

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 29 October 2013

**Minutes of the Ordinary Meeting
of Shellharbour City Council
held at the Council Chambers, Council Administration Centre
Shellharbour City Centre
on Tuesday 29 October 2013 commencing at 6.31 pm**

Present

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

In attendance

General Manager	M Willis
Director City Outcomes	C McIntyre
Director Corporate Policy	L Furness
Executive Manager / Public Officer	F MastroDomenico
Group Manager Corporate Strategy	M Boxall
Group Manager Finance	T Gearon
Group Manager City Strategy	G Hoynes
Group Manager City Development	G Meredith
Manager Assets & Projects	G Standen
Corporate Strategy Coordinator	S Colefax
Corporate Planning Accountant	M Ledwos
Assistant Financial Accountant	L Mason
Environment Officer	K Parker
Media Officer	C Lewis
Senior Executive Assistant (Minute Taker)	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 8 October 2013

334 RESOLVED: Marsh/Rankin

That the Minutes of the Ordinary Council Meeting held on 8 October 2013 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

2.2 Extraordinary Meeting 8 October 2013

335 RESOLVED: Marsh/Murray

That the Minutes of the Extraordinary Council Meeting held on 8 October 2013 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

2.3 Extraordinary Meeting 15 October 2013

336 RESOLVED: Marsh/Rankin

That the Minutes of the Extraordinary Council Meeting held on 15 October 2013 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

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2.4 Committee of the Whole Extraordinary Meeting 15 October 2013

337 RESOLVED: Rankin/Marsh

That the Minutes of the Committee of the Whole Extraordinary Council Meeting held on 15 October 2013 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

Nil

6. Condolences

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

Mrs Gwendoline Heeley	of	Albion Park
Mr Gordon Edward Smith	of	Albion Park
Mrs Elena Oliveira	of	Albion Park Rail
Mrs Mary Waring	of	Barrack Point
Mrs Mary Zammit	formerly of	Flinders
Mr Ronald Frank Parton	of	Lake South
Mr Frank Zingel	of	Oak Flats
Mr Ted Beauchamp	of	Oak Flats
Mr Brad Scott	formerly of	Oak Flats
Mrs Lydia Hustwayte	of	Warilla

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

7. Addresses to Council

Please note the following clauses from Council's Code of Meeting Practice:

13.3 Conduct of Addresses

13.3.1 *The duration of individual addresses is strictly limited to four minutes with no extensions permissible*

13.3.2 *Only the Chairperson is permitted to ask questions of any person addressing the Council*

Agenda Item No & Title	Name
11.1.1 Establishing a Business Unit Board (10031562)	Sonya McKay
11.2.1 Submission: Department of Planning & Infrastructure Discussion Paper - Illawarra over the next 20 Years (10026103)	Sonya McKay
11.2.2 Illawarra Regional Food Strategy (10014929)	Vanessa John (Wollongong City Council)
11.4.1 Shell Cove Project: Uncovered Aboriginal Artefacts (10009824)	Sonya McKay

During Ms McKay's address on Item 11.4.1, the Mayor asked that Ms McKay stop personally recording her address in accordance with the Code of Meeting Practice. Ms McKay declined to stop the recording and the Mayor requested an adjournment to enable this to occur.

Meeting adjourned at 6.54 pm

Meeting resumed at 6.57 pm

On resumption of the meeting, it was noted that Ms McKay was no longer in possession of her recording device and she was requested to continue her address.

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11.4.1 Shell Cove Project: Uncovered Aboriginal Artefacts (10009824)	Sonya McKay (continued)
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339 RESOLVED: Marsh/Boyle

That Standing Orders be suspended in order for Items 11.1.1, 11.2.1, 11.2.2, and 11.4.1, the subject of Addresses to Council, to be considered here in the agenda.

CARRIED UNANIMOUSLY

11.1.1 Establishing a Business Unit Board (10031562)

340 RESOLVED: Rankin/Boyle

1. That the Council endorse the proposed basis for establishing and appointing a Business Unit Board.
2. That the Mayor be appointed to the Business Unit Board selection panel.
3. That the activities of the board be reported to the Council as part of the Council's quarterly reporting process.
4. That applications be called for the appointment of two community representatives on the Illawarra Regional Airport Operations Working Party.

CARRIED 5/2

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

11.2.1 Submission: Department of Planning & Infrastructure Discussion Paper - Illawarra over the next 20 Years (10026103)

341 RESOLVED: Murray/Marsh

That Council endorse and submit to the NSW Department of Planning & Infrastructure the submission on the Discussion Paper - Illawarra over the next 20 Years, as contained in Attachment 1 to this report.

