



MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

MONDAY 30 MARCH 2015

Present

Lord Mayor – Councillor Bradbery OAM (in the Chair), Councillors Kershaw, Connor, Brown, Takacs, Martin, Merrin, Blicavs, Dorahy (from 6.02 pm), Colacino, Crasnich, Curran and Petty

In Attendance

General Manager – D Farmer, Director Corporate and Community Services – Creative, Engaged and Innovative City – G Doyle, Director Infrastructure and Works – Connectivity, Assets and Liveable City – M Hyde, Director Planning and Environment – Future, City and Neighbourhoods – A Carfield, Manager Governance and Information – L Kofod, Manager Finance – B Jenkins, Manager Property and Recreation – P Coyte, Manager Environmental Strategy and Planning – R Campbell, Manager Infrastructure Strategy and Planning – M Dowd, Manager Corporate, Community and Economic Development – S Wardle (Acting)

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ATTENDANCE OF COUNCILLOR

During Disclosures of Interests, Councillor Dorahy attended the meeting, the time being 6.02 pm.

DISCLOSURE OF INTERESTS

Councillor Martin declared a non-significant, non-pecuniary potential conflict of interest in Item C insofar as she works with the Department of Planning and Environment. She would remain in the Chamber during discussion and debate.

Councillor Bradbery declared a non-significant, non-pecuniary conflict of interest in Item C as he was formerly the Minister of a local church which owned land in Figtree which was flood affected. He remains a member of the church's congregation. This is a City wide issue, and he would remain in the Chamber.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 9 MARCH 2015

31 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Connor that the Minutes of the Ordinary Meeting of Council held on Monday, 9 March 2015 (a copy having been circulated to Councillors) be taken as read and confirmed.

PUBLIC ACCESS FORUM – WOONONA FLOOD STUDY

Mr J Burton thanked Council for the opportunity to speak in support of the motion by Councillor Petty relating to the Woonona Flood Study. Mr Burton wished to emphasise that he has done everything possible to resolve these issues directly with Council since 2013. The primary issue of concern is that the community has not been informed of major planning policy changes resulting from the flood study process in 2011. Importantly, there has been a disparity between what Council told the community they were doing, and what they actually did.

There has been sufficient passing of time for Council to thoroughly consider all aspects of the motion, and deferring a decision to a committee won't address the facts and concerns put to Council over the past year. Accordingly, Mr Burton asked Councillors, as the elected representatives of the community, to please redress the shortcomings in Council's actions on the Woonona Flood Study process, and start a proper conversation with the community by supporting the tabled motion.

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- 32 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Martin that the speaker be thanked for his presentation and invited to table his notes.

CALL OF THE AGENDA

- 33 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Kershaw that the staff recommendations for Items 5 to 15 inclusive, be adopted as a block.

A PROCEDURAL MOTION was MOVED by Councillor Crasnich seconded Councillor Blicavs that Councillor Curran be granted an additional two (2) minutes to address the meeting in relation to Item A.

ITEM A – NOTICE OF MOTION – COUNCILLOR BRADBERRY – REVIEW OF PUBLIC ACCESS FORUM POLICY AND CODE OF MEETING PRACTICE

MOVED by Councillor Bradberry seconded Councillor Brown that –

- 1 The Public Access Forum Policy be revised to include the following amendments –
 - a Page 2 of the existing policy – the addition of the following points under the paragraph commencing 'The following should also be noted' –
 - *applicants to address Council or a Committee of Council must meet one of the following eligibility criteria:*
 - *a resident or owner of land within the City of Wollongong Local Government Area;*
 - *a person or entity entitled to vote in the City of Wollongong under the Local Government Act, or where that voter is not a natural person, the nominee of the entity with its written authority;*
 - *the nominee of an entity owning land, conducting a business or providing a service in the Wollongong Local Government Area;*
 - *a duly appointed person including the legal, financial or town planning representative of any person or entity listed above with a matter before council (written authority must be provided);*

