

**Minutes of the Ordinary Meeting  
of Shellharbour City Council  
held at the Council Chambers, Council Administration Centre  
Shellharbour City Centre  
on Tuesday 12 December 2017 commencing at 6.31 pm**

**Present**

Mayor, Councillor	M Saliba
Deputy Mayor, Councillor	K Marsh
Councillor	N Cattell
Councillor	M Hamilton
Councillor	J Murray
Councillor	P Moran
Councillor	R Petreski

**In attendance**

General Manager	C McIntyre
Director Council Sustainability	M Youell
Director Community and Customers	M Boxall
Director Amenity and Assets	B Stewart
Chief Financial Officer	G Grantham
Executive Manager / Public Officer	F Lepouras
Acting Group Manager City Planning	C Lappin
Group Manager Asset Strategy	K Packer
Group Manager Services	R Crowhurst
Economic Development Manager	T James
Manager Property Services	D Flanagan
Acting Manager Environment	T Heather
Shell Cove Commercial Manager	K James
Senior Executive Assistant (Minute Taker)	L Davey
Councillor Support 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. Apologies**

Nil

**3. Leave of Absence**

Nil

**4. Confirmation of Minutes**

**4.1 Ordinary Council Meeting 21 November 2017**

310 RESOLVED: Marsh/Murray

That the Minutes of the Ordinary Council Meeting held on 21 November 2017 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

**4.2 Committee of the Whole Council Meeting (Confidential) 21 November 2017**

311 RESOLVED: Murray/Cattell

That the Minutes of the Committee of the Whole Council Meeting (Confidential) held on 21 November 2017 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

**5. Declarations of Interest**

**Carey McIntyre – General Manager:**

Item 11.2.7 Assignment of Leases for Airspace over Public Road – 1 Memorial Drive, Shellharbour City Centre

**Nature of Interest:**

The General Manager declared a non pecuniary interest for this item as the applicant is a tenant in a property which he has an interest. The General Manager will absent himself from the meeting during discussion and voting on the matter.

**6. Confidential Business (Committee of the Whole in Closed Session)**

In accordance with the *Local Government Act 1993*, and the *Local Government (General) Regulation 2005*, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

**Set out below is Section 10A(2) of the Local Government Act 1993, in relation to Confidential Business:**

**10A(2) Which parts of a meeting can be closed to the public? The matters and information are the following:**

- (a) personnel matters concerning particular individuals,
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

## **CONFIDENTIAL ITEMS**

### **6.1 Tender - Proposed Development and Long-Term Lease - Illawarra Regional Airport (10975269)**

#### **Reason for Confidentiality**

This item is classified CONFIDENTIAL under the provisions of Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

The consideration of this information must be conducted in confidential session, to enable the Council to be informed of commercial details without prejudicing the Council's commercial interest and position if discussed in an open meeting.

## **7. Condolences**

The Mayor acknowledged the passing of Trevor Farmer, who was a life member of Shellharbour Council's Sports Assistance Fund and was on the committee from 1975 – 2001, and passed on her condolences to his family.

Councillor Marsh acknowledged the passing of Noel Dare, who was well known for his fundraising efforts in the city, and passed on her condolences to his family.

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

Mrs Margaret Rose Latimer	of	Albion Park
Mrs Marie Burns	of	Albion Park
Mr Mark William Lorimer	of	Barrack Heights
Mr Noel Mervyn Dare	of	Flinders
Mr Aladino Garbo	of	Mount Warrigal
Mr Graham Clarence Rabbitt	of	Oak Flats
Ms Betty Peters	of	Shellharbour
Mrs June Ellen Poland	of	Shellharbour
Mr Frederick Edward Smith	of	Shellharbour
Mr Keith Astill	of	Warilla
Mr Leslie Finch	of	Warilla

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Mrs Lorna Joan Murdoch of Warilla  
Mr Bob Dunn of Warilla  
Mrs Georgina O'Reilly of Warilla

