

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 04 February 2014

**Minutes of the Ordinary Meeting
of Shellharbour City Council
held at the Council Chambers, Council Administration Centre
Shellharbour City Centre
on Tuesday 04 February 2014 commencing at 7.30 pm**

Present

Mayor	M Saliba
Deputy Mayor	P Rankin
Councillor	K Marsh
Councillor	D Boyle
Councillor	H Stewart
Councillor	J Murray
Councillor	P Moran

In attendance

General Manager	M Willis
Acting Director City Outcomes	M Boxall
Director Corporate Policy	L Furness
Acting Director Shellharbour Enterprises	C McIntyre
Group Manager City Strategy	G Hoynes
Group Manager Finance	T Gearon
Group Manager Infrastructure Services	M Boenisch
Executive Manager / Public Officer	F MastroDomenico
Manager Assets and Projects	G Standen
Manager Property and Recreation	D Flanagan
Media Officer	C Lewis
Senior Executive Assistant	L Davey
Council Liaison Officer (Minute Taker)	J Frasca

1. Acknowledgement to Country

Shellharbour City Council acknowledges the Traditional Owners and Custodians of the Land on which we are meeting and pays its respects to Elders past and present.

Webcasting Statement

The Mayor read the usual advice regarding the webcasting of the meetings of the Council.

2. Confirmation of Minutes

Note: Minutes from 10 December meeting, resumed earlier today, will be confirmed at the 25 February 2014 meeting

3. Apologies / Leave of Absence

Nil

4. Confidential Business (Committee of the Whole)

Nil

5. Pecuniary Interest and Conflict of Interest Declarations

Nil

6. Condolences

The Mayor acknowledged the passing of Councillor Marsh's father Mr Raymond (Ray) Stanley Price who passed away on the 25th January 2014 in Bathurst.

The Council acknowledged the following deaths in the Local Government area.

Mrs Rita Thelma Smith	of	Albion Park
Mrs Helen Gunning	of	Albion Park
Mrs Barbara Ann Ramsay	of	Albion Park
Mrs Anne Slatter	of	Albion Park
Mrs Ann Marie Greenham	of	Albion Park

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 04 February 2014

Mrs Gloria Phyllis Martin	of	Albion Park
Mrs Beryl Elaine Black	formerly of	Albion Park
Mr Frederick Charles Brown	of	Albion Park Rail
Mr Laurence Percival Sole	of	Albion Park Rail
Mr Wayne Lindsay Burton	of	Albion Park Rail
Mrs Hazel Ann Connolly	of	Albion Park Rail
Mr Dave Muscat (Melchior)	of	Albion Park Rail
Mrs Laurine Wilson	of	Albion Park Rail
Mr Ken Lightowler	of	Albion Park Rail
Mrs Shirley Delaney	formerly of	Albion Park Rail
Mr Radomir Paget	of	Barrack Heights
Mrs Mitra Jovcevska	of	Barrack Heights
Mrs Joyce Kelsey	of	Barrack Heights
Mr Albert William Sinden	formerly of	Barrack Heights
Mr Jaime Ferreira	of	Flinders
Mr Noel Victor White	of	Lake Illawarra
Mrs Evelyn Florence Emery	of	Lake Illawarra
Mrs Jeannine Laboureur	of	Mount Warrigal
Mr Keith Sidney James	of	Mount Warrigal
Mr David John Short	formerly of	Mount Warrigal
Mrs Natalie Eve Lovelace	of	Oak Flats
Mr Dieter Kopke	of	Oak Flats
Mrs Audrey Young	of	Oak Flats
Mr Velice Noveski	of	Oak Flats
Mrs Lynne Margaret Michell	of	Oak Flats
Mrs Spasa Karanfilovski	of	Oak Flats

