

# **SHELLHARBOUR CITY COUNCIL**

Ordinary Council Meeting – 11 December 2018

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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 11 December 2018 commencing at 6.32 pm**

#### **Present**

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

#### **In attendance**

General Manager	C McIntyre
Acting Director Council Sustainability / Chief Financial Officer	G Grantham
Director Community and Customers	M Boxall
Director Amenity and Assets	B Stewart
Executive Manager / Public Officer	F Lepouras
A/Group Manager City Planning	C Lappin
Group Manager Community Connections	K Baget-Juleff
Group Manager Services	R Crowhurst
Manager Community Engagement and Activation	J Dawson
Manager Property & Recreation	D Flanagan
Parks Manager	S Rowe
Strategic Planner	J Lintern
Civic Centre Activation Manager	K Owers
Media Officer	K Wells
Senior Executive Assistant	L Davey
Councillor Support Officer (Minute taker)	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**

**Ordinary Council Meeting**

Nil.

**3. Leave of Absence**

Nil

**4. Confirmation of Minutes**

**4.1 Ordinary Meeting 27 November 2018**

285 RESOLVED: Marsh/Murray

That the Minutes of the Ordinary Council Meeting held on 27 November 2018 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

**4.2 Committee of the Whole 27 November 2018**

286 RESOLVED: Murray/Hamilton

That the Minutes of the Committee of the Whole (Confidential) Council Meeting held on 27 November 2018 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

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### 5. Declarations of Interest

**Councillor Kellie Marsh:** Item 11.2.2. Proposed name change of Croom Cricket Oval – Croom.

**Nature of Interest:** Councillor Marsh declared a non-pecuniary interest as her son is a player for the Club.

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

Nil.

### 7. Condolences

The Mayor acknowledged the passing of Mr Billy Martin and extended her condolences to his family and the broader SES community.

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

Mrs Evelyn Stella Aitken	of	Albion Park
Mrs Annie 'Nancy' Anderson	of	Albion Park
Mr Keith Edwin Coates	formerly of	Albion Park
Ms Jean Stewart	of	Albion Park Rail
Mr Angelo Palmerio Piana	of	Barrack Heights
Mr Angelo Skropeta	of	Barrack Heights
Mrs Eva Gruevska	of	Barrack Heights
Mr Lovro Benkovic	formerly of	Barrack Heights
Mr Nikola Ristevski	of	Blackbutt
Mr Gerard Walter Cox	formerly of	Flinders
Mr John Cox	of	Lake Illawarra
Mrs Elizabeth Craft	of	Mt Warrigal
Mr David Leonard Frances	of	Mt Warrigal
Mr Peter Galilejevs	of	Oak Flats
Mrs Doris Wolfenden	of	Oak Flats
Mrs Iris Crumpton	of	Oak Flats
Mrs Gwen Dolores Weule	formerly of	Oak Flats
Mrs Carmen Farrugia	formerly of	Oak Flats

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

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### **8. Mayoral Statements / Reports / Presentations**

The Mayor read to the meeting a letter of thanks received from Alan Cook for the completion of the shared path on the top side of Slaters Bridge and acknowledged the work done by Council staff.

The Mayor also read to the meeting an email of thanks received by Werner Steyer for the work done to improve bicycle and pedestrian safety on Burroo Street Albion Park Railway Station.

The Mayor thanked Council's Parks & Garden staff for preparing the grounds at Shipman's Park prior to the planting of the cutting taken from the fig tree at Little Park.

The Mayor thanked the Councillors and staff for their support throughout the year and wished everyone a Merry Christmas.

The Mayor attended the following events since the last Council Meeting:

- 28/11/18 Multicultural Communities Council of the Illawarra – Annual Links to Learning Graduation Dinner
- 30/11/18 Oak Flats Pool – Mrs McKay's family announcing Council's resolution that Oak Flats 50m Pool will be named after her and her late husband
- 30/11/18 Roo Theatre Production – The Boy from Oz
- 1/12/18 City Library Author Talk Series – Tony Park
- 3/12/18 Launch of the Mayor's Giving Tree
- 3/12/18 Presentation of cheques to successful donations applicants
- 4/12/18 Aboriginal Advisory Committee 20<sup>th</sup> Anniversary Celebration and launched Aboriginal collection in the library.
- 5/12/18 Shellharbour Public School – Community Service Awards
- 5/12/18 Albion Park High School – Community Service Award and Active Citizenship Award presented on behalf of Stephen Jones MP
- 6/12/18 Nar-Anon Launch
- 6/12/18 Tongarra Heritage Society & SCC – 30<sup>th</sup> Year Celebrations – Planting of the fig tree at Shipman's Park that was propagated by Council from a cutting taken from the fig tree at Little Park.
- 7/12/18 LGNSW Board Meeting

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7/12/18 Carols by Candlelight

11/12/18 IBC Refugee Employment Forum

### 9. Mayoral Minutes

Nil.

