



MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00pm

Monday 25 February 2013

Present

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

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 - P Kofod, Director Planning and Environment – Nature, City and Neighbourhoods – A Carfield, Manager Governance and Information – L Kofod, Manager Finance – B Jenkins, Manager Property and Recreation (Acting) – M Bond, Project Manager – P Coyte, Manager Community Cultural and Economic Development - T Buchanan, Manager Project Delivery - G Whittaker and Manager Infrastructure Strategy and Planning (Acting) - M Malone

Apologies

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- 27** **RESOLVED UNANIMOUSLY** on the motion of Councillor Martin seconded Councillor Dorahy that the apology tendered on behalf of Councillors Merrin and Petty be accepted.

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CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 11 FEBRUARY 2013

- 28 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, 11 February 2013 (a copy having been circulated to Councillors) be taken as read and confirmed.

ITEM A – LORD MAYORAL MINUTE - SUBMISSION ON IMPACT OF STRATEGIC REVIEW OF NSW AMBULANCE SERVICE - AEROMEDICAL (ROTARY WING) RETRIEVAL SERVICES

- 29 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery that -

- 1 Wollongong City Council formally register its very grave concerns with the Ernst and Young Report that recommends to the NSW Ambulance Service that they “Further investigate the option to move the Wollongong helicopter service and crew to the planned new Sydney Helicopter Base” by:
 - a making a formal submission to the NSW Ministry of Health in response to the review;
 - b writing to The Hon. Michael Gallacher MP, Minister for Police and Emergency Services;
 - c writing to The Hon. Gregory Pearce MP, Minister for the Illawarra, together with local State Members of Parliament.
- 2 The above submissions also:
 - a advise of the detrimental impact that removal of the aeromedical (rotary wing) retrieval service will have on the Illawarra and South Coast in relation to the reviewer’s own key principles “deliver appropriate care, equitable access, safe, responsive and cost effective”;
 - b recognise the decisions by the SES and NSW Fire and Rescue to locate their major regional headquarters in the Illawarra; and,
 - c note that the Review identified the proximity of principal referral hospitals, which included Wollongong Hospital.
- 3 Council request full stakeholder engagement with other emergency services in the region, together with detailed information on the

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potential impact, before making a final decision in relation to the removal of the aeromedical (rotary wing) retrieval service from the Illawarra.

- 4 Council raise awareness about this issue in the community by encouraging local residents to sign the petition being circulated by the Member for Kiama, Gareth Ward MP, and that this petition be made available at Wollongong City Council Libraries to allow the opportunity for broader community support.

Variations The variations put forward by-

- Councillor Curran (the addition of the following words to Part 1 (c) of the Motion 'together with Illawarra State Members of Parliament');
- Councillor Colacino (an amendment to Part 1 of the Motion 'register its very grave concerns with the Ernst and Young Report that recommends to the NSW Ambulance Service that they further investigate'); and,
- Councillor Blicavs (the addition of Part 4 to the Motion).

were accepted by the Mover.

CALL OF THE AGENDA

- 30 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Curran that the staff recommendations for Items 1, 2, 4, 5 and 7 to 10 inclusive, be adopted as a block.

ITEM 1 - REVIEW OF SHARED SPORTSFIELDS POLICY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 30).

COUNCIL'S RESOLUTION - The reviewed and amended Shared Sportsfields Policy, attached to the report, be adopted by Council.

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ITEM 2 - REVIEW OF COMMERCIAL SURF SCHOOL ACTIVITIES ON FORESHORE PUBLIC OPEN SPACE POLICY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 30).

COUNCIL'S RESOLUTION - The reviewed and amended Commercial Surf School Activities on Foreshore Public Open Space Policy, as attached to the report, be adopted by Council.

DEPARTURE OF COUNCILLOR

During consideration of Item 3 and prior to voting on the Item, Councillor Crasnich departed and returned to the meeting, the times being from 6.17 pm to 6.18 pm.