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

### **Mayoral Statements / Reports / Presentations**

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

22/11/17 Tourism Shellharbour - 25 years celebration  
24/11/17 White Ribbon Walk  
25/11/17 Grand opening of the New Home of Shellharbour City Baptist Church  
25/11/17 Aviation Hall of Fame 2017 Induction Gala Dinner  
27/11/17 Stella Maris Catholic School - St.Vincent de Paul Social Christmas Luncheon  
28/11/17 The Academy Launch – free access to The Academy online business development resource for local Shellharbour City businesses.  
Launch of our Economic Development videos  
30/11/17 Resource Recovery Redevelopment (R3) Opening  
2/12/17 Official Opening of Civic Centre  
4-6/12/17 Local Government Conference  
8/12/17 Flinders Public School Community Service Awards & Active Citizenship Award on behalf of Stephen Jones  
8/12/17 Tullimbar Public School Presentation Day – Community Service Award & Active Citizenship Award on behalf of Stephen Jones  
8/12/17 Carols by Candlelight  
11/12/17 Albion Park Public School Community Service Award  
11/12/17 50th Wedding Anniversary Visit: Bob & Stella Kyriacou  
11/12/17 Illawarra Academy of Early Learning

12/12/17          Corpus Christi Catholic School - Community Service Award

Councillor Marsh congratulated the Mayor on her election as Director (Rural/Regional) on the Board of LGNSW.

The Mayor also provided a verbal report in relation to the Local Government Conference.

**9.          Mayoral Minutes**

**9.1        Mayoral Minute: Homelessness in Australia (10977084)**

313        RESOLVED: Mayor Saliba

That Council support Frankston City Council and write to the Federal Government indicating the plight of homelessness and calling on the Federal Parliament to become meaningfully engaged in resolving homelessness in Australia.

CARRIED UNANIMOUSLY

**9.2        Mayoral Minute: Auditorium Bond (Attachment 1)**

MOTION: Mayor Saliba

That

1. Council publicly exhibits for 28 days, a proposed change to the adopted 2017/18 Fees and Charges such that the bond payable for the hire of the Shellharbour Civic Centre Auditorium for January and February 2018 is \$622, in line with Council's other community halls.
2. A report be prepared by Council Officers outlining a more permanent solution to the bond requirements of the Shellharbour Civic Centre Auditorium hire.
3. If no relevant submissions are received, the new fee be adopted.
4. If relevant submissions are received, a further report be provided to Council making recommendations.

Councillor Moran proposed the following amendment to recommendation 1, which was accepted by the Mover.

1. Council publicly exhibits for 28 days, a proposed change to the adopted 2017/18 Fees and Charges such that the bond payable for the hire of the Shellharbour Civic Centre Auditorium from 1 January 2018 to 10 March 2018 is \$622, in line with Council's other community halls.

Councillor Murray proposed an amendment to the recommendation that recommendation 2 be renumbered 4 and that recommendations 3 and 4 be renumbered 2 and 3, which was accepted by the Mover.

314 RESOLVED: Mayor Saliba

That

1. Council publicly exhibits for 28 days, a proposed change to the adopted 2017/18 Fees and Charges such that the bond payable for the hire of the Shellharbour Civic Centre Auditorium from 1 January 2018 to 10 March 2018 is \$622, in line with Council's other community halls.
2. If no relevant submissions are received, the new fee be adopted.
3. If relevant submissions are received, a further report be provided to Council making recommendations.
4. A report be prepared by Council Officers outlining a more permanent solution to the bond requirements of the Shellharbour Civic Centre Auditorium hire.

CARRIED UNANIMOUSLY

## **10. Councillors' Statements / Reports**

Councillor Marsh encouraged the community to apply for the Shellharbour City Citizen of the Year awards.

Councillor Marsh stated that The Hon John Barilaro MP, Deputy Premier and Minister for Regional New South Wales, informed her at the Local Government Conference that he would be more than happy to visit Council to discuss regional funding.

