**Minutes of the Ordinary Council Meeting**
**of Shellharbour City Council**
**held in the Council Chambers,**
**Council Administration Centre,**
**Shellharbour City Centre**
**on Tuesday 17 May 2022 commencing at 6.30pm**

## Present

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

## In attendance

| | |
|---|---|
| Acting Chief Executive Officer | M Boxall |
| Director Council Sustainability | S Bridgement |
| Acting Director Community and Customers | M Chiodo |
| Director Amenity and Assets | B Stewart |
| Executive Manager / Public Officer | F Lepouras |
| Chief Financial Officer | K Buckman |
| Group Manager Organisational Performance | S Colefax |
| Group Manager Built & Natural Environment | M Apolo |
| Group Manager Community Connections | K Baget-Juleff |
| Manager Financial Services | P Henderson |
| Manager Business and Investment | T James |
| Property Management Coordinator | L Wicks |
| Media Officer | K Wells |
| Acting 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.

Council accepts no responsibility for any defamatory or offensive statements. Conduct standards of behaviour during Council meetings and Public Address forums are available on Council's website.

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 26 April 2022

94 RESOVLED: Cr Petreski/Cr Edwards

That the Minutes of the Ordinary Council Meeting held on 26 April 2022 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

## 5. Disclosures of Interest

Nil.

## 6. Condolences

| | | |
|---|---|---|
| Winifred “Winnie” Esme Roberts | of | Albion Park |
| Mary May McAdam | of | Albion Park Rail |
| John Joseph Sonter | of | Albion Park Rail |
| Geny Sa | of | Barrack Heights |
| Krste Gorgijoski | of | Blackbutt |
| Mollie Wellard | of | Lake Illawarra Sth |
| Tyler Justin Glenn Heyman | of | Mt Warrigal |
| Heather Elizabeth Matchett | formerly of | Mt Warrigal |
| Doris Farrugia | of | Oak Flats |
| Dennis Linton | of | Shellharbour |

95 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:

27 April
- The Advancing Careers in Healthcare Forum at UOW

30 April
- Opening of the South Coast Branch Life Saving Training Administration and Storage Centre
- Shellharbour Community Awards

| | |
|---|---|
| 3 May | • The Cram Foundation Recognition Morning Tea |
| 4 May | • Tourism Shellharbour Board Meeting |
| 5 May | • On-line NSW Independent Flood Inquiry – NSW Mayors and General Managers meeting |
| 6 May | • Media opportunity – Reddall Reserve Play Space |
| 9 May | • Ideas Lounge – Albion Park Library<br>• Rotary Club – Launch of the First 2000 Days |
| 10 May | • Ideas Lounge – Oak Flats Library |
| 11 May | • WIN News Interview on sportfields<br>• Ideas Lounge – Shellharbour Civic Centre<br>• On-line Cyber Security Training |
| 12 May | • ABC Interview – National Coastal Commission |
| 13 May | • Warilla Lake South Gorillas 2022 Sportsman's Lunch |
| 15 May | • Cities Service Boston Commemoration |
| 16 May | • WIN News Interview on the golf course and wet weather |

## 8. Mayoral Minutes

Nil.

## 9. Councillors' Statements / Reports

Councillor Marsh outlined her attendance at the Cities Services Boston Commemoration.

## 10. Reports

### 10.1 Chief Executive Officer

### 10.1.1 Adoption of Code of Meeting Practice (11864471)

96 RESOLVED: Cr Marsh/Cr Hamilton

That Council adopt the amended Code of Meeting Practice (Attachment 2).

CARRIED UNANIMOUSLY

### 10.1.2 Your Ideas, Our Actions – Third Quarter Review of the Delivery Program/Operational Plan 2021–2022 (11865987)

97 RESOLVED: Cr Petreski/Cr Marsh

That Council adopt the:

1. Your Ideas, Our Actions - Third Quarter Review of the Delivery Program/ Operational Plan 2021-2022.

2. March 2021 Quarterly Budget Review with all recommended adjustments as contained in this report and attachment.

CARRIED UNANIMOUSLY

## 10.2 Council Sustainability Directorate

### 10.2.1 Proposed New Licence Agreement – Wollongong City Council, Part Centenary Hall and Bus Depot Lot 26 DP 1237947, Tongarra Rd Albion Park (11865424)

98 RESOLVED: Cr Petreski/Cr Davey

That:

1. Provided there are no opposing submissions received during the public exhibition period, Council endorse a 12 months + 12 months licence agreement with Wollongong City Council over Part Lot 26 DP 1237947, Tongarra Road Albion Park for a rent of $26,000 GST exclusive per annum.

2. Council approve the Mayor and Chief Executive Officer, or the nominated delegate, be authorised to sign all documentation, including the affixing of the Council Seal associated with the lease agreements with Wollongong City Council for Part Lot 26 DP 1237947, Tongarra Road Albion Park.

CARRIED UNANIMOUSLY

### 10.2.2 Proposed Variation of Lease – Warilla Barrack Point Surf Club – Lot 2 DP 224845, Osborne Parade Warilla (11865470)

99 RESOLVED: Cr Petreski/Cr Hamilton

That Council:

1. Accept the variation of the existing lease dated 1 August 1982 for the Warilla Barrack Point Surf Club.

2. Accept the subleasing of the kiosk within the head lease.

3. Endorse a subsequent condition be included within the head lease for a 10% surcharge of any rent payable under the sublease with Warilla Barrack Point Surf Club.

4. Approve the Mayor and Chief Executive Officer, or the nominated delegate, be authorised to sign all documentation, including the affixing of the Council Seal associated with the lease agreements with Warilla Barrack Point Surf Club for Lot 2 DP 224845, Osborne Parade Warilla.