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 04 February 2014

Mrs Maria Katharina Brunn	formerly of	Oak Flats
Mr Ray Rourke	of	Shell Cove
Mr Kim Iredale	of	Shell Cove
Mrs Basia Glowacki	of	Shell Cove
Mrs Gurga Petrovska	of	Shellharbour
Ms Trudy Lea Davis	of	Shellharbour
Mrs Joan Steele	of	Shellharbour
Mr Alfred Charles O'Brien	formerly of	Shellharbour
Mrs Karin Henrichs	of	Warilla
Mr Allan Grief	of	Warilla
Mr Neil Clarence Coleman	of	Warilla
Mrs Elizabeth Woodhouse	of	Warilla
Mr Horst Althans	of	Warilla
Mr Phil Withers	of	Warilla
Mrs Veronica Ann Grant	of	Warilla
Mr Barry Benjamin	of	Warilla
Mrs Mary Joan McDonall	formerly of	Warilla
Mrs Dianne June Walsh-Moody	formerly of	Warilla

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

7. Addresses to Council

Please note the following clauses from Council's Code of Meeting Practice:

13.3 Conduct of Addresses

13.3.1 *The duration of individual addresses is strictly limited to four minutes with no extensions permissible*

13.3.2 *Only the Chairperson is permitted to ask questions of any person addressing the Council.*

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 04 February 2014

Agenda Item No & Title	Name
11.1.2 Amended Community Engagement Policy (10086199)	Sonya McKay
Minutes Ordinary Council Meeting 4 February 2014 confirmed	Harry Gooden Ken Garcia Sonya McKay
11.3.7 Rebates on Rates to Pensioners (10360244)	Paul Hockey

9 RESOLVED: Murray/Marsh

That Standing Orders be suspended in order for Items 11.1.2, 11.3.3, 11.3.7, the subject of Addresses to Council, to be considered here in the agenda.

CARRIED UNANIMOUSLY

11.1.2 Amended Community Engagement Policy (10086199)

10 RESOLVED: Murray/Boyle

1. That Council adopt the Draft Community Engagement Policy the purposes of public exhibition.
2. That the Draft Community Engagement Policy be placed on public exhibition allowing for public submissions for a period of twenty-eight (28) days.
3. That following the close of the public exhibition period, if any relevant submissions are received, the Draft Policy, together with those public submissions, be reported back to Council for consideration.
4. That if no submissions are received during the public exhibition period, the Draft Community Engagement Policy be adopted without a further report to Council.

CARRIED UNANIMOUSLY

11.3.3 Shellharbour City Stadium Roof Rectification Works Update (10055164)

11 RESOLVED: Marsh/Murray

That Council progress with the full replacement of the Shellharbour City Stadium roof in accordance with the recommendation provided by the expert consultant.

CARRIED UNANIMOUSLY

11.3.7 Rebates on Rates to Pensioners (10360244)

12 RESOLVED: Rankin/Murray

1. That Council approach both State and Federal Governments, through our local members of Parliament, to provide that the maximum rate rebate as indicated by S575(3)(a) of the NSW Local Government Act 1993 be increased annually by indexation, in line with the Sydney all groups CPI, so that the proportions of the rebate paid by State and Federal Governments to local government are increased, in such a way that the benefit to eligible pensioners is increased, but that the maximum contribution for each Council remains at the current level of \$112.50 (45% of \$250) per year per eligible pensioner.

2. That Council continues with its current policy on the additional rebate.

CARRIED UNANIMOUSLY

13 RESOLVED: Murray/Rankin

That standing orders be resumed

CARRIED UNANIMOUSLY

Meeting adjourned at 8.21pm

Meeting resumed at 8.33pm

8. Mayor's Statements / Reports / Presentations

The Mayor outlined the events she has attended since the last council meeting.

9. Councillors' Reports

Nil

10. Mayoral Minutes

Nil

11. Reports

11.1 General Manager

11.1.1 Southern Phones Dividend Policy (10085674)

MOTION: Murray/Rankin

That the annual dividends from the Southern Phones Company be placed in the Council's Capital Development Investment Fund for allocation to agreed capital development and investment.