Councillor Petreski stated that he recently had the pleasure of meeting the Principal and Deputy Principal of a school in Denmark and outlined how schools in Denmark teach the principles of democracy from an early age. Councillor Petreski noted that Dapto High School is leading the way in this initiative and encouraged all schools to take up this philosophy.

## **11. Reports**

Note: The Addresses to Council Forum was held prior to the Council Meeting from 4.30pm to 5.30pm.

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Agenda Item No & Title	Name
11.2.6 Licence – Eagle Project Management Australia Pty Ltd – Lot 9 DP 238804 Shellharbour	Mr Rod Eagle

315 RESOLVED: Murray/Marsh

That Standing Orders be suspended in order for Items 11.2.6, the subject of Addresses to Council, to be considered here in the agenda.

CARRIED UNANIMOUSLY

### **11.2.6 Licence - Eagle Project Management Australia Pty Ltd - Lot 9 DP238804 Shellharbour (10975268)**

MOTION: Saliba/Murray

That Council:

1. Approve to enter into a licence agreement with Eagle Project Management Australia Pty Ltd (ACN 613 296 512) for the occupation of part Lot 9 DP238804 Shellharbour, for a period of up to 24 months.
2. Approve the annual rental of \$28,950 (exclusive of GST), this amount is to be increased annually by Consumer Price Index (CPI).
3. Approve that a security bond/guarantee to the value of \$50,000 be requested of Eagle Project Management Australia Pty Ltd to cover restoration costs should any damages occur.
4. Approve that the Mayor and General Manager, or his nominated delegate, be authorised to sign any documentation associated with the Licence, with Eagle Project Management Australia Pty Ltd (ACN 613 296 512) for the occupation of part Lot 9 DP238804 for a period of up to 24 months, under Council Seal.
5. Approve that a condition of the licence agreement includes the installation of pedestrian barriers and the provision of a site supervisor to monitor pedestrian traffic, at key periods being before and after school.
6. Approve that a condition of the licence agreement include that all delivery trucks must enter and exit Allen's Lane to ensure public safety.



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Councillor Moran proposed an amendment to recommendation 5 that a specified time period be included, which was not accepted by the Mover.

Councillor Moran proposed an amendment to recommendation 2 that the annual rental be "\$35,000", which was not accepted by the Mover.

316 The MOTION on being PUT to the Meeting was CARRIED 6 / 1

FOR VOTE - Cr Cattell, Cr Hamilton, Cr Marsh, Cr Murray, Cr Petreski, Cr Saliba

AGAINST VOTE - Cr Moran

317 RESOLVED: Murray/Marsh

That standing orders be resumed and the meeting be adjourned for 5 minutes.

CARRIED UNANIMOUSLY

**Meeting adjourned at 7.22 pm**

**Meeting resumed at 7.26 pm**

### **11.1 General Manager**

#### **11.1.1 Christmas / New Year Closure of Council Operations (10966553)**

318 RESOLVED: Cattell/Murray

That Council receive and note the report Christmas / New Year Closure of Council Operations as shown in this report.

CARRIED UNANIMOUSLY

#### **11.1.2 Returns Disclosing Interest of Councillors - Mayor and Councillors (10969949)**

319 RESOLVED: Marsh/Petreski

That the Returns Disclosing Interest of Councillors forms for the newly elected councillors, being:-

Mayor, Councillor Marianne Saliba  
Deputy Mayor, Councillor Kellie Marsh  
Councillor Nathan Cattell  
Councillor Moira Hamilton  
Councillor Peter Moran

Councillor John Murray  
Councillor Robert Petreski

be formally tabled at this meeting and that they be received and noted by the Council.

CARRIED UNANIMOUSLY

### **11.1.3 Policy Review - Privacy Management Plan (10974477)**

320 RESOLVED: Marsh/Murray

That Council adopt the revised amended Privacy Management Plan.

CARRIED UNANIMOUSLY

### **11.1.4 Review of the Agency Information Guide (10974585)**

321 RESOLVED: Murray/Hamilton

1. That the reviewed and updated Agency Information Guide as attached to this report be adopted.
2. That the Agency Information Guide be updated as and when required to reflect changes as they occur.