CARRIED UNANIMOUSLY

### 10.2.3 Expression of Interest Evaluation – Aviation Business Park – Shellharbour Airport (11865721)

100 RESOLVED: Cr Davey/Cr Marsh

That Council:

1. In accordance with Section 178(1)(b) of the Local Government (General) Regulation 2005, decline to accept the EOI submissions for the Aviation Business Park – Shellharbour Airport (EOI No. 2022/05).

2. In accordance with Section 178(4)(a) (General) Regulation 2005, do not invite fresh submissions for the Aviation Business Park due to the following reasons:

    a) The specialised nature of the commercial offering.
    b) Council has provided a fair EOI process for the tenancy and the circumstances have not changed that would not require the calling for fresh submissions.
    c) Entering into negotiations will allow consideration of offers received and alternate information that will provide the opportunity to achieve the most advantageous result for Council and the community.

3. In accordance with Section 178(3)(e) of the Local Government (General) Regulation 2005, enter into negotiations with any person with a view to entering into an agreement in relation to the subject matter of the Expression of Interest

4. In accordance with Section 178(4)(b) (General) Regulation 2005 enter into negotiations on proposals and to allow consideration of alternate development schemes to achieve a desired result for Council and value for money the community.

5. At the completion of negotiations and detailed evaluation of submissions, receive a report on the offers.

CARRIED UNANIMOUSLY

## 10.3 Community and Customers Directorate

### 10.3.1 Commitment to establishing a Regional Arts Development Organisation (RADO) for the South Coast (11856988)

101 RESOLVED: Cr Edwards/Cr Gow

That Council:

1. Support the continued development and establishment of the South Coast Regional Arts Development Organisation.

2. Elect Councillor Petreski as Delegate and Councillor Marsh as Alternative Delegate to represent Shellharbour City Council on the Board of the South Coast Regional Arts Development Organisation with the Group Manager Community Connections as support person and proxy.

3. Approve under delegation that the Chief Executive Officer enter into a Memorandum of Understanding (MOU) with South Coast Regional Arts Development Organisation.

CARRIED UNANIMOUSLY

## 10.4 Amenity and Assets Directorate

### 10.4.1 Lake Illawarra Coastal Management Program Implementation Group – Community Representatives and Independent Scientific Advisor (11864220)

102 RESOLVED: Cr Davey/Cr Graf

That Council endorse the appointment of:

1. Sharon Tomamichael and Warren Goodall as Shellharbour LGA Community Representatives to the Lake Illawarra Coastal Management Program Implementation Group for the remaining period to October 2023.

2. Dr Brian Jones as Independent Scientific Advisor to the Lake Illawarra Coastal Management Program Implementation Group for the remaining period to October 2023, subject to Wollongong City Council resolution.

CARRIED UNANIMOUSLY

## 11. Committee Recommendations

### 11.1 Recommendations from the Sports Assistance Advisory Meeting on 28 April 2022

103 RESOLVED: Cr Petreski/Cr Marsh

That the Recommendations from the Sports Assistance Advisory Meeting held on 28 April 2022 be adopted.

CARRIED UNANIMOUSLY

### 11.2 Recommendations from the Aboriginal Advisory Committee Meeting on 3 May 2022

104 RESOLVED: Cr Petreski/Cr Gow

That the Recommendations from the Aboriginal Advisory Committee Meeting held on 3 May 2022 be adopted.

CARRIED UNANIMOUSLY

### 11.3 Recommendations from the Shellharbour Traffic Committee Meeting on 4 May 2022

105 RESOLVED: Cr Edwards/Cr Hamilton

That the Recommendations from the Shellharbour Traffic Committee Meeting held on 4 May 2022 be adopted.

CARRIED UNANIMOUSLY

## 12. Items for Information

### 12.1 Items for Information: Response to Questions Taken on Notice (11865534)

The item for information was formally NOTED.

## 13. Notices of Rescission/Alteration Motions

Nil.

## 14. Notices of Motion

### 14.1 Notice of Motion submitted by Mayor Homer and Cr Kellie Marsh: Affordable housing at existing Shellharbour Hospital site – Mount Warrigal (11865371)

Councillor Marsh withdrew the Notice of Motion.

### 14.2 Notice of Motion submitted by Cr Kellie Marsh: Dog Agility Water Park (11867938)

106 RESOLVED: Cr Marsh/Cr Edwards

That Council officers provide a report on the feasibility and estimated costs of establishing the first Dog Agility Water Park for Shellharbour local government area and the Illawarra Region at Keith Barnes Oval Albion Park or in an existing dog agility park, or in a new standalone location.

CARRIED 8/1
FOR VOTE - Mayor Homer, Cr Hamilton, Cr Marsh, Cr Edwards, Cr Gow, Cr Petreski, Cr Stefanovski, Cr Davey
AGAINST VOTE - Cr Graf

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

Nil.

## 16. Urgent Business

Councillor Marsh moved a matter of urgent business relating to affordable housing in the Shellharbour LGA, which was accepted by the Mayor.

MOTION: Cr Marsh/Mayor Homer

That the Acting Chief Executive Officer facilitate a round table discussion and information session with councillors, relevant Council staff and appropriate State Government authority representatives to discuss ideas and strategies for the Shellharbour LGA on affordable housing.

During Councillor Marsh's address, Councillor Petreski raised a POINT of ORDER and stated that it was not an urgent item of business. The Mayor noted the Point of Order and asked Councillor Marsh to continue with her address.

Following debate, Councillor Marsh requested a personal explanation, which was accepted by the Mayor.

107 The MOTION on being PUT to the Meeting was CARRIED UNANIMOUSLY

## 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 7.31pm**