

**Minutes of the Ordinary Council Meeting  
of Shellharbour City Council  
held in the Council Chambers,  
Council Administration Centre,  
Shellharbour City Centre  
on Tuesday 30 May 2023 commencing at 6.30pm**

**Present**

Mayor	C Homer
Deputy Mayor	K Marsh
Councillor	J Davey
Councillor	M Duffy-Moon
Councillor	C Gow
Councillor	J Graf
Councillor	M Hamilton
Councillor	R Petreski
Councillor	L Stefanovski

**In attendance**

Chief Executive Officer	M Archer
Director Council Sustainability	S Bridgement
Director Community and Customers	M Boxall
Director Amenity and Assets	B Stewart
Executive Manager / Public Officer	F Lepouras
Acting Chief Financial Officer	S Packer
Group Manager Organisational Performance	S Colefax
Group Manager Community Connections	K Baget-Juleff
Group Manager Asset Strategy	D Brilsky
Group Manager City Planning	G Hoynes
Manager Financial Services	P Henderson
Manager Business and Investment	T James
Manager Libraries and Museum	M Kirkness
Manager Performance and Development	A Smith
Media Officer	K Wells
Governance Manager	L Davey
Executive Assistant–Councillor Support (Minute Taker)	J Frasca

**1. Acknowledgement to Country**

Shellharbour City Council acknowledges the Traditional Custodians of the Dharawal Country and recognise their continued connection to the land we meet on today. We pay our respects to Elders past, present and emerging and the contribution they make to the life of this city and this region and extend our recognition to their descendants who continue to live on country.

**Webcasting Statement**

Council broadcasts its meeting live to enhance the accessibility of Council Meetings to the broader Shellharbour City Community. Recordings can be downloaded from Council's website for later viewing. For further information on Privacy refer to Council's website.

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Should Council need to consider confidential matters during a Council Meeting, the open Council meeting will adjourn, the online webstreaming will be paused and will resume when the open meeting has resumed.

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

In the event of an emergency, please evacuate the building using the nearest exit and follow the instructions given by the wardens. Do not use the lifts.

**Statement of Ethical Obligations**

The Mayor and Councillors are reminded of their Oath/Affirmation of office made under Section 233A of the *Local Government Act 1993* and their obligations under Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

**2. Apologies**

Nil.

**3. Leave of Absence**

Nil.

**4. Confirmation of Minutes**

**4.1 Council Meeting 9 May 2023**

85 RESOLVED: Cr Marsh/Cr Graf

That the Minutes of the Ordinary Council Meeting held on 9 May 2023 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

**5. Disclosures of Interest**

Nil.

**6. Condolences**

Ian Emmerich	of	Albion Park
Harry Spicer OAM	of	Albion Park
Doreen Gladys Talbot	of	Albion Park
Edwin ‘Johnny’, ‘Jimmy’ Burden	of	Barrack Heights
Lazor Leveski	of	Lake Illawarra
Ronald “Ron” Richard Legge	of	Oak Flats
Ramona Trevethan	of	Oak Flats
Shane Leo Nichamin	of	Shell Cove
William (Bill) Hore	formerly of	Shellharbour
Jasmine Ziegler	of	Shellharbour
Rhonda Lynette Livet	formerly of	Warilla
Anthony McDonnell	of	Warilla
Alan Wooldridge	of	Warilla

