

**Minutes of the Ordinary Meeting  
of Shellharbour City Council  
held at the Council Chambers, Warilla  
on Tuesday 14 August 2007 commencing at 7.15 pm**

**Present**

His Worship the Mayor	Councillor D Hamilton
A Ward	Councillor T Hawker
B Ward	Councillor H Stewart
C Ward	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 Works & Services	C Watt
Group Manager Customer & Env. Services	G Standen
Group Manager Development & Tech Services	M Boenisch
Group Manager Corporate Planning	P Masterson
Group Manager Organisational Development	B Rose
Group Manager Planning Services	G Hoynes
Manager Financial Services	P Henderson
Manager Development Services	G Mitchell
Manager Executive Offices/Executive Assistant	F MastroDomenico
Manager Media & Communications	B Parker
Executive Assistant	D Arney

## **Acknowledgement to Country**

Shellharbour City Council acknowledges the Traditional Owners and Custodians of the Land on which we are meeting.

The Mayor introduced the 1<sup>st</sup> Albion Park Scout Group, who were in attendance in the gallery, and presented them with Shellharbour City Council badges.

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

#### **Ordinary Council Meeting**

Apologies were tendered on behalf of Cr Greig, Cr Bailey and Cr Jeffreys.

383 RESOLVED: Hawker/Briggs. That the apologies as tendered be accepted.

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

Nil

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

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

#### **4.1 Ordinary Meeting 24 July 2007**

384 RESOLVED: Leedham/Hawker That the Minutes of the Ordinary Council Meeting held on 24 July 2007 be confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

Councillor Mifsud advised the Council that Mr Donald James, of 74 Ocean Beach Drive, would like to convey his thanks for the removal of a tree near his property by Council staff.

#### **4.2 Committee of the Whole 24 July 2007**

385 RESOLVED: Hawker/Leedham That the Minutes of the Committee of the Whole Council Meeting held on 24 July 2007 be confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

### **5. Pecuniary Interest**

Note: Councillors who declare a Pecuniary Interest at the Council Meeting are also required to complete a Pecuniary Interest Declaration form.

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**Councillor Briggs:** Item 11.21 Community Land Plan of Management - Lot 1 DP 211127 Junction Road, Shellharbour

**Nature of Interest:** Councillor Briggs is a life member of Shellharbour Surf Club

**Councillor Leedham:** Item 11.3 DA No. 243/2007 - Lot 37, DP 224607, 2 - 10 Bradman Avenue, Lake Illawarra - Demolish Church Hall and Construct a 125 Bed Aged Care Facility with Respite Care

**Nature of Interest:** Councillor Leedham resides across the road from the development.

### 6. Condolences

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

Mrs Phyllis May Costello	of	Albion Park
Mrs Rita Preston	of	Albion Park
Mrs Susan Anne Duell	of	Albion Park
Mr Kenneth Woollett	of	Albion Park Rail
Mr Michael Reh	Formerly of	Albion Park Rail
Mrs Susan Lorraine Cramp	of	Albion Park Rail
Mr Kiro Vrtkovski	of	Barrack Heights
Mrs Berendina (Tini) Husson	of	Blackbutt
Mr James (Jim) McDonald	of	Flinders
Mr Nick (Niko) Hatzistavridis	of	Mt Warrigal
Mr Peter John Samuel	of	Mt Warrigal
Mrs Roslyn Denise Lacey	Formerly of	Mt Warrigal
Mrs Brigitte Kaul	of	Oak Flats
Mrs Ellen May Timmins	of	Oak Flats
Ms Clara (nee Siely) O'Brien	of	Shell Cove
Mr Allan (PA) Fullagar	of	Shellharbour
Mrs Joyce Peachey	Formerly of	Shellharbour
Mr Evan Lane	of	Warilla
Mr Harry Dallimore	of	Warilla

Mr James Maurice (Maurie) Jeff	of	Warilla
Mr Jeffrey William Glasson	of	Warilla
Mrs Daphine May O'Leary	of	Warilla
Aunty Mary Davis	of	Flinders

The Mayor made particular mention of the outstanding service Aunty Mary Davis had given to the Aboriginal community.

