

AGENDA

1. Acknowledgement to Country	2
2. Apologies / Leave of Absence	2
3. Confidential Business (Committee of the Whole)	2
4. Pecuniary Interest and Conflict of Interest Declarations.....	2
5. Notice of Rescission Motion	3
5.1 Notice of Rescission Motion relating to the Sale of the Former Council Chambers and Administration Centre, 162 Shellharbour Road, Warilla and adjoining lot, 4 Lake Entrance Road, Warilla - submitted by Crs Marsh, Moran and Stewart	3
6. Committee of the Whole in Closed Session: Adjournment.....	8
7. Committee of the Whole: Consideration of Adoption of Decisions Reached in Closed Session	8

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 Comment

The public gallery should note that Council records and webcasts its Council Meetings live to enhance the accessibility of Council Meetings to the broader Shellharbour City Community.

Council Meetings can now be viewed live via webcast, downloaded from Council's website for later viewing, or purchased from Council for viewing on a computer.

Please ensure that mobile phones and other electronic devices are turned off or are in silent mode for the duration of the meeting.

2. Apologies / Leave of Absence

3. Confidential Business (Committee of the Whole)

4. Pecuniary Interest and Conflict of Interest Declarations

5. Notice of Rescission Motion

5.1 Notice of Rescission Motion relating to the Sale of the Former Council Chambers and Administration Centre, 162 Shellharbour Road, Warilla and adjoining lot, 4 Lake Entrance Road, Warilla - submitted by Crs Marsh, Moran and Stewart



Notice of Rescission Motion / Notice of Alternative Motion

I/We the undersigned give notice ^{an Extra} that at the Ordinary meeting of the Council to be held on ^{within 14 days}....., the following rescission motion will be moved:

Rescission Motion:

"That Minute No. Or the decision in respect of Item No. 4.1..... of the Ordinary Meeting of the Council held on 12.8.14 be rescinded."

The resolution proposed to be rescinded reads as follows:

see attached

SIGNED BY: (minimum three Councillors if rescinded item less than 3 months old) (Local Govt. Act S.372)

1) Signed: Kelcie Marsh Name: KELCIE MARSH Date: 22/08/2014

2) Signed: Peter Moran Name: PETER MORAN Date: 22/08/2014

3) Signed: Helen Stewart Name: HELEN STEWART Date: 22.8.14

NOTE:
Notice to Rescind a Resolution and Notice of an Alternative Motion must be with the General Manager by 10:00am on the Monday of the week preceding the Council meeting.
(Code of Meeting Practice and General Regulation)

NOTICE - OF ALTERNATIVE MOTION: Moved by Councillor:

That:

19. Committee of the Whole: Consideration of Adoption of Decisions Reached in Closed Session

The following Recommendations to Council from the Committee of the Whole Council (confidential) were read to the Meeting

4.1 Sale of the Former Council Chambers and Administration Centre, 162 Shellharbour Road, Warilla and adjoining lot, 4 Lake Entrance Road, Warilla (10218622)

This is page 16 of the Minutes of the Ordinary Meeting of the Council of the City of Shellharbour held Tuesday 12 August 2014

SHELLHARBOUR CITY COUNCILOrdinary Council Meeting - Tuesday 12 August 2014

COMMITTEE RECOMMENDATION:

1. That Council enter into a contract for sale of Lot 51 DP 1198755 formally known as Lot 2 DP 833735 also known as the former Council Chambers and Administration Centre, 162 Shellharbour Road Warilla, and the adjoining land, being Lot 50 DP 1198755 formally known as Lot 12 DP 1125335, 4 Lake Entrance Road, Warilla for the amount of \$4.05 million with Louis Mifsud & Nominees (Cel Bare Pty Ltd)
2. That the Council enter into a Lease Back Agreement with Louis Mifsud & Nominees (Cel Bare Pty Ltd) for the lease of the Warilla Library including car parking for a period of 18 months with a further option of another 6 months for an annual rental fee of \$134,000 pa + GST plus outgoings.
3. That Council enter into a Licence Agreement with Louis Mifsud & Nominees (Cel Bare Pty Ltd) for the area relating to the Heritage Item being the Lone Pine.
4. That the Mayor and General Manager, or his nominated delegate, be authorised to sign under Council Seal, the Contract for Sale of Lot 51 DP 1198755 formally known as Lot 2 DP 833735 also known as the former Council Chambers and Administration Centre, 162 Shellharbour Road Warilla, and the adjoining land, being Lot 50 DP 1198755 formally known as Lot 12 DP 1125335, 4 Lake Entrance Road, Warilla and other associated documentation.
5. That the Mayor and General Manager, or his nominated delegate, be authorised to sign under Council Seal, the Lease Back Agreement and other associated documentation for the lease of the Warilla Library including car parking for a period of 18 months with a further option of another 6 months.
6. That the Mayor and General Manager, or his nominated delegate, be authorised to sign under Council Seal, the Licence Agreement and any other associated documentation for the area relating to the Heritage Item, being the Lone Pine.

4.2 Disposal of Council Land at Lot 1 DP 1188837 Shandan Circuit, Albion Park Rail (10217976)

COMMITTEE RECOMMENDATION:

1. That Council enter into a Contract for Sale of Lot 1 in Deposited Plan 1188837, Albion Park Rail for an amount of \$599,224.50 plus GST.
2. That all proceeds of the sale be restricted for acquiring land for public roads or for carrying out road work on public roads within the Local Government Area.

This is page 17 of the Minutes of the Ordinary Meeting of the Council of the City of Shellharbour held Tuesday 12 August 2014

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 12 August 2014

3. That Council enter into a licence agreement with Hydrox Nominees for the occupation of Lot 1 in Deposited Plan 1188837, Albion Park Rail for a nominal fee of \$1.00 until the sale process has been completed.
4. That the Mayor and General Manager, or his nominated delegate, be authorised to execute relevant documentation in relation to the licence, sale and transfer of Lot 1 in Deposited Plan 1188837, under Council Seal.

MOTION: Murray/Rankin

That the recommendations to Council from the Committee of the Whole meeting held earlier today be adopted.

MOTION: Murray/Rankin

That the Motion be put.

Councillor Moran MOVED a POINT of ORDER that according to the Code of Meeting Practice you can only move that a motion be put if there have been two people speaking either for or against the Motion and there has been no one indicate they intend to speak the other way. The Mayor ruled that the Mover is entitled to speak to his Motion.

Councillor Moran MOVED a further POINT of ORDER in relation to the Mayor requesting that the Motion be put to the meeting. The Mayor ruled against the POINT of ORDER and Councillor Moran MOVED a Motion of Dissent from the Mayor's Ruling.

MOTION: Moran

That the Mayor's Ruling be dissented from.

Councillor Moran MOVED a further POINT of ORDER in relation to the Mayor requesting that the Motion of Dissent be put to the meeting. The Mayor did not accept the POINT of ORDER and called for the Motion of Dissent to be put to the meeting.

262 The MOTION of DISSENT on being PUT to the Meeting was LOST 1/4

FOR: Cr Marsh

AGAINST: Cr Saliba, Cr Rankin, Cr Boyle, Cr Murray, Cr Moran, Cr Stewart

This is page 18 of the Minutes of the Ordinary Meeting of the Council of the City of Shellharbour held Tuesday 12 August 2014

This is page of the Minutes of the Extraordinary Meeting (2) of the Council of the City of Shellharbour held Tuesday 2 September 2014

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 12 August 2014

The Mayor then called for the Motion in relation to the adoption of the recommendations to Council from the Committee of the Whole Meeting, moved by Cr Murray and seconded by Cr Rankin, to be put to the meeting.

263 The MOTION on being PUT to the Meeting was CARRIED 4/3

FOR: Cr Saliba, Cr Rankin, Cr Boyle, Cr Murray

AGAINST: Cr Moran, Cr Stewart, Cr Marsh

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

Nil

Meeting closed 10.41 pm

- 6. Committee of the Whole in Closed Session: Adjournment**

- 7. Committee of the Whole: Consideration of Adoption of Decisions Reached in Closed Session**