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- *any person, or nominee of an organisation, invited to speak by resolution of Council;*
 - *any representative of a State or Federal Government Agency with a matter before Council.*
- b Page 3 of the existing policy – the following additional point be included under the paragraph commencing ‘Public Address’ –
- *each applicant will be limited to a maximum of five (5) minutes in total (even when addressing more than one matter).*
- c The policy include a note to help speakers stating that most people talk at about 125 to 150 words per minute.
- 2 The Code of Meeting Practice be amended to remove the duplication of information already contained in the Public Access Forum Policy. Clause 4.11 ‘Public Access Forum – members of the public addressing Council’, be therefore amended to read –
- Members of the public shall be permitted to address Council or a Committee of Council on matters falling within the jurisdiction and Charter of Council as outlined in the Local Government Act 1993.*
- All addresses must comply with Council’s Public Access Forum Policy.*
- 3 The draft revised Public Access Forum Policy be placed on public exhibition for a period of 28 days.
- 4 The draft revised Code of Meeting Practice be placed on public exhibition for a minimum period of 28 days, with 42 days allowed for the receipt of submissions.
- 5 At the conclusion of the submission period, a report be presented to Council with a summary of the submissions received on the proposed changes to the Public Access Forum Policy and Code of Meeting Practice.

Variation The variation moved by Councillor Brown (addition of part 1c) was accepted by the mover and seconder.

An AMENDMENT was MOVED by Councillor Petty seconded Councillor Curran that –

- 1 The Public Access Forum Policy be revised to include the following amendments –

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- a Page 2 of the existing policy – the addition of the following points under the paragraph commencing ‘The following should also be noted’ –
 - *applicants to address Council or a Committee of Council must meet one of the following eligibility criteria:*
 - *a resident or owner of land within the City of Wollongong Local Government Area;*
 - *a person or entity entitled to vote in the City of Wollongong under the Local Government Act, or where that voter is not a natural person, the nominee of the entity with its written authority;*
 - *the nominee of an entity owning land, conducting a business or providing a service in the Wollongong Local Government Area;*
 - *a duly appointed person including the legal, financial or town planning representative of any person or entity listed above with a matter before council (written authority must be provided);*
 - *any person or nominee of an organisation invited to speak by resolution of Council or by approval of the Lord Mayor;*
 - *any representative of a State or Federal Government Agency with a matter before Council.*
 - b The policy include a note to help speakers stating that most people talk at about 125 to 150 words per minute.
- 2 The Code of Meeting Practice be amended to remove the duplication of information already contained in the Public Access Forum Policy. Clause 4.11 ‘Public Access Forum – members of the public addressing Council’, be therefore amended to read –
- Members of the public shall be permitted to address Council or a Committee of Council on matters falling within the jurisdiction and Charter of Council as outlined in the Local Government Act 1993.*
- All addresses must comply with Council’s Public Access Forum Policy.*
- 3 The draft revised Public Access Forum Policy be placed on public exhibition for a period of 28 days.

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- 4 The draft revised Code of Meeting Practice be placed on public exhibition for a minimum period of 28 days, with 42 days allowed for the receipt of submissions.
- 5 At the conclusion of the submission period, a report be presented to Council with a summary of the submissions received on the proposed changes to the Public Access Forum Policy and Code of Meeting Practice
- 6 With regards to the Code of Meeting Practice, all questions on Notice shall be included in the minutes.

Variations The variations moved by –

- Councillor Blicavs amendment to part 1a dot-point 5 “any person or nominee of an organisation invited to speak by resolution of Council or by approval of the Lord Mayor”;
- Councillor Takacs to remove part 1b (moving 1c to 1b);

were accepted by the mover and seconder.

34 COUNCIL'S RESOLUTION – An AMENDMENT was MOVED by Councillor Takacs seconded Councillor Merrin that –

- 1 The Public Access Forum Policy be revised to include the following amendments –
 - a Page 2 of the existing policy – the addition of the following points under the paragraph commencing ‘The following should also be noted’ –
 - *applicants to address Council or a Committee of Council must meet one of the following eligibility criteria:*
 - *a resident or owner of land within the City of Wollongong Local Government Area;*
 - *a person or entity entitled to vote in the City of Wollongong under the Local Government Act, or where that voter is not a natural person, the nominee of the entity with its written authority;*
 - *the nominee of an entity owning land, conducting a business or providing a service in the Wollongong Local Government Area;*