CARRIED UNANIMOUSLY

## **11.2 Council Sustainability Directorate**

### **11.2.1 Shell Cove Progress Report to 3 December 2017 (10971121)**

322 RESOLVED: Murray/Marsh

That:

1. The progress report for the period from 28 August 2017 to 3 December 2017 for the Shell Cove Project be received and noted.
2. Council authorises the Council Seal for the purposes of executing the documents under part 5 of the resolution in Minute No. 85 – meeting 19 April 2016.

CARRIED UNANIMOUSLY

**11.2.2 Monthly Investment Report - October 2017 (10974490)**

323 RESOLVED: Murray/Moran

That Council receive and note the attached Investment Portfolio report as at 31 October 2017.

CARRIED UNANIMOUSLY

**11.2.3 Submission - Draft Future Transport Strategy 2056 (10975652)**

324 RESOLVED: Murray/Hamilton

That Council endorse its submission to the NSW Government regarding the Draft Future Transport Strategy 2056.

CARRIED UNANIMOUSLY

**11.2.4 Creation of Easements and Restrictions - Lot 1 DP 110135 and Lot 1 DP419907 Buckley Road Dunmore (10975091)**

325 RESOLVED: Murray/Marsh

That Council approve for the Mayor and General Manager, or his nominated delegate, be authorised to sign the Section 88B instrument and associated Deposited Plan Administration Sheets by affixing the Seal of Council to the associated documentation between Shellharbour City Council and Epsilon Distribution Ministerial Holding Corporation (ABN 59 253 130 878) for the creation of easements and restrictions within Lot 1 DP 110135 and Lot 1 DP419907 Buckley Road Dunmore.

CARRIED UNANIMOUSLY

**11.2.5 Licence - Optus Mobile Pty Limited - Lot 15 DP717959, Lake Illawarra (10965108)**

326 RESOLVED: Murray/Cattell

That Council:

1. Commence the formal process to enter into a licence agreement with Optus Mobile Pty Limited (ACN 054 365 696) for the proposed occupation of part Lot 15 DP 717959 located at Lake Illawarra known as Keith Fletcher Park for a term of four consequential agreements of five years each on the terms detailed within this report.
2. Endorse that the proposal be placed on public exhibition for a period of 28 days calling for submissions.

3. Approve that if any relevant submissions are received as a result of public exhibition, or if there are substantial post public exhibition changes proposed for any other reasons, a report be submitted to Council for consideration detailing the public exhibition outcomes with further recommendations regarding adoption.
4. Approve that if there are no relevant submissions received as a result of the public exhibition, or there are no substantial post public exhibition changes proposed for any other reasons, subject to the positive outcome of assessment of the development application, that Council enter into a licence for a term of four consequential agreements of five years with Optus Mobile Pty Limited (ACN 054 365 696) for the occupation of part Lot 15 DP 717959 located at Lake Illawarra known as Keith Fletcher Park on the terms detailed within this report.
5. Approve that the Mayor and General Manager, or his nominated delegate, be authorised to sign any documentation associated with the development application and licence, with Optus Mobile Pty Limited (ACN 054 365 696) for the installation of telecommunication infrastructure and equipment located within Part Lot 15 DP 717959 located at Lake Illawarra known as Keith Fletcher Park, under Council Seal.

CARRIED UNANIMOUSLY

**11.2.6 Licence - Eagle Project Management Australia Pty Ltd - Lot 9 DP238804 Shellharbour (10975268)**

This item was dealt with earlier in the agenda as it was the subject of Addresses to Council prior to the meeting (See Resolution No. 316).

**11.2.7 Assignment of Leases for Airspace over Public Road - 1 Memorial Drive, Shellharbour City Centre (10974892)**

Note: The General Manager declared a non pecuniary interest for this item and left the Chamber at 7.45pm whilst this matter was being considered.

