

**Minutes of the Ordinary Meeting  
of Shellharbour City Council  
held at the Council Chambers, Warilla  
on Tuesday 20 September 2005 commencing at 7.17 pm**

**Present**

His Worship the Mayor	Councillor D Hamilton
A Ward	Councillor M Greig Councillor T Hawker
B Ward	Councillor H Stewart Councillor C Jeffreys
C Ward	Councillor J Bailey Councillor D Briggs
D Ward	Councillor J Leedham Councillor T Hore
E Ward	Councillor C Mifsud Councillor G Rose
F Ward	Councillor B Bird Councillor H Gillett

**In attendance**

General Manager	B A Weir
Director of Operations & Services	A Webster
Director of Community Planning & Strategies	P O'Rourke
Director Shell Cove Business Unit	P Woodcock
Group Manager Corporate Services	T Gearon
Group Manager Customer & Env. Services	G Standen
Group Manager Development & Tech Services	M Boenisch
Group Manager Organisational Development	B Rose
Acting Group Manager Planning Services	K Fairhall
Section 94 Planner	J Kaul
Corporate Solicitor – Manager Legal & Property Services	B McCann
Manager Development Services	G Mitchell
Manager Executive Offices/Executive Assistant	F MastroDomenico
Media Officer	A Baltovska
Corporate Meetings Officer	J Larsen

## **Acknowledgement to Country**

The Mayor read to the Meeting "Shellharbour City Council acknowledges the Traditional Owners and Custodians of the Land on which we are meeting".

### **1. Apologies / Leave of Absence**

Nil

### **2. Confidential Business (Committee of the Whole)**

Nil

### **3. Recommendations from Committee of the Whole**

Nil

### **4. Confirmation of Minutes**

#### **4.1 Ordinary Meeting 30 August 2005**

Councillor Rose, in reference to Item 11.2 from 30 August asked why the Mayor's comments were not recorded in full. He began to read a letter to the meeting he had received with respect to the Tupperware Development Application.

The Mayor stated that the Minutes are not "Hansard" and are not meant to record debate or discussion regarding items; this was Council's policy and Councillor Rose was well aware of the policy.

Councillor Bird MOVED a POINT of ORDER that Councillor Rose's dispute with the accuracy of the minutes is a backhanded way of having everything recorded in the minutes. He stated that this happens every meeting.

Councillor Mifsud stated that this has only happened once.

1026 RESOLVED: Briggs/Greig That the Minutes of the Ordinary Council Meeting held on 30 August be confirmed as a correct record of proceedings.

CARRIED (9/4) Councillors Bailey, Mifsud, Rose and Stewart dissenting.

## **4.2 Committee of the Whole 30 August 2005**

Councillor Rose stated that Councillor Hawker had “got off lightly” for his behaviour towards a council officer at the Committee of the Whole Meeting on 30 August.

The Mayor stated that the matter was dealt with at the time.

The General Manager stated that any discussion of details of the Committee of the Whole Minutes must be conducted by adjourning into Committee of the Whole and not discussed in Open Council.

1027 RESOLVED: Briggs/Leedham That the Minutes of the Committee of the Whole Council Meeting held on 30 August 2005 be confirmed as a correct record of proceedings.

CARRIED: 10/3

## **5. Pecuniary Interest**

**Councillor Greig:** Item 11.9 Caroline Chisholm Park Upgrade

**Nature of Interest:** Councillor Greig owns a property near Caroline Chisholm Park.

## **6. Condolences**

The mayor read details of the following deaths in the Local Government area.

Mrs Beryl Rainey	of	Albion Park
Mrs Maria Rosiak	of	Albion Park
Mrs Elsie Fisher	of	Albion Park Rail
Mrs Isabella Sorompo	formerly of	Albion Park Rail
Mrs Themelina Papaconstantinos	of	Barrack Heights
Mr Alexander (Aleko) Stratilas	of	Barrack Heights
Mr Inge Kiefner	of	Barrack Point
Mrs Irene Beatrice Steiner	of	Lake Illawarra
Mrs Valmae (Val) Torney	of	Lake Illawarra
Mrs Queenie Young	of	Lake South
Mr Denis Marriott	of	Mt Warrigal

