

at 6.00pm

Monday 11 November 2013

Present

Lord Mayor – Councillor Bradbery OAM (in the Chair), Councillors Kershaw (from 6.03 pm), Connor, Brown, Takacs, Martin, Merrin, Dorahy, 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 Project Delivery – G Whittaker, Manager Infrastructure Strategy and Planning – M Dowd and Manager Community Cultural and Economic Development – T Buchanan

Apology

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233 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Dorahy seconded Councillor Crasnich that the apology tendered on behalf of Councillor Blicavs be accepted.

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ONE MINUTE'S SILENCE – REMEMBRANCE DAY

In recognition of Remembrance Day, the Lord Mayor requested that Council observe one minute's silence.

One minute's silence was duly observed.

DISCLOSURES OF INTERESTS

Councillor Martin declared a non-pecuniary, non-significant disclosure of interest in Item 1 due to the nature of her employment at the Department of Planning and Infrastructure. Councillor Martin said that although she did not work on matters relating to Wollongong, in this instance, she would leave the Chamber during debate and voting on the matter, as there were potential implications on the way she delivers her work.

Note: Prior to debate on Item 3, Councillor Martin declared a non-pecuniary, non-significant disclosure of interest in Item 15 as she is a friend of Mr I Wilson from Port Kembla Copper. Councillor Martin advised that the reason for making this disclosure was due to a campaign which had targeted her since demolition of the Port Kembla Copper Stack had been proposed.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 28 OCTOBER 2013

234 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Colacino that the Minutes of the Ordinary Meeting of Council held on Monday, 28 October 2013 (a copy having been circulated to Councillors) be taken as read and confirmed.

CALL OF THE AGENDA

235 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Colacino that the staff recommendations for Items 4 to 14 inclusive, be adopted as a block.

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DEPARTURE OF COUNCILLORS

Due to a prior disclosure of interest, Councillor Martin departed the meeting and was not present during the debate and voting on Item 1.

Upon the commencement of debate for Item 1, the time being 6.03 pm, Councillor Kershaw attended the meeting.

During the debate and prior to voting on Item 1, Councillor Crasnich departed and returned to the meeting, the time being from 6.20 pm to 6.24 pm.

ITEM 1 - DISCUSSION PAPER - "ILLAWARRA OVER THE NEXT 20 YEARS: A DISCUSSION PAPER AUGUST 2013"

236 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Connor that the draft submission on the "Illawarra over the next 20 Years: A Discussion Paper August 2013 (Attachment 1 of the report) be endorsed for finalisation by the General Manager and submission to the NSW Department of Planning and Infrastructure, subject to the following inclusions / amendments –

- 1 The clarification of statements in relation to unemployment figures on Page 8.
- 2 Clarification of the meaning throughout the submission of 'duplication of the railway lines'.
- 3 Stronger emphasis on better access to the University of Wollongong, including by vehicle, public transport and cycle and pedestrian facilities, particularly in an east/west direction.
- 4 Stronger emphasis on the need for better pedestrian and cycling networks.
- 5 Appropriate reference to the NSW Freight and Port Strategy, including the development of the Port Kembla Growth Plan.
- 6 The need to decrease road transport, particularly on Mt Ousley.
- 7 Consideration of light rail and the expansion of the free shuttle service and public transport, specifically in growth areas.

Variation *The variations moved by –*

- *Councillor Brown – the inclusion of the words 'subject to the following inclusions / amendments', as well as Parts 1 and 2,*

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- *Councillor Merrin – Parts 3, 4 and 5,*
 - *Councillor Dorahy – Part 6,*
 - *Councillors Connor and Curran – Part 7,*
- were accepted by the mover and/or seconder.*

ITEM 2 - REGIONAL PARTNERSHIP AGREEMENT - ILLAWARRA ABORIGINAL COMMUNITY

237 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Merrin seconded Councillor Crasnich that Wollongong City Council become a signatory to the Regional Partnership Agreement 2011-2014 between the Illawarra Aboriginal Community, the Australian Government and the State Government of New South Wales.

ITEM 3 - FUNDING AGREEMENT FOR ROUND 2 OF THE LOCAL INFRASTRUCTURE RENEWAL SCHEME

238 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Kershaw that -

- 1 The information contained in the report relating to the Local Infrastructure Renewal Scheme borrowing program be received.
- 2 Council borrow an amount of \$4.305M at a fixed rate over a 9.5 year term with a quarterly repayment schedule.
- 3 Council's General Manager be delegated authority to negotiate appropriate loan terms in accordance with this report and resolution.
- 4 Authority be granted to affix the Common Seal of Council to the loan documents and any other documents required to give effect to the loan agreement.
- 5 The General Manager be delegated the authority to finalise the terms of the Funding Agreement with the NSW Premier and Cabinet – Division of Local Government.
- 6 Authority be granted to affix the Common Seal of Council to the Local Infrastructure Renewal Scheme documents and any other documents required to give effect to this agreement.

ITEM 4 - CREATION OF ALCOHOL FREE ZONES IN NORTHERN ILLAWARRA

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 235).

COUNCIL'S RESOLUTION – The Northern Illawarra area (from the Royal National Park to the Seacliff Bridge) be identified for review and inclusion in the Alcohol Free Zone re-establishment report due for submission to Council in September 2014.