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

## **7. Presentations**

387 MOTION: Leedham / Briggs That the Mayor bring Item 17.1 forward to be dealt with here in the agenda.

CARRIED UNANIMOUSLY

### **Presentation by Mr Bernie Murphy, RSPCA CEO**

Presentation by Mr Bernie Murphy, RSPCA CEO in relation to the newly constructed Animal Shelter at Unanderra.

Mr Murphy briefly outlined the role of the RSPCA within NSW and in particular with respect to the new facility at Unanderra.

The Mayor thanked Mr Murphy for his attendance

### **17.1 New Dog Pound/Animal Shelter (8766556)**

388 RESOLVED: Hawker/Leedham That this item be received and noted.

## **8. Mayoral Minutes**

### **8.1 Australian Mayoral Aviation Council Conference (8771568)**

389 RESOLVED: Hawker/Leedham That Council accept the late Mayoral Minute for consideration

390 RESOLVED: Hawker/Briggs

1. That Council resolve to allow the Mayor and any other interested Councillors to attend the Australian Mayoral Aviation Council Conference.

2. That the General Manager authorise the attendance of appropriate staff to attend the Australian Mayoral Aviation Council Conference.

CARRIED UNANIMOUSLY

## **9. Councillors' Reports**

Nil

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

### **10.1 Management Plan Review for the Quarter and Year Ended 30 June 2007 (8767498)**

391 RESOLVED: Briggs/Bird

That the report be received, noted and endorsed.

CARRIED UNANIMOUSLY

### **10.2 June 2007 Quarter Budget Review (8768193)**

392 RESOLVED: Hawker/Hore

That this report be received and noted.

CARRIED UNANIMOUSLY

### **10.3 Statutory Obligations relating to assessment and determination of development applications - Lot 3, DP 717776 (8765810)**

In reply to a question from Councillor Rose, the General Manager stated that he believed that it was acceptable and legal for him to recommend that Council's decision be rescinded.

Councillor Rose made comments critical of the General Manager.

The Mayor called on Councillor Rose to withdraw his remarks, which he did.

393 RESOLVED: Gillett/Bird

That Council:

1. rescind its decision of 3 July 2007, in respect of Development Application No. 10/2007, Minute 311 and
2. request the Applicant to commission an Aboriginal Heritage Impact Statement and that staff assess the statement and report the matter back to Council

FOR VOTE - Mayor, Cr Hawker, Cr Briggs, Cr Gillett, Cr Bird, Cr Hore, Cr Leedham  
AGAINST VOTE - Cr Mifsud, Cr Rose, Cr Stewart

## **11. Operations & Services Division**

### **11.1 Rural Fire District Service Agreement (8768504)**

394 RESOLVED: Hawker/Bird

That the Council adopt the following:

- Agree to the formation of the Illawarra District Fire Zone, encompassing the local government areas of Shellharbour, Wollongong and Kiama.
- Accept the Illawarra District Management Agreement to provide rural fire services for the period 1 July 2007 to 30 June 2010.
- Affix the Common Seal of Council to the Illawarra District Management Agreement.

CARRIED UNANIMOUSLY

### **11.2 DA No. 77/2007 - Lot 3, DP 786327 and Lot 100, DP 849384, 152 New Lake Entrance Road, Oak Flats - Mixed Use Development (Containing Fast Food Outlet, Bulky Goods/Office Building and Car Wash) (8763431)**

MOTION: Gillett/Bird

That the Council approve Development Application No. 77/2007 for Mixed Use Development (containing fast food outlet, bulky goods/office building and car wash) at Lot 3, DP 786327 and Lot 100, DP 849384, 152 New Lake Entrance Road, Oak Flats under Section 80 of the *Environmental Planning & Assessment Act, 1979*, as amended, subject to the 91 conditions immediately following the conclusions of this report. Further that the hours of operation be further reduced to:

- a) Fast Food Outlet - Sunday to Friday close at 10 pm instead of midnight
- b) Commercial goods area - Monday to Saturday close at 8 pm, except Thursdays to close at 9 pm.
- c) Car wash - All nights close at 8 pm.