## **SHELLHARBOUR CITY COUNCIL**

Ordinary Council Meeting - Tuesday 20 September 2005

---

Mr Ern Sly	of	Oak Flats
Mr George Quiroga	of	Shell Cove
Mrs Ivy Frances Hazelton	of	Tongarra
Mrs Ena May Fenton	of	Warilla
Mr Lajos Kelbert	of	Warilla
Mr James Charles (Jim) O'Pray	of	Warilla
Mrs Doris Pollock	formerly of	Warilla
Ms Margaret Whyte	of	Warilla

Mrs Katie Zatschler, wife of the late Erwin Zatschler former Alderman - Shellharbour City Council

Jim Tremain – Group Manager, Planning Services, Shellharbour City Council

Uncle Jim Davis – Spokesperson for Wodi Wodi Elders Council and Community Representative Aboriginal Advisory Committee. The Mayor stated that he was honoured to have been given the opportunity to speak at Uncle Jim's funeral.

1028 A Motion of condolence was passed by all present standing in one minutes silence.

### **7. Presentations**

Nil

### **8. Mayoral Minutes**

Nil

### **9. Councillors' Reports**

Nil

### **10. General Manager's Office**

**10.1 Closure of Council Operations - Union Picnic Day (8457894)**

1029 RESOLVED: Greig/Bailey

That Council close all of its business premises on the designated Council picnic day, Friday 7<sup>th</sup> October, 2005 other than for essential services. Staff required to work are paid at the rate equivalent to double time and a half. Sufficient employees, who cover essential services including the Waste depot, Oak Flats Heated Pool, some cleaning and ordinance and rangers, will be engaged and paid in accordance with the Award.

**10.2 Local Government Conference - Motions (8415585)**

A lengthy debate was conducted on the appropriateness of the Motion during which the Mayor warned councillors with regard to their behaviour.

Councillor Stewart complained that she had observed Councillor Gillett winking across the Chamber. Councillor Gillett apologised to Councillor Stewart if she had given offence to Councillor Stewart.

Following a period of rowdy behaviour and repeated interjection the Mayor strongly cautioned all Councillors and requested that they abide by the Code of Meeting Practice and behave with decorum.

1030 RESOLVED: Briggs/Bird

That this item be withdrawn and that a letter be written to the Local Government Association to formally advise the Association of this.

CARRIED: 7/6

**11. Operations & Services Division**

**11.1 Development Application No. 63/2005 - Lot 4074, DP 845173, 15 Panbula Place, Flinders - Attached Dual Occupancy (8408543)**

1031 RESOLVED: Bird/Briggs

That Council consider the request to review the determination of Development Application No. 63/2005 under Section 82A of the *Environmental Planning & Assessment Act, 1979*, as amended, for the dual occupancy (two attached townhouses with double garages) and Torrens Subdivision at Lot 4074, DP 845173, 15 Panbula Place, Flinders and approve the development under Section 80 of the *Environmental Planning & Assessment Act, 1979*, as amended, subject to all the 59 conditions immediately following the conclusion of this report being complied with.

**11.2 Development Application No. 217/2005 - Lot 1, DP 359424, 52-54 Wollongong Street, Shellharbour - Demolish Existing Structures & Construct Three Townhouses with Garages & Torrens Subdivision (8413956)**

**PUBLIC PARTICIPATION**

**Mr Rick Simmons**

- Mr Simmons advised that he lives in Wollongong Street opposite the proposed development
- He is particularly concerned with traffic and parking issues associated with the development
- He stated that the applicant originally expressed concern for traffic and parking but now seems unconcerned.
- Believes developer not concerned with issues of local residents
- Believes proposal is an overdevelopment of the site

**Mrs E Harris**

- Mrs Harris said that neighbours are concerned with the size of the development – very little green space around buildings
- Questioned adequacy of drainage, little space for garbage bins
- Buildings set back less than other buildings in street – 4.5 m not 6m.
- Driveway very narrow
- Believes developer is claiming the park as part of the development by facing the front of townhouses towards the park
- Views from her property will be lost

1032 RESOLVED: Briggs/Greig

That Council approve Development Application No. 217/2005 to Demolish Existing Structures and Construct Three Townhouses with Garages and Torrens Title Subdivision at Lot 1, DP 359424, 52-54 Wollongong Street, Shellharbour under Section 80 of the *Environmental Planning & Assessment Act, 1979*, as amended, subject to the 71 conditions following the conclusion.

CARRIED 9/4

Councillor Mifsud sought to put a question to Councillor Briggs but the Mayor ruled that the matter was concluded.

