

**Minutes of the Ordinary Meeting
of Shellharbour City Council
held at the Council Chambers, Warilla
on Tuesday 29 April 2008 commencing at 5.03 pm**

Present

His Worship the Mayor	Councillor D Hamilton
A Ward	Councillor M Greig Councillor T Hawker (part - arrived 7.15pm)
B Ward	Councillor H Stewart
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

Director of Community Planning & Strategies (Acting GM)	P O'Rourke
Director of Operations & Services	A Webster
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
Corporate Solicitor – Manager Legal & Property Services	B McCann
Manager Financial Services	P Henderson
Manager Development Services	G Mitchell
Manager Executive Offices/Executive Assistant	F MastroDomenico
Media Officer	R Payne
Executive Assistant	D Arney
Executive Assistant	L Davey

Acknowledgement to Country

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

1. Apologies / Leave of Absence

Ordinary Council Meeting

An apology was tendered on behalf of Councillor Jeffreys

Committee of the Whole Council Meeting

Apologies were tendered on behalf of Councillor Jeffreys and Councillor Hawker

114 RESOLVED: Briggs/Greig. That the apologies as tendered be accepted.

2. Confidential Business (Committee of the Whole)

In accordance with the *Local Government Act 1993*, and the *Local Government (General) Regulation 2005*, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

Set out below is Section 10A(2) of the Local Government Act 1993, in relation to Confidential Business:

10A(2) Which parts of a meeting can be closed to the public? The matters and information are the following:

- (a) personnel matters concerning particular individuals;
- (b) the personal hardship of any resident or ratepayer;
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business;
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the Council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law;
- (f) matters affecting the security of the Council, councillors, Council staff or Council property;
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.

CONFIDENTIAL ITEMS

2.1 Purchase of Land (8897564)

Reason for Confidentiality

This item is classified CONFIDENTIAL under the provisions of Section 10A(2)(c) & (d) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it;
 - (ii) confer a commercial advantage on a competitor of the Council;

This item has been classified as commercial because Council is yet to enter into an exchange of contract for the purchase of the land.

Publication at this time of Council's intention would not be in the public interest because it is possible that other parties may seek to purchase the same property for commercial advantage. This could result in a higher purchase price or the site being unavailable.

115 RESOLVED: Rose/Gillett

1. That Council resolve into Committee of the Whole (in Confidential Session) to consider the above business as listed, together with any late reports tabled at the meeting.
2. That pursuant to Section 10A(1-3) of the *Local Government Act 1993*, the press and public be excluded from the proceedings on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2)(a) & (d) of the Act as outlined above.
3. That the correspondence and reports relevant to the subject business be withheld from access to the press and public in accordance with Section 11(2) of the *Local Government Act 1993*.

Meeting adjourned at 5.35pm

Meeting resumed at 7.16pm

3. Recommendations from Committee of the Whole

The following Recommendation to Council from the Committee of the Whole Council (confidential) was read to the Meeting by the Acting General Manager.

2.1 Purchase of Land (8897564)

COMMITTEE RECOMMENDATION:

That Council proceed with the finalisation of the conditional contract to purchase Lot 2, DP 1091265 from Landcom in accordance with the resolution of Council dated 12 June 2007 as attached.

- 116 RESOLVED: Hore/Briggs. That the Recommendation to Council from the Committee of the Whole Meeting held earlier today be adopted.

CARRIED 11/1

For vote: Mayor, Councillor Hawker, Councillor Briggs, Councillor Bailey, Councillor Mifsud, Councillor Rose, Councillor Gillett, Councillor Bird, Councillor Hore, Councillor Leedham, Councillor Stewart
Abstained: Councillor Greig

4. Confirmation of Minutes

4.1 Ordinary Meeting 8 April 2008

- 117 RESOLVED: Briggs/Gillett That the Minutes of the Ordinary Council Meeting held on 8 April 2008 be confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

Matters Arising

In response to questions from a number of Councillors, in relation to the amending and adoption of draft Council minutes, the Mayor advised that the procedure of redistributing amended minutes would be investigated by staff and reported back to Council

5. Pecuniary Interest

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

Councillor Greig: Item 2.1 Purchase of Land

Nature of Interest: Cr Greig owns property within the City Centre

Councillor Rose: Item 16.2 Notice of Motion submitted by Councillor Briggs
Nature of Interest: Councillor Rose is named as respondent in the stated case.