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- *a duly appointed person including the legal, financial or town planning representative of any person or entity listed above with a matter before council (written authority must be provided);*
 - *any person, or nominee of an organisation, invited to speak by resolution of Council or by approval of the Lord Mayor;*
 - *any representative of a State or Federal Government Agency with a matter before Council.*
- b The policy include a note to help speakers stating that most people talk at about 125 to 150 words per minute.
- 2 The Code of Meeting Practice be amended to remove the duplication of information already contained in the Public Access Forum Policy. Clause 4.11 'Public Access Forum – members of the public addressing Council', be therefore amended to read –
- Members of the public shall be permitted to address Council or a Committee of Council on matters falling within the jurisdiction and Charter of Council as outlined in the Local Government Act 1993.*
- All addresses must comply with Council's Public Access Forum Policy.*
- 3 The draft revised Public Access Forum Policy be placed on public exhibition for a period of 28 days.
- 4 The draft revised Code of Meeting Practice be placed on public exhibition for a minimum period of 28 days, with 42 days allowed for the receipt of submissions.
- 5 At the conclusion of the submission period, a report be presented to Council with a summary of the submissions received on the proposed changes to the Public Access Forum Policy and Code of Meeting Practice.

Councillor Petty's AMENDMENT on being PUT to the VOTE was LOST.

In favour
Against

Councillors Takacs and Merrin

Councillors Kershaw, Connor, Brown, Martin, Blicavs, Dorahy, Colacino, Crasnich, Curran, Petty and Bradbery

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Councillor Takacs' FORESHADOWED AMENDMENT then BECAME the AMENDMENT.

The AMENDMENT on being PUT to the VOTE was CARRIED.

In favour
Against

Councillors Kershaw, Connor, Brown, Martin, Takacs, Merrin and Bradbery
Councillors Blicavs, Dorahy, Colacino, Crasnich, Curran and Petty

ITEM B – NOTICE OF MOTION - COUNCILLOR BRADBERRY - RECOGNITION OF OUTSTANDING SERVICE TO NSW LOCAL GOVERNMENT - COUNCILLOR JANICE KERSHAW

35 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery seconded Councillor Brown that Council –

- 1 Acknowledge and recognise Councillor Janice Kershaw's 20 years of outstanding service to Local Government in New South Wales, and specifically her service to Wollongong City Council.
- 2 Through Local Government NSW, seek recognition of Councillor Kershaw's outstanding service by virtue of presentation of the Outstanding Service Award to Councillor Kershaw at the 2015 NSW Local Government Conference.

DEPARTURE OF COUNCILLORS

During debate and prior to voting on Item C the following Councillors departed and returned to the meeting, the times being –

- Councillor Kershaw from 7.01 pm to 7.02 pm;
- Councillor Colacino from 7.04 pm to 7.06 pm;
- Councillor Blicavs from 7.18 pm to 7.20 pm;
- Councillor Crasnich from 7.30 pm to 7.32 pm.

A PROCEDURAL MOTION was MOVED by Councillor Crasnich seconded Councillor Colacino that Councillor Petty be granted an additional one (1) minute to address the meeting in relation to Item C.

A PROCEDURAL MOTION was MOVED by Councillor Crasnich seconded Councillor Merrin that Councillor Martin be granted an additional five (5) minutes to address the meeting in relation to Item C.

ITEM C – NOTICE OF MOTION – COUNCILLOR PETTY – WOONONA FLOOD STUDY

MOVED by Councillor Petty seconded Councillor Curran that –

- 1 All changes made by Council to the operation of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, in contravention of 'Department of Planning LEP Practice Note PN11-001' be immediately rescinded, and all affected property owners be notified in writing by Council.
- 2 a Council note the concerns submitted by Woonona residents regarding the Woonona Catchment Flood Study, as summarised in the 'Statement of Facts and Issues' (attached); and
b A report be submitted which clarifies Council's response to these issues including, where relevant, a timetable of remedial actions.
- 3 The Woonona Catchment Flood Study be reviewed and re-exhibited to address the shortcomings in the existing flood study process, outlined in the attached 'Statement of Facts and Issues'.
- 4 The information note prepared by the Manager, Infrastructure Strategy and Planning of 25 March 2015, which covers matters raised in the Notice of Motion, form the basis of an article to be placed on the Council website and the article be advertised through the appropriate channels.
- 5 The article and any related information form part of background information made available in the Climate Change Fora as resolved by Council last year.
- 6 An offer of a briefing on these matters, by Council staff, be forwarded to the relevant Neighbourhood Forum/s.

Variation The variation moved by Councillor Brown to include points 4, 5 and 6 was accepted by the mover and seconder.

At this point, Councillor Kershaw FORESHADOWED a MOTION should Councillor Petty's Motion be defeated.

