

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 20 May 2014

**Minutes of the Ordinary Meeting
of Shellharbour City Council
held at the Council Chambers, Council Administration Centre
Shellharbour City Centre
on Tuesday 20 May 2014 commencing at 6.30 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	M Youell
Group Manager City Strategy	G Hoynes
Manager Property & Recreation	D Flanagan
Manager Financial Services	P Henderson
Manager Assets & Projects	G Standen
Manager Engineering Services	B Short
Executive Manager / Public Officer	F MastroDomenico
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 and Emergency Plan Statement

The Mayor read the usual advice regarding the webcasting of the meetings of the Council and the emergency plan for Council Meetings.

2. Confirmation of Minutes

2.1 Ordinary Meeting 29 April 2014

129 RESOLVED: Marsh/Rankin

That the Minutes of the Ordinary Council Meeting held on 29 April 2014 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

2.2 Extraordinary Meeting 13 May 2014

130 RESOLVED: Rankin/Marsh

That the Minutes of the Extraordinary Council Meeting held on 13 May 2014 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 Murray.

131 RESOLVED: Rankin/Boyle

That the apologies as tendered be accepted.

CARRIED UNANIMOUSLY

4. Confidential Business (Committee of the Whole)

Nil

5. Pecuniary Interest and Conflict of Interest Declarations

Nil

6. Condolences

Councillor Marsh expressed her condolences on the passing of Sir Jack Brabham.

Councillor Boyle and Councillor Stewart also expressed their condolences on the passing of Richard "Dicky" Hooper who had been a longstanding member of the Warilla Football Club.

Councillor Stewart also expressed her condolences on the passing of Mr Bernie Payne.

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

Mrs Anne Nolan	of	Albion Park
Mrs Frances Louise McSevney	of	Albion Park
Mr Kevin William Black	of	Albion Park
Mr William Francis Bosward	of	Albion Park
Mr George Campbell	of	Barrack Heights
Mrs Thelma Henry (Nee Brown)	of	Barrack Heights
Mr Keith Leslie Walker	of	Barrack Heights & Mt Warrigal
Mrs Bernice Mary Parsonage	of	Blackbutt
Mr Bruce Dalley	of	Lake Illawarra South
Mr Bernie Payne	of	Oak Flats
Mr Colin James Galbraith	of	Oak Flats
Mrs Bridget Sears	formerly of	Oak Flats
Mr Peter Nadilo	of	Shell Cove
Mrs Jean Thomas	of	Shellharbour

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Mr Robert Maxwell Hellmund	of	Shellharbour
Mrs Irene Silcock	of	Warilla
Mrs May Elizabeth Reynolds	of	Warilla
Mr Raymond Johnston	of	Warilla
Mr Robert Neville Robinson	of	Warilla

132 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 Third Quarter Review of Operational Plan	Sonya McKay

8. Mayor's Statements / Reports / Presentations

The Mayor outlined the events she has attended since the last Council Meeting.

The Mayor stated that at the RollerHawks Season Launch Council was presented with a photograph of the team and the Mayor presented it to the Council.

The Mayor referred to an email received from Wollongong City Council in relation to their plans to mark the 200 years of European settlement in the Illawarra. They have invited Shellharbour Council to participate and have asked for two representatives to be part of the Bicentenary Organising Reference Committee.

Business Arising

133 RESOLVED: Stewart/Boyle

That Councillor Marsh and Councillor Moran be nominated as the representatives to the Bicentenary Organising Reference Committee.

CARRIED UNANIMOUSLY

9. Councillors' Reports

Councillor Rankin stated that he represented the Mayor at the KidzWish Sponsors Dinner.

Councillor Marsh also referred to the Kidsfest Shellharbour event currently taking place.

10. Mayoral Minutes

Nil

11. Reports

11.1 General Manager

11.1.1 Third Quarter Review of the Operational Plan (10157765)

In relation to the amount reimbursed to Australand in relation to the Shell Cove sportsfields, Councillor Moran asked if Council is aware of what the total amount to be reimbursed to Australand will be and will there be any reduction due to the fact that much of the fill used on this site was potential acid sulphate soils excavated from the Boatharbour Project and Australand would have had to pay to dispose of it elsewhere if it had not been put into this particular sporting facility. The Director Corporate Policy took the Question on Notice.

Councillor Marsh stated that she has become aware that the site of the Shellharbour Beachside Tourist Park was a former burial ground and asked when did Council take ownership of the Tourist Park and what happened to the people who were laid to rest there. The General Manager took the Question on Notice.