327 RESOLVED: Murray/Cattell

That:

1. Council consent to the assignment of the two (2) leases for airspace above the road reserve at the Corner of College Avenue and Memorial Drive Shellharbour City Centre from Nawi Properties Pty Limited to the Owners Corporation once established. The Owners Corporation will be created upon registration of the Strata Plan.

2. The Mayor and General Manager or his nominated delegate be authorised to execute the documentation related to the leases and the assignment, under Council seal.

CARRIED UNANIMOUSLY

The General Manager returned to the Chamber at 7.48pm.

**11.2.8 Creation of Public Positive Covenant - Lot 2 DP 1091265 Cygnet Avenue, Shellharbour City Centre - Affix Council Seal (10976829)**

Councillor Moran asked for the definition of a public positive covenant and how it differs to other restrictions. The General Manager took the Question on Notice.

328 RESOLVED: Marsh/Murray

That Council authorise the Mayor and General Manager, or his nominated delegate, to sign the Section 88B instrument and associated Deposited Plan Administration Sheets and Plan by affixing the Seal of Council to the associated documentation within Lot 2 DP 1091265 Cygnet Avenue Shellharbour City Centre, for the creation of a *public positive covenant*.

CARRIED UNANIMOUSLY

**11.2.9 Creation of Easements and Restrictions - Lot 10 DP 1157377 Boomerang Avenue Albion Park Rail (10976656)**

329 RESOLVED: Marsh/Cattell

That Council approve for the Mayor and General Manager, or his nominated delegate, to be authorised to sign the Section 88B instrument and associated Deposited Plan Administration Sheets by affixing the Seal of Council to the associated documentation between Shellharbour City Council and Epsilon Distribution Ministerial Holding Corporation (ABN 59 253 130 878) for the creation of easement and restriction within Lot 10 DP 1157377 Boomerang Avenue Albion Park Rail.

CARRIED UNANIMOUSLY

**11.2.10 Impacts on Lot 40 DP805748 Albion Park Rail - Connecting to adjoining Rail Corporation Land (10975632)**

330 RESOLVED: Cattell/Moran

That Council:

1. Engage consultants to undertake the necessary Heritage Assessment and development potential of the site being Lot 40 DP 805748.
2. Approve the necessary investigations in relation to road widening associated with Lot 40 DP 805748.
3. Receive a further report on the findings.

CARRIED UNANIMOUSLY

**11.2.11 Change of Name for the Lease of Part Lot 7 DP1038941 Croom Sporting Complex (10977193)**

331 RESOLVED: Murray/Moran

That:

1. Council approve that the name to be inserted on the lease for Part Lot 7 DP1038941 Croome Road Croom (Parent Part Lot 1 DP 821478 and Part Lot 2 DP 605565) located within Croom Sporting Complex from Croom Hockey Centre (a subsidiary of Illawarra Hockey Incorporated) to Illawarra Hockey Incorporated (ABN 31 751 624 933).
2. The management of the facility will continue to be administered through Croom Hockey Centre as a subsidiary of Illawarra Hockey Incorporated.
3. The Mayor and General Manager, or his nominated delegate, be authorised to sign any documentation associated with the lease, with Illawarra Hockey Incorporated for the occupation of Part Lot 7 DP1038941 Croome Road Croom (Parent Part Lot 1 DP 821478 and Part Lot 2 DP 605565) located within Croom Sporting Complex, under Council Seal.

CARRIED UNANIMOUSLY

**11.3 Community and Customers Directorate**

**11.3.1 Noiseless Fireworks (10974800)**

MOTION: Marsh/Murray

That Council receive and note the report Noiseless Fireworks

Councillor Moran proposed the following addendum to the recommendation, which was not accepted by the Mover:

That the Council fireworks display associated with Carols by Candlelight to be held in 2018 be conducted using noiseless or reduced noise fireworks.