### 10. Councillors' Statements / Reports

Councillor Cattell outlined his attendance on behalf of the Mayor at the launch of Community Reading Day, which is a Paint Shellharbour REaD initiative.

Councillor Marsh extended her personal condolences to the family of Billy Martin and the broader SES community.

Councillor Marsh thanked the staff for their contribution over the year and wished them a merry Christmas. She also thanked the community for their generous donations to the local charities and wished the RFS and SES her very best over the Christmas period.

### 11. Reports

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

Agenda Item No & Title	Page Ref	Name
<i>Council Sustainability Directorate</i>		
11.2.2 Proposed name change of Croom Cricket Oval - Croom	52	Simon Pearce – President The Rail Cricket Club  Montel Damoiseaux – The Rail Cricket Club  John Norwell

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288 RESOLVED: Murray/Marsh

That Standing Orders be suspended in order for Item 11.2.2 the subject of Addresses to Council, to be considered here in the agenda.

CARRIED UNANIMOUSLY

### **11.2.2 Proposed name change of Croom Cricket Oval - Croom (11140536)**

Councillor Marsh declared a non-pecuniary interest in item 11.2.2 and remained in the Chamber.

MOTION: Murray/Cattell

That Council:

1. Name the Amenities building the 'Brian Dunham Canteen'.
2. Name the cricket nets the 'John Norwell Cricket Nets'.
3. Advise the Rail Cricket Club of its decision based on:
  - i) The location of the facility and sporting codes who use the facility.
  - ii) The current canteen at one stage was named the 'Brian Dunham Canteen'.

Councillor Marsh FORESHADOWED a MOTION that should the Motion be lost, she would move that:

Council names the existing Croome Oval to Dunham Norwell Oval.

Councillor Moran FORESHADOWED a further MOTION that should the other Motions be lost, he would move that:

The new oval be named Norwell Dunham Oval.

289 The MOTION on being PUT to the Meeting was CARRIED 5/2

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

290 RESOLVED: Murray/Cattell

That Standing Orders be resumed.

CARRIED UNANIMOUSLY

**11.1 General Manager**

**11.1.1 Review of the Agency Information Guide (11138981)**

MOTION: Murray/Petreski

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

Councillor Moran proposed the following addition to the Motion which was accepted by the Mover:

3. That council officers inform Councillors when changes are made.

291 RESOLVED: Murray/Petreski

1. That Council adopt the reviewed and updated Agency Information Guide as attached to this report.
2. The Agency Information Guide be updated as and when required to reflect changes as they occur.
3. That council officers inform Councillors when changes are made.

CARRIED UNANIMOUSLY

**11.1.2 Model Code of Conduct Complaints Statistics 2017-2018 (11138982)**

292 RESOLVED: Marsh/Hamilton

That Council receive and note the Code of Conduct Complaints Statistics report for the period 1 September 2017 to 31 August 2018 as presented.

CARRIED UNANIMOUSLY

**11.1.3 Proposed Ward Boundary Options - 2020 Local Government Council Elections (11141925)**

293 RESOLVED: Murray/Cattell

That:

1. Council endorse the six (6) ward boundary options to be placed on public exhibition for a period of 42 days (from 15 December 2018 to 31

January 2019) and allowing a further two weeks for submissions to close on 15 February 2019, following which a further report will be presented to Council for consideration detailing the public exhibition outcomes and with further recommendations.

2. The community be requested to suggest names for its preferred ward boundary option for the consideration of Council.

CARRIED UNANIMOUSLY

## **11.2 Council Sustainability Directorate**

### **11.2.1 Creation of an Easement for Underground Cables - Lot 9 in DP 238804, Addison Street Shellharbour Village (11139699)**

294 RESOLVED: Murray/Cattell

That:

1. Council approve \$15,000 GST exclusive for compensation for creation of the easements encumbering Lot 9 in DP 238804 Addison Street, Shellharbour Village being operational land.
2. The Mayor and General Manager, or his nominated delegate, be authorised to sign any documentation associated with the creation of the easements for underground cables right of access and restriction on use on the title of Lot 9 in DP 238804 Addison Street, Shellharbour Village under Council Seal.
3. The costs associated with the creation of the Easements for Underground cables right of access and restriction on use be charged to the applicant.

CARRIED 5/2

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

### **11.2.2 Proposed name change of Croom Cricket Oval - Croom (11140536)**

This matter was dealt with earlier in the agenda as it was the subject of Addresses to Council (Refer Resolution No. 289).

### **11.2.3 Draft Reciprocal Business Arrangement Policy (11141240)**

295 RESOLVED: Murray/Hamilton



That:

1. Council endorse the Draft Reciprocal Business Arrangements Policy to be placed on public exhibition for a period of 28 days calling for submissions.
2. 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 and with further recommendations regarding adoption.
3. 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, Council adopt the Draft Reciprocal Business Arrangements Policy as attached to this report.