CARRIED UNANIMOUSLY

11.2.2 Illawarra Regional Food Strategy (10014929)

342 RESOLVED: Marsh/Murray

1. That Council adopt the 'Illawarra Regional Food Strategy' (Attachment 1) as a commitment to the principles of food security and local food system sustainability.
2. That Council note that an 'Illawarra Regional Food Strategy Action Plan' (Attachment 2) has been developed as an internal document that will provide the basis for selecting and resourcing actions and projects for Council's Delivery Program, consistent with the Shellharbour 2013-2023 Community Strategic Plan.

CARRIED UNANIMOUSLY

11.4.1 Shell Cove Project: Uncovered Aboriginal Artefacts (10009824)

343 RESOLVED: Murray/Rankin

That this report be received and noted.

CARRIED UNANIMOUSLY

344 RESOLVED: Marsh/Rankin

That standing orders be resumed.

CARRIED UNANIMOUSLY

Meeting adjourned at 7.36pm

Meeting resumed at 7.48pm

8. Mayor's Statements / Reports / Presentations

The Mayor outlined the appreciation she has received from members of the public for the staff involved in the completion of a path in Bateman Avenue, Albion Park Rail and for the Recreation staff involved with the local sporting groups.

The Mayor outlined her participation in the Highlights for Hope fundraising event. She also outlined the events she has attended since the last Council meeting.

9. Councillors' Reports

Councillor Stewart thanked relevant staff for their efforts for the Dogs Day Out event held on the weekend. Councillor Stewart also referred to her attendance at the recent Billy Cart Derby in Oak Flats with the Mayor, Councillor Rankin and Councillor Moran.

Councillor Rankin also spoke on the Billy Cart Derby and outlined the success of this event.

Councillor Stewart also handed to the Mayor USB sticks received from NSW Public Libraries.

9.1 NSW Local Government Aboriginal Network Conference, 7-9 August 2013 (10031470)

345 RESOLVED: Saliba/Murray

That Council receive and note the report.

CARRIED UNANIMOUSLY

10. Mayoral Minutes

Nil

11. Reports

11.1 General Manager

11.1.1 Establishing a Business Unit Board (10031562)

This item was considered following Addresses to Council (Refer to Resolution No. 340)

11.1.2 2012/13 Annual Report and Annual Financial Statements (10025315)

Warwick Shanks of KPMG, Council's External Auditor, addressed the Council in relation to the 2012/2013 Annual Financial Statements.

346 RESOLVED: Murray/Boyle

1. That the 2012/13 Annual Report be received and adopted.
2. That the 2012/13 Annual Financial Statements be adopted.

CARRIED UNANIMOUSLY

11.1.3 Monthly Investment Report - September 2013 (10025728)

347 RESOLVED: Marsh/Murray

That Council receive and note the attached Investment Portfolio report, as at 30 September 2013.

CARRIED UNANIMOUSLY

11.1.4 Executive Certificate for Elected Members (10029140)

348 RESOLVED: Murray/Boyle

That Council endorse Councillor Paul Rankin's participation in the Executive Certificate for Elected Members Accredited Training Program to be undertaken in Sydney in November 2013 at a cost of \$3,500.

CARRIED 5/2

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

11.2 City Outcomes Directorate

11.2.1 Submission: Department of Planning & Infrastructure Discussion Paper - Illawarra over the next 20 Years (10026103)

This item was considered following Addresses to Council (Refer to Resolution No. 341).

11.2.2 Illawarra Regional Food Strategy (10014929)

This item was considered following Addresses to Council (Refer to Resolution No. 342).

11.3 Corporate Policy Directorate

Nil

11.4 Shellharbour Enterprises Directorate

11.4.1 Shell Cove Project: Uncovered Aboriginal Artefacts (10009824)

This item was considered following Addresses to Council (Refer to Resolution No. 343).

12. Committee Recommendations

12.1 Recommendations from the Traffic Committee Meeting held 2 October 2013 recommended for adoption.

349 RESOLVED: Stewart/Marsh

That the Recommendations from the Traffic Committee Meeting held of 2 October 2013 be adopted.

CARRIED UNANIMOUSLY

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

17. Urgent Business

At Councillor Boyle's request, the Executive Manager/Public Officer provided clarification in relation to comments made by Ms McKay during her address to Council about the unavailability of a webcast from a previous meeting.

Councillor Moran referred to advice that has been received from the Division of Local Government in relation to the Code of Conduct Review Panel that appointees to the panel endorsed by Council should have been named individuals and not corporate entities. The General Manager stated that he will be giving consideration to the advice that has been received.

Councillor Stewart referred to the non attendance by Councillors at events and conferences where they had indicated they would be attending. The Mayor suggested that a report be presented to Council outlining the amount expended on Councillor attendances at conferences and events over the last 12 months and noting any non-attendance.

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 8.29 pm