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

**7. Mayoral Statements / Reports / Presentations**

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

- |        |   |
|--------|---|
| 12 May | • Business Illawarra Federal Budget Luncheon  |
| 16 May | • MCCI National Volunteer Luncheon  |
| 17 May | • Official Opening of KidzWish House at Willinga Road Flinders                                  |
| 18 May | • SEATS Meeting   |
|        | • The Enchanted Forest Media walk through   |
| 21 May | • Official launch at Illawarra Light Rail Museum  |
| 24 May | • CivicRisk Mutual Members Assembly   |
|        | • Lake Illawarra CMP Implementation Group Meeting   |
| 25 May | • Opening of KidsFest Shellharbour Communities for Children Picnic at Shellharbour Civic Centre |
|        | • Country Mayor's Association Dinner  |
| 26 May | • Country Mayor's Association Meeting   |
| 27 May | • Shellharbour Netball Club 50 <sup>th</sup> Anniversary Dinner                                 |
| 28 May | • Oak Flats Swimming Club Presentation  |
| 29 May | • Reconciliation School Flag Walk   |
|        | • Official unveiling of the new Gawura Bronze Whale artwork                                     |
|        | • Premier Event of Leadership in Action Documentary   |

The Mayor acknowledged that tonight was the Director Community & Customers Melissa Boxall's last council meeting. On behalf of Council, he expressed his sincere appreciation for her service to Shellharbour City over the past 14 years and wished her all the very best as she prepares to move to her new role as General Manager of Temora Shire Council.

**8. Mayoral Minutes**

Nil.

**9. Councillors' Statements / Reports**

Councillor Petreski outlined his attendance at the Oak Flats Swimming Club presentation and the Warilla Barrack Point Surf Lifesaving Club presentation.

Councillor Petreski acknowledged two local stand out female football players, Jynaya Dos Santos and Indiana Dos Santos (who is only 15 years old) who have both signed professional contracts to play in the Sydney FC A League. He noted that Indiana has set an Australian record for the youngest ever player, male or female, to play in an A league final.

Councillor Petreski also acknowledged Melissa Boxall and wished her well for the future.

Councillor Duffy-Moon congratulated council staff, the schools and Rotary and Lions for their contribution to the Recognition School Flag Walk.

## **10. Reports**

### **10.1 Chief Executive Officer**

#### **10.1.1 Your Ideas Our Actions Third Quarter Review of the Delivery Program-Operational Plan 2022-2023**

87 RESOLVED: Cr Davey/Cr Stefanovski

That Council adopt the:

1. Your Ideas, Our Actions - Third Quarter Review of the Delivery Program/Operational Plan 2022-2023.
2. March 2023 Quarterly Budget Review with all recommended adjustments and strategies including the creation of a new internal restriction, "Organisational Structure 2023", as outlined in the body of this report.

CARRIED UNANIMOUSLY

### **10.2 Council Sustainability Directorate**

#### **10.2.1 Monthly Investment Report – April 2023 (11993169)**

88 RESOLVED: Cr Davey/Cr Marsh

That Council receive and note the Investment Portfolio report as at 30 April 2023.

CARRIED UNANIMOUSLY

**10.2.2 Draft Shellharbour City Council Major Projects Advocacy Plan 2023/24 (12056775)**

89 RESOLVED: Cr Petreski/Cr Marsh

That Council endorse the draft Shellharbour City Council Major Projects Advocacy Plan 2023/24 (Attachment 1) as a living document, subject to emergent circumstances, delivery plans and Council priorities.

CARRIED UNANIMOUSLY

**10.3 Community and Customers Directorate**

**10.3.1 Draft Street Library Policy (12057960)**

90 RESOLVED: Cr Graf/Cr Duffy-Moon

That:

1. Council endorse the draft Street Library Policy to be placed on public exhibition for a period of 28 days calling for submissions.
2. If any valid opposing 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 valid opposing 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 Street Library Policy as attached to this report.

This resolution is a policy position of Council.

CARRIED UNANIMOUSLY

**10.3.2 Outcomes of Synthetic Sportsfield Investigations (12058275)**

MOTION: Cr Marsh/Cr Petreski

That Council:

1. Endorse the Synthetic Sports Surfaces Study and

2. Prepare a master plan at Albion Oval, Albion Park Rail, for a Regional Multi-Sports and Leisure Facility including aquatics.