Further, that the condition to hours be on trial basis for 12 months with a report back to Council so that can be reconsidered by Council.

Councillor Briggs FORESHADOWED a MOTION that the item be deferred for further consideration by the developer of the proposal including negotiations with council staff with regard to the deletion of the fast food outlet.

The MOTION on being PUT to the Meeting was LOST

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FOR VOTE - Cr Gillett, Cr Bird

AGAINST VOTE - Cr Hamilton, Cr Hawker, Cr Briggs, Cr Mifsud, Cr Rose, Cr Hore, Cr Leedham, Cr Stewart

- 395 The FORESHADOWED MOTION was then moved by Councillor Briggs and seconded by Cr Leedham and on being PUT to the Meeting was CARRIED.

FOR VOTE - Cr Hamilton, Cr Hawker, Cr Briggs, Cr Mifsud, Cr Rose, Cr Hore, Cr Leedham, Cr Stewart

AGAINST VOTE - Cr Gillett, Cr Bird

- 396 RESOLVED: Hawker /Briggs That the meeting recess for 5 minutes.

**Meeting adjourned at 8.35 pm**

**Meeting resumed at 8.47 pm**

- 11.3 DA No. 243/2007 - Lot 37, DP 224607, 2 - 10 Bradman Avenue, Lake Illawarra - Demolish Church Hall and Construct a 125 Bed Aged Care Facility with Respite Care (8766208)**

Note: Councillor Leedham declared an interest in Item 11.3 and left the Chamber whilst this matter was being considered pursuant to Section 451 of the Local Government Act 1993.

- 397 RESOLVED: Hore/Briggs

That the Council approve Development Application No. 243/2007, for the demolition of a church hall and construction of a 125 bed aged care facility with respite care at Lot 37, DP 224607, 2 – 10 Bradman Avenue, Lake Illawarra, under Section 80 of the *Environmental Planning & Assessment Act, 1979*, as amended subject to the 73 conditions following the conclusion of this report.

CARRIED UNANIMOUSLY

Councillor Leedham here returned to the chamber

- 11.4 DA No. 195/2007 - Lot 623, DP 238040, 48 Porter Avenue, Mount Warrigal - Alterations & Additions to Dwelling (8766557)**

- 398 RESOLVED: Briggs/Bird

That Council approve Development Application No. 195/2007 for Alterations & Additions to Dwelling at Lot 623, DP 238040, 48 Porter Avenue, Mount Warrigal under Section 80 of the *Environmental Planning & Assessment Act, 1979*, as amended, subject to the 24 conditions following the conclusion.

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FOR VOTE - Cr Hamilton, Cr Hawker, Cr Briggs, Cr Mifsud, Cr Gillett, Cr Bird, Cr Hore,  
Cr Leedham, Cr Stewart  
AGAINST VOTE - Cr Rose

### **11.5 DA No. 288/2007 - Lot 1262, DP 243231, 3 Thrower Avenue, Mount Warrigal - Privacy Screen (8766609)**

MOTION: Rose/Briggs

That the Council refuse Development Application No. 288/2007 for land use approval of a privacy screen at Lot 1262, DP 243231, 3 Thrower Avenue, Mount Warrigal under Section 80 of the Environmental Planning & Assessment Act, 1979, as amended, for the following reason:

1. The proposed privacy screen is contrary to the public interest having regard to its bulky appearance, impact on residential amenity, height and closeness to an adjoining residence.

Councillor Gillett FORESHADOWED a MOTION that the DA be deferred so that the applicant, council officers and the affected neighbours have an opportunity to review issues, considering changed conditions.

399 The MOTION on being PUT to the Meeting was CARRIED

FOR VOTE - Cr Hawker, Cr Briggs, Cr Mifsud, Cr Rose, Cr Hore, Cr Leedham,  
Cr Stewart  
AGAINST VOTE - Cr Hamilton, Cr Gillett, Cr Bird

Councillor Briggs asked if Council had a policy on privacy screens, and what was its interpretation of a screen. He stated that if Council does not have a Policy that we should commence work on a draft policy to be implemented.