ITEM 5 - POLICY REVIEW - PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO LORD MAYOR AND COUNCILLORS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 235).

COUNCIL'S RESOLUTION – Council adopt the revised Payment of Expenses and provision of Facilities to Lord Mayor and Councillors Policy, as publicly exhibited.

ITEM 6 - POLICY REVIEW - PUBLIC ACCESS FORUM

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 235).

COUNCIL'S RESOLUTION - The amended Public Access Forum Policy be adopted.

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ITEM 7 - POLICY REVIEW - PUBLIC LIABILITY INSURANCE FOR LESSEES AND LICENSEES OF COUNCIL OWNED OR CONTROLLED LAND, BUILDINGS AND PUBLIC ROADS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 235).

COUNCIL'S RESOLUTION - The draft Public Liability Insurance for Lessees and Licensees of Council Owned or Controlled Land, Buildings and Public Roads Policy be adopted.

ITEM 8 - POLICY REVIEW - LAND AND EASEMENT ACQUISITION AND DISPOSAL

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 235).

COUNCIL'S RESOLUTION - The revised Land and Easement Acquisition and Disposal Policy be adopted.

ITEM 9 - REVIEW OF AUDIT COMMITTEE AND CORPORATE GOVERNANCE COMMITTEE CHARTERS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 235).

COUNCIL'S RESOLUTION -

- 1 The draft amended Charters for the Audit and Corporate Governance Committees be adopted.
- 2 The fee payable to the independent members of the Audit and Corporate Governance Committees be increased by 2.5% for the period 1 January 2014 to 30 June 2014.
- 3 Ms Kylie McRae be appointed to the Audit Committee and retain the position of Chairperson for a further period expiring October 2014.

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ITEM 10 - PROPOSED SALE OF PORTION OF ELLEN STREET, WOLLONGONG

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 235).

COUNCIL'S RESOLUTION -

- 1 Council authorise the sale of the portion of Ellen Street, Wollongong, shown hatched on the attachment to the report, to the adjoining landowner, or their nominee, on the following conditions:
 - a Purchase price of \$250,000 (GST inc).
 - b Each party be responsible for their own legal costs.
- 2 Authority be granted to affix the Common Seal of Council to the plan of survey, Section 88B Instrument and transfer documents and any other documentation required to give effect to this resolution.

ITEM 11 - PROPOSED ACQUISITION OF PORTION OF LOT 1 DP 1064703 NO 220 LAWRENCE HARGRAVE DRIVE, COALCLIFF FOR ROAD WIDENING PURPOSES

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 235).

COUNCIL'S RESOLUTION -

- 1 Council authorise the acquisition of the portion of Lot 1 DP 1064703 No 220 Lawrence Hargrave Drive, Coalcliff shown hatched on the attachment to the report, subject to the following conditions:
 - a Purchase price of \$16,250 (GST exc).
 - b Council be responsible for all costs including valuation, survey, plan lodgement, transfer, legal costs and the cost of reinstatement of fencing to the new boundary, if required.
- 2 Upon completion of the acquisition, the land be dedicated as public road in accordance with Section 10 of the Roads Act 1993.
- 3 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.

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ITEM 12 - TENDER T13/12 – CLEANING SERVICES AT BEATON PARK LEISURE CENTRE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 235).

COUNCIL'S RESOLUTION -

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Solo Services Group for Cleaning Services at Beaton Park Leisure Centre, in the sum of \$61,169 per annum, 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 13 - TENDER T13/21 MT KEIRA REMEDIATION WORKS STAGE 4A - SPECIALISED GEOTECHNICAL WORKS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 235).

COUNCIL'S RESOLUTION -

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Specialised Geo Pty Ltd for provision of road remediation geotechnical works to Mt Keira Road, Mt Keira, in the sum of \$1,086,195.00, 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.

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ITEM 14 - ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2013 - POST ADVERTISING

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 235).

COUNCIL'S RESOLUTION - The audited Financial Statements for the year ended 30 June 2013, together with the Auditor's Reports, be presented to the public.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 15, Councillor Colacino departed and returned to the meeting, the time being from 6.36 pm to 6.39 pm.

ITEM 15 - MINUTES OF THE CITY OF WOLLONGONG TRAFFIC COMMITTEE ELECTRONIC MEETING HELD 11 OCTOBER 2013

239 COUNCIL'S RESOLUTION - RESOLVED on the motion of Councillor Curran seconded Councillor Merrin that the matter be deferred so that Councillors, until close of business on Monday, 18 November, can refer their concerns relating to the Port Kembla Stack Demolition Management Plans to the Traffic Committee for further consideration.

Variation *The variations moved by –*

- *Councillor Kershaw to suggest that the matter be deferred rather than laid on the table, and*
 - *Councillor Brown to change the words from 'come back to Council when essential corrections and amendments have been made' to 'so that Councillors, until close of business on Monday, 18 November, can refer their concerns relating to the Port Kembla Stack Demolition Management Plans to the Traffic Committee for further consideration',*
- were accepted by the mover and seconder.*

THE MEETING CONCLUDED AT 6.45 PM.

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 25 November 2013.

Chairperson