Councillor Stewart FORESHADOWED a MOTION that should the MOTION be lost that she would move that the current Southern Phone dividend be set aside and be allocated towards the Pensioner Rebate Scheme.

Councillor Moran FORESHADOWED a further MOTION that should the MOTION and FORESHADOWED MOTION be lost that he would move the recommendation as printed in the Business Paper.

14 The MOTION on being PUT to the Meeting was CARRIED 4/3

FOR VOTE - Cr Boyle, Cr Saliba, Cr Murray, Cr Rankin
AGAINST VOTE - Cr Moran, Cr Stewart, Cr Marsh

11.1.2 Amended Community Engagement Policy (10086199)

This item was considered following Addresses to Council (refer Resolution No 10)

11.1.3 Monthly Investments Report for November and December 2013 (10081080)

15 RESOLVED: Marsh/Murray

That Council receive and note the attached Investment Portfolio report, as at 31 December 2013.

CARRIED UNANIMOUSLY

11.2 City Outcomes Directorate

11.2.1 Planning Proposal No 7 - Lot 12, DP 849162, Ashburton Drive, Albion Park (10084022)

16 RESOLVED: Marsh/Boyle

1. That Council prepare a Planning Proposal No 7 for Lot 12, DP 849162, Ashburton Drive, Albion Park to amend *Shellharbour Local Environmental Plan 2013* to incorporate the proposed zoning and planning controls in Attachments 5, 6, 7, 8 and 9.
2. That Council authorise the General Manager to submit the planning proposal (Draft Shellharbour Local Environmental Plan 2013 Planning Proposal No 7) to the NSW Department of Planning & Infrastructure in accordance with section 56 of the *Environmental Planning & Assessment Act 1979* for review and gateway determination.
3. That Council delegate to the General Manager authority to make minor mapping and Local Environmental Plan instrument changes to *Draft Shellharbour Local Environmental Plan 2013* Planning Proposal No 7 if and as required by the NSW Department of Planning & Infrastructure's LEP Review Panel and gateway determination.
4. That the *Draft Shellharbour Local Environmental Plan 2013* Planning Proposal No 7 be publically exhibited in accordance with the gateway determination.
5. That a report be submitted to the Council on the public exhibition of the *Draft Shellharbour Local Environmental Plan 2013* Planning Proposal No 7 detailing the outcomes of the community and government agency engagement.
6. That the *Draft Shellharbour Local Environmental Plan 2013* Planning Proposal No 7 be reported back to the Council for final consideration and with further recommendations regarding adoption.

CARRIED UNANIMOUSLY

11.3 Corporate Policy Directorate

11.3.1 Affixing of Council Seal to Proposed Licence Agreement - NSW Crown Lands (10086155)

17 RESOLVED: Marsh/Murray

That the Mayor and General Manager, or his nominated delegate, be authorised to sign the licence agreement with NSW Crown Lands under Council Seal.

CARRIED UNANIMOUSLY

11.3.2 Extension of Contract 2011/49 Operation of Resource Recovery Centre at Dunmore Recycling and Waste Disposal Depot (10072895)

18 RESOLVED: Rankin/Murray

That the Council extend the term of Contract 2011/49 - Operation of Resource Recovery Centre at Dunmore Recycling and Waste Disposal Depot for the Second Extension Period, being from the 1 July 2014 to 30 June 2015.

CARRIED UNANIMOUSLY

11.3.3 Shellharbour City Stadium Roof Rectification Works Update (10055164)

This item was considered following Addresses to Council (Refer to Resolution No 11)

11.3.4 Report by Chairperson of Governance, Risk and Audit Committee (10085248)

19 RESOLVED: Murray/Moran

That the report by the Chair of Council's Governance, Risk and Audit Committee, be received and noted.

