



MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 11 March 2019

Present

Deputy Lord Mayor – Councillor D Brown (in the Chair), Councillors D Brown, A Martin, C Walters, C Blakey, D Figliomeni, J Kershaw, J Rimmer, J Dorahy, L Colacino, M Cox, T Brown and V King

In Attendance

General Manager (Acting) – G Doyle, Director Infrastructure and Works (Acting), Connectivity Assets and Liveable City – A Carfield, Director Planning and Environment (Acting), Future City and Neighbourhoods – M Riordan, Director Corporate Services, Connected and Engaged City – R Campbell, Director Community Services, Creative and Innovative City – K Hunt, Manager Information + Improvement – Clare Phelan, Manager Governance and Customer Service (Acting) – R Keen, Chief Financial Officer – B Jenkins, Manager Property and Recreation (Acting) – L Power, Manager Open Space + Environmental Services (Acting) – P Coyte, Manager City Strategy – C Stewart, Manager City Works – M Roebuck, Manager Library + Community Services – Jenny Thompson, Manager Infrastructure Strategy + Planning – M Dowd and Manager Community Cultural + Economic Development - S Savage

Apologies

Min No.

- 204** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor T Brown seconded Councillor Figliomeni that the apologies tendered on behalf of the Lord Mayor – Councillor G Bradbery AM be accepted and leave of absence be granted.

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DISCLOSURE OF INTERESTS

Councillor Martin declared a non-significant, non-pecuniary Conflict of Interest in Item 1 as she is employed by the Department of Housing and stated that she would remain in the Chamber for discussion and voting.

Councillor Rimmer declared a non-pecuniary, perceived Conflict of Interest in Item B as she is employed by a State Member of Parliament and stated that she would remain in the Chamber for discussion and voting.

Councillor Walters declared a non-pecuniary, non-significant Conflict of Interest in Item B as he is employed by a State Member of Parliament and stated that he would remain in the Chamber for discussion and voting.

Councillor Cox declared a non-significant, non-pecuniary Conflict of Interest in Item B as she is employed by a State Member of Parliament and stated that she would remain in the Chamber for discussion and voting.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 18 FEBRUARY 2019

205 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Kershaw seconded Councillor Colacino that the Minutes of the Ordinary Meeting of Council held on Monday, 18 February 2019 (a copy having been circulated to Councillors) be taken as read and confirmed.

PUBLIC ACCESS FORUM – DR SHOSHANA DREYFUS – A PLAYGROUND FOR ADULTS WITH (INTELLECTUAL) DISABILITIES

Dr Dreyfus advised that her address to Council was to garner support across all levels of government regarding the idea of a park and playground designed specifically for adult sized people with disabilities.

She added that her son, Bodhi, now 23, lives in a group home with three (3) other young men of similar age with autism. She expressed that he loves going to the park but her experience is that parents with toddlers and young children pull their children away from the equipment he is playing on because Bodhi is an adult, a male, has severe intellectual disability and thus presents a possible threat. Dr Dreyfus further advised that while Bodhi would never do anything to a child on purpose, he could trip over them, push them or bang into them and so she completely understood parents' reticence to have their children on the equipment near him.

She stated that, as a result of this, she stopped taking Bodhi to parks a long time ago, out of concern for other families and her own distress at his effect on them.

Dr Dreyfus notified that Bodhi and his house mates are now fully-grown men and most park features are built for children and thus are quite small to navigate. She stated that even though staff take Bodhi (and his housemates) to the park, which he still loves, hence the reason for this idea. She informed that while there are now wheelchair type swings at some parks, there is no park specifically built for adult-sized people to play on and the Illawarra could really benefit from this.

Dr Dreyfus concluded stating that she had spoken with most of our State and Federal politicians about this matter and it was suggested that she address Wollongong City Council on this matter due to the fact that if this proposal is granted, Council will need to identify the land to be used for such a playground and consider funding options.

Dr Dreyfus also suggested that Kanahooka Park would be an appropriate venue due to the outdoor eating area, barbeque facilities and toilets.

PUBLIC ACCESS FORUM – MR STIG ANDERSEN ON BEHALF OF THE ILLAWARRA RETIREMENT TRUST

Mr Andersen spoke on behalf of the Illawarra Retirement Trust Group (IRT) in favour of Item 1 which relates to the Proposed Reclassification of Lot 505 DP 833242 Murrarar Road, Towradgi - Post Exhibition.