**11.3 Tullimbar Village Building Design Guidelines - Stage 1b1 (8415026)**

**PUBLIC PARTICIPATION**

**Mr Lawson Fredericks**

- Mr Fredericks advised that he was speaking In favour of the recommendation
- He stated that finalising design guidelines had been a complex process and that the developer had been working with council officers for 6 months on the design for Stage 1b1.
- Sets scene for all of residential development – quite important
- Few minor changes from example Building & Access Guidelines originally presented - plan is generally in accordance with Guidelines
- Reductions and increases in certain areas
- Brand new community – setting scene for this kind of development in the future
- Different from what you see in conventional areas
- Benefit of building the whole area – purchasers will know what is being built next door

**Ms Paulla Turnbull**

Councillor Gillett asked if Mrs Turnbull has apologised for her behaviour at the last Council Meeting.

The Mayor advised that Mrs Turnbull had apologised in writing and that her apology had been accepted.

- Mrs Turnbull advised that she is speaking for the recommendation but also has concerns for the residents of Regal Heights.
- She stated that the residents have accepted that Tullimbar is going ahead but the residents of Regal Heights have concerns as they are above the development.

The Mayor asked that Mrs Turnbull speak only on the report before Council or resume her seat.

Mrs Turnbull continued to speak about the issues of concern to residents of Regal Heights.

The Mayor asked Mrs Turnbull to resume her seat.

Mrs Turnbull resumed her seat.

1033 RESOLVED: Rose/Greig

That Council approve the Tullimbar Village Building Design Guidelines for Stage 1b1.

CARRIED UNANIMOUSLY

**11.4 Request for Use of Part of a Public Reserve as an Asset Protection Zone for a Proposed Aged Care Facility, off New Lake Entrance Road & Cygnet Avenue, Shellharbour City Centre (8415264)**

Councillor Rose objected to comments made by Councillor Briggs during discussion of this item.

The Mayor asked Councillor Briggs to behave properly.

1034 RESOLVED: Bailey/Briggs

That Council agree with the request for part of Lot 1075, DP 1052706 (Public Reserve) to be identified as an Outer Protection Zone, subject to satisfactory negotiations regarding annual maintenance costs and amendment to relevant Plan of Management.

**11.5 Shared Path Link - Wattle Road, Intersection with Benson Avenue, Barrack Heights (8415306)**

1035 RESOLVED: Briggs/Gillett

1. That Council allocate \$28,600 from Ward C Traffic Facilities to construct a shared path link from the intersection of Wattle Road and Benson Avenue to the existing cycleway on the eastern side of Wattle Road.
2. That the budget be amended accordingly.

**11.6 Geotechnical Investigation, Poplar Avenue, Albion Park Rail (8415277)**

1036 RESOLVED: Gillett/Bird

1. That Council allocate \$3,000 from Ward F Traffic Facilities for a Geotechnical Investigation into the proposed extension of Poplar Avenue, Albion Park Rail.
2. That the budget be amended accordingly.

**11.7 Roads to Recovery Grant Offer and Program for 2005/2006 to 2006/2007 (8415403)**

1037 RESOLVED: Rose/Bailey

1. That Council formally accept the Federal Government's grant offer of \$1,283,322 over four years under the Roads to Recovery Program.
2. That the program determined by the Pavement Management System and Forward Capital Works Program as shown in Option 1 for the 2005/2006 and 2006/2007 program be adopted and that a further report be presented on the 2007/2008 and 2008/2009 programs.



## **SHELLHARBOUR CITY COUNCIL**

Ordinary Council Meeting - Tuesday 20 September 2005

---

3. That authority be given for the General Manager to execute all necessary documents under Council's Seal as appropriate in relation to this program.
4. That the budget be amended accordingly.

### **11.8 Regional Roads Repair Program 2005/2006 (8416556)**

1038 RESOLVED: Hawker/Greig

1. That Council accept the RTA's offer of \$40,000 for the Regional Roads Repair Program 2005/2006 for use on Council's Regional Road, Terry Street.
2. That authority be given for the General Manager to execute all necessary documents under Council's Seal as appropriate in relation to this program.
3. That the budget be amended accordingly.

### **11.9 Caroline Chisholm Park Upgrade (8413811)**

Note: Councillor Greig declared an interest in Item 11.9 and left the Chamber whilst this matter was being considered pursuant to Section 451 of the Local Government Act 1993.