ITEM 3 - DRAFT CODES OF CONDUCT AND PROCEDURE FOR THE ADMINISTRATION OF THE CODES OF CONDUCT

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

- 1 The draft Code of Conduct for Councillors, draft Code of Conduct for Staff, draft Code of Conduct for Delegates of Council and Council Committee Members and draft Procedure for the Administration of the Codes of Conduct (attached to the report) be adopted, effective from 1 March 2013.
- 2 The current corresponding Codes of Conduct and Code of Conduct Complaint Handling Policy be revoked effective 1 March 2013, but remain effective in the following situations -
 - a in respect of complaints made or yet to be finalised before 1 March 2013; and,
 - b the Codes of Conduct only in relation to complaints made after 1 March 2013, but in relation to alleged conduct that took place prior to 1 March 2013.
- 3 The Professional Conduct Coordinator and the Public Officer be appointed as the Complaints Coordinator and Alternate Complaints Coordinator, respectively.

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ITEM 4 - REVIEW OF COUNCIL POLICY - PROPERTY ADDRESSING

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 30).

COUNCIL'S RESOLUTION - The revised Property Addressing policy be adopted.

ITEM 5 - PROPOSED DEDICATION OF PORTIONS OF LOT 2 DP 772593 PRINCES HIGHWAY AND LOT 3 DP 863277 QUILKEY PLACE, BULLI AS PUBLIC ROAD

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 30).

COUNCIL'S RESOLUTION –

- 1 Authority be granted for the portions of Lot 2 DP 772593 Princes Highway, Bulli and Lot 3 DP 863277 Quilkey Place, Bulli, as shown on the plan attached to the report, to be dedicated as public road in accordance with Section 10 of the Roads Act 1993.
- 2 Authority be granted for the portion of Lot 2 DP 772593 Princes Highway, Bulli, as shown on plan attached to the report, to be dedicated as public road in accordance with Section 47F of the Local Government Act 1993.
- 3 Authority be delegated to the General Manager to approve the fee payable by the applicants, the Bulli Building Company, for the change in status of the land from Operational and Community land to public road.
- 4 Authority be granted for the Common Seal of Council to be affixed to the plan of survey and any other documentation required to give effect to this resolution.

ITEM 6 - APPOINTMENT OF COUNCIL 'LOCAL EXPERT' MEMBERS ON THE SOUTHERN JOINT REGIONAL PLANNING PANEL (JRPP)

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

- 1 Council endorse the nomination of the following local expert representatives on the Southern Regional Joint Regional Planning Panel:
 - Mr Michael Mantei
 - Mr Mark Carlon (alternative)
- 2 Council endorse the extension of term for existing local expert representative, Mr David Winterbottom, for up to 3 months to provide suitable transitional arrangements on current matters.
- 3 Council formally thank the outgoing local expert representatives, Mr David Winterbottom and Mr Timothy McCarthy, for their significant contributions.
- 4 Council develop a policy for the procedures concerning those external appointments to Council Committees or to other bodies that require Council approval or where Council's formal approval is requested.

ITEM 7 - QUARTERLY REPORT ON DEVELOPMENT APPLICATIONS INVOLVING VARIATIONS TO DEVELOPMENT STANDARDS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 30).

COUNCIL'S RESOLUTION - The report be noted.

ITEM 8 - DECEMBER 2012 QUARTERLY REVIEW STATEMENT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 30).

COUNCIL'S RESOLUTION –

- 1 The December 2012 Quarterly Review Statement be adopted.
- 2 The Budget Review Statement as at 31 December 2012 be adopted and revised totals of income and expenditure be approved and voted.

ITEM 9 - JANUARY 2013 FINANCIALS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 30).

COUNCIL'S RESOLUTION –

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

ITEM 10 - STATEMENT OF INVESTMENTS - JANUARY 2013

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 30).

COUNCIL'S RESOLUTION - Council receive the Statement of Investments for January 2013.