He advised that the IRT Group is interested in acquiring the land located at 17a Murrarar Road, Towradgi. He added that in order to ensure the living environment, buildings and facilities meet the needs of our current and future residents, our plan is to include this land in our staged redevelopment of the site, pending all relevant regulatory approvals.

He further stated that given our redevelopment will have a lifecycle that projects beyond the lease expiry of 2040, it is our intention to convert the current lease to a purchase of the land.

Mr Andersen confirmed that the IRT Group had already decommissioned our aged care centre on this site and relocated residents to a new facility at IRT Tarrawanna.

He added that conversations had begun with residents living in the retirement village operated on the site, and stated that it was the IRT's intention to involve them in the master planning of the new retirement village via co-design.

He explained that their vision is to ensure the community continues to remain vibrant, supportive and sustainable into the future, which is aligned with Council's 2028 goal to have a "healthy community in a liveable city." He further stated that the redevelopment will also provide an economic and social benefit to the community.

206 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the Motion of Councillor Rimmer seconded Councillor Martin that all speakers be thanked for their presentation and invited to table their notes.

CALL OF THE AGENDA

207 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Rimmer that the staff recommendations for Items A, 2 to 3, 5 to 8 inclusive and 10 to 14 inclusive be adopted as a block.

A PROCEDURAL MOTION was MOVED by Councillor D Brown seconded Councillor Colacino and RESOLVED UNANIMOUSLY that the numbered Agenda Items be considered prior to the lettered Agenda Items.

ITEM A - NOTICE OF MOTION - COUNCILLOR FIGLIOMENI - MAINTENANCE OF DIX'S WHARF LAKE HEIGHTS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 207).

COUNCIL'S RESOLUTION - That Council write to the Department of Industry – Crown Lands that urgent consideration is given to undertaking repairs and maintenance of Dix's Wharf on Lake Illawarra, Lake Heights.

ITEM 1 - PROPOSED RECLASSIFICATION OF LOT 505 DP 833242 MURRANAR ROAD, TOWRADGI - POST EXHIBITION

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

- 1 The Planning Proposal PP-2017/7 for Lot 505 DP 833242, Murrnar Road, Towradgi to reclassify the site to Operational land and discharge a covenant, caveat and lease, be progressed to finalisation.
- 2 The final Planning Proposal for the reclassification, rezoning and removal of any real or perceived trusts, caveats, or interests be referred to the NSW Department of Planning and Environment for the making of arrangements for drafting to give effect to the Planning Proposals, noting that Council has not been issued delegation, as the proposals involve Council land and the Governor's approval is required to remove interests.
- 3 Those persons that made submissions be advised of Council's decision.

ITEM 2 - PROPOSED LEASE OF LAND BEING PART OF LOT 52 IN DP 1022266, WHYTES GULLY FOR LANDFILL GAS SERVICES CONTRACT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 207).

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Rimmer that -

- 1 Council endorse the proposed Plan of Lease of Land Being Part of Lot 52 DP 1022266.
- 2 Council endorse the proposed leasing of the subject land for the purpose of the Landfill Gas Services Contract.
- 3 Council grant authority for the use of the Common Seal of Council on the Plan of Lease, Lease Agreement, and any other documentation should it be required, to give effect to this resolution.
- 4 Council delegate to the General Manager the authority to finalise and execute the Lease Agreement and any other documentation to give effect to this resolution.

ITEM 3 - FAIRY CREEK CORRIDOR MASTER PLAN

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 207).

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Rimmer that -

- 1 The Fairy Creek Corridor Master Plan be adopted by Council as a reference point for the future renewal and development of the precinct.
- 2 The Implementation Summary be noted.

ITEM 4 - CREATIVE WOLLONGONG 2019 - 2024

209 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor Walters that -

- 1 Council endorse Creative Wollongong 2019-2024.
- 2 Council note the Summary of Submissions (Attachment 2 to the report).
- 3 Council note the Creative Wollongong 2019 – 2024 Implementation Plan (Attachment 3 to the report).

ITEM 5 - QUARTERLY VARIATIONS REPORT FOR DEVELOPMENT APPLICATIONS DECEMBER 2018

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 207).

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Rimmer that Council note the report.

ITEM 6 - 2019 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - COUNCILLOR ATTENDANCE AND DEVELOPMENT OF MOTIONS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 207).