CARRIED UNANIMOUSLY

11.3.5 Requests for Financial Assistance (10082430)

20 RESOLVED: Marsh/Rankin

1. That Council provide financial assistance from the miscellaneous donations budget totalling \$2,715 to the following:

- | | |
|--|---------|
| 1. Albion Park Men's Shed | \$1,000 |
| - Purchase PC items and plumbing fitout to upgrade toilet facilities | |

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 04 February 2014

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|--|---------|
| 2. Illawarra Wheelchair Basketball
- Reimburse court hire costs at Shellharbour Stadium | \$1,000 |
| 3. Oak Flats Dads Committee
- Running costs Oak Flats Billy Cart Derby | \$500 |
| 4. Shellharbour City Arts Society
- Reimburse Local Approval Fee for Art in the Park | \$215 |
2. That Council Grant Fee Reduction/Exemption at Dunmore Waste Disposal Depot as indicated:
- | | |
|---|---------|
| 1. Shellharbour City Baptist Church
- disposal of unsuitable op shop donations | \$1,000 |
|---|---------|

CARRIED UNANIMOUSLY

11.3.6 Policy for the Disposal of Surplus Land and Buildings (10365769)

21 RESOLVED: Murray/Rankin

1. That Council adopt the Policy for Disposal of Surplus Land and Buildings for the purposes of public exhibition.
2. That the Policy for Disposal of Surplus Land and Buildings be placed on public exhibition allowing for public submissions for a period of twenty-eight (28) days.
3. That following the close of the public exhibition period, if any relevant submissions are received, the Policy for Disposal of Surplus Land and Buildings, together with those public submissions, be reported back to Council for consideration.
4. That if no submissions are received during the public exhibition period, that:
 - (a) That the Entrepreneurial Fund be changed to the Capital Development and Investment Fund and that its focus be changed to development and investment in new assets.
 - (b) Council rescind the current 60:40 policy and that proceeds from the sale of surplus assets be identified at the time of sale (by way of Council Report and recommendation) for a particular project and/or applied to the Capital Development and Investment Fund.
 - (c) The new Policy for Disposal of Surplus Land and Buildings be adopted without a further report to Council.

CARRIED UNANIMOUSLY

11.3.7 Rebates on Rates to Pensioners (10360244)

This item was considered following Addresses to Council (refer to Resolution No 12)

13.3.8 Award of Grant under the NSW 2013-14 Floodplain Management Program for a Flood Study of Oak Flats, Oakey Creek and Skiway Park Catchments (10093668)

22 RESOLVED: Boyle/Marsh

1. That the Council endorse the acceptance of the NSW Government's funding offer of up to \$150,000 towards the Council's Floodplain Risk Management Program, to conduct a flood study of the Oak Flats, Oakey Creek and Skiway Park Catchments.
2. That Council allocate funding from the floodplain mapping and stormwater service charge budgets to supplement available matching funds.
3. That the budget be amended accordingly.

CARRIED UNANIMOUSLY

11.4 Shellharbour Enterprises Directorate

12. Committee Recommendations

12.1 Recommendations from the Aboriginal Advisory Committee Meeting held 3 December 2013 recommended for adoption.

23 RESOLVED: Marsh/Boyle

That the Recommendations from the Aboriginal Advisory Committee Meeting held 3 December 2013 be adopted.

CARRIED UNANIMOUSLY

12.2 Recommendations from the Shellharbour Traffic Committee Meeting held 4 December 2013 recommended for adoption.

24 RESOLVED: Murray/Boyle

That the Recommendations from the Shellharbour Traffic Committee Meeting held 4 December 2013 be adopted.

CARRIED UNANIMOUSLY

13. Items for Information

13.1 Response to Question on Notice submitted by Cr Peter Moran: Graffiti Removal on Council Assets (10089280)

That this Item for Information be formally noted.