Councillor Rose complained that Councillor Briggs was jumping in to move motions before anyone else had a chance.

A heated discussion followed.

The Mayor warned Councillor Briggs to behave.

Councillor Bailey MOVED a MOTION that Councillor Briggs be removed from the Chamber. Councillor Mifsud seconded the MOTION.

After further discussion Councillors Bailey and Mifsud withdrew the MOTION.

The Mayor addressed all Councillors and again asked that they conduct themselves in a proper manner. He stated that their actions were showing no respect for the gallery or themselves. He warned the Councillors that he would seek a resolution to have the next Councillor who behaved improperly removed.

Councillor Briggs asked if the MOVER of the MOTION in relation to the Caroline Chisholm Park Upgrade would accept an amendment to the MOTION to add a further point requesting that Caroline Chisholm Park be included as a City Wide Facility.

Councillor Rose agreed to the amendment.

## **SHELLHARBOUR CITY COUNCIL**

Ordinary Council Meeting - Tuesday 20 September 2005

---

1039 RESOLVED: Rose/Briggs

That Council resolve to:

1. Leave the War Memorial in its current location in Caroline Chisholm Park.
2. Prepare a design for the upgrade of Caroline Chisholm Park, in conjunction with the working party, having regard to the potential long term development of the site.
3. Acknowledge the importance of the Atchison Boer War Memorial as being rare at State level and a unique memorial for Shellharbour City.
4. That the Caroline Chisholm Park be included as a City Wide Facility

Councillor Greig here returned to the Chamber.

1040 RESOLVED: Bird/Hore

That Council resolve into Committee of the Whole to consider an item to be raised by Councillor Bird with only the General Manager to remain in the meeting.

**Meeting adjourned at 9.45 pm**

**Meeting resumed at 9.57 pm**

### **11.10 Improvements to Shellharbour City Cemeteries (8413826)**

#### **PUBLIC PARTICIPATION**

##### **Mr Ross McGregor**

- Mr McGregor stated that he wished to speak about his concern for the carpark at Shellharbour Cemetery.
- He advised that he cares for the cemetery particularly because his wife and son are buried there.
- He advised that he had received permission from the caretaker to help take care of the area – lawn and edging and general tidying up.
- He thanked Council for their assistance in allowing himself and Mrs Harris to do this.
- The state of the carpark is a concern as it is neglected in comparison to other parts of the cemetery.
- He appealed to council to do something about the carpark – seal it, make it more safe and appealing for visitors.
- He mentioned a petition signed by 300 people with similar views and concerns about the condition of the cemetery carpark.
- He advised that he would like to see the carpark repaired before security fencing is installed.

The Mayor congratulated Mr McGregor and Mrs Harris on behalf of the city for their work at the cemetery. He stated that Council appreciates their exemplary efforts.

**Mrs A Harris**

Mrs Harris declined to speak.

1041 RESOLVED: Greig/Bird

That Council reaffirm its previous resolution to install security fencing at Albion Park and Shellharbour cemeteries.

Further that the Ward Councillors meet with the General Manager to discuss funding options from Ward E Works Funds, for the upgrade/sealing of the Shellharbour Cemetery carpark.

**11.11 Draft Shellharbour City Council Special Events Waste Avoidance & Management Policy (8414147)**

1042 RESOLVED: Briggs/Bailey

That Council adopts the Shellharbour City Council Special Events Waste Avoidance & Management Policy with the amendments suggested by the Department of Environment & Conservation and the Department of Local Government.

**11.12 Requests for Donations (8405623)**

1043 RESOLVED: Hawker/Gillett

That Council resolve to donate the following contributions totalling \$3,620:

1. Lake Illawarra PCYC
2. Shellharbour City Marching Association Inc.
3. St Vincent De Paul – Albion Park Conference
4. Soccer NSW - Jake Waterman
5. City of Wollongong Highland Games
6. Lions Club of Oak Flats
7. Faith Chapel
8. Kiama/Shellharbour 1942 Blitz Fire Engine Restoration Group

**11.13 Disclosure of Interest Returns (8401897)**

1044 RESOLVED: Stewart/Leedham

1. That the Councillors' names and staff names and positions set out in this report be identified as the designated persons for the lodgement of Disclosure of Interest Forms for Shellharbour City Council for the term 1 July 2004 to 30 June 2005.
2. That Council acknowledge the tabling of the register of returns.