134 RESOLVED: Rankin/Boyle

1. That the Third Quarterly Review of the Operational Plan 2013/14 for the quarter ended 31 March 2014 be received and endorsed.
2. That Council adopt the March 2014 Quarter Budget Review with all recommended adjustments as contained in this report and attachments.

CARRIED 5/1

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

11.2 City Outcomes Directorate

11.2.1 Draft Planning Agreement - 7 Munmorah Circuit, Flinders (10158383)

135 RESOLVED: Marsh/Rankin

That Council:

1. Adopt the draft 7 Munmorah Circuit, Flinders Planning Agreement, as contained in Attachment 1, and place it on public exhibition for a minimum of 28 days.
2. Delegate authority to the General Manager to make minor and/or inconsequential changes to the draft 7 Munmorah Circuit, Flinders Planning Agreement.
3. Delegate to the Mayor and General Manager the authority to sign and enter into the Planning Agreement for 7 Munmorah Circuit, Flinders subject to no submissions being received as a result of the public exhibition.
4. Require the draft 7 Munmorah Circuit, Flinders Planning Agreement to be reported back to Council if submissions are received as a result of the public exhibition.

CARRIED UNANIMOUSLY

11.3 Corporate Policy Directorate

11.3.1 Update on Council's Floodplain Management Program (10156191)

136 RESOLVED: Marsh/Moran

That this report be received and noted.

CARRIED UNANIMOUSLY

11.3.2 Tender 2014/05 - Yovelton House Restoration Project (10155756)

137 RESOLVED: Rankin/Moran

That Council:

1. In accordance with Section 178 of the *Local Government (General) Regulation (2005)*, Council enter into a contract (Contract 2014/05) with Project Coordination (Australia) Pty Ltd for the tender sum of \$185,010 in accordance with Tender Document 2014/05.
2. Delegate to the Director Corporate Policy the authority to sign the Letter of Award to the Contractor on behalf of Shellharbour City Council.
3. That an additional \$102,500 be allocated from the Asset Improvement Program 2014/2015 budget to this project.

CARRIED UNANIMOUSLY

11.3.3 Rental of Property at Lot 501, DP 1172971, Smith Avenue, Albion Park (10156565)

138 RESOLVED: Boyle/Marsh

That Council pay to Mr Terry Gallagher an amount of \$25,930.21 as full payment for the rental for the occupation of Lot 501 in Deposited Plan 1172971, Smith Avenue Albion Park Rail from the period of 1 January 1999 – 16 January 2014 during which Mr Terry Gallagher was the landowner and Council occupied the land.

CARRIED UNANIMOUSLY

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11.4 Shellharbour Enterprises Directorate

Nil

12. Committee Recommendations

12.1 Recommendations from the Aboriginal Advisory Committee Meeting held 6 May 2014 recommended for adoption.

139 RESOLVED: Marsh/Boyle

That the Recommendations from the Aboriginal Advisory Committee Meeting held of 6 May 2014 be adopted.

CARRIED UNANIMOUSLY

12.2 Recommendations from the Traffic Committee Meeting held 7 May 2014 recommended for adoption.

140 RESOLVED: Stewart/Rankin

That the Recommendations from the Traffic Committee Meeting held of 7 May 2014 be adopted.

CARRIED UNANIMOUSLY

13. Items for Information

13.1 Response to Questions on Notice submitted by Cr Kellie Marsh: Horse Stables at Albion Park Showground (10130933)

13.2 Response to Questions on Notice submitted by Cr Kellie Marsh: Submissions Received in relation to Special Rate Variation (10161965)

That the Items for Information be formally noted.

14. Notices of Rescission/Alteration Motions

Nil

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15. Notices of Motion

Nil

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

16.1 Question on Notice submitted by Cr Peter Moran: HARS (10162466)

17. Urgent Business

Councillor Stewart asked a question in relation to the Companion Animals Management Plan and the Mayor stated that she would not accept the question as she did not consider it urgent business.

Councillor Moran stated that he would like to raise an item of urgent business. He stated that given the staff restructure currently underway and the potential impacts on Bass Point and Blackbutt Reserves, he requested that Council Officers provide a written report to Councillors at their very earliest convenience on what the potential impacts of the reduction in Ranger services will be. The Mayor accepted the item of urgent business and stated that she will ensure that a report is prepared.

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

At the conclusion of the meeting, the Mayor welcomed to Council the new Director Shellharbour Enterprises Matt Youell.

Meeting closed 7.25 pm