

at 6.00 pm

Monday 30 November 2015

Present

Lord Mayor – Councillor Bradbery OAM (in the Chair), Councillors Kershaw, Connor, Brown, Takacs, Martin, Merrin, Blicavs, Dorahy, Crasnich, Curran and Petty (until 8.46 pm)

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, General Counsel – J Reilly, Manager Finance – B Jenkins, Manager Property and Recreation – P Coyte, Manager Community Cultural and Economic Development – K Hunt, Manager Infrastructure Strategy and Planning – M Dowd, Manager Development Assessment and Certification – M Riordan, Manager Regulation and Enforcement – J Nicol and Manager City Works and Services – M Roebuck

Apologies

Min No.

165 **COUNCIL'S RESOLUTION** - RESOLVED on the motion of Councillor Dorahy seconded Councillor Connor that Councillor Colacino's leave of absence, granted by Council on 9 November 2015, be noted.

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DISCLOSURES OF INTERESTS

Councillor Martin declared a non-significant, non-pecuniary conflict of interest in Items 1 and 2 insofar as these Items directly involve the NSW Department of Planning and Environment. Councillor Martin is employed by the Department, however, she is not involved in Wollongong City Council based projects.

Councillor Petty declared a significant, pecuniary interest in Item 3 and stated that he would depart the meeting during consideration of this Item. Councillor Petty advised that he is a Director of a company that has a property within 200 metres of the planned site.

Councillor Petty declared a significant, pecuniary interest in Item 8 and stated that he would depart the meeting during consideration of this Item. He advised that he is a Director of a company which has an ongoing business relationship with one of the tenderers.

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

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

CONFIRMATION OF MINUTES OF EXTRAORDINARY MEETING OF COUNCIL HELD ON MONDAY, 23 NOVEMBER 2015

- 167** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Dorahy that the Minutes of the Extraordinary Meeting of Council held on Monday, 23 November 2015 (a copy having been circulated to Councillors) be taken as read and confirmed.

PUBLIC ACCESS FORUM – PROVISION OF SKATEBOARD FACILITIES

Mr G Beadman for Northern Illawarra Skateboarders Alliance said that skateboarding was an ever-increasing spectator sport. Participants in the Wollongong local government area have an average age from mid-teens and into their 20s, with the age group spread from 5 to 65 years, and older. Mr Beadman said that skateboarding was a very healthy activity, with benefits including stress relief and confidence building. The sport also contributes to a decrease in crime rates. Due to the spectator element, the area benefits from tourism, with events being heavily attended.

In conclusion, Mr Beadman felt that the northern suburbs should take priority for installation of a skate park due to the amount of interest and the distance skateboarders in the north have to travel to access facilities.

PUBLIC ACCESS FORUM – WOLLONGONG AS AN INCLUSIVE CITY

Mr M Gunasekara for Illawarra Multicultural Services (IMS) advised that the broad aim of IMS' settlement program was to deliver services which assist families during their first five years in Australia. The program aims to assist those families to become self-reliant and participate equitably in Australian society, with a focus on fostering social participation, economic well-being, independence, personal well-being and community connectedness.

Mr Gunasekara concluded by saying that IMS looks forward to working closely with our community service partners, in particular Wollongong City Council under the leadership of Lord Mayor Councillor Gordon Bradbery, as they welcome to our community newly arrived members from Syria and other Middle Eastern areas and all those from around the world seeking an opportunity for a better life, free from fear and persecution.

PUBLIC ACCESS FORUM – DRAFT PLANNING PROPOSAL – 220 WAPLES ROAD, FARMBOROUGH HEIGHTS

Mr D Thompson for Cardno advised that Council Officers had provided three options in the report, two of which resolve to rezone the land and amend the minimum lot size. Cardno supports Option 1 comprising a minimum lot size of 1,000m² in the southern portion of the site, which differs from the officer-recommended Option 2, comprising a mix of 1,000 and 3,000m² lots in the southern portion of the site. The reasons for this are:

- 1 The proposed lot size is based on the Concept Plan methodology:

- 1,000m² blocks adjacent to existing residential land;
- 2,000m² for constrained land;
- 5,000m² for land adjacent to the Escarpment.