91 RESOLVED: Mayor/Cr Stefanovski

That Councillor Petreski be given an extension of time of 1 minute to conclude his address.

CARRIED UNANIMOUSLY

92 The MOTION being PUT to the Meeting was CARRIED UNANIMOUSLY

**10.3.3 Endorsement of the Draft Community Gardening Policy and Draft Community Gardens Guide for the purposes of public exhibition (12058322)**

93 RESOLVED: Cr Duffy-Moon/Cr Hamilton

That:

1. Council endorse the Draft Community Gardening Policy and Draft Community Garden Guide, to be placed on public exhibition for a period of 28 days calling for submissions.
2. If any valid opposing 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 valid opposing 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 Community Gardening Policy and Draft Community Garden Guide as attached to this report.

This resolution is a policy position of Council.

CARRIED UNANIMOUSLY

**10.4 Amenity and Assets Directorate**

**10.4.1 Swansea Farmhouse, 152 Croome Road, Croom – Lot 304 DP 1223037 (12059101)**

94 RESOLVED: Cr Marsh/Cr Gow

That Council:

1. Support the proposal for the short term works at Swansea Farmhouse to improve fencing and security, support the structure and remove the exotic Fig Tree following relevant assessments and with consideration of the Conservation Management Strategy. Further, that funding for the proposal be considered as part of the adoption of the 2023/24 Operational Plan. Seek grant funding to undertake major structural repairs and restoration works with consideration of the Swansea Farmhouse heritage significance and the Conservation Management Strategy.

CARRIED 8/1

For Vote - Mayor Homer, Cr Marsh, Cr Duffy Moon, Cr Gow, Cr Petreski, Cr Stefanovski, Cr Graf, Cr Davey  
Against Vote - Cr Hamilton

**10.4.2 Tender 2023/12 – McDonald Park Netball Court Upgrade (12059612)**

95 RESOLVED: Cr Marsh/Cr Graf

That:

1. Council decline to accept any of the tender submissions in accordance with clause 178(1)(b) of the *NSW Local Government (General) Regulation 2021*
2. In accordance with Section 178(3)(e) of the *NSW Local Government (General) Regulation 2021*, Council enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender and not invite fresh tenders for the following reasons:
  - a. Clarification of project staging, construction materials and work methods through a negotiation to reduce the prices offered.
  - b. Current unavailability of competitive tenderers.



3. Council delegate to the Chief Executive Officer or their nominated delegate the authority to undertake and finalise negotiations, sign the letters of acceptance, variations and associated documents on behalf of Shellharbour City Council.
4. In accordance with the *Government Information (Public Access) Act 2009*, the name of the successful contractor and amount payable under the contract be added to the contracts register.

CARRIED UNANIMOUSLY

**11. Committee Recommendations**

**11.1 Recommendations from the Traffic Committee Meeting held 3 May 2023**

96 RESOLVED: Cr Duffy-Moon/Cr Davey

That the Recommendations from the Traffic Committee Meeting held 3 May 2023 be adopted.

CARRIED UNANIMOUSLY

**12. Items for Information**

Nil.

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

Nil.

**14. Notices of Motion**

**14.1 Notice of Motion submitted by Cr Kellie Marsh: Projected timeline for new schools at Flinders and Calderwood**

97 RESOLVED: Cr Marsh/Cr Gow

That Council write to the NSW Minister for Education and Member for Shellharbour requesting information and projected timeline for the new High School for Flinders and a new Primary School for Calderwood.

CARRIED 5/4

For Vote - Mayor Homer, Cr Marsh, Cr Gow, Cr Graf, Cr Davey

Against Vote - Cr Hamilton, Cr Duffy Moon, Cr Petreski, Cr Stefanovski

**15. Questions with Notice (must be submitted in writing)**

Nil.

**16. Urgent Business**

Nil.

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

Nil.

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

Nil.

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

Nil.

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

Nil.

**Meeting closed 7.51pm**