The Mayor advised that it would be reported to the next Council Meeting

### **11.6 Regional Roads Block Grant (8763398)**

400 RESOLVED: Hawker/Briggs

1. That the Council accept the RTA's offer of \$170,000 for funding the 2007/2008 Regional Roads Block Grant.
2. That the RTA's grant offer of \$41,000 for the EX 3 x 3 Program be used to accelerate works on Council's Regional Road, Terry Street.
3. That authority be given to execute all necessary documents, including use of the Council Seal as required, in relation to this grant.



4. That Council's budget be amended accordingly.

CARRIED UNANIMOUSLY

### **11.7 Albion Park Traffic Study - Public Exhibition (8765590)**

- 401 RESOLVED: Hawker/Bird That this item be deferred pending a briefing of Councillors on the traffic study and then reported back to Council.

CARRIED UNANIMOUSLY

Councillor Hawker called for an urgent report to Council regarding the removal of the heritage order from the dairy affected by the Tripoli Way Option.

### **11.8 Koona Bay Shared Use Path - Approval Of Preferred Option (8737743)**

Councillor Bird asked if Council officers could provide Councillors with a flow chart outlining the steps undertaken with this type of development from submission to completion.

Councillor Briggs asked that the sewerage issues be addressed and reported back to Council.

9.13 pm Councillor Briggs here left the chamber

9.16 pm Councillor Briggs here returned to the chamber

- 402 RESOLVED: Gillett/Bird

1. That the Council approve Option 2 the Partial Foreshore Filling option as the preferred route for the Koona Bay Shared Use Path.

FOR VOTE - Cr Hamilton, Cr Hawker, Cr Briggs, Cr Gillett, Cr Bird, Cr Hore, Cr Leedham  
AGAINST VOTE - Cr Mifsud, Cr Rose, Cr Stewart

### **11.9 Weed Removal and Regeneration Grant Funding (8757878)**

- 403 RESOLVED: Briggs/Rose

1. That the Council resolve to accept SRCMA's grant offer of \$56,900 (49%) towards Weed Removal and Bush Regeneration at Blackbutt Reserve, Croom VCA, Elizabeth Brownlee Reserve, Horsley Creek, Oakey Creek, Abercrombie Reserve and Alex Hoffman Park and amend budget accordingly.
2. That the Council resolve to allocate matching funds of \$22,500 for the Blackbutt Reserve, Croom VCA and Elizabeth Brownlee projects from existing Parks & Gardens Operational budget allocations.

3. That the Council consider allocating funds for the Horsley Creek, Oakey Creek, Abercrombie Reserve and Alex Hoffman Park projects (\$35,830) as outlined in report No. 11.14 in this business paper.

CARRIED UNANIMOUSLY

**11.10 Southern Rivers Catchment Management Authority - Urban Stormwater Improvement Program - Grant Offer (8766413)**

404 RESOLVED: Leedham/Mifsud

1. That the Council resolve to accept the Urban Stormwater Improvement grant totalling \$50, 000 from SRCMA and amend the budget accordingly.
2. That the Council consider allocating its \$50,000 matching funds as outlined in report 11.14 in this business paper.

CARRIED UNANIMOUSLY

**11.11 Review of Fee Reduction Policy (8762983)**

405 RESOLVED: Hawker/Gillett

1. That the Council adopt the amended Fee Reduction Policy
2. That Council write to the registered charities in Shellharbour City advising of the amendments to the Policy and new requirements.
3. Further that charities be encouraged to implement what measures they can to discourage illegal dumping including installation of signage on collection bins advising what items are acceptable as donations.