In favour
Against

Councillors Blicavs, Dorahy, Crasnich, Curran and Petty
Councillors Kershaw, Connor, Brown, Martin, Takacs, Merrin, Colacino and Bradbery

Following the defeat of Councillor Petty's MOTION, Councillor Kershaw's FORESHADOWED MOTION then became the MOTION.

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36 COUNCIL'S RESOLUTION – MOVED by Councillor Kershaw seconded Councillor Takacs that –

- 1 Council note operation of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 in relation to flood impacted land are now to be applied.
- 2
 - a Council note the concerns submitted by Woonona residents regarding the Woonona Catchment Flood Study, as summarised in the 'Statement of Facts and Issues' (attached); and
 - b A report be submitted which clarifies Council's response to these issues.
- 3 Council note that following review of the 100% Blockage Policy that all catchment studies may need to be reviewed and if necessary amended.
- 4 The information note prepared by the Manager, Infrastructure Strategy and Planning of 25 March 2015, which covers matters raised in the Notice of Motion, form the basis of an article to be placed on the Council website and the article be advertised through the appropriate channels.
- 5 The article and any related information form part of background information made available in the Climate Change Fora as resolved by Council last year.
- 6 An offer of a briefing on these matters, by Council staff, be forwarded to the relevant Neighbourhood Forum/s and other briefing opportunities.

In favour Councillors Kershaw, Connor, Brown, Martin, Takacs, Merrin, Blicavs, Dorahy, Colacino, Crasnich, Curran and Bradbery

Against Councillor Petty

DEPARTURE OF COUNCILLORS

During debate and prior to voting on Item D, the following Councillors departed and returned to the meeting, the times being –

- Councillor Brown departed 8.20 pm to 8.21 pm;
- Councillor Crasnich departed 8.32 pm to 8.33 pm;
- Councillor Curran departed 8.41 pm to 8.45 pm;
- Councillor Connor departed 9.29 pm to 9.30 pm;
- Councillor Blicavs departed 9.30 pm to 9.31 pm.

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A PROCEDURAL MOTION was MOVED by Councillor Crasnich seconded Councillor Martin that Councillor Merrin be granted an additional five (5) minute to address the meeting in relation to Item D.

A PROCEDURAL MOTION was MOVED by Councillor Crasnich seconded Councillor Dorahy that Councillor Colacino be granted an additional three (3) minutes to address the meeting in relation to Item D.

ITEM D – NOTICE OF MOTION – COUNCILLOR MERRIN – WORKPLACE GENDER EQUITY

MOVED by Councillor Merrin seconded Councillor Takacs that –

- 1 The Employment Equity and Diversity Policy and Employment Equity and Diversity Management Plan be reviewed to ensure that gender equity in employment levels and pay rates are achievable. The review to be completed by December 2015.
- 2 A report be submitted to Council which provides updated figures for workforce gender distribution and participation rates across the organisation at executive, management, supervisory and non-supervisory levels in each of the directorates and includes comparisons with other regional and NSW Councils as a whole. The report to also include progress on Council's resolution of 30 January 2012 in relation to Workplace Diversity.
- 3 Council adopt a gender equity target of a minimum of 40% of management positions to be filled by women by 2018. The gender equity target to be incorporated into the General Manager's key performance indicators.
- 4 In accordance with Council's resolution of 30 January 2012, Council complete the application for 'Silver' accreditation level under the 50:50 Vision – Councils for Gender Equity, prior to the Australian Local Government Women's Association (ALGWA) NSW Conference being hosted by Wollongong City Council on 30 April 2015, and complete the application for 'Gold' accreditation level by April 2018.
- 5 A best practice gender equality strategy be pursued using the WGEA (Workplace Gender Equality Agency) toolkit which helps organisations meet the Employer of Choice for Gender Equality citation standards.

- 6 A Status of Women Reference Group be established, to include Councillors, staff and community members, for the purpose of promoting the status of women in the Wollongong Local Government Area (LGA), and fostering the active participation of women in the LGA.