332 The MOTION on being PUT to the Meeting was CARRIED 6 / 1

FOR VOTE - Cr Cattell, Cr Hamilton, Cr Marsh, Cr Murray, Cr Petreski, Cr Saliba

AGAINST VOTE - Cr Moran

**11.3.2 Draft Shellharbour Development Control Plan Amendment No. 3 - Various Amendments (10975271)**

333 RESOLVED: Murray/Cattell

In accordance with the *Environmental Planning and Assessment Act* and Regulation, that Council:

1. Adopt Shellharbour Development Control Plan (Amendment 3) as shown in Attachment 3, which includes the post exhibition changes identified in Attachment 2.
2. Place an advertisement in the local newspaper notifying the community of Council's decision to adopt Shellharbour Development Control Plan Amendment 3.

CARRIED UNANIMOUSLY

**11.4 Amenity and Assets Directorate**

**11.4.1 Shellharbour Little Park Play Equipment - Update (10974897)**

Councillor Cattell asked if the community were asked if a cutting of the fig tree that was removed from Little Park be planted in another location. The General Manager took the Question on Notice.

334 RESOLVED: Cattell/Murray

That Council approve the increased budget of \$43,500 and allocate from Section 94 funds for the Little Park play equipment upgrade project.

CARRIED UNANIMOUSLY

**11.4.2 Mood Park War Memorial, Albion Park (10965291)**

335 RESOLVED: Marsh/Murray

That Council support the installation of the memorial at Site 4 in Mood Park, Lot 1, DP 1129981, Albion Park.

CARRIED UNANIMOUSLY

**11.4.3 Adjustment to Fleet Capital Budget (10975092)**

336 RESOLVED: Murray/Cattell

That Council:

1. Allocate \$830,000 from the unrestricted cash surplus to the capital budget for plant replacement.
2. Allocate \$125,000 to the capital budget for plant replacement, to be funded from the disposal sale of the plant.
3. Delegate authority to the General Manager to procure the compactor and excavator through the Local Government Procurement panel and accept, decline or negotiate offers and enter a contract with suppliers for the compactor and excavator.

CARRIED UNANIMOUSLY

**11.4.4 Plastic Bags - Minimisation of Usage (10975096)**

Councillor Moran asked how much it cost Council to provide the paper bags to the businesses in Shellharbour Village. The General Manager took the Question on Notice.

337 RESOLVED: Marsh/Murray

That this report, Plastic Bags – Minimisation of Usage, be received and noted.

CARRIED UNANIMOUSLY



**12. Committee Recommendations**

**12.1 Recommendations from the Disability Access and Inclusion Advisory Committee held 22 November 2017 recommended for adoption.**

338 RESOLVED: Hamilton/Marsh

That the Recommendations from the Disability Access and Inclusion Advisory Committee Meeting held 22 November 2017 be adopted.

CARRIED UNANIMOUSLY

**12.2 Recommendations from the Shellharbour Traffic Committee Meeting held 6 December 2017 recommended for adoption.**

339 RESOLVED: Marsh/Petreski

That the Recommendations from the Traffic Committee Meeting held 6 December 2017 be adopted.

CARRIED UNANIMOUSLY

**13. Items for Information**

Nil

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

Nil

**15. Notices of Motion**

**15.1 Notice of Motion submitted by Cr Robert Petreski: Council Swimming Pools (10977085)**

MOTION: Petreski/Moran

That for the duration of the summer school holidays, admission to Shellharbour Council's cold water swimming pools be free as a trial.

Councillor Moran proposed the following amendment and addendum to the recommendation, which was accepted by the Mover:

1. That for the summer school holidays, admission to Shellharbour Council's cold water swimming pools be free as a trial.

2. That such a change to Council's fees and charges be exhibited for 28 days.
3. If no significant submissions are received, such a proposal be adopted.

