tuesday 05 February 2013

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**Minutes of the Ordinary Meeting  
of Shellharbour City Council  
held at the Council Chambers, Council Administration Centre  
Shellharbour City Centre  
on Tuesday 05 February 2013 commencing at 6.32 pm**

## **Present**

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

## **In attendance**

General Manager	M Willis
Director City Outcomes	C McIntyre
Director Corporate Policy	L Furness
Director Shellharbour Enterprises	B Green
Group Manager Finance	T Gearon
Group Manager Infrastructure Services	M Boenisch
Group Manager City Development	G Meredith
Executive Manager / Public Officer	F MastroDomenico
Manager, Assets and Projects	G Standen
Manager, Environment and Recreation	M Fields
Safer Communities Coordinator	M M Smith
Media Officer	C Lewis
Senior Executive Assistant	L Davey
Council Liaison Officer	J Frasca

**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 11 December 2012**

1 RESOLVED: Rankin/Marsh

That the Minutes of the Ordinary Council Meeting held on 11 December 2012 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

**3. Apologies / Leave of Absence**

An apology was tendered on behalf of Councillor Murray

**4. Confidential Business (Committee of the Whole)**

Nil

**5. Pecuniary Interest and Conflict of Interest Declarations**

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

**Director City Outcomes:** Item 11.2.2. Grant Funding Offer for Growing Minds Greening Communities Program

**Nature of Interest:** The Director City Outcomes declared a pecuniary interest for this item as he is a part owner of a child care centre in Albion Park Rail.

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### 6. Condolences

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

The Mayor acknowledged the passing of the Former Mayor and Councillor Mr David Hamilton of Oak Flats who passed away Saturday 12 January.

Mr Franc Turski		of	Albion Park
Mr Malcolm Morrison		of	Albion Park
Mrs Dragoslava Vuckovic		of	Albion Park
Mrs Stacy Estcourt		of	Albion Park
Mrs Elsie May Rayner		of	Albion Park
Mr Kevin Douglas Young		of	Albion Park
Mrs Dorothy Gwendoline Harrison		of	Albion Park
Mr Trevor Pratt		of	Albion Park
Mr James Gray	formerly	of	Albion Park
Mrs Roslyn Julie Gamble		of	Albion Park Rail
Mr Darrell William Booth		of	Albion Park Rail
Mrs Ada Constance Wilson		of	Albion Park Rail
Mr Clifford Johnson		of	Albion Park Rail
Mr Roy John Crisp		of	Albion Park Rail
Mrs Laurel Isabel Chinnock		of	Albion Park Rail
Mr Robert George Whitely		of	Barrack Heights
Mr Peter Hall		of	Barrack Heights
Mr Clive Mason		of	Barrack Heights
Mr Thomas Hill		of	Barrack Heights
Mr Allan Orr		of	Blackbutt
Mr Alan Ross Dunbar		of	Flinders
Mr Douglas Bremner		of	Flinders
Mr Albert Whittaker		of	Lake Illawarra

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Mr Phillip Robert Watson	of	Lake Illawarra
Mr Edward Charles Dominic Shore	of	Lake Illawarra
Mrs Thelma Hall	of	Lake Illawarra
Mr Ernest Bain	of	Mt Warrigal
Mr Helmut Tausz	of	Oak Flats
Mr Kevin Boyland	of	Oak Flats
Mrs Petra Nadilo	of	Shell Cove
Mr Eris John Moase	of	Shellharbour
Mrs Lyn Fox	of	Shellharbour
Mrs Francisca Arce	of	Shellharbour
Mr Leo Colin Bush	of	Warilla
Mr Peter Baxter	of	Warilla
Mrs Ena Wells	of	Warilla
Mrs Francisca Gonzalez	of	Warilla
Mrs Betty Shimwell	of	Warilla
Mr Dean Cummins	of	Warilla
Mr Michael Martin	of	Warilla
Mr John Houston	of	Warilla
Mrs Kathleen Lillian Moore	of	Warilla
Mrs Jean Morrison McCall	of	Warilla
Mrs Josephine Iris Cox	of	Warilla
Mrs Etelka (Edith) Grgic	of	Warilla
Mrs Mary Saunders	formerly	of Warilla

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

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### 7. Addresses to Council

Agenda Item No & Title	Name
11.1.1 Submission on Independent Local Government Review Panel Paper on 'The Case for Sustainable Change' (9854083)	Sonya McKay

3 RESOLVED: Marsh/Moran

That Ms Sonya McKay be given an extension of time to conclude her Address to Council on Item 11.1.1

CARRIED UNANIMOUSLY

The Mayor stated that standing orders would not be suspended given that the item the subject of the address to council is the first report on the agenda.

### 8. Mayor's Statements / Reports / Presentations

The Mayor outlined the events she has attended since the last council meeting.

### 9. Councillors' Reports

Nil

### 10. Mayoral Minutes

Nil

### 11. Reports

#### 11.1 General Manager

In response to a question from Cr Moran regarding the Code of Conduct & Meeting Practice Policy requiring Councillors to stand when moving an item or addressing the Council, the Mayor stated that she is comfortable if councillors remain seated whilst addressing council, if that is their choice.

#### 11.1.1 Submission on Independent Local Government Review Panel Paper on 'The Case for Sustainable Change' (9854083)

4 RESOLVED: Moran/Stewart

That Cr Moran be given an extension of time during his address.

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5 RESOLVED: Moran/Marsh

1. That the report be received and noted
2. That the final submission to the Independent Local Government Review Panel be reported back to the next meeting of council for adoption.