The proposed development scheme provides a transition of densities across the site that reflects the surrounding context of the R2 zoned 449m² minimum lot size land to the east and rural residential land to the west.

- 2 The site provides an extensive area for proposed planting and protection in perpetuity.

A yield of 12 additional residential lots equates to a per lot contribution to capital and maintenance works of \$17,156 which, while high, is considered marketable. The contribution is essential to provide a significantly improved environmental outcome both for the ecology on site and as part of a wider vegetated riparian network.

The costs to rehabilitate what is a primarily cleared site are high, with the costs requiring a significant financial burden that must be recouped in the sales price. Consequently, a reduction in lot yield to eight additional residential lots with a per lot contribution of \$25,734 would render the extensive revegetation and rehabilitation works unviable, resulting in a reduced environmental outcome.

PUBLIC ACCESS FORUM – CORRIMAL TOWN CENTRE IMPLEMENTATION PLAN

On behalf of the Corrimal Chamber of Commerce, Mr P Boulwood said that when you hear 'Corrimal', you may think of the birthplace of Streets Ice Cream, Corrimal Cokeworks or the ever popular Spring into Corrimal festival. However, when he thinks of Corrimal, he thinks of home, and of a community that strives to make the township better. He thinks of a business and community hub with a village feel. He also thinks of a community which for too many years has seen other townships revitalised, whilst their own township has been slowly dying from lack of upkeep and infrastructure.

Mr Boulwood said that Council may think that the adoption of the Corrimal Town Centre Implementation Plan will only help Corrimal; however, he felt that this was incorrect as the Plan will also help the communities of Fairy Meadow to Thirroul and beyond, as Corrimal is the business and community hub of the Northern Illawarra. The adoption of this Town Plan will immensely benefit everyone and it will again make Corrimal the 'jewel in the crown' of the lower northern suburbs.

PUBLIC ACCESS FORUM – SAFETY OF SCHOOL CROSSING ZONE IN BERKELEY ROAD, GWYNNEVILLE

Principal of Gwynneville Public School, Ms T Payne, has been advocating for some 10 years for a more visible crossing in Berkeley Road, Gwynneville. She felt that it was only a matter of time before someone is hit by a car on the crossing due to the high level of near misses, with vehicles not stopping for children. It also appears drivers cannot see the crossing due to it being positioned on the crest of a hill.

Ms Payne was aware that the crossing is on Council's priority list to be converted to a raised crossing when funds become available. However, in the last 12 months Council installed a footpath on the eastern side of Berkeley Road along with kerb ramps and these have not improved the safety of the school crossing. Also, Council contributed \$184,000 to the University's bus interchange improvement this year and she felt that making the crossing in Berkeley Road visible should have been given equal, if not higher priority, to the bus interchange. In conclusion, Ms Payne requested that Council bring forward the treatment for this crossing to improve the visibility for approaching drivers, together with the installation of a raised crossing and side blisters. She also asked that this work be completed by the start of the 2016 school year. Ms Payne subsequently tabled a petition from the school communities of Gwynneville Public School, KU Gwynneville Preschool and St Brigid's Catholic School seeking urgent action in relation to this matter.

PUBLIC ACCESS FORUM – DOGS ON BEACHES AND PARKS EDUCATION AND ENFORCEMENT PROGRAM

On behalf of the Illawarra Dog Community, Mr C Sherro said that the direct health and well-being benefits associated with dog ownership are well established. Rather than actively seeking to identify and implement strategies aimed at spreading these benefits to as many Illawarra residents as possible by promoting and facilitating dog ownership in the general community, Council has instead chosen to largely pursue a punitive, fines-based approach to management of dog-related activities. Council now proposes to further intensify and extend this approach by hiring additional Animal Control Enforcement Rangers and Foreshore Rangers.

In conclusion, Mr Sherro reiterated the Illawarra Dog Community's offer to be involved in a Reference Group that could periodically meet to discuss and collaboratively develop strategies that will facilitate and encourage compliance with Council's dog regulations, as well as plan and promote responsible dog ownership in the community.