Councillor Stewart: Item 16.2 Notice of Motion submitted by Councillor Briggs
Nature of Interest: Councillor Stewart is named as respondent in the stated case.

6. Condolences

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

Gottlieb Josef Wevers	formerly of	Albion Park
Margaret Keeley-Nyari	of	Blackbutt
Fred Speelman	of	Dunmore
Anne Lawson	of	Mt Warrigal
Ted Pawlowski	of	Warilla

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

7. Presentations

Nil

8. Mayoral Minutes

8.1 Shellharbour City Council initial response to the Public Inquiry (8901288)

119 RESOLVED: Briggs/Bailey

1. That Council endorse the Mayor's actions as outlined in his report, including the appointment of Mr Holmes and the advising to the Commissioner that Mr Holmes will be representing the Council, body corporate, at the Public Inquiry.
2. That Council consider the draft submission for adoption and forwarding to the Public Inquiry.

CARRIED 11/1

For Vote: Mayor, Councillor Greig, Councillor Hawker, Councillor Briggs, Councillor Bailey, Councillor Mifsud, Councillor Rose, Councillor Bird, Councillor Hore, Councillor Leedham, Councillor Stewart
Abstained: Councillor Gillett

9. Councillors' Reports

Nil

10. General Manager's Office

Nil

11. Operations & Services Division

11.1 DA No. 496/2007 - Lot 65, DP 30705, 1 O'Keefe Crescent, Albion Park - Detached Garage (8896420)

120 RESOLVED: Greig/Hawker

That the Council refuse Development Application No. 496/2007 for a detached garage at Lot 65, DP 30705, 1 O'Keefe Crescent, Albion Park under Section 80 of the *Environmental Planning & Assessment Act, 1979*, as amended, for the following reasons:

1. The siting of the proposed structure does not satisfy or comply with the provisions of Clause 2.3 of the *Residential Development Control Plan*.
2. The proposed structure will likely detrimentally impact on the streetscape and residential amenity of the neighbourhood.
3. As alternatives are available, the proposal is contrary to the public interest for the reasons listed above.

CARRIED UNANIMOUSLY

11.2 Acceptance of Estuary Management Program Grant for Myimbarr Wetlands and Adjustment to Stormwater Management Service Charge Program (8897361)

121 RESOLVED: Bird/Gillett

1. That the Council accepts a grant of \$125,000 from the DECC Estuary Management Program toward permanent stormwater treatment devices at Myimbarr wetlands.
2. That the Council allocates \$125,000 from 'Myimbarr – Main Inlet Wattle Road' Stormwater Treatment to match the grant.
3. That the Council allocates \$25,000 from 'Myimbarr – Main Inlet Wattle Road' to supplement the 'Myimbarr Stage One Temporary Treatment Measures' budget allocation.
4. That the budget be amended accordingly.

CARRIED UNANIMOUSLY

11.3 NSW Coastline Cycleway - Stage 3 Barrack Point Shared Use Path (8897505)

122 RESOLVED: Rose/Mifsud

1. That the Council accept the NSW Department of Planning's offer of \$247,500 for part funding to construct a shared use path bridging Elliot Lake extending from Barrack Reserve, Barrack Point to Bucknell Street Carpark, Warilla.
2. That the Council consider the allocation of the required matching funds as part of the 2008/2009 budget process.
3. That the budget is amended accordingly.

CARRIED UNANIMOUSLY

11.4 Tender for the Recovery and Sale of Recyclable Materials and Saleable Goods at the Dunmore Recycling & Waste Disposal Depot (8899160)

123 RESOLVED: Bird/Briggs

1. The Council resolve to enter into a contract with the Illawarra Aboriginal Corporation at the tendered rates.
2. The General Manager be authorised to execute the contract.