14. Notices of Rescission/Alteration Motions

Nil

15. Notices of Motion

15.1 Notice of Motion submitted by Cr Moran: Procedures for the Administration of the Code of Conduct (10086164)

MOTION: Moran/Marsh

That Council amend the Procedures for the Administration of the Code of Conduct to include the following clause:

5.9 When the Complaints Coordinator or Alternate Complaints Coordinator is selecting a Conduct Reviewer the Complaints Coordinator or Alternate Complaints Coordinator shall enter into a register the names of those Conduct Reviewers contacted with a view to conducting the review. This register shall also contain the skills held by the proposed Conduct Reviewer which match the eligibility criteria. The register shall also indicate if a proposed Reviewer is not able to, or not considered fit to, conduct the review, and the reasons why.

Councillor Saliba FORESHADOWED a MOTION that this item be deferred to the next Ordinary Meeting of Council.

Councillor Moran MOVED a POINT of ORDER that a FORESHADOWED MOTION cannot be made after the Mover's Right of Reply.

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 04 February 2014

The Mayor accepted the POINT of ORDER and called for the vote.

- 25 The MOTION on being PUT to the Meeting was LOST 3/4
- FOR VOTE - Cr Moran, Cr Stewart, Cr Marsh
AGAINST VOTE - Cr Boyle, Cr Saliba, Cr Murray, Cr Rankin

15.2 Notice of Motion submitted by Cr Saliba: Place of Public Worship (10084888)

- 26 RESOLVED: Saliba/Marsh

That Council call on the General Manager to provide a report to Council outlining the current planning status of places of public worship in industrial zones under Shellharbour Local Environmental Plan 2013. That report should include the pros and cons of allowing such uses in industrial zones and options available to Council in relation to amending Shellharbour Local Environmental Plan 2013, if it subsequently chooses to do so.

CARRIED UNANIMOUSLY

15.3 Notice of Motion submitted by Cr Murray: City Hub Project (10087888)

Councillor Moran MOVED a POINT of ORDER that Clause 9.14.6 of the Code of Meeting Practice states that 'notes supporting a notice of motion provided by the Councillor intending to move it are not to be included or form part of the Agenda or Business Paper'. The Mayor asked the General Manager to respond and he stated that the Notice of Motion is in seven parts and there are no notes attached to it.

Councillor Moran MOVED a POINT of ORDER that the Mayor was not speaking on the topic. The Mayor did not accept the Point of Order.

Cr Moran left the Chamber at 9.27pm
Cr Moran here returned to the Chamber at 9.28pm

Councillor Saliba left the Chamber at 9.47pm
Councillor Rankin assumed the Chair

Councillor Saliba returned to the Chamber at 9.50pm and assumed the Chair.

(Following para added as per Minute No.30 of 25 Feb 2013)

Councillor Marsh MOVED a POINT of ORDER in relation to comments made by the Mayor during her address. The Mayor ruled that it was not a POINT of ORDER. Councillor Moran then MOVED a POINT of ORDER and stated that the Mayor cannot rule against a POINT of ORDER without first hearing what the POINT of ORDER is. The Mayor then asked Councillor Marsh for details of her POINT of ORDER and Councillor

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 04 February 2014

Marsh stated that her POINT of ORDER related to the Mayor not speaking to the item. The Mayor did not accept the POINT of ORDER and continued her address.

MOTION: Murray/Boyle

1. That Council note the following facts in relation to the City Hub project:

Previous Council decisions

The following facilities to be located in what is now referred to as the City Hub have been included in Council's exhibited Section 94 Plan since 1993 – it should be stressed that these include significant new facilities for the community providing for a growing City, and go far beyond simply providing new Council offices:

- Civic Auditorium
- City Library & Sessional Services
- Council Administrative Offices

Locating the City Hub

In 2006 Council investigated sites for civic and cultural facilities to be delivered under the Section 94 Developer Contributions plan as set out in point 1 above. The options considered for co-locating the facilities were:

- The refurbishment of Lamerton House and an extension onto the neighbouring Lot 3000 to the east.
- Construction of a new purpose built facility on the site of the City Hub.