Minute No.

168 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Crasnich that all speakers be thanked for their presentation and invited to table their notes.

CALL OF THE AGENDA

169 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Blicavs that the staff recommendations for Items 4 to 6, and 9 to 16 inclusive, be adopted as a block.

ITEM C - LORD MAYORAL MINUTE – WOLLONGONG AS AN INCLUSIVE CITY

170 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery that Council –

- 1 Reassert its position as a Refugee Welcome Zone by continuing to support the settlement of refugees and affirming Wollongong as a community which promotes harmony, social cohesion and respect for human rights and dignity.
- 2 Affirms its position to be an inclusive multicultural community. We recognise the history of our City is one of successive groups of refugees and dislocated people being welcomed and included in our community. We will work to facilitate and protect the rights of all and remind our citizens of their obligations. In this context we affirm the United Nations Universal Declaration of Human Rights (1948) especially Articles 5 and 14 –

Article 5 –

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 14

- 1 *Everyone has the right to seek and to enjoy in other countries asylum from persecution.*
- 2 *This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts to the purposes and principles of the United Nations.*

ITEM D - LORD MAYORAL MINUTE – KEYS TO THE CITY AND WOLLONGONG AMBASSADOR

171 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery that Council –

- 1 Congratulates Cyrus Villanueva on his success as being recognised nationally within the Australian Popular Music culture.
- 2 Award Cyrus Villanueva the Keys to the City under the Community Recognition Policy to acknowledge his high profile and level of achievement in the field of Arts and serve as an example to others.
- 3 Invite Cyrus Villanueva to be an Honorary Ambassador for the City of Wollongong.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item A, Councillor Blicavs departed and returned to the meeting, the time being from 7.37 pm to 7.39 pm.

ITEM A – NOTICE OF MOTION - COUNCILLOR MERRIN - PROVISION OF SKATEBOARD FACILITIES - CENTRAL WOLLONGONG AND NORTHERN SUBURBS

MOVED by Councillor Merrin seconded Councillor Takacs that Council –

- 1 Investigate a suitable location in Central Wollongong for the gifted skateboard ramps to be provided by the Northern Suburbs Skateboard Alliance.
- 2 Include the first stages of building a skateboarding facility in the northern suburbs in the 2016/2017 budget.

At this stage, Councillor Brown FORESHADOWED a MOTION should Councillor Merrin's Motion be defeated.

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

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

Following the defeat of Councillor Merrin's Motion, Councillor Brown's FORESHADOWED MOTION became the MOTION.

Minute No.

172 COUNCIL'S RESOLUTION - RESOLVED on the motion of Councillor Brown seconded Councillor Martin that a Councillor Briefing be held to review –

- 1 The skate park priority list.
- 2 The policy and data used to build that priority list.
- 3 The engagement strategies undertaken to determine specific locations of skate parks within identified areas.
- 4 Engagement strategies to determine elements provided within skate parks.
- 5 The preferred other activities / facilities to be co-located in or near skate parks.
- 6 How a relocatable / indoor facility might complement delivery of the City's skate facilities.
- 7 Historical and potential future budget allocated to skate facilities.

The variation moved by Councillor Blicavs to change the word 'consultation' to 'engagement' in Parts 3 and 4 was accepted by the mover and seconder.

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

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

Against Councillors Curran and Petty

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item B, Councillor Merrin departed and returned to the meeting, the time being from 7.52 pm to 7.56 pm.

ITEM B – NOTICE OF RESCISSION - COUNCILLORS BROWN, CONNOR AND MARTIN - COUNCIL MEETING 9 NOVEMBER 2015 - NOTICE OF MOTION - COUNCILLOR BLICAVS - COUNCIL OBJECT TO THE NAME CHANGE OF THE FEDERAL ELECTORATE OF THROSBY

MOVED by Councillor Brown seconded Councillor Connor that Council rescind its resolution of 9 November 2015, Minute No 155, relating to Item B of Council General Business – Notice of Motion – Councillor Blicavs – Council Object to the Name Change of the Federal Electorate of Throsby.

Minute No.

