

**Minutes of the Ordinary Meeting
of Shellharbour City Council
held at the Council Chambers, Council Administration Centre
Shellharbour City Centre
on Tuesday 19 March 2019 commencing at 6.30 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 |
| A/ Director Council Sustainability | M Chiodo |
| Director Community and Customers | M Boxall |
| Director Amenity and Assets | B Stewart |
| Executive Manager / Public Officer | F Lepouras |
| Chief Financial Officer | G Grantham |
| Group Manager Asset Strategy | W Peterson |
| Group Manager City Development | G Meredith |
| Group Manager City Planning | G Hoynes |
| Manager Environment | T Heather |
| Manager Information Communication Technology | M Baez |
| Manager Business Information Systems | A Taylor |
| 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

Nil

3. Leave of Absence

Nil

4. Confirmation of Minutes

4.1 Ordinary Meeting 26 February 2019

19 RESOLVED: Marsh/Murray

That the Minutes of the Ordinary Council Meeting held on 26 February 2019 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

5. Declarations of Interest

Nil

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

Nil

7. Condolences

The Mayor acknowledged the passing of 32 Christians in Nigeria and the victims of the recent shootings in New Zealand and extended her condolences to their families.

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She stated that Council does not tolerate violence against people for their religion, race, gender and any other reason.

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

| | | |
|-----------------------------|----|------------------|
| Mr Richard Thomas Churchill | of | Albion Park |
| Mrs Kerrie Ann Fairhall | of | Albion Park |
| Mrs Val Gill | of | Albion Park |
| Mrs Rhonda Joan Davison | of | Albion Park Rail |
| Mr John Walsh | of | Albion Park Rail |
| Mrs Nancy Jean Ryan | of | Blackbutt |
| Mr Paul Murray | of | Flinders |
| Mr Guido Guenthoer | of | Oak Flats |
| Mr Colin Raymond Wood | of | Oak Flats |
| Mrs Bernadean Broomby | of | Shellharbour |
| Mrs Bota Cvetkovski | of | Shellharbour |
| Mr Kevin Griffiths | of | Shellharbour |
| Mr Geoffrey Rae | of | Shellharbour |
| Mrs Beverley Flannery | of | Warilla |

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

8. Mayoral Statements / Reports / Presentations

- 28/2/19 Peter & Charlotte De Lucia – 60th wedding anniversary visit
- 1/3/19 Illawarra Outlook – Property Council Luncheon
- 2/3/19 City Library Author Talks – Sandie Docker
- 4/3/19 World Bowls – Opening Ceremony
- 18/3/19 Successful Donations Applicants cheque presentations
- 18/3/19 Illawarra people for peace vigil in respect of New Zealand shootings

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The Mayor presented Council's award for winning the National Design Award for 2019 best public library. The award was presented by the Governor of Queensland, His Excellency the Honourable Paul de Jersey AC, at the 2019 Library Design Awards Conference at the State Library of Queensland last Thursday night (14 March).

The Mayor extended her appreciation to Council staff involved in the planning and overseeing construction of the library, Council's library staff for their commitment, the community for their input following extensive consultation and to the councillors.

9. Mayoral Minutes

10. Councillors' Statements / Reports

Councillor Petreski outlined his attendance on behalf of the Mayor at the Football South Coast Season Launch.

Councillor Murray outlined his attendance as Acting Mayor at the World Bowls Official Farewell Function.

The Mayor thanked Councillor Murray for undertaking the role of Acting Mayor during her recent leave.

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>Community and Customers Directorate</i> | | |
| 11.3.3 Endorsement of Community Representatives and Terms of Reference – Shellharbour Aquatic Facilities Working Party | 194 | Steve Doyle |

21 RESOLVED: Murray/Petreski

That Standing Orders be suspended in order for Item 11.3.3, the subject of Addresses to Council, to be considered here in the agenda.

CARRIED UNANIMOUSLY

11.3 Community and Customers Directorate

11.3.3 Endorsement of Community Representatives and Terms of Reference - Shellharbour Aquatic Facilities Working Party (11158135)

22 RESOLVED: Murray/Marsh

That Council:

1. Endorse the two community representative nominees for the Aquatic Facilities Working Party being:
 - (a) Lyn Polhill
 - (b) Craig Ridding
2. Endorse the revised Terms of Reference for the Shellharbour Aquatic Facilities Party contained in Attachment 2 of this report with the following inclusions:
 - (a) That the community representatives have a term of two years from the date of Council's endorsement as representatives on the Shellharbour Aquatic Facilities Working Party; and
 - (b) That the local swimming clubs are required to inform Council of their club representative on the Shellharbour Aquatic Facilities Working Party after each swimming club's annual general meeting.

CARRIED UNANIMOUSLY

23 RESOLVED: Murray/Petreski

That Standing Orders be resumed.