Constructing a new, purpose-built facility for the community was considered far superior to trying to adapt the existing Council facility, which had not been originally built for this purpose. Factors included:

- The new facility on the City Hub site would be a better design, providing an iconic centre for Shellharbour City in line with other regional centres around Australia.
- The Proposed City Hub site has more prominence and will enhance the range of services and facilities available in the Shellharbour City Centre
- A refurbished Lamerton House would not provide for the necessary parking and there would be no secure parking and limited access for delivery vehicles.
- The green star rating of Lamerton House would be lower than the 5 star green star rating proposed for the City Hub.
- The Lamerton House option would cost more in the long run, requiring greater borrowings.

Community Consultation

The Community has been regularly consulted on these proposed facilities since 1993 via various versions of the Council's s.94 Plan. The community has been kept informed of decisions of Council about plans for a City Hub through the

media, direct mail outs to relevant stakeholders and through Council business plans. It has been made clear in Council plans, City Centre Master Plan and Community Strategic Plans.

More extensive community consultation on the City Hub commenced in 2010 as part of Shellharbour City Council's first Community Strategic Plan. The most recent consultation process, to inform and engage the community about the progress of the City Hub and discern which design the community preferred, was multi-faceted, involving:

- Consultation with the community on the future development of library and museum services, through an online survey that was completed by 332 people. A further 224 people from primary school age to senior citizens, including key stakeholders, participated in focus groups.
- 'Have your say' kiosks at locations across the city, targeted group sessions, school 'dotmocracy' programs and staff sessions. The online survey was promoted through traditional media advertisements, articles, Council's website and social media such as Twitter and Facebook. Static displays were installed at libraries and community facilities throughout the city.

This resulted in:

- 380 people attending the kiosks
- 10 schools, providing feedback from 466 students
- Five focus groups: - Involving more than 60 people
- Direct Mail out to eight groups to the email addresses of more than 1500 people

This was promoted to:

- Every reader of the 20,000-odd papers published by the Lake Times with advertisements, as well as stories run by every media in the area during the three weeks.
- 2,500 people through Council's Facebook and Twitter pages
- 1,000 website visits to the City Hub community engagement page
- School participation promoted in relevant school newsletters

This promotion resulted in:

- 250 surveys being completed
- 466 comments being made by school students
- 24 written submissions

Financial capacity

Council's decisions relating to the Shellharbour City Hub Stage 1 have been based on extensive investigations and financial modelling as detailed in a comprehensive business case. This business case was subjected to an independent peer review under NSW Treasury's Gateway Review process which determined that the project was fit to proceed. In today's dollars, the total cost is projected to be \$53.9M.

The Shellharbour City Hub is also contained in Council's exhibited long-term financial plan. Council's financial capacity and its funding of the City Hub were reviewed by T-Corp, a part of NSW Treasury, in 2012. The funding model for the City Hub aligns with T-Corp's recommendations.

Impact on debt capacity

It must be stressed that Council's capital funding of the City Hub will not be directly from rates, and is not connected to funding from the Special Rate Variation. Funding will be via

- Sale of Land: (\$35M)
 - o Oak Flats Land (sold)
 - o Tullimbah
 - o Old Council Chambers Warilla
 - o Lamerton House and adjoining land
- S.94 reserve funds (already collected) (\$8.8M)
- Loans (\$10.1)

Loan affordability is usually expressed as a debt service ratio (DSR i.e. the proportion of our loan repayments to current income). The Division of Local Government's accepted satisfactory benchmark for this ratio is to be less than 10%. The Group 4 Councils' average (which includes Shellharbour City Council) from the most recently published data was 9.27%, with the State average being 5.45%. Our DSR is currently 0.5% (very low), and is expected to peak at 1.7% (well under the benchmark set out above) in 2016/17, before falling to 1.5% in 2019/20.