CARRIED UNANIMOUSLY

**11.12 Australian Government Attorney-General's Department, 'Working Together to Manage Emergencies - Local Grants Scheme' for 2007/08 Grant Funding Offer (8768145)**

406 RESOLVED: Rose/Hore

That the Council accept the grant of \$59,510.00, GST inclusive, from the Australian Government Attorney-General's Department for the 'Working Together to Manage Emergencies – Local Grants Scheme' to incorporate the new Shellharbour Emergency Operations Centre into the Illawarra Rural Fire Service Control Centre at the Airport and amend the budget accordingly.

CARRIED UNANIMOUSLY

**11.13 2007/2008 Roads to Recovery Program (8766296)**

407 RESOLVED: Briggs/Mifsud

1. That the Council confirms the 2007/2008 Roads to Recovery Program as detailed in this report.
2. That the budget be amended accordingly.

CARRIED UNANIMOUSLY

**11.14 Matching Funds for Successful Grant Applications and Various Projects (8748964)**

408 RESOLVED: Briggs/Rose

1. That the Council accept the grant offers for the projects outlined in Program A of this report, adopt the recommended funding allocation as outlined, allocate \$40,842 from Council's reserves and increase Council's 2007/2008 budget deficit to \$117,693.
2. a) That the Council accept the grant offers outlined in Program B of this report and allocate \$110,543 from reallocation of funds from staged projects in the current Capital Works Program which have been delayed.
3. That the Council amend its budget in accordance with its adopted position.

CARRIED UNANIMOUSLY

Councillor Hawker asked that the General Manager look at putting more money into the budget for grant matching in the next Quarterly Review. He also asked that the proposed reallocated projects be reported back to Council.

**11.15 Licence Agreement to access private land - No. 21 Brou Place, Flinders (8766311)**

409 RESOLVED: Stewart/Gillett

1. That Council enter into a licence agreement with the owner of No. 21 Brou Place, Flinders, for the consideration of \$1 per annum for the purposes of vehicle access over Lot 2185, DP 825735.
2. That the Mayor and General Manager be authorised to sign any documentation and affix the Seal of Council where necessary.
3. That Council waive the normal licence preparation fee for this matter given the circumstances of the case.

CARRIED UNANIMOUSLY

**11.16 Temporary Road Closure (8766326)**

410 RESOLVED: Hawker/Stewart

That Council approve the closure of the temporary public road, being Lot 16, DP 1043483 (part Chaplin Place), and the land be transferred in title to the adjoining landowner (Lot 15, DP 1043483) and place the notice of road closure in the Government Gazette.

CARRIED UNANIMOUSLY

**11.17 Reserve Naming Proposal (8766318)**

411 RESOLVED: Hawker/Leedham

1. That Council advertise the proposal to name the Reserve (Lots 271 & 273, DP 863913) between Jamberoo Road and Ashburton Drive, Albion Park as "John Shepherd Reserve" and that a report be prepared for Council's consideration of the matter after advertising.
2. That the Geographical Names Board be advised of the proposed Reserve Naming.

CARRIED UNANIMOUSLY

**11.18 Albion Park Airport Terminal Building - use of leased area by Council (8766283)**

412 RESOLVED: Briggs/Hawker

That Council endorse the proposed revised rental arrangement with HARS for the Airport Terminal Building use in light of Council's occupation of the upstairs area.

CARRIED UNANIMOUSLY

**11.19 Renewal of Licence Agreement with the Scout Association of Australia (8766714)**

413 RESOLVED: Hawker/Leedham

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 Part 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.
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 Part Lot 1000, DP 813443, Albion Park

CARRIED UNANIMOUSLY

**11.20                    Renewal of Licence for Oak Flats Sailing Club Incorporated  
(8766770)**

414    RESOLVED: Stewart/Hore

1.        That Council renew the licence agreement with The Oak Flats Sailing Club Inc. for the occupation of the Oak Flats Sailing Club, being Lot 461 & Lot 462, DP 15987 and Part Lot 2, DP 596168, The Boulevarde, Oak Flats, at a fee of \$1.00 per annum with all terms and conditions in accordance with the previous licence.
2.        That the Seal of Council be affixed to the licence agreement with The Oak Flats Sailing Club Inc. for the occupation of the Oak Flats Sailing Club at Deakin Reserve, being Lot 461 & Lot 462, DP 15987 and Part Lot 2, DP 596168, The Boulevarde, Oak Flats.