CARRIED UNANIMOUSLY

### **Business Arising**

The Mayor requested the General Manager arrange a briefing for Councillors to discuss the Independent Local Government Review Panel Paper.

#### **11.1.2 Monthly Investment Reports November and December 2012 (9835734)**

6 RESOLVED: Marsh/Rankin

That Council receive and note the attached Investment Portfolio reports, as at 30 November 2012 and 31 December 2012.

CARRIED UNANIMOUSLY

#### **11.2 City Outcomes Directorate**

##### **11.2.1 Affixing Council Seal to the Delegation from Department of Fair Trading under the Plumbing & Drainage Act 2011 (9848082)**

7 RESOLVED: Marsh/Stewart

That the Mayor and General Manager or his nominated delegate be authorised to sign and execute under Council Seal the delegation from Department of Fair Trading under the *Plumbing & Drainage Act 2011*.

CARRIED UNANIMOUSLY

##### **11.2.2 Grant Funding Offer for Growing Minds Greening Communities Program (9852106)**

Note: The Director City Outcomes declared an interest in Item 11.2.2 and left the Chamber at 7.25pm whilst this matter was being considered.

8 RESOLVED: Marsh/Boyle

1. That the Council resolve to accept the grant funding of \$95,685 offered by the NSW Environment Trust to undertake the Growing Minds Greening Communities Program.
2. That the Budget be amended accordingly

CARRIED UNANIMOUSLY

The Director City Outcomes returned to the chamber at 7.28pm

**11.2.3 Establishment of Alcohol-Free & Prohibited Zones in Barrack Heights (9853230)**

Cr Marsh asked 'when will the signs be erected?' The Director City Outcomes took the question on notice, however he did clarify that the zone was effective from 26 January 2013.

9 RESOLVED: Marsh/Rankin

That the report be received and noted.

CARRIED UNANIMOUSLY

**11.3 Corporate Policy Directorate**

**11.3.1 Shellharbour City Hub - Outcomes of the Gateway Review and adjustment for the 2012/2013 project budget (9827826)**

Cr Stewart MOVED a POINT of ORDER and stated that Cr Marsh's comments were out of order. During further discussion Cr Marsh moved a POINT OF ORDER taking exception to Cr Stewart's comments.

The Mayor called the meeting to order and stated that she was not accepting either point of order and stated that she was just making it clear on a comment Cr Marsh made in her speech.

10 RESOLVED: Boyle/Saliba

1. That Council endorse the findings of the Gateway Review on the Final Business Case, and
2. The project budget for the 2012-2013 financial year be increased to \$400,000 from restricted funds for this project.

CARRIED 4/2

FOR VOTE - Cr Boyle, Cr Rankin, Cr Stewart, Cr Saliba

AGAINST VOTE - Cr Marsh, Cr Moran

#### **11.4 Shellharbour Enterprises Directorate**

##### **11.4.1 Proposed Partnership Agreement between Shellharbour City Council and NSW State Emergency Service (NSW SES) (9853153)**

11 RESOLVED: Marsh/Boyle

1. That Council endorse the Proposed Partnership Agreement with NSW SES as confirmation of the agreed mutual support under the SDRP funding arrangement.
2. That Council dispose of the three vehicles currently utilised by Shellharbour City SES through sale the NSW SES for the nominated amount of \$33,100.00 (combined amount for all three vehicles)
3. That the Mayor and General Manager, or his delegate, be authorised to sign the relevant documentation under Council Seal.

CARRIED UNANIMOUSLY

#### **12. Committee Recommendations**

##### **12.1 Recommendations from the Traffic Committee Meeting held 5 December 2012 recommended for adoption.**

12 RESOLVED: Stewart/Rankin

That the Recommendations from the Traffic Committee Meeting held 5 December 2012 be adopted.

CARRIED UNANIMOUSLY

##### **12.2 Recommendations from the Australia Day Committee Meeting held 5 December 2012 recommended for adoption.**

13 RESOLVED: Saliba/Rankin

That the Recommendations from the Australia Day Committee Meeting held 5 December 2012 be adopted.

CARRIED UNANIMOUSLY



**13. Items for Information**

**13.1 Response to Question on Notice submitted by Councillor Helen Stewart (9852122)**

Council received and noted this report

**13.2 Response to Question on Notice from Councillor Rankin (9855387)**

Council received and noted this report

**13.3 Response to Question on Notice submitted by Councillor Rankin: The Links Shell Cove (9857262)**

Council received and noted this report

**13.4 Naming of Council Assets - Report to Council (9855911)**

Council received and noted this report

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

Nil

**15. Notices of Motion**

**15.1 Notice of Motion submitted by Cr Paul Rankin: Dunmore Recycling & Waste Disposal Depot (9853622)**

14 RESOLVED: Rankin/Stewart

1. That the General Manager report to the Council on a 12 month trial period to be implemented allowing Shellharbour residents (only) free twice yearly access to the Dunmore the tip facility.
2. That a visible sticker on vehicle windscreens or a pass identifying Shellharbour residents. The pass to be valid for a 12 month period and not transferrable. Waste shall consist of household waste only. Disposable waste to be a limited to a car boot, single axle box trailer or utility. Excluded waste computers, televisions industrial waste or other materials covered under council's fees and charges policy.
3. That this report include other comparable options.

CARRIED UNANIMOUSLY

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

**16.1 Questions on Notice submitted by Councillor Peter Moran (9857458)**

**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 8.35pm**