CARRIED UNANIMOUSLY

11.5 Department of Environment & Climate Change - Coastal Management Program - Grant Funding Offers (8898614)

124 RESOLVED: Rose/Leedham

That the Council resolve to accept the Coastal Management Program grants totalling \$271,000 from DECC and amend the budget accordingly. Further, Council allocate its 50% matching funding from Section 94 funds as follows:

- Elliot Park Amenity Improvements - \$44, 000 from C1.01 Warilla Beach Foreshore
- South Warilla Beach Amenity Improvements - \$109, 000 from C1.01 Warilla Beach Foreshore
- North Warilla Beach Amenity Improvements - \$90,000 from C1.01 Warilla Beach Foreshore.
- Bardsley Park Amenity Improvements - \$28,000 from C1.01 North Shellharbour Beach Foreshore.

CARRIED UNANIMOUSLY

The Mayor noted the presence of Mr Gerry Holmes.

11.6 Request for Fencing Adjacent to Chapman Avenue Playground Equipment (8897574)

125 RESOLVED: Briggs/Bailey

That the Council allocate \$3,000 towards the installation of fencing adjacent to the playground equipment off Chapman Avenue, Mount Warrigal and that this be funded from the Ward C Works Allocation. Further, that Council's 2007/2008 budget be amended accordingly.

CARRIED UNANIMOUSLY

11.7 Structure and Composition of Council - Media Release by Minister For Local Government (8894224)

In response to a number of questions from Councillors, the Group Manager Corporate Services advised that the Ministerial Media Release did not permit alterations to the number of wards and this limited Council's options for reducing the size of the Council.

126 RESOLVED: Hawker/Greig

1. That Council consider the 34 submissions to the recently exhibited options for structural change and receive and note the submissions and thank those people who made submissions.
2. That the structure of Council remain in its current format, being two Councillors in each of six wards, plus the Mayor being 13 Councillors in total.

CARRIED UNANIMOUSLY

11.8 Planning Reforms - Request for Contributions by LGSA (8897851)

Councillor Hore here left the chamber

127 RESOLVED: Rose/Gillett

That Shellharbour City Council contribute the amount of \$1,261.34 to the LGSA appeal for our contribution towards the cost of a campaign against the State Government's proposed changes to the planning system.

CARRIED UNANIMOUSLY

11.9 Licence and Charter for Multi-Purpose Indoor Facility, Centenary Field (Croom) Regional Sporting Complex, Croom (8886854)

Councillor Hore here returned to the chamber

In response to a question from Councillor Briggs, Council's Corporate Solicitor, Mr McCann, advised that an extension beyond the five year term of the license agreement was not permissible due to the land being classified as Community Land.

The Acting General Manager gave an explanation to the Council on the differences of Operational and Community Land.

Councillor Hawker requested that Council officers investigate the possibility of an extension of the lease in the future.

128 RESOLVED: Briggs/Greig

1. That Council enter into a five (5) year licence agreement with the Eagles Sports Development Group Incorporated for the occupation of the Croom Multi-Purpose Indoor Facility located on part Lot 3 DP 594511, excluding the lower ground floor change rooms and playing field, known as Centenary Field.
2. That a nominal rental of \$100.00 plus GST per annum be charged for years 1 & 2 with a review for market carried out at year 3 based on trading figures supplied to Council and negotiations with both parties.
3. That a Charter for the Committee be prepared by Council to outline the requirements of the Committee.
4. That the Mayor and General Manager be authorised to affix the Seal of Council and execute any documentation associated with the licence agreement and Charter for the occupation of the Croom Multi-Purpose Indoor Facility being part Lot 3 DP 549511 Croom Regional Sporting Complex.

CARRIED UNANIMOUSLY

11.10 Lease Arrangements - Telecommunications Facility, Buckleys Road, Dunmore (8897493)

129 RESOLVED: Rose/Gillett

1. That Council rescind its previous resolution (Resolution Number 670 of 2007).
2. That Council resolve to enter into a ten (10) year lease with Telstra for the new telecommunications facility on Lot 21, DP 653009, for the annual rental of \$10,000 per annum plus GST with 5% annual increases.
3. That Council's Mayor & General Manager be authorised to affix the Seal of Council to any documentation in relation to the lease agreement.