**11.14 Renewal of Licence agreement with The Scout Association of Australia (8415413)**

1045 RESOLVED: Hawker/Greig

1. That Council renew the licence agreement with The Scout Association of Australia (NSW Branch) for the occupation of the hall at Albion Park Showground, being Lot 1000, DP 813443, Albion Park at a fee of \$1.00 per annum with all terms and condition in accordance with the existing licence for a 12 month period only.
2. That the Seal of Council be affixed to the licence agreement with The Scout Association of Australia (NSW Branch) for the occupation of the hall at Albion Park Showground, being Lot 1000, DP 813443, Albion Park

**11.15 Renewal of licence agreement with Police & Community Youth Clubs NSW Ltd (8415979)**

1046 RESOLVED: Leedham/Hore

1. That Council renew the licence agreement with Police and Community Youth Clubs NSW Ltd for the occupation of part reserve – Cec Glenholmes R87493 Reserve Trust, Reddall Parade, Lake Illawarra for a term of five (5) years at a licence fee of \$350.00, per annum with terms and conditions in accordance with the existing licence.
2. That Council pay the licence fee of \$350.00 per annum on behalf of the PCYC.
3. That the Seal of Council be affixed to the licence agreement with Police and Community Youth Clubs NSW Ltd for the occupation of part reserve – Cec Glenholmes R87493 Reserve Trust, Reddall Parade, Lake Illawarra.

**11.16 Renewal of Lease agreement with Girl Guides Association of NSW (8416149)**

1047 RESOLVED: Gillett/Bailey

1. That Council renew the lease agreement with Girl Guides Association (New South Wales) for the occupation of part Lots 1,2 and 3 DP 247053, Corner Beach Road and Eastern Avenue, Shellharbour at a fee of \$1.00 per annum with all terms and condition in accordance with the existing licence.
2. That the Seal of Council be affixed to the lease agreement with Girl Guides Association (New South Wales) for the occupation of part Lots 1,2 and 3 DP 247053, Corner Beach Road and Eastern Avenue, Shellharbour.

**11.17 Management of Liability at the Croom BMX Track (8377291)**

1048 RESOLVED: Hawker/Briggs

1. Council fund the installation of gates and a small section of fencing from the Croom Contingency fund to the value of \$17,000 and that the budget be amended accordingly.
2. Council require a contribution of 50% toward the cost of the works from the Southlake BMX Club.
3. That Council enter into a licence agreement with Southlake BMX Club Inc for the occupation of the BMX track at Croom Regional Sporting Complex for a period of five (5) years at a fee of \$20.00 per annum.
4. That the Seal of Council be affixed to the licence agreement with the Southlake BMX Club Inc for the for the occupation of the BMX track at Croom Regional Sporting Complex, being part Lot 1 DP 216772.

**12. Community Planning & Strategies Division**

**12.1 Renewal of Alcohol Free Zone in Albion Park (8417170)**

1049 RESOLVED: Hawker/Greig

That Council resolves to renew designation of the areas listed in the Schedule as alcohol-free zones under Sections 632 and 642-649 of Chapter 16, Part 4 of the *Local Government Act 1993*. The effect of this will be to prohibit the consumption of alcohol in public places in the zones twenty four hours each day for three years. The intention to renew the zones will be published in the next available issue of the "Lake Times" and if, after 14 days, no objections to this proposal are received, the zones will come into effect seven days after a further notice published in the newspaper. If during the exhibition period the General Manager receives substantive objections or modifications in writing, Council will consider the matter again before taking further action.

Schedule:

The Russell Street car park and adjoining roadways, the Con O'Keefe Park and Di Gorman Oval and - in Church Street - the road way in front of Albion Park High School property and the reserve as far as Terry Street.

**12.2 Proposed Adoption of Section 94 Contributions Plan 2005 (8417213)**

1050 RESOLVED: Greig/Bird

1. That Council adopt *Section 94 Contributions Plan 2005*; and
2. That a notice be placed in the Lake Times advising of the adoption of the *Section 94 Contributions Plan 2005* and stating that this plan supersedes Council's *Fifth Review Section 94 Contributions Management Plan*.

**12.3 LEP Consolidation and Rezoning Amendments (8417229)**

1051 RESOLVED: Briggs/Greig

That Council receive and note this report.