An AMENDMENT was MOVED by Councillor Martin seconded Councillor Brown that –

- 1 The Employment Equity and Diversity Policy and Employment Equity and Diversity Management Plan be reviewed to ensure that gender equity in employment levels and pay rates are achievable. The review to be completed by December 2015.
- 2 A report be submitted to the Information Folder which provides updated figures for workforce gender distribution and participation rates across the organisation at executive, management, supervisory and non-supervisory levels in each of the directorates and includes comparisons with other regional and NSW Councils as a whole. The report to also include progress on Council's resolution of 30 January 2012 in relation to Workplace Diversity.
- 3 In accordance with Council's resolution of 30 January 2012, Council complete the application for 'Silver' accreditation level under the 50:50 Vision – Councils for Gender Equity, prior to the Australian Local Government Women's Association (ALGWA) NSW Conference being hosted by Wollongong City Council on 30 April 2015, and complete the application for 'Gold' accreditation level by April 2018.
- 4 A best practice gender equality strategy be pursued using the WGEA (Workplace Gender Equality Agency) toolkit which helps organisations meet the Employer of Choice for Gender Equality citation standards.
- 5 A report come to the Information Folder that canvasses options for a Status of Women Reference Group or similar body that includes the involvement of the relevant State and Federal agencies and includes linkages to Council's strategic plan.

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37 COUNCIL'S RESOLUTION – MOVED Councillor Colacino seconded Councillor Crasnich that the Employment Equity and Diversity Policy and Employment Equity and Diversity Management Plan be reviewed to ensure that gender equity in employment levels and pay rates are achievable. The review to be completed by December 2015.

Councillor Martin's AMENDMENT on being PUT to the VOTE was LOST.

In favour Councillors Brown, Martin, Takacs, Merrin, Blicavs and Curran
Against Councillors Kershaw, Connor, Dorahy, Colacino, Crasnich, Petty and Bradbery

Councillor Merrin's MOTION on being PUT to the VOTE was LOST.

In favour Councillors Martin, Takacs, Merrin and Curran
Against Councillors Kershaw, Connor, Brown, Blicavs, Dorahy, Colacino, Crasnich, Petty and Bradbery

Following the defeat of Councillor Merrin's MOTION, Councillor Colacino's FORESHADOWED MOTION then became the MOTION.

The MOTION on being PUT to the VOTE was CARRIED.

In favour Councillors Kershaw, Connor, Brown, Dorahy, Colacino, Crasnich and Bradbery
Against Councillors Martin, Takacs, Merrin, Blicavs, Curran and Petty

ITEM E – ITEM LAID ON TABLE – COUNCIL MEETING 9 MARCH 2015 – NOTICE OF MOTION – COUNCILLOR PETTY – SKYDIVING ACTIVITIES – STUART AND DALTON PARKS

The motion of Councillor Petty seconded Councillor Curran that –

- 1 Council obtain a valuation from the Government Valuer on the use of land at Stuart and Dalton Parks for skydiving activities.
- 2 Council call for competitive tenders for the use of Stuart and Dalton Parks for skydiving activities.
- 3 Authority to execute leases over Stuart and/or Dalton Parks shall be by resolution of Council.
- 4 A report be submitted to Council which –
 - a Provides a full history from the original to current licences, development approvals, including variations and amendments, rent and market reviews, market valuations and processes undertaken to award licences, together with all documentation

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relating in any way to current commercial operators or any related entities.

- b Provides alternative models for equity or joint venture participation in skydiving or other commercial activity at Stuart and/or Dalton Parks.

MATTER remains LAID ON TABLE.

DEPARTURE OF COUNCILLORS

During debate and prior to voting on Item 1, the following Councillors departed and returned to the meeting, the times being –

- Councillor Colacino from 9.44 pm to 9.49 pm;
- Councillor Merrin from 10.13 pm to 10.15 pm;
- Councillor Colacino from 10.27 pm to 10.27 pm.

A PROCEDURAL MOTION was MOVED by Councillor Dorahy seconded Councillor Crasnich that Councillor Blicavs be granted an additional one (1) minute to address the meeting in relation to Item 1.

EXTENSION OF MEETING TIME

A PROCEDURAL MOTION was MOVED UNANIMOUSLY by Councillor Connor seconded Councillor Brown that the meeting time be extended to 10.30 pm.

EXTENSION OF MEETING TIME

A PROCEDURAL MOTION was MOVED UNANIMOUSLY by Councillor Crasnich seconded Councillor Colacino that the meeting time be extended to 11.00 pm.