340 The MOTION on being PUT to the Meeting was LOST 3 / 4

FOR VOTE - Cr Marsh, Cr Moran, Cr Petreski

AGAINST VOTE - Cr Cattell, Cr Hamilton, Cr Murray, Cr Saliba

**15.2 Notice of Motion submitted by Cr Kellie Marsh: Identifying non-recyclable materials in Shellharbour City (10977594)**

MOTION: Marsh/Cattell

That:

1. Relevant Council staff hold a workshop with Councillors to consider what non-recyclable materials, currently being used by retailers in Shellharbour City could be identified for reduction or elimination and what policies and strategies could be used by those retailers and Council to help effect that reduction and/or elimination.
2. Following the workshop, Council staff and Councillors facilitate a meeting with retailers in the City to consult on possible Council policies and strategies that would have the aim of facilitating phasing-out the use of plastic bags and plastic packaging, including that used on fruit and vegetables by retailers in the City, in their shops and centres and converting to paper bags and/or BYO material shopping bags.
3. Council staff report to Council, making recommendations on a policy and strategy to achieve the outcomes identified in recommendation 2. above.

Councillor Murray proposed the following amendment to recommendation 1 and that recommendations 2 and 3 be deleted, which was accepted by the Mover and Seconder:

That Council staff prepare a report to consider what non-recyclable materials, currently being used by retailers in Shellharbour City could be identified for reduction or elimination and what policies and strategies could be used by those retailers and Council to help effect that reduction and/or elimination.

341 RESOLVED: Marsh/Cattell

That Council staff prepare a report to consider what non-recyclable materials, currently being used by retailers in Shellharbour City could be identified for reduction or elimination and what policies and strategies could be used by those retailers and Council to help effect that reduction and/or elimination.

CARRIED UNANIMOUSLY

**15.3 Notice of Motion submitted by Cr Peter Moran: Poker Machines (10978088)**

Councillor Marsh asked if there are any other councils in New South Wales who have poker machine licences. The General Manager took the Question on Notice.

MOTION: Moran/Marsh

Given that Council has invested a substantial sum of money in the acquisition and installation of poker machines at the Links Tavern, Council officers shall prepare a report indicating how council manages this investment. Such a report shall examine, but not be limited to, any Productivity Commission reports and findings on gambling and problem gambler's losses, if and how council intends to maximise its income from this investment and any information available on the level of poker machine wagering in the Shellharbour LGA. Such a report shall also include any information available from local support agencies such as St Vincent de Paul on the impact of gambling on their clients.

342 The MOTION on being PUT to the Meeting was LOST 2 / 5

FOR VOTE - Cr Marsh, Cr Moran

AGAINST VOTE - Cr Cattell, Cr Hamilton, Cr Murray, Cr Petreski, Cr Saliba

**15.4 Notice of Motion submitted by Cr Peter Moran: Demolishment of Sydney Football and Sydney Olympic Stadiums and Seeking State Funding for Sporting Amenities (10978137)**

MOTION: Moran/Marsh

Council resolves that:

1. Shellharbour City Council opposes the plans of the state government to demolish and rebuild the Sydney Football Stadium and the Sydney Olympic Stadium, and

2. Council writes to the Sports Minister, Mr Ayers, seeking state funding for all sporting amenities identified in the SCC S94 plans and any other plans and policies of the Council.

343 The MOTION on being PUT to the Meeting was LOST 3 / 4

FOR VOTE - Cr Marsh, Cr Moran, Cr Petreski

AGAINST VOTE - Cr Cattell, Cr Hamilton, Cr Murray, Cr Saliba

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

Nil

**17. Urgent Business**

Nil

**18. Committee of the Whole in Closed Session (Closed to the Public):  
Adjournment**

The Mayor asked whether anyone in the public gallery wished to speak on the reasons why Item 6.1 Tender – Proposed Development and Long-Term Lease – Illawarra Regional Airport should not be held in Confidential Session (closed to the public). No members of the public expressed their interest in addressing the Council.

344 RESOLVED: Marsh/Murray

1. That Council resolve into Committee of the Whole (in Confidential Session) to consider the above business as listed, together with any late reports tabled at the meeting.
2. That pursuant to Section 10A(1-3) of the *Local Government Act 1993*, the press and public be excluded from the proceedings on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2)(c) of the Act as outlined above.
3. That the correspondence and reports relevant to the subject business be withheld from access to the press and public in accordance with Section 11(2) of the *Local Government Act 1993*.