**12.4 Temporary alcohol-free zone, "In the Bin" Film Festival (8417257)**

1052 RESOLVED: Briggs/Bailey

That Council resolves to establish a temporary alcohol-free zone on the area designated on the attached map from 6.00 – 11.00 p.m. on Friday 11 November 2005, and to notify such intention through an advert in the "Lake Times" on the proviso that the Film Festival is approved by Council.

**12.5 Environment and Heritage Grant Indigenous Coordination Office (8417235)**

1053 RESOLVED: Jeffreys/Bird

That Council resolve to accept the funding of \$64,625.00 from the Indigenous Coordination Centre and that be the budget be amended to reflect this.

Further that Council resolve to affix the Seal of Council to the Program Funding Agreement between Council and the Office of Indigenous Policy Coordination for the Shellharbour City Aboriginal Heritage Interpretation Project.

**12.6 Proposed Lease of Hangar at Lot 41 D.P. 627450 to Capital Aircraft Services Pty. Ltd. (8417250)**

1054 RESOLVED: Gillett/Jeffreys

That Council lease lot 41 D.P. 627450 on the attached plan, and hangar facilities to Capital Aircraft Services Pty Ltd on the terms and conditions detailed in this report.

That the Mayor and General Manager be authorised to execute any documents associated with this lease under the Common Seal of Council.

CARRIED (10/3) Councillors Rose, Mifsud and Bailey dissenting.

**12.7 Amendment to Shellharbour Local Environmental Plan 2000 (Amendment No 6) (8417280)**

1055 RESOLVED: Briggs/Greig

That Council resolve to:

- (a) Adopt Shellharbour Local Environmental Plan 2000 (Amendment No 6) as attached, to rezone 168 & 172-188 Princes Highway, Albion Park Rail from Zone 2 (a) Residential to 4 (a3) Airport Light Industrial and amend certain controls in the 4 (a3) zone, and
- (b) Forward the adopted plan to the Department of Planning for the Minister's consideration, and
- (c) Adopt the Industrial Development Control Plan (Amendment No 2) as attached, to amend certain controls relating to the 4 (a3) Airport Light Industrial zone, incorporating changes made after the exhibition and place an ad in the Lake Times.

**13. Shell Cove Business Division**

Nil

**14. Committee Recommendations**

**14.1 Recommendations from the Aboriginal Advisory Committee Meeting held 6 September 2005 recommended for adoption.**

1056 That the Recommendations from the Aboriginal Advisory Committee Meeting held 6 September 2005 be adopted.

**14.2 Recommendations from the Traffic Committee Meeting held 7 September 2005 recommended for adoption.**

Councillor Rose congratulated the Traffic Committee on recommending larger stop signs in Wollongong Street. He commented that some residents have commented to him that it has made a great difference.

He also stated that signs behind the shops and restaurants on the southern side of Addison Street directing visitors to the parking area are not big enough.

1057 That the Recommendations from the Traffic Committee Meeting held 7 September 2005 be adopted.

**14.3 Recommendations from the Australia Day/Special Promotions Committee Meeting held 7 September 2005 recommended for adoption.**

MOTION: Hawker/Briggs.

That the Recommendations to Council from the Australia Day/Special Promotions Committee Meeting held 7 September 2005 be adopted with the wording for point 4 of the Recommendation for Item 3.2 to read:

4. That the Committee endorse the upcoming program of events with the exception of the Shellharbour City Race Day and the Proposed New Events.

Councillor Rose disputed the record that he had moved the Recommendation that the Race Day not be accepted as an annual event. He stated that he believed he had been misrepresented.

Councillor Hawker recalled that, after this report had been discussed, he had made a point of explicitly highlighting the fact that the original recommendation provided in the report would remain as written with the exception of Point No. 4 where the continuation of the Race Day and the proposed new events were not to be recommended and asked Councillor Rose if he was moving that recommendation.

Councillor Gillett recalled that Councillor Rose had moved the Recommendation.

Councillor Bailey expressed his disappointment that the Race Day was not to become an annual event. He stated that to stop the Race Day is a disgrace. He believed the event was a huge success with \$4000 profit going to Shellharbour Hospital.

Councillor Hawker as chairperson of the committee stated that every recommendation was passed unanimously by all committee members.

Councillor Bailey made a critical remark about another councillor which the Mayor asked him to withdraw.

Councillor Bailey eventually withdrew his remark.



## **SHELLHARBOUR CITY COUNCIL**

Ordinary Council Meeting - Tuesday 20 September 2005

---

The Mayor asked all Councillors to come back to order. He warned the Councillors that if further disruptive behaviour continued he would ask for a motion to expel the offending councillor from the Chamber.