ITEM 1 – EXHIBITION – DRAFT ANNUAL PLAN 2015-16

38 COUNCIL'S RESOLUTION – RESOLVED on the motion of Councillor Connor seconded Councillor Blicavs that Council endorse the draft Annual Plan 2015-16, including:

- Attachment 1 – Draft Budget 2015-16 and Capital Budget 2015-16;
- Attachment 2 – Draft Revenue Policy, Fees and Charges 2015-16;

for public exhibition between the period 2 April and 1 May 2015.

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An AMENDMENT was MOVED by Councillor Curran seconded Councillor Takacs that –

- 1 Council endorse the draft Annual Plan 2015-16, including:
 - Attachment 1 – Draft Budget 2015-16 and Capital Budget 2015-16;
 - Attachment 2 – Draft Revenue Policy, Fees and Charges 2015-16;

for public exhibition between the period 2 April and 1 May 2015.

- 2 A report come to Council on the Long Term Urban Budget for West Dapto showing the Capital Works Budget; the projected share of those expenditures including the percentage of Council's expenditure attributable to developer contributions and the extent to which that expenditure derives from revenue contributed by existing ratepayers of Wollongong LGA.
- 3 The above report to also include the extent of proposed and potential loan raisings by Council and the level of rates to be recovered by new property owners of West Dapto, Marshall Vale/Marshall Mount.

Councillor Curran's AMENDMENT on being PUT to the VOTE was LOST.

In favour
Against

Councillors Kershaw, Takacs, Merrin, Crasnich, Curran and Petty
Councillors Connor, Brown, Martin, Blicavs, Dorahy, Colacino and Bradbery

Councillor Connor's MOTION on being PUT to the VOTE was CARRIED.

In favour
Against

Councillors Kershaw, Connor, Brown, Martin, Takacs, Merrin, Blicavs, Dorahy, Colacino, Crasnich and Bradbery
Councillors Curran and Petty

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 2, Councillor Curran departed and returned to the meeting, the time being from 10.45 pm to 10.48 pm.

A PROCEDURAL MOTION was MOVED by Councillor Crasnich seconded Councillor Blicavs that Councillor Dorahy be granted an additional three (3) minute to address the meeting in relation to Item 2.

ITEM 2 – TOWRADGI DUNES RESHAPING – DRAFT DETAIL DESIGN REPORT

- 39 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Dorahy seconded Councillor Kershaw that Council endorse the proposed Towradgi Beach Re-shaping Works as shown in the Draft Detailed Design Report.

A PROCEDURAL MOTION was MOVED by Councillor Dorahy seconded Councillor Brown that Items 3 and 4 be considered concurrently. The PROCEDURAL MOTION on being PUT to the VOTE was CARRIED.

ITEM 3 – SMOKE FREE ARTS PRECINCT ENGAGEMENT REPORT

- 40 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Dorahy seconded Councillor Martin that –

- 1 The draft Wollongong Arts Precinct Smoke Free Policy be placed on public exhibition for 28 days from 7 April 2015.
- 2 A further report be submitted to Council following conclusion of the exhibition period.

ITEM 4 – SMOKE FREE ZONES – CROWN STREET MALL AND OUTDOOR DINING IN THE LOCAL GOVERNMENT AREA

This Item was considered in conjunction with Item 3. Refer to Procedural Motion and Minute Number 40.

- COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Dorahy seconded Councillor Martin that –

- 1 Council continue to –
 - a utilise education and promotion on the smoke free Crown Street Mall, and outdoor dining licensed areas in the Wollongong local government area, which are under the control of Council; and
 - b implement the prohibition of smoking through outdoor dining licence conditions for areas under the control of Council.
- 2 The draft Crown Street Mall Smoke Free Policy be placed on public exhibition for 28 days from 7 April 2015 and a further report be submitted to Council following conclusion of the exhibition period.

ITEM 5 – REVIEW OF INTERNAL REPORTING POLICY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 33).

COUNCIL'S RESOLUTION that –

- 1 Council adopt the revised Internal Reporting Policy.
- 2 The Internal Reporting Policy – Staff Copy be revoked.

ITEM 6 – TENDER T14/36 – GRAND PACIFIC WALK STAGE 1 – SECTION 1C (NO 241 TO PEDESTRIAN REFUGE AND PEDESTRIAN REFUGE TO TOM AND NORMA WILLIAMSON REST AREA) LAWRENCE HARGRAVE DRIVE, COALCLIFF

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 33).