A report to the Council in October 2013 set out a number of funding scenarios. Even in the worst case (requiring a loan of \$17M), the annual loan repayments amount would result in a DSR of 2.4%. If that was converted into a household budget with earnings of \$50,000 per annum, it would represent repayments of \$1,200 per annum or approximately \$100 per month.

What that means is that the current projected levels of debt are quite affordable compared to the average amounts of Council debt in NSW.

2. That Council note the following requirements of the Local Government Charter (section 8 of the Local Government Act):
- to exercise community leadership
 - to have regard to the long term and cumulative effects of its decisions
 - to bear in mind that it is the custodian and trustee of public assets and to effectively plan for, account for and manage the assets for which it is responsible.
 - to engage in long-term strategic planning on behalf of the local community
 - to exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 04 February 2014

- to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants

and agrees that in the case of the City Hub project it has complied with all of these requirements.

3. That Council note the current petition calling for a poll of residents on the City Hub project and note that the section 14 of the Local Government Act provides that:

"A council may take a poll of electors for its information and guidance on any matter."

4. That Council further note that:
 - A Council poll would cost it in the order of \$250,000 to conduct.
 - A poll is not compulsory for voters, so there could be no confidence that the result would be a true reflection of sentiment across the community.
 - The result of a poll is not binding on the Council, so any result would be a matter for ongoing debate.

5. That Council notes that it:
 - Has planned and provided for the construction of the facilities that are now described as the City Hub for over 20 years
 - Made a considered decision in 2006 to proceed with the planning for the construction of the City Hub at its currently proposed site
 - Has provided numerous opportunities for community consultation on both the intentions and more detailed planning of the City Hub, and will continue to do so as key decisions arise.
 - Has produced a Business Case for the City Hub that has been:
 - Endorsed by an independent peer review under NSW Treasury's Gateway Review process
 - Provided for in the Council's long-term financial plan
 - Aligns with T-Corp's recommendations
 - Been advised that any of the suggested loan funding options for the City Hub will be well within acceptable levels of debt for councils in NSW

And has thereby complied with all the relevant requirements of its Charter, and in particular to exercise community leadership.

6. That Council notes that it is aware of the current petition for a poll to "Stop the City Hub" and resolves that based on the information contained in this motion, it sees no need to conduct such a poll.
7. That Council note that it will be continuing with the current planning for the City Hub, and will not be making a final decision to proceed until:
 - It has received all necessary regulatory consents

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 04 February 2014

- It has received advice that the construction can be carried out within the agreed Guaranteed Maximum Price (GMP) and the amount to be serviced through debt as outlined in the report to Council on 8 October 2013 entitled Financial Update for the City Hub Project can be sustained
- It has resolved to appoint a contractor to construct the City Hub

Cr Moran left the Chamber at 10.15pm

27 The MOTION on being PUT to the Meeting was CARRIED 5/1

FOR VOTE - Cr Boyle, Cr Saliba, Cr Murray, Cr Rankin, Cr Stewart
AGAINST VOTE - Cr Marsh
ABSENT. DID NOT VOTE - Cr Moran

16. Questions on Notice (must be submitted in writing)

Nil

17. Urgent Business

Councillor Stewart queried how Councillor Marsh became aware of Councillor Murray's Notice of Motion regarding the City Hub Project prior to the Business Paper being published.

Councillor Marsh provided an explanation.

18. Committee of the Whole in Closed Session: Adjournment

Nil

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

Nil

20. Consideration of Motions to Declassify Reports Considered in Closed Session

Nil

Meeting closed 10.24 pm

SHELLHARBOUR CITY COUNCIL

Ordinary Council Meeting - Tuesday 04 February 2014

CONFIRMED as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Shellharbour held 25 February 2014

General Manager

Chairperson