CARRIED UNANIMOUSLY

**Meeting adjourned at 9.29 pm**

**Meeting resumed at 9.37 pm**

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

The following Recommendation to Council from the Committee of the Whole Council (confidential) was read to the Meeting by the General Manager.

**6.1 Tender - Proposed Development and Long-Term Lease - Illawarra Regional Airport (10975269)**

COMMITTEE RECOMMENDATION:

That Council:

1. Not accept any tenders received for the subject advertised leased land tenders that include “2017/90 Part Lot 10 DP1157377”, “2017/91 Lot 701 DP1102696” and “2017/102 Lot 2 DP557396”.
2. Direct the General Manager or his nominated delegate to commence direct negotiations with potential entities for the development and long-term lease of the subject sites as noted within this report and that the outcome of the negotiations be reported to the Council at a future Ordinary Council Meeting.

345 RESOLVED: Marsh/Murray

That the Recommendations to Council from the Committee of the Whole Meeting held earlier today be adopted.

CARRIED UNANIMOUSLY

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

Nil

The Mayor thanked Councillors for the good start to their term of Council and staff for their work throughout the year. The Mayor wished everyone a merry Christmas and a happy New Year.

**Meeting closed 9.39 pm**

**Attachments:**

**SHELLHARBOUR CITY COUNCIL**

Ordinary Council Meeting – 12 December 2017

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1. 9.2 Mayoral Minute: Auditorium Bond (Attachment 1)

Attachment 1 – 9.2 Mayoral Minute: Auditorium Bond

**Subject      Mayoral Minute – Auditorium Bond**

To my fellow Councillors

**Mayoral Minute**

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**Summary**

The purpose of this Mayoral Minute is to recommend an amendment to the bond payable for the hire of the Shellharbour Civic Centre auditorium in the 2017/2018 fees and charges for January and February 2018 to be in line with Council's other community halls.

The proposed change will need to be exhibited for 28 days.

It is also recommended that a report be prepared by Council Officers outlining a more permanent solution to the bond requirements of the Shellharbour Civic Centre Auditorium hire.

**Background**

The 2017/2018 fees and charges endorsed by Council currently have a minimum \$1,000 bond for the use of the Civic Centre auditorium. This \$1,000 minimum bond is applicable to each hirer regardless if they are not for profit, a community group or a business.

To date, Council has received thirteen bookings and many enquiries to hire the Civic Centre Auditorium and the first hirer is booked for 30 January 2018.

Council has a responsibility to manage this community facility and ensure that the auditorium is well utilised and financially accessible to a range of community groups and not for profit groups. The current minimum bond of \$1,000 is higher than the current bond required for hire of a community centre and hall, which is a minimum of \$622.

The activation of the Civic Centre is critical to the success of this new community facility and the current hirers for January and February 2018 should not be disadvantaged.

It is recommended that the proposed change be exhibited for 28 days and that Council Officers will prepare a report for the first Council meeting in February 2018 outlining a permanent solution of the bond hire of the auditorium to ensure the community have access to this state of the art facility.

**Recommendation**

That

1. Council publicly exhibits for 28 days, a proposed change to the adopted 2017/18 Fees and Charges such that the bond payable for the hire of the Shellharbour Civic Centre Auditorium for January and February 2018 is \$622, in line with Council's other community halls.
2. A report be prepared by Council Officers outlining a more permanent solution to the bond requirements of the Shellharbour Civic Centre Auditorium hire.
3. If no relevant submissions are received, the new fee be adopted.

4. If relevant submissions are received, a further report be provided to Council making recommendations.

Approved for Council's consideration:



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**Date of Meeting:** 12 December 2017

**Attachments**

Nil



**SHELLHARBOUR CITY COUNCIL**  
Ordinary Council Meeting – 12 December 2017

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CONFIRMED as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Shellharbour held 12 December 2017.

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General Manager

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Chairperson