



MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 13 July 2015

Present

Lord Mayor – Councillor Bradbery OAM (in the Chair), Councillors Kershaw, Connor, Brown, Takacs, Martin, Blicavs, 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 (Acting) – M Dowd, Director Planning and Environment – Future, City and Neighbourhoods – A Carfield, Manager Governance and Information (Acting) – D Lazarus, Manager Finance (Acting) – S Packer, Manager Property and Recreation – P Coyte, Manager Environmental Strategy and Planning – R Campbell and Manager Community Cultural and Economic Development (Acting) – S Savage

Apology

Min No.

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

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DISCLOSURES OF INTERESTS

Councillor Martin declared a non-significant, non-pecuniary conflict of interest in Items 6, 7 and 8, all draft Planning Proposals, which may be referred to her place of employment, the Department of Planning and Environment.

Councillor Bradbery advised that Item 7 related to Panorama Estate and he was a resident of Shearwater Drive, on the other side of the hill to this Estate. He advised that he had no direct connection with this Estate and therefore had no direct conflict of interest.

ATTENDANCE AT IFTAR DINNER

Councillor Dorahy advised that last week he had attended the annual break of Fast dinner (Iftar) with newly arrived and settled refugees, which was a coming-together of different cultures. He expressed congratulations to everyone involved and in particular to the families who put on the dinner.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 22 JUNE 2015

- 96** **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, 22 June 2015 (a copy having been circulated to Councillors) be taken as read and confirmed.

PASSING OF FORMER COUNCILLOR, TREVOR MOTT

The Lord Mayor advised of the recent passing of Trevor Mott, a former Councillor from 1999 to 2004. He said that Trevor Mott had labelled himself as a community activist and long after his term at Council had ended, he continued to remind Councillors of their obligations through his correspondence in the Illawarra Mercury.

A letter of condolence will be sent to Trevor Mott's family on behalf of Council and in this respect, the Lord Mayor expressed condolences in particular to his wife Lynette, and he asked that Council observe one minute's silence as a mark of respect.

One minute's silence was duly observed.

CALL OF THE AGENDA

- 97 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Blicavs that the staff recommendations for Items 2 to 10, and 12 to 18 inclusive, be adopted as a block.

ITEM A – LORD MAYORAL MINUTE – AFFIXING COMMON SEAL OF COUNCIL TO DEEDS OF TRANSFER IN RELATION TO SALE OF PROPERTIES FOR UNPAID RATES

- 98 COUNCIL'S RESOLUTION** – RESOLVED on the motion of Councillor Bradbery that –

- 1 Council sell the properties listed below at the prices identified next to each parcel:
 - a Lot C DP 351057 102 Lawrence Hargrave Drive, Stanwell Park – \$20,000;
 - b Lot 18 Sec 13 DP 2281 Railway Avenue, Scarborough – \$17,000;
 - c Lot 266 DP 1178955 Bong Bong Road, Huntley – \$50,000;
 - d Lot 28 Sec 5 DP 2644 34 Otford Road, Helensburgh – \$35,000;
 - e Lot 34 DP 245226 12 Arter Avenue, Figtree – \$46,000; and,
 - f Lot 856 DP 1105102 Princes Highway, Russell Vale – \$11,000.
- 2 Authority be granted to affix the Common Seal of Council to the six (6) transfers in relation to the above properties.

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

Against Councillors Curran and Petty

ITEM 1 – ILLAWARRA ESCARPMENT STRATEGIC MANAGEMENT PLAN 2015

99 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Kershaw seconded Councillor Takacs that Council –

- 1 Endorse the Illawarra Escarpment Strategic Management Plan 2015 as a Supporting Document.
- 2 Note the actions within the Illawarra Escarpment Strategic Management Plan 2015.
- 3 Forward the Illawarra Escarpment Strategic Management Plan 2015 to the NSW Department of Planning and Environment for endorsement.

ITEM 2 – REVIEW OF SMOKE-FREE RECREATION AREAS POLICY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION – The reviewed Smoke-free (Recreation Areas) Policy be adopted.

ITEM 3 – WOLLONGONG ARTS PRECINCT SMOKE-FREE POLICY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION – Council adopt the revised Wollongong Arts Precinct Smoke-free Policy.

ITEM 4 – CROWN STREET MALL SMOKE-FREE POLICY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION – The Crown Street Mall Smoke-free Policy be adopted.

ITEM 5 – FINANCIAL ASSISTANCE POLICY – PROGRAM REPORT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION – Council note the report.

ITEM 6 – DRAFT PLANNING PROPOSAL FOR PART 434 BONG BONG ROAD, HORSLEY – POST EXHIBITION

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION – The draft Planning Proposal for part of 434 Bong Bong Road, Horsley proposing a minor boundary adjustment between E3 Environmental Management and R2 Low Density Residential zones, with a Minimum Lot Size of 300m², Floor Space Ratio of 0.5:1 and removal of the flood affectation, be finalised under delegation as issued by the NSW Department of Planning and Environment.