CARRIED UNANIMOUSLY

**11.2.4 Illawarra Regional Airport - Lot 701 DP 1102696 - Connors Building Pty Ltd - Lease Agreement (11145730)**

296 RESOLVED: Murray/Cattell

That:

1. Council enter into a lease agreement with Connors Building Pty Ltd for the occupation of Lot 701 DP 1102696 4/18 Airport Road, Albion Park Rail, Illawarra Regional Airport for a term of 40 years for aircraft storage, maintenance, aviation commercial business and sub leasing.
2. The annual rental is commenced at \$15,522.00 plus GST and increased annually by CPI and rent review every five (5) years.
3. Connors Building Pty Ltd be responsible for the legal and other associated costs including Development Application in entering into the lease agreement.
4. The Mayor and General Manager, or his nominated delegate, be authorised to sign any documentation, including affixing of the Seal of Council, associated with the lease agreement with Connors Building Pty Ltd for the occupation of part Lot 701 DP 1102696 4/18 Airport Road Albion Park Rail, Illawarra Regional Airport.

CARRIED UNANIMOUSLY

**11.3 Community and Customers Directorate**

**11.3.1 Oak Flats Dog Agility Park Segregation (11140364)**

Note: This item has been withdrawn.

**11.3.2 Shellharbour Local Environmental Plan 2013 Planning Proposal No. 0005/2018 - Various Sites - Mapping Anomalies (11140430)**

297 RESOLVED: Murray/Cattell

That Council:

1. Prepare a Planning Proposal (No. 0005/2018) to amend Shellharbour Local Environmental Plan 2013 and Shellharbour Rural Local Environmental Plan 2004 to address miscellaneous mapping anomalies as outlined at Attachment 2.
2. Authorise the General Manager to submit Shellharbour Local Environmental Planning Proposal No. 0005/2018 to the NSW Department of Planning & Environment in accordance with Section 3.34 of the *Environmental Planning & Assessment Act 1979* for review and gateway determination.
3. Delegate to the General Manager authority to make minor mapping and Local Environmental Plan instrument changes to Shellharbour Local Environmental Plan 2013 Planning Proposal No. 0005/2018 if and as required by the NSW Department of Planning & Environment's LEP Review Panel and gateway determination.
4. Request to not undertake full consultation, with public exhibition of the Planning Proposal due to the minor nature of the mapping anomalies, in accordance with section 3.22 of the *Environmental Planning and Assessment Act 1979*.
5. Approve that the Shellharbour Local Environmental Plan 2013 Planning Proposal No. 0005/2018 be publicly exhibited if required by the gateway determination.
6. Endorse a further report be provided to Council at the end of any consultation required by the gateway determination detailing the outcomes and with further recommendations regarding adoption.

CARRIED UNANIMOUSLY

**11.3.3 Shellharbour City Event Strategy 2018-2021 (11140537)**

298 RESOLVED: Petreski/Cattell

That Council:

1. Adopt the Shellharbour Event Strategy 2018-2021.
2. Endorse Council to direct up to \$50,000 of Quarter 2 and/or Quarter 3 budget savings to the 2018/19 Community Engagement and Activation budget subject to availability
3. At the time of developing the next two years operational plan budgets, consider an additional \$75,000 to the Community Engagement and Activation budget from the 2019/20 financial year onwards and a further \$75,000 to the Community Engagement budget from the 2020/21 financial year onwards

CARRIED: 6/1

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

AGAINST VOTE - Cr Marsh

**11.3.4 Night Markets at the Shellharbour Civic Centre (11140790)**

299 RESOLVED: Murray/Marsh

That Council receive and note the report titled Night Markets at the Shellharbour Civic Centre.

CARRIED UNANIMOUSLY

**11.4 Amenity and Assets Directorate**

**11.4.1 Council Use of Glyphosate (11140534)**

300 RESOVLED: Cattell/Murray

That Council receive and note the report titled Council Use of Glyphosate.

CARRIED UNANIMOUSLY

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### **12. Committee Recommendations**

#### **12.1 Recommendations from the Disability Access and Inclusion Advisory Committee Meeting held 21 November 2018 recommended for adoption.**

301 RESOLVED: Hamilton/Saliba

That the Recommendations from the Disability Access and Inclusion Advisory Committee Meeting held 21 November 2018 be adopted.

CARRIED UNANIMOUSLY

#### **12.2 Recommendations from the Traffic Committee Meeting held 5 December 2018 recommended for adoption.**

Councillor Marsh thanked Council's Agenda Administration Officer Julie Larsen for her contribution to the Traffic Committee over the years.

302 RESOLVED: Marsh/Murray

That the Recommendations from the Traffic Committee Meeting held 5 December 2018 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)**

#### **16.1 Question on Notice submitted by Cr Peter Moran: Street Recycling Bins (11146168)**

A Question on Notice has been submitted by Councillor Moran and is noted for the purposes of this meeting.

**17. Urgent Business**

Councillor Moran advised that the new mural in Oak Flats was completed today and suggested that his fellow councillors and the community visit the site. He then thanked the council officers who were involved in the project.

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

Nil.

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

Nil.

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

Nil.

**Meeting closed 8.10 pm**