CARRIED UNANIMOUSLY

**11.21                    Community Land Plan of Management - Lot 1 DP 211127 Junction  
Road, Shellharbour (8766982)**

Note: Councillor Briggs declared an interest in Item 11.21 and left the Chamber whilst this matter was being considered pursuant to Section 451 of the Local Government Act 1993.

415    RESOLVED: Leedham/Hore

1.        That in accordance with the Local Government Act 1993, (s38), the draft Plan of Management for Community Land described as Lot 1 DP 211127 Junction Road, Shellharbour be placed on public exhibition for a period of not less than 28 days, but allowing a period of not less than 42 days after the date on which the draft plan is first placed on public exhibition, during which submissions may be made to the Council.
2.        That following the public exhibition and submission stage, a further report be presented to Council for consideration of any submissions and the adoption or otherwise of the draft Plan of Management for Community Land for Lot 1 DP 211127 Junction Road, Shellharbour.

CARRIED UNANIMOUSLY

Councillor Briggs here returned to the chamber

**11.22 Road Naming for Tullimbar Village - Stage 4, off Illawarra Highway, Tullimbar (8765968)**

416 RESOLVED: Hawker/Gillett

1. That the following road names be adopted for Tullimbar Village Estate Stage 4:

Araluen Terrace  
Balgownie Lane  
Bellawongarah Road  
Berrima Street  
Bundanoon Lane  
Bundeela Lane  
Burradoo Street  
Burrawang Lane  
Fountaindale Lane  
Illaroo Lane  
Omega Street  
Vincentia Street  
Sutton Parade  
Yerriyong Lane

2. That the adopted road names be:
  - a. Placed on public exhibition for a period of one month by way of an advertisement in the Lake Times.
  - b. Submitted to the relevant authorities in accordance with Clauses 7 – 10 of the Roads (General) Regulation 2000.
  - c. In the event that submissions are received, the matter be reported back to the Council.

CARRIED UNANIMOUSLY

**11.23 DLG Circular 07/30 Constitutional Referendums (8766466)**

417 RESOLVED: Hawker/Rose

1. That Council consider the options for election of Mayor from 2012 and adopt its preferred option as:
  - a) Direct election by electors every four years (the current method),
2. That Council consider the options for the methods of election of Councillors from 2012 and adopt its preferred option as:
  - a) Ward election of Councillors as per S280 of the Local Government Act 1993 (the current method)

3. That Council call for a further report on the options for the composition of the Council from 2012, to include all possible legal options for the number of wards and councillors to form Shellharbour City Council from 2012.

CARRIED UNANIMOUSLY

**11.24 Motions to Local Government Conference Coffs Harbour (8768599)**

418 RESOLVED: Hawker/Briggs

That this report be received and noted.

CARRIED UNANIMOUSLY

**12. Community Planning & Strategies Division**

**12.1 Minutes Southern Councils Group Meeting 6 July 2007 (8768460)**

419 RESOLVED: Rose/Leedham

That the Minutes of the Southern Councils Group Meeting of 6<sup>th</sup> July 2007, as attached, be received and noted.

CARRIED UNANIMOUSLY

**13. Shell Cove Business Division**

**13.1 Shell Cove Quarterly Report (8751771)**

420 RESOLVED: Rose/Mifsud

That this report be received and noted.

CARRIED UNANIMOUSLY

**14. Committee Recommendations**

**14.1 Recommendations from the Aboriginal Advisory Committee Meeting held 17 July 2007 recommended for adoption.**

421 RESOLVED: Bird/Gillett

That the Recommendations from the Aboriginal Advisory Committee Meeting held 17 July 2007 be adopted.

CARRIED UNANIMOUSLY

**14.2 Recommendations from the Shellharbour Traffic Committee Meeting held 24 July 2007 recommended for adoption.**

422 RESOLVED: Leedham/Hore

That the Recommendations from the Traffic Committee Meeting held 24 July 2007 be adopted.