ITEM 7 – DRAFT PLANNING PROPOSAL FOR PANORAMA ESTATE, LAKE HEIGHTS – POST EXHIBITION

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION –

- 1 The draft Planning Proposal for Panorama Estate to correct a number of irregularities be finalised under delegation as issued by the NSW Department of Planning and Environment.
- 2 Pedestrian access to/from Panorama Estate continue via the existing Grattan Street and Flagstaff Road links.

ITEM 8 – DRAFT PLANNING AGREEMENT – ALKIRA ESTATE – GRINDLEY PROPERTIES PTY LTD – SHONE AVENUE, HORSLEY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION –

- 1 The draft Planning Agreement between Grindley Properties Pty Ltd and Council for Alkira Estate at Shone Avenue, Horsley, be exhibited for community comment for a minimum period of 28 days.
- 2 The General Manager be delegated authority to finalise the Planning Agreement after consideration of any issues raised in submissions.

ITEM 9 – PROPOSED CREATION OF RESTRICTIONS AS TO USER AND POSITIVE COVENANTS OVER LOT 1 DP 1139911 AND LOT 855 DP 1105102 PRINCES HIGHWAY, RUSSELL VALE – RUSSELL VALE GOLF COURSE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION –

- 1 Council approve the creation of Restrictions as to User and Positive Covenants over Lot 1 DP 1139911 and Lot 855 DP 1105102, as shown shaded dark grey on the attachment to the report.
- 2 Approval be granted to affix the Common Seal of Council to the Restriction as to User and Positive Covenant creation documents and any other documents required to give effect to this resolution.

ITEM 10 – PROPOSED ACQUISITION OF PART OF LOT 97 DP 9943 NO 25 MURRAY ROAD, EAST CORRIMAL FOR ROAD WIDENING

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION –

- 1 Council acquire Lot 112 DP 240922 for road widening, being the portion of Lot 97 DP 9943 No 25 Murray Road, East Corrimal, shown on Attachment 1 of the report, on the following conditions:
 - a Compensation in the amount of \$19,000 (GST exc); and
 - b Council be responsible for all costs in the matter including transfer, legal and fence relocation costs.
- 2 Upon acquisition, the land be dedicated as public road under the provisions of 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.

ITEM 11 – TENDER T15/05 – GREEN CLEANING SERVICES FOR ADMINISTRATION BUILDING, LIBRARY AND CAR PARK

100 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Crasnich that –

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of SKG Cleaning Services for Green Cleaning Services for the Administration Building, Library and Car Park in the sum of \$2,255,174.20, 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 12 – TENDER T15/10 – LICENCE TO OPERATE DAPTO POOL KIOSK INCLUDING CASH COLLECTION/RECEIPTING

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION –

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Tegy Transport Pty Ltd for the operation of the kiosk and cash collection/receipting, in the sum of \$500 per month (excluding GST) for the licence to operate the kiosk and Council pay an amount of \$10,200 per month (excluding GST) through a Professional Services Agreement for cash collection/receipting duties.
- 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.

ITEM 13 – TENDER T15/11 – LICENCE TO OPERATE CORRIMAL POOL KIOSK INCLUDING CASH COLLECTION/RECEIPTING

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION –

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Ken and Leanne Holloway for the operation of the kiosk and cash collection/receipting, in the sum of \$428.57 per month (excluding GST) for the licence to operate the kiosk and Council pay an amount of \$12,000 per month (excluding GST) through a Professional Services Agreement.
- 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.

ITEM 14 – TENDER T15/16 – BERKELEY COMMUNITY CENTRE REFURBISHMENT – PROVISION OF ELECTRICAL SUBSTATION

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION –

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Picton Power Lines Pty Ltd for the Berkeley Community Centre Refurbishment – Substation Works, in the sum of \$105,160.00, 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 15 – COMMERCIAL SURF SCHOOLS – 2015/2016 FEES AND CHARGES

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION – Council adopt the Commercial Surf Schools – Non Prime Sites fee of \$1,224.00 per annum (GST inclusive) for 2015/16 Fees and Charges.

ITEM 16 – LEAVE OF ABSENCE – LORD MAYOR COUNCILLOR BRADBERRY – 5 AUGUST TO 1 SEPTEMBER 2015

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION – Lord Mayor, Councillor Bradbery, be granted leave of absence for the period 5 August to 1 September 2015 inclusive, which includes one Council meeting on 24 August 2015.

ITEM 17 – CITY OF WOLLONGONG TRAFFIC COMMITTEE – MINUTES OF MEETING HELD 17 JUNE 2015

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION – In accordance with the powers delegated to Council, the minutes and recommendations of the City of Wollongong Traffic Committee Meeting held on 17 June 2015 in relation to Regulation of Traffic be adopted.

ITEM 18 – 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 97).

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.

THE MEETING CONCLUDED AT 6.16 PM.

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 3 August 2013.

Chairperson