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Rimmer that Council approve -

- 1 The attendance of the Lord Mayor, Cr David Brown, Cr Kershaw, Cr Colacino and Cr Figliomeni at the 2019 National General Assembly of Local Government in Canberra.
- 2 The Lord Mayor's Office to coordinate, in consultation with Councillors, the submission of Motions for consideration at the 2019 National General Assembly of Local Government.
- 3 The Lord Mayor as the voting delegate at the 2019 National General Assembly of Local Government

ITEM 7 - HELENSBURGH COMMUNITY CENTRE - PROPOSED FEES AND CHARGES - 2018/2019

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 207).

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Rimmer that Council adopt the Helensburgh Community Centre Fees and Charges 2018/2019.

ITEM 8 - POLICY REVIEWS: CODES OF CONDUCT AND PROCEDURES FOR ADMINISTRATION OF CODES OF CONDUCT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 207).

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Rimmer that Council place the draft Codes of Conduct and Procedures for the Administration of the Codes of Conduct on Public Exhibition for a period of not less than 28 days, after which time they shall be reported to Council for adoption with a summary of any submissions received.

ITEM 9 - POLICY REVIEW: CODE OF MEETING PRACTICE

210 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that -

- 1 Council place the draft Code of Meeting Practice (as amended) on public exhibition for a period of not less than 42 days, inviting submission from the public, after which time the policy shall be reported back to Council for adoption with a summary of submissions received.
- 2 Before final adoption by Council, the Code of Meeting Practice's Attachment-1, Definitions, include definitions for Presentations and Petitions.
- 3 The Code of Meeting Practice be amended at Section-14.3 (public access forum, questions), last sentence adding the words "Questions put to a speaker must be direct, succinct and put without argument to clarify points raised by the speaker."
- 4 The Code of Meeting Practice be amended at Section 7.2. point b, to read 'Deputy Lord Mayor'.

Variation The variation moved by Councillor Cox (the addition of Point 4) was accepted by the mover and seconder.

ITEM 10 - TENDER T18/44 - BROKERAGE NURSING SERVICES - COMMUNITY SERVICES/SOCIAL SUPPORT SERVICES

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 207).

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Rimmer that -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accepts the tender of:
 - Just Better Care,
 - Essential Care,
 - South Coast Home Health Care Pty Ltd and
 - Warrigal Care for the provision of brokerage services for frail older people and their carers.
- 2 Council delegates 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 grants 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 11 - TENDER T18/49 - PROVISION OF TRANSPORT VIA TAXI VOUCHERS AND/OR ANY OTHER TYPE OF SUBSIDISED TRANSPORT TO COUNCIL

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 207).

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Rimmer that -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Radio Cabs of Wollongong Cooperative Society Ltd, trading as Illawarra Taxi Network.
- 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 12 - JANUARY 2019 FINANCIALS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 207).

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Rimmer that -

- 1 The financials be received and noted.
- 2 Council approve an increase in the capital budget of \$6.4M that is fully supported by corresponding level of funding from restricted assets.

ITEM 13 - STATEMENT OF INVESTMENT - JANUARY 2019

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 207).

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Rimmer that Council receive the Statement of Investment for January 2019.

ITEM 14 - CITY OF WOLLONGONG TRAFFIC COMMITTEE - MINUTES OF MEETING HELD ON 13 FEBRUARY 2019

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 207).

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Rimmer that in accordance with the powers delegated to Council, the Minutes and Recommendations of the City of Wollongong Traffic Committee held on 13 February 2019 in relation to Regulation of Traffic be adopted.

ITEM B - NOTICE OF MOTION - COUNCILLOR BLAKEY - EMPTY HOME LEVY

Moved Councillor Blakey seconded Councillor Cox that Council -

- 1 Write to the NSW Treasurer and the Minister for Planning, and their opposition counterparts, to request provisions for an Empty Home Levy are made available for local governments within New South Wales, in order to address housing affordability.
- 2 Write to the Victorian Premier and Minister for Housing to request information regarding the performance of the Vacant Residential Property Tax in boosting supply and making housing and renting more affordable.
- 3 Submit a motion to Local Government Conference calling for the provision of an Empty Home Levy to be made available to local governments as an option to increase housing availability and fund housing affordability initiatives.

In favour Councillors Blakey and Cox

Against Councillors Kershaw, Rimmer, T Brown, Martin, King, Colacino, Walters, Dorahy, Figliomeni and D Brown

The MOTION on being PUT to the VOTE was LOST.

A PROCEDURAL MOTION was MOVED by Councillor King seconded Councillor Walters that Councillor Figliomeni be granted an additional one (1) minute to address Item B.

THE MEETING CONCLUDED AT 7.18 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 8 April 2019.

Chairperson