A PROCEDURAL MOTION was MOVED by Councillor Petty that the motion be put.

The RESCISSION MOTION on being PUT to the VOTE was LOST.

In favour Councillors Kershaw, Connor, Brown, Martin and Curran

Against Councillors Takacs, Merrin, Blicavs, Dorahy, Crasnich, Petty and Bradbery

ITEM 1 - DRAFT WEST DAPTO SECTION 94 DEVELOPMENT CONTRIBUTIONS PLAN FOR IPART REVIEW

173 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Crasnich seconded Councillor Connor that –

- 1 The draft West Dapto Section 94 Development Contributions Plan be exhibited for a minimum period of twenty eight (28) days excluding the Christmas and New Year period.
- 2 The draft West Dapto Section 94 Development Contributions Plan be forwarded to the Independent Pricing and Regulatory Tribunal for assessment after public exhibition, if no significant issues are raised as part of the exhibition.

ITEM 2 - DRAFT PLANNING PROPOSAL - 220 WAPLES ROAD, FARMBOROUGH HEIGHTS (LOT 14 DP 261286)

174 COUNCIL'S RESOLUTION – RESOLVED on the motion of Councillor Brown seconded Councillor Blicavs that –

- 1 A draft Planning Proposal be submitted to the NSW Department of Planning and Environment for 220 Waples Road, Farmborough Heights seeking a Gateway determination to:
 - a rezone the southern two-thirds of the site from E3 Environmental Management to E4 Environmental Living with a Minimum Lot Size of part 1,000m² and 3,000m² and Floor Space Ratio of 0.3:1 (Option 2 in the report);
 - b rezone the northern third of the site to E2 Environmental Conservation with a Minimum Lot Size of 39.99ha.
- 2 A Property Vegetation Plan be established between the landowner and the NSW Government Local Land Services for the area to be rezoned E2 Environmental Conservation to re-vegetate and protect in perpetuity the riparian corridor in the north of the site (to be managed through the creation of a Community Title subdivision).

Minute No.

- 3 The draft Planning Proposal and Property Vegetation Plan be exhibited for 28 days (excluding the Christmas - New Year period).
- 4 The NSW Department of Planning and Environment be requested to issue authority to the General Manager to exercise plan making delegations in accordance with Council's resolution of 26 November 2012.

A PROCEDURAL MOTION was MOVED by Councillor Curran that the matter lay on the table.

The PROCEDURAL MOTION on being PUT to the VOTE was LOST.

Councillor Brown's MOTION was then PUT to the VOTE and was CARRIED.

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

Against Councillors Crasnich, Curran and Petty

DEPARTURE OF COUNCILLORS

Prior to debate on Item 3, Councillor Petty departed the meeting, the time being 8.46 pm.

During debate and prior to voting on Item 3, the following Councillors departed and returned to the meeting –

- Councillor Dorahy from 8.47 pm to 8.50 pm.
- Connor from 8.55 pm to 8.57 pm.
- Brown from 8.57 pm to 8.59 pm.

Councillor Blicavs departed the meeting at 9.03 pm and was not present for the vote taken for Item 3.

ITEM 3 - CORRIMAL TOWN CENTRE PLAN 2015-2025 AND IMPLEMENTATION PLAN

175 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Kershaw seconded Councillor Merrin that –

- 1 The *Corrimal Town Centre Plan 2015-2025* be adopted (Attachment 1 of the report).
- 2 A letter of thanks be sent to each member of the Corrimal Revitalisation Action Group acknowledging their commitment to preparing, refining and promoting the Plan.

ITEM 4 - WOLLONGONG HERITAGE STRATEGY 2015-2017

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 169).

COUNCIL'S RESOLUTION – The draft Wollongong Heritage Strategy 2015-2017 (Attachment 2 of the report) be endorsed as a draft Council Policy and placed on exhibition for a minimum period of 28 days (excluding the Christmas – New Year period).

ITEM 5 - COMMERCIAL PROPERTY STRATEGY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 169).

COUNCIL'S RESOLUTION – The Commercial Property Strategy be adopted.