COUNCIL'S RESOLUTION that –

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of The GC Group Company Pty Ltd for construction of the Grand Pacific Walk Stage 1 – Section 1C (No 241 to Pedestrian Refuge and Pedestrian Refuge to Tom and Norma Williamson Rest Area) Lawrence Hargrave Drive, Coalcliff in the sum of \$321,822.50, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required to give effect to this resolution.

ITEM 7 – TENDER T15/02 WOLLONGONG YOUTH CENTRE ROOF AND AIR CONDITIONING UPGRADE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 33).

COUNCIL'S RESOLUTION that –

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Piruse Constructions Pty Ltd for the reroofing and air conditioning upgrade to the

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Wollongong Youth Centre, in the sum of \$528,000.00, excluding GST.

- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required to give effect to this resolution.

ITEM 8 – TENDER T15/03 CORRIMAL SURF LIFE SAVING CLUB EXTERNAL REFURBISHMENT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 33).

COUNCIL'S RESOLUTION that –

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Piruse Constructions Pty Ltd for the External Refurbishment of the Corrimal Surf Life Saving Club, in the sum of \$381,528.00, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required to give effect to this resolution.

ITEM 9 – PROPOSED DEDICATION OF LANE OFF CHARLOTTE STREET, WOLLONGONG AS PUBLIC ROAD

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 33).

COUNCIL'S RESOLUTION – In accordance with Section 16 of the Roads Act 1993, Council approve the dedication as public road of the lane on the northern side of Charlotte Street, Wollongong, as shown hatched on the attachment to this report, by the placement of a notice in the NSW Government Gazette.

ITEM 10 – PROPOSED SALE OF PORTION OF LOT 501 DP 1079122 REDDALLS ROAD, KEMBLA GRANGE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 33).

COUNCIL'S RESOLUTION that –

- 1 Council authorise the sale of the portion of Lot 501 DP 1079122 Reddalls Road, Kemplla Grange, as shown hatched on the attachment to this report, on the following conditions:
 - a Sale price of \$50,000 (+ GST).
 - b The applicant be responsible for all costs in this matter.
- 2 Authority be granted to affix the Common Seal of Council to the transfer documents and any other documentation required to give effect to this resolution.

ITEM 11 – PROPOSED GRANT OF EASEMENT FOR DRAINAGE OVER CROWN RESERVE D580102 LOT 7045 DP 1126831 PIONEER REST PARK, WOLLONGONG

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 33).

COUNCIL'S RESOLUTION that –

- 1 Council approve the grant of an Easement for Drainage of Water Variable Width over Crown Reserve D580102 Lot 7045 DP 1126831 Pioneer Rest Park, as shown on the attachment to this report.
- 2 IRT be responsible for all costs in the creation of the easement including valuation, plan preparation and lodgement, legal and transfer costs.
- 3 Approval be granted to affix the Common Seal of Council to the easement creation documents and any other documentation required to give effect to this resolution.

ITEM 12 – FEBRUARY 2015 FINANCIALS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 33).

COUNCIL'S RESOLUTION that –

- 1 The report be received and noted.
- 2 Proposed changes in the Capital Works Program be approved.

ITEM 13 – STATEMENT OF INVESTMENTS – FEBRUARY 2015

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 33).

COUNCIL'S RESOLUTION – Council receive the Statement of Investments for February 2015.

ITEM 14 – BI MONTHLY TABLING OF RETURNS OF DISCLOSURES OF INTEREST AND OTHER MATTERS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 33).

COUNCIL'S RESOLUTION – Council note the tabling of the Returns of Disclosures of Interest as required by Section 450A of the Local Government Act 1993.

ITEM 15 – PROPOSED LEASE OF UNIT 1, KEMBLA TERRACES, 74 KEMBLA STREET, WOLLONGONG

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 33).

COUNCIL'S RESOLUTION that –

- 1 Authority be granted for a lease to be entered into for Part Lot 402 DP719826 being Unit 1, 74 Kembla Street, Wollongong [and Part Lot 602 DP812146 for part Market Street Car Park for licence of two (2) car parking spaces] to Nathan Cooper and Anna Cooper, Live Active Physio, or their corporate nominee, for a term of two (2) years with three (3) by three (3) year option terms (totalling 11 years) in accordance with the terms set out in this report.

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- 2 Authority be granted to affix the Common Seal of the Council to the Lease and Licence and any other documentation and the General Manager be authorised to sign the necessary Lease and Licence documentation.

THE MEETING CONCLUDED AT 10.55 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 27 April 2015.

Chairperson