CARRIED UNANIMOUSLY

11.11 Road Naming of Laneway Between Wollongong & Wentworth Streets Shellharbour (8899048)

130 RESOLVED: Rose/Mifsud

1. That the following road name be adopted for the Laneway between Wollongong & Wentworth Streets Shellharbour:

Wentworth Lane

2. That the adopted road name be:
 - a. Submitted to the relevant authorities in accordance with Clauses 7 – 10 of the Roads (General) Regulation 2000
 - b. Notified in the NSW Government Gazette

CARRIED UNANIMOUSLY

12. Community Planning & Strategies Division

12.1 Rezoning Application - Lot 66 DP 751274 Yellow Rock Road, Albion Park (8894417)

131 RESOLVED: Greig/Hawker

That this item be deferred in order for further information and discussions with Council officers in light of issues raised in Public Participation on the Rezoning Application and a report be returned to Council at the next meeting.

CARRIED UNANIMOUSLY

Councillor Briggs stated that he would like to move the following Motion: *That the Council of the City of Shellharbour, mindful of the benefits of the Australian Defence Force Cadets for youth of Australia, request that a detachment of 26 (Wollongong) Army Cadet Unit be formed in the City of Shellharbour and co-located at the Australian Air Force Cadet facility currently in the course of construction at Albion Park Airport. Council would be pleased to sponsor and support the formation of the proposed detachment within the Community/Defence protocols applicable at this time.*

The Mayor advised that he would get a Report back to Council on the matter for its next Meeting.

13. Shell Cove Business Division

Nil

14. Committee Recommendations

14.1 Recommendations from the Aboriginal Advisory Committee Meeting held 11 March 2008 recommended for adoption.

Councillor Bird stated that the minutes should read that the Mayor left at 4.45pm, not 4.15pm, and further advised that that would go back to the Committee for ratification.

Councillor Greig advised that a further correction was required, in that the minutes incorrectly had the words "Shellharbour City Council" after Mr Richard Davis' name, and that this should be deleted.

132 RESOLVED: Bird/Gillett

That the Recommendations from the Aboriginal Advisory Committee Meeting held 11 March 2008 be adopted subject to the following amendments: 1. that the Mayor left the Meeting at 4.45pm and 2. That the words "Shellharbour City Council" be deleted after Mr Richard Davis' name.

CARRIED UNANIMOUSLY

15. Notices of Rescission Motion

Nil

16. Notices of Motion

16.1 Notice of Motion submitted by Councillor Greig (8901836)

The Mayor stated that, prior to any consideration of this matter, he had to provide a report on this issue. He stated that he had received a letter from the Executive General Manager (EGM) of Australand, Mr Peter Burke. The Mayor proceeded to read the letter.

Councillor Hawker MOVED a POINT of ORDER and asked why Council was not advised of this before the meeting.

The Mayor advised that he only received this at 4.30pm that day and that it was addressed to the General Manager.

Councillor Greig stated that she wanted to move her Motion.

The Mayor quoted sections of the Local Government Regulations Cl 240(2) and stated that he was ruling Councillor Greig's Motion out of order.

This matter was discussed at length.

Councillor Stewart MOVED a POINT of ORDER that if the Mayor wants to debate he must leave the chair. The Mayor stated that he was conducting the Meeting.

Councillor Hawker - MOVED a POINT of ORDER stating that he wanted a legal opinion on the Mayor's ruling that the Notice of Motion was out of order.

The Mayor did not accept this Point of Order.

Councillor Bird asked whether he could Foreshadow a Motion, that Council defer this item to get a legal opinion.

Councillor Leedham asked for a retraction and an apology because Councillor Bird had stated "if I was Australand I would have difficulty trusting Councillors with this document" / "If I was Australand I would not trust this Council either".

Councillor Bird retracted his comments and apologised reluctantly.

Councillor Stewart said "I may have been found guilty of one leak and cleared of two so there must still be a leaker in the room". She apologised for her comment.

Amended as per Minute No. 160 of 20 May 2008

Significant debate occurred regarding the release of the Shell Cove Management Agreement.

The Acting General Manager advised the Council of the potential consequences of placing itself in a position where a confidential document was disclosed.

Due to the continued unruly behaviour by several Councillors and some members of the gallery the Mayor called for a Motion to adjourn the Meeting for 15 minutes so as to restore order.

- 133 RESOLVED: Bird/Gillett That the Meeting be adjourned for 15 minutes.

Meeting adjourned 9.30 pm

Meeting resumed 9.45 pm

On resuming the Meeting the Mayor put a question from the chair asking whether Council was prepared to continue with its business at hand as set out in the Agenda.