Councillor Stewart spoke at length with regard to being very disappointed with the decision of the Australia Day/Special Events Committee not to continue race day as an annual event.

Councillor Gillett requested that the MOTION be PUT

1058 The MOTION on being PUT to the Meeting was CARRIED 9/4

### **15. Notices of Rescission Motion**

Nil

### **16. Notices of Motion**

Nil

### **17. Items for Information**

**17.1 Albion Park Traffic Management Study (8417306)**

**17.2 Investments (8416790)**

**17.3 Planned Events and Activities (September & October 2005) Late Report (8418385)**

Councillor Jeffreys thanked the Group Manager Community Services & Development for the list of Events and Activities.

1059 RESOLVED: Hawker/Greig

That Council receive and note the Items for Information.

### **18. Questions without Notice**

**1060 Councillor Stewart** advised that she had received complaints from residents affected by dust coming from the Tullimbar development. She asked if there is something that can be done about this.

**1061 Councillor Stewart** advised that she had received reports that water tankers had been using the mains supply to fill their tanks at Tullimbar. She requested that this be investigated.

## SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 20 September 2005

---

**1062 Councillor Leedham** advised that he had attended the Lakeside Ride on Sunday. He encouraged more councillors to be involved next year.

**1063 Councillor Rose** asked when the Shellharbour Links lease will be finalised.

**1064 Councillor Rose** advised that the condition of the boat ramp at Shellharbour is causing concern for boat owners. The bottom of boats are being damaged. He asked that this be investigated.

**1065 Councillor Rose** asked for advice on the \$61,000 expenditure in the General Manager's Office.

The General Manager reminded Councillor Rose that he had addressed this question at the last meeting and advised Councillor Rose that he would be happy to speak to Councillor Rose privately about it as it was a staff related matter.

**1066 Councillor Rose** requested an update on safety audit recommendations.

The Mayor advised that a meeting was held recently with the people involved in audit. A report will be provided to councillors as soon as possible.

**1067 Councillor Rose** asked for details regarding the access road and installation of traffic lights near the development at Lot 100 Industrial Road Oak Flats. He asked what cost was being incurred to Council.

**1068 Councillor Mifsud** stated that he can't accept we don't have any money as \$7.5m had been carried over at June 30. He called for a full review of Council's financial situation.

The General Manager protested to the Mayor regarding the comments of Councillor Mifsud and the Mayor then told Councillor Mifsud to cease making such remarks.

**1069 Councillor Mifsud** complained about cars doing burnouts at the Shallows. He asked can Council get the police involved to patrol the area as the residents had phoned Council.

The Mayor agreed that this is a police matter. He asked Councillor Mifsud to advise the residents to phone the police when such incidents occur in the future.

**1070 Councillor Mifsud** advised that problems exist with the dumping of rubbish near the Shallows beach. He stated that this has been reported to Council. He asked when will a fence be erected to prevent dumping of rubbish.

**1071 Councillor Mifsud** asked whether the installation of security cameras along the foreshore had been investigated.

## **SHELLHARBOUR CITY COUNCIL**

Ordinary Council Meeting - Tuesday 20 September 2005

---

The Mayor advised that a full security report is coming to Council. Some of the items will be discussed at the briefing next Tuesday.

**1072 Councillor Mifsud** asked when he will be provided with a financial report on Shellharbour Links as previously requested.

**1073 Councillor Bailey** asked for advice on his requisition regarding antisocial behaviour in Shellharbour City.

The Mayor advised that a full briefing on statistics will be provided on 11 October.

**1074 Councillor Hawker** requested advice on work on the amenities at Con O'Keefe Oval.

The Director Operations & Services advised that work on the amenities is a part of the restoration program for this year.

**1075 Councillor Greig** asked whether Council has any policy regarding no smoking in playgrounds.

The Director Community Planning & Strategies advised at the last SCG meeting a presentation was given to all Mayors from the Heart Foundation proposing a way forward to initiate something like this. The Heart Foundation gave guidelines advice etc for local government. When minutes from SCG come to Council, mention will be made regarding this.

**19. Late Items of Business / Urgent Business (as introduced by the Chairperson)**

**Meeting closed 10.10 pm**

CONFIRMED as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Shellharbour held 11 October 2005.

---

General Manager

---

Chairperson