ITEM 11 - COUNCILLOR ATTENDANCE AT AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION CONFERENCE 2013

33 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Blicavs seconded Councillor Kershaw that –

- 1 Council nominate Councillors Curran, Martin, Merrin and Blicavs to attend the 2013 Australian Local Government Women's Association's (ALGWA) Annual Conference.
- 2 Any future bid proposals for conferences, where Councillors are delegates, come to Council for consideration with detail and full financials.

Variation The variation put forward by Councillor Kershaw (point 2 of the above motion) was accepted by the Mover.

ITEM 12 - MINUTES OF THE CITY OF WOLLONGONG TRAFFIC COMMITTEE MEETING HELD 30 JANUARY 2013

34 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Takacs seconded Councillor Brown that in accordance with the powers delegated to Council, the minutes and recommendations of the City of Wollongong Traffic Committee held on 30 January 2013 in relation to Regulation of Traffic be adopted.

ITEM 13 - REFURBISHMENT OF CROWN STREET MALL - APPROVAL TO COMMENCE CONSTRUCTION AND ACCEPTANCE OF REVISED OFFERS FOR MAIN CONSTRUCTION CONTRACT AND SUPPLY OF PAVERS

35 COUNCIL'S RESOLUTION - MOVED Councillor Brown seconded Councillor Dorahy that -

- 1 Council proceed with the Crown Street Mall Refurbishment Project.
- 2 Council allocate the total additional sum of \$4.4M for this project in the 2013/14 and 2014/15 Capital Budget (\$3M in the 2013/14 and \$1.4M in the 2014/15).
- 3 Council accept the revised offer of Lahey Constructions Pty Ltd for T12/44 - Crown Street Mall Refurbishment Project, in the sum of \$11,557,241, excluding GST.
- 4 Council accept the revised offer of United Stone Aust Pty Ltd for T12/42 - Supply of Pavers for Crown Street Mall in the sum of \$1,054,540.70, excluding GST.
- 5 In accordance with the Local Government (General) Regulation 2005, Clause 178(1)(b), Council decline to accept any of the tenders which Council has received for T12/43 - Redevelopment of Water Main Replacement at CSMR and, in the event that replacement of the water main is required, authorise the General Manager to enter into negotiations with suitable parties with a view to entering into a contract in relation to the subject matter of the tender. The reason for Council hereby resolving to decline to accept any of the tenders is the uncertainty arising from discussions with Sydney Water as to whether the water main replacement is required and the reason for declining to invite fresh tenders is that it is anticipated that a satisfactory outcome can be achieved with suitable contractors who have demonstrated a capacity to undertake the works.
- 6 Council proceed with the appointment of an experienced Art Curator to assist with the procurement of public art for the CSM.
- 7 Council delegate to the General Manager the authority to finalise and execute the contracts arising from the acceptance of the revised offers as set out in Recommendation 3 and 4 above and any other documentation required to give effect to this resolution.
- 8 Council grant authority for the use of the Common Seal of Council on the abovementioned contracts and any other documentation, should it be required, to give effect to this resolution.

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

- 1 Council defer decision on this until after a final formal response is received from Sydney Water and considered in a further report to Council.
- 2 The City Centre Major Projects Steering Committee be expanded to include the Community Advisory Panel that was involved in previous discussions and input on the Mall and City Centre.
- 3 The expanded City Centre Major Projects Steering Committee urgently meet to review design and cost-effective alternatives for the refurbishment of the Mall that does not require any additional funds from the 2013-2014 and 2014-2015 Capital Budget.
- 4 The City Centre Major Projects Steering Committee table a report to Council in relation to the above review.

A PROCEDURAL MOTION was MOVED by Councillor Colacino seconded Councillor Martin that Councillor Blicavs be granted an extension of time to address the meeting on this matter.

The AMENDMENT on being PUT to the VOTE was LOST.

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

The MOTION was PUT and CARRIED.

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

THE MEETING CONCLUDED AT 7.34 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 11 March 2013.

Chairperson