- 134 The QUESTION on being PUT to the Meeting was CARRIED UNANIMOUSLY

The Mayor addressed the galley and quoted sections of Council's Code of Meeting Practice in relation to the expected behaviour from the public during a Council meeting.

- 135 The Mayor RULED that Councillor Greig's MOTION was OUT OF ORDER and stated that discussion on this issue was closed.

Councillor Hawker attempted to raise a Matter Arising from this issue. The Mayor stated that he had made his ruling and would not enter into any more discussion on this issue and stated that he would organise a Meeting of Council to discuss this matter when

Council staff had received all relevant information and legal opinions to take this matter further.

Councillor Stewart asked whether she could address the Mayor and stated that she wished to apologise to the Council when she left her chair during the Meeting earlier. She stated that she should not have left her chair and stated that in her current frame of mind she was out of order.

16.2 Notice of Motion submitted by Councillor Briggs (8901949)

Councillor Stewart - declared an interest and here left the chamber
Councillor Rose - declared an interest and here left the chamber

Councillor Hawker asked Councillor Briggs whether he would accept an Amendment to his Motion printed in the business paper and read his Amended Motion to the Meeting.

The Mayor stated that this was a significant amendment and requested that Council move a motion to accept this Amended Motion for consideration at tonight's meeting.

136 RESOLVED: Briggs/Hawker that the amended Motion be accepted and considered here on the Agenda instead of the original Motion printed in the Business Paper.

CARRIED 7/3

For vote: Mayor, Briggs, Hawker, Greig, Leedham, Mifsud, Bailey
Against: Hore, Bird, Gillett

The Mayor in accordance with Section 2:8(3) of the *Code of Meeting Practice* ruled that this Amended Motion be determined as a matter of urgency.

Significant debate occurred on this item.

During Councillor Hore's debate Councillor Bailey MOVED a POINT of ORDER asking where he received his statistics.

The Mayor did not allow this Point of Order.

Councillor Bailey MOVED a further POINT of ORDER during Councillor Hore's debate and stated that he swore and questioned if the Mayor was going to allow this.

The Mayor told Councillor Hore to continue with his debate.

Councillor Mifsud MOVED a POINT of ORDER asking that if this Notice of Motion was illegal why was it approved by the General Manager to be put in the Business Paper.

The Mayor advised that the Motion was put in the business paper prior to the decision being handed down by the presiding judge in the Land & Environment Court.

MOTION: Briggs/Hawker

1. That Council seek, as a matter of urgency, a legal opinion as to whether the Council's Policy on Payment of Council's Expenses would apply in general to covering legal expenses incurred on the part of a Councillor from the exercise of their civic office as a Councillor.
2. The opinion is to provide advice to Council as to whether the policy applies in regard to the most recent Land & Environment Court case involving Councillors Geoff Rose, and Helen Stewart.
3. The opinion is to consider if it is possible for Council to accept an agreement as part of the resolution of the matter that the Council accepts a court ruling that the Councillors' costs be met.
4. The opinion is to consider as to whether the Council can give a direction to its legal advisors as to the resolution of the matter, including matters relating to the apportionment of costs.
5. The opinion is to take into consideration the Department of Local Government Circular "Legal Assistance For Councillor And Council Employees", Circular 05/08, dated 9th May 2005.
6. If available it is suggested that Mr David Clark, ex-legal officer of the Local Government and Local Shires Association, be approached as to availability and willingness to provide the advice.
7. If Mr David Clark is not available the opinion to be requested from an independent lawyer experienced in Local Government law and with the demonstrated experience of providing advice in such matters to Councils.
8. The Mayor and Mr Brian Weir, General Manager to seek the advice of Mr Gerry Homes, Counsel representing Shellharbour Council at Public Inquiry, in regards to the selection of a Lawyer in accordance with sub-clause 7 above.
9. Further that Council seek advice to help ensure that any type of legal action involving Councillors by Council are first referred to the Conduct Committee for investigation.

137 The MOTION on being PUT to the Meeting was CARRIED 6/4

For vote: Leedham, Greig, Hawker, Briggs, Bailey, Mifsud
Against vote: Hore, Bird, Gillett, Mayor

Councillors Stewart and Rose here returned to the Chamber

17. Items for Information

17.1 Ron Costello Oval - Media Report (8897777)

138 RESOLVED: Briggs/Greig

That Council receive and note this item for information.