CARRIED UNANIMOUSLY

**15. Notices of Rescission Motion**

Nil

**16. Notices of Motion**

Nil

**17. Items for Information**

**17.1 New Dog Pound/Animal Shelter (8766556)**

This item was dealt with earlier in the agenda. See minute No. 388

**17.2 DLG Circular 07-32 Outcomes of the Departmental Audit of Pecuniary Interest Returns (8764547)**

**17.3 DLG Circular 07-36 Circulars to Councils Mailing List - Inclusion of Elected Members of Councils (8767269)**

423 RESOLVED: Briggs/Hawker

That Council receive and note items 17.2 and 17.3 for information.

CARRIED UNANIMOUSLY

**Late Item**

The General Manager asked permission to address the Council.

Permission was granted.

The General Manager referred to a media article regarding the sub prime lending market that has fallen in the USA and that a large number of councils had investments in that market. He wanted to allay any fears that Council may have and assure Council that Council was not exposed to any risk. Council staff, including himself, had been lobbied to change to a new financial consultant who was promising better returns than Council was currently obtaining, by investing in products



linked to the sub prime market, Council's financial staff had recommended that no change take place.

The Mayor thanked the General Manager for his comments and complimented the General Manager and his financial staff for this conservative investment approach.

## **18. Questions without Notice**

**424 Councillor Stewart** conveyed her appreciation to staff for the Waste Services booklet and questionnaire that has been produced for residents. She said that it was well put together.

**425 Councillor Stewart** stated that she felt presentation from Bernie Murphy of the RSPCA had been very good. She asked if it was possible for dogs from the Shellharbour City area still to have their photographs taken and placed on Council's website.

The Director Operations & Services advised that he would liaise with the RSPCA in this regard.

**426 Councillor Leedham** advised that he attended the launch of two DVDs at Warilla Library last Saturday. He said that attendance was excellent and he would like to convey his thanks to both Sue Barnett and Michael Jazbec for a fantastic job. He said that he believed that Council should continue to push for funding for this project.

The Mayor advised that a letter should be sent to the donations committee.

**427 Councillor Bird** asked if it would be possible to arrange a site inspection with staff of Lot 3, DP 717776 for interest Councillors.

**428 Councillor Gillett** advised there were many cars parked and displayed "For Sale" on Lot 3, DP 786327 and Lot 100, DP 849384, 152 New Lake Entrance Road, Oak Flats. She asked if this was permissible by Council.

The Director Operations & Services advised that Council would write to the owner to take steps to prevent this.

**429 Councillor Rose** asked for Councillors to be advised of the situation on Shellharbour Road whereby road works were affecting the Bus Depot.

The Director Operations & Services advised that all Councillors had received a memo outlining the details.

**430 Councillor Rose** enquired as to when the pedestrian refuge in Russell Street Albion Park would be erected.

The Director Operations and Services advised that he would follow it up.

**431 Councillor Rose** congratulated Council on the erection of a bus shelter in Brindabella Drive, Shell Cove.

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- 432 Councillor Mifsud** advised that he had received a phone call from a resident regarding trucks parked in James Cook Parkway and Brindabella Drive
- 433 Councillor Hawker** stated that he believed that approval had been granted to provide seating at Elizabeth Brown Reserve. He asked when it will be erected.
- 434 Councillor Hawker** asked how long until the roadwork being undertaken on the roundabout at the corner of Terry & Church Streets was completed.
- 435 Councillor Stewart** asked that Councillors who wish to attend training return their memo to the Executive Offices as soon as possible.
- 19. Confirmation of the Minutes of the Committee of the Whole Council Meeting (in Confidential Session).**
- 20. Recommendations from the Committee of the Whole Council Meeting (in Confidential Session)**
- 21. Late Items of Business / Urgent Business (as introduced by the Chairperson)**

**Meeting closed 9.55 pm**

CONFIRMED as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Shellharbour held 4 September 2007.

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General Manager

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Chairperson