ITEM 6 - FINANCIAL ASSISTANCE COUNCIL POLICY ADDENDUM - ITEM J LARGE CULTURAL GRANTS PROGRAM

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 169).

COUNCIL'S RESOLUTION – Council endorse Addendum J – Large Cultural Grants Program to the Financial Assistance Council Policy.

ATTENDANCE AND DEPARTURE OF COUNCILLORS

During debate and prior to voting on Item 7, Councillor Blicavs returned to the meeting, the time being 9.15 pm.

During debate and prior to voting on Item 7, Councillor Curran departed and returned to the meeting, the time being from 9.08 pm to 9.09 pm.

Minute No.

ITEM 7 - DOGS ON BEACHES AND PARKS EDUCATION AND ENFORCEMENT PROGRAM

176 COUNCIL'S RESOLUTION – RESOLVED on the motion of Councillor Merrin seconded Councillor Kershaw that Council receive and note the report.

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

ITEM 8 - TENDER T15/23 - CLEANING OF CITY MALL AND KEIRA STREET PAVERS

177 COUNCIL'S RESOLUTION – RESOLVED on the motion of Councillor Curran seconded Councillor Blicavs that –

- 1 This Item be deferred to the Council meeting on 14 December 2015.
- 2 A Councillor Briefing be held which details –
 - a the specifications; and,
 - b the wide disparity in amounts tendered.

The variation moved by Councillor Bradbery to replace the words 'investigates and analyses' with 'details' in Point 2 was accepted by the mover and seconder.

The variation moved by Councillor Blicavs to replace the words 'This tender not proceed at this time', with the words 'This Item be deferred to the Council meeting on 14 December 2015' was accepted by the mover.

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

Minute No.

ITEM 9 - VOLUNTEERING ILLAWARRA PROPOSED FEES AND CHARGES

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 169).

COUNCIL'S RESOLUTION –

- 1 The proposed schedule of Volunteering Illawarra membership fees be placed on public exhibition for a period of 28 days.
- 2 Following the exhibition period, a further report be provided to Council.

ITEM 10 - POLICY REVIEW - CIRCUS PERFORMANCES ON COUNCIL CONTROLLED LAND

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 169).

COUNCIL'S RESOLUTION –

- 1 The current Circus Performances on Council Controlled Land Policy be revoked.
- 2 Future circus performances at J J Kelly Park be prohibited.

ITEM 11 - PROPOSED RENEWAL OF LICENCE FOR PART JUDY MASTERS PARK, PARA STREET, BALGOWNIE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 169).

COUNCIL'S RESOLUTION – Council enter into a licence for a 10 year term with Balgownie Rangers Soccer Club and Balgownie Junior Soccer Club as co-licensees for the use of the clubroom, lighting towers and fields at Judy Masters Park, Para Street, Balgownie, in accordance with the terms and conditions set out in this report.

ITEM 12 - DRAFT QUARTERLY REVIEW STATEMENT - SEPTEMBER 2015

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 169).

COUNCIL'S RESOLUTION –

- 1 The draft Quarterly Review Statement September 2015 be adopted.
- 2 The Budget Review Statement as at September 2015 be adopted and revised totals of income and expenditure be approved and voted.
- 3 Council approve the transfer of the net improvements in the financial result compared to budget for the 2014-15 financial year result and September 2015 Quarterly Review to restricted cash for Strategic Projects.

ITEM 13 - OCTOBER 2015 FINANCIALS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 169).

COUNCIL'S RESOLUTION –

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

ITEM 14 - STATEMENT OF INVESTMENTS - OCTOBER 2015

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 169).

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

ITEM 15 - 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 169).

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 16 - CITY OF WOLLONGONG TRAFFIC COMMITTEE - ELECTRONIC MEETING HELD 12 NOVEMBER 2015

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 169).

COUNCIL'S RESOLUTION – In accordance with the powers delegated to Council, the minutes and recommendations of the City of Wollongong Traffic Committee Electronic Meeting held on 12 November 2015 in relation to Regulation of Traffic be adopted.

THE MEETING CONCLUDED AT 9.59 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 14 December 2015.

Chairperson