CARRIED UNANIMOUSLY

17.2 Community Survey (8900629)

139 RESOLVED: Briggs/Greig

That Council receive and note this item for information.

CARRIED UNANIMOUSLY

17.3 Investments (8901436)

140 RESOLVED: Hawker/Greig

That Council receive and note this item for information.

CARRIED UNANIMOUSLY

18. Questions without Notice

- 141 Councillor Leedham** asked for an update on the General Manager's performance appraisal.

The Mayor advised that the General Manager's performance appraisal is currently being investigated. The Mayor offered Cr Leedham the opportunity to meet with himself in his office to discuss any questions.

- 142 Councillor Leedham** advised that the Agenda for the Ordinary Meeting of Council, held on 13 November 2007, that was on Council's website did not appear to include item 8.2, which was a late Mayoral Minute. He asked that that be rectified ASAP.

- 143 Councillor Hore** requested the Director of Operations & Services, Mr Webster, to read the Shellharbour Links report to the public that he had read to Councillors during Committee of the Whole earlier in the evening.

The Director of Operations & Services read the report to the open Council

- 144 Councillor Rose** stated that he believed that Council should give public apology to Messrs Payne and Moran for banning them from a prior Council Meeting on 26 February 2008. He further sought to Move a Motion in that Regard.

The Mayor advised that it would be inappropriate to do so, as the Council was now in *Questions Without Notice*. Notwithstanding this, Councillors Rose, Mifsud, Briggs, Bailey, Hawker, Greig, Leedham, Stewart then left their chairs and gave their personal apologies to Messrs Payne & Moran.

- 145 Councillor Mifsud** stated that he believed that the General Manager should have sought legal advice on Cr Greig's Notice of Motion that was in this Business Paper earlier, to determine its legality.

- 146 Councillor Mifsud** asked if it would be possible for Council officers to again approach the State and Federal Governments in relation to a revision of pensioner rebates.

- 147 Councillor Bailey** congratulated the Acting General Manager, Mr Peter O'Rourke, for his assistance provided tonight in the General Manager's absence

- 148 Councillor Briggs** requested a review of the zoning in the Albion Park Business Park, as there appeared to be some difficulty with companies who wanted to establish there and could not do so due to the current zoning.

The Group Manager of Planning Services, Mr Hoynes advised that Council is currently reviewing its Commercial Retail Strategy for the City at the moment. He further advised that the whole economics of the current zones are being considered holistically and would be reported back to Council once it had been completed.

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 29 April 2008

- 149 Councillor Briggs** asked what was the position with the acquisition of the old Shellharbour Golf Club and the establishment of the new club

The Director Shell Cove Business Unit, Mr Woodcock, advised that the General Manager has written to the club and was awaiting their response. He stated that a report would come before Council once their response had been received.

- 150 Councillor Briggs** asked if a building site in Tongarra Road for a three story building was now an abandoned site as there did not appear to be any progress on the work.

The Director of Operations & Services, Mr Webster, advised that as far as he was aware work was continuing on the site and that recent rain fall may have delayed some of that work.

- 151 Councillor Hawker** advised that some street lights from Terry Street up to Simpson Parade Albion Park were out, as well as in some of the newer areas as well. He asked if Telstra would ride around during the evening to check lights around the City.

- 152 Councillor Hawker** asked when the kerb and guttering would be completed where recent works had been undertaken in Tongarra Rd, Albion Park, near the two churches.

The Director of Operations & Services, Mr Webster advised that kerb and guttering had not been supported in the current capital works program but would be raised again in a future budget.

- 153 Councillor Greig** advised that she had attended a Good Sports Program on behalf of the Mayor and that one of the participants from Albion Park Soccer Club had asked her to thank Council for contributing to their recently installed security system, and that it had already prevented at least one potential break & enter.

- 154 Councillor Greig** advised that she had emailed the Mayor previously with the same query that Councillor Leedham had raised in relation to item 8.2 of the business paper for 13 November 2007 and that she was yet to receive a response to her enquiry.

- 155 Councillor Greig** congratulated staff on their response to the Shellharbour Links issue.

- 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 11.05pm

CONFIRMED as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Shellharbour held 20 May 2008.

General Manager

Chairperson