CARRIED UNANIMOUSLY

11.1 General Manager

11.1.1 Review of Council's Code of Conduct and Procedures for the Administration of the Code of Conduct (11184601)

24 RESOLVED: Murray/Marsh

1. That Council endorse the Code of Conduct for Councillors, the Code of Conduct for Council Committee Members, Delegates of Council and Council Advisers, and the Code of Conduct for Council Staff, and the Procedures for the Administration of the Code of Conduct, to be placed on public exhibition for a period of 28 days calling for submissions.
2. That if any relevant submissions are received as a result of public exhibition, a report be submitted to Council for consideration detailing the public exhibition outcomes and with further recommendations regarding adoption.
3. That if there are no relevant submissions received as a result of the public exhibition and there are no substantial post public exhibition changes proposed for any other reasons, Council adopt the Code of Conduct for Councillors, the Code of Conduct for Council Committee Members, Delegates of Council and Council Advisers, and the Code of Conduct for Council Staff, and the Procedures for the Administration of the Code of Conduct, as attached to this report.

CARRIED UNANIMOUSLY

11.2 Council Sustainability Directorate

11.2.1 Monthly Investment Report - January 2019 (11184367)

Council publicly thanked financial services staff for the way the information was laid out in the report.

25 RESOLVED: Hamilton/Moran

That Council receive and note the attached Investment Portfolio report as at 31 January 2019.

CARRIED UNANIMOUSLY

11.3 Community and Customers Directorate

11.3.1 Proposed Reserve Names - Flinders & Calderwood Reserves (11183300)

26 RESOLVED: Marsh/Cattell

That Council endorse the submission of the proposed reserve names in Flinders and Calderwood, to the Geographical Names Board for its consideration and subsequent advertising and gazetting.

CARRIED UNANIMOUSLY

11.3.2 TechnologyOne Software as a Service Proposal (11183303)

27 RESOLVED: Murray/Cattell

That Council:

1. with reference to section 55(3)(i) of the *Local Government Act 1993*, resolves not to call for tenders for a contract for carrying out the *Software as a Service platform for TechnologyOne software* because it is satisfied that extenuating circumstances exist such that a satisfactory result would not be achieved by calling tenders.
2. note the costs and benefits as detailed in the Confidential Attachment.
3. delegate to the General Manager the execution with TechnologyOne Limited of a multi-year Software as a Service Contract to a value no greater than the amount included in the Confidential Attachment, excluding GST, for a period of seven years.

CARRIED UNANIMOUSLY

11.3.3 Endorsement of Community Representatives and Terms of Reference - Shellharbour Aquatic Facilities Working Party (11158135)

This matter was dealt with earlier in the agenda as it was the subject of Addresses to Council (Refer to Resolution No. 22).

11.3.4 Cities Power Partnership Pledge Selection (11183304)

28 RESOLVED: Petreski/Murray

That Council endorse the following pledges as part of Council's participation in the Cities Power Partnership:

| Pledge Reference | Pledge Description |
|-------------------------|--|
| (RE3) | Install solar power on council buildings |
| (EE1) | Set minimum energy efficiency benchmarks for all planning applications |
| (EE2) | Adopt best practice energy efficiency measures across all Council buildings, and support community facilities to adopt these measures |
| (T1) | Ensure Council fleet purchases meet strict greenhouse gas emissions requirements and support the uptake of hybrid and/or electric vehicles |
| (T2) | Provide fast-charging user pays infrastructure throughout the city at key locations for electric vehicles |

CARRIED UNANIMOUSLY

11.4 Amenity and Assets Directorate

11.4.1 Options for Accessible Toilets - BMX Track, Croome Road, Albion Park (11182511)

29 RESOLVED: Murray/Marsh

That Council receive and note the update report on the provision of male, female and accessible toilets at the BMX Track Croome Rd Albion Park.

CARRIED UNANIMOUSLY

11.4.2 Use of Recycled Materials in Road Asphalt Wearing Surfaces (11182846)

30 RESOLVED: Moran/Murray

That Council accept the use of recycled materials in an asphalt wearing surface product within the Shellharbour Local Government Area as a trial on a low trafficked road as part of the 2019/20 Road Renewal Program.

CARRIED UNANIMOUSLY

11.4.3 Albion Oval New Cricket Nets, Albion Park Rail (11182847)

31 RESOLVED: Murray/Marsh

That Council:

1. Receive and note the update report on new cricket nets at Albion Oval, Albion Park Rail.
2. A further report will be provided following the completion of the Shellharbour Open Space and Recreation Needs Study and Strategy to identify Cricket facility requirements at Albion Oval, Albion Park Rail.

CARRIED UNANIMOUSLY

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12. Committee Recommendations

12.1 Recommendations from the Disability Access and Inclusion Advisory Committee Meeting held 20 February 2019 recommended for adoption.

32 RESOLVED: Hamilton/Moran

That the Recommendations from the Disability Access and Inclusion Advisory Committee Meeting held 20 February 2019 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 Kellie Marsh: Swansea Farm House (11186507)

33 RESOLVED: Marsh/Cattell

That Council officers prepare a report on the capital cost and the required actions to renew the Swansea farm house to allow it to be occupiable.

CARRIED UNANIMOUSLY

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

Nil

17. Urgent Business

Councillor Moran raised the following urgent business, which was not accepted by the Mayor:

That the General Manager provide a report to the next meeting on Council's membership of the Australian Hotels Association (AHA). Such a report should include but not be limited to, the benefits of AHA and the appropriateness of Council being a member of a registered third Party Campaigner.

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Councillor Moran then moved a Motion of dissent from the Mayor's ruling.

MOTION: Moran

That the Mayor's ruling be dissented from.

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

**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 7.31pm