

at 6.00pm

Monday 25 July 2016

Present

Lord Mayor – Councillor Bradbery OAM (in the Chair), Councillors Kershaw, Connor, Brown, Takacs, Martin, Merrin, Blicavs, Colacino, Crasnich, Curran and Petty (from 6.06 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, Manager Governance and Information – K Cowgill, Manager Finance – B Jenkins, Manager Community Cultural and Economic Development – K Hunt, Manager Property and Recreation – P Coyte, Manager Environmental Strategy and Planning – R Campbell and Manager Infrastructure Strategy and Planning – M Dowd

Apologies

Min No.

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

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DISCLOSURES OF INTERESTS

Councillor Martin declared a non-pecuniary, non-significant disclosure of interest in Items 1 and 3, insofar as they both involve her employer, the Department of Planning and Environment. However, Councillor Martin advised that she does not work on any Wollongong based projects.

During the debate on Item 4, Councillor Martin declared a non-pecuniary, non-significant disclosure of interest, insofar as the matter potentially crosses over to the Department of Planning and Environment.

PETITION – EASTERN RESERVE BEHIND JOHN CAWLEY CRESCENT, WOONONA

Councillor Kershaw tabled a petition signed by residents of John Cawley Crescent, Woonona requesting that the garden at the eastern rear of John Cawley Crescent be properly maintained and that weeds, including bitou bush, be removed. Petitioners advise that the planting of the area between the cycleway and beachfront with Western Australian Wattle has allowed bitou bush to invade the area. These introduced plants have caused scarping and erosion of the beach and the dense bushes shield antisocial behavior, including the constant set-up of camps.

RECOGNITION OF 10 YEARS OF SERVICE TO LOCAL GOVERNMENT COUNCILLOR DAVID BROWN

The Lord Mayor presented Councillor Brown with a gift in recognition of his 10 years of outstanding local government service as a Councillor.

Councillor Brown's service was also acknowledged by acclamation.

ATTENDANCE OF COUNCILLOR

As the vote was being taken for the Confirmation of Minutes of 27 June 2016, Councillor Petty attended the meeting, the time being 6.06 pm.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 27 JUNE 2016

- 84** **COUNCIL'S RESOLUTION** - RESOLVED on the motion of Councillor Brown seconded Councillor Crasnich that the Minutes of the Ordinary Meeting of Council held on Monday, 27 June 2016 (a copy having been circulated to Councillors) be taken as read and confirmed.

CALL OF THE AGENDA

- 85** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Blicavs that the staff recommendations for Items 3, and 5 to 12 inclusive, be adopted as a block.

MATTER OF GREAT URGENCY – SUPPORT FOR RESIDENTS – UPGRADE OF OTFORD ROAD RAIL BRIDGE

Councillor Petty requested that the Lord Mayor consider a matter of great urgency in relation to the Otford Road Rail Bridge and, in particular, to the provision of support for Otford residents who are meeting with Sydney Trains on 3 August 2016 to put their case for the installation of a safe and functional railway bridge which meets or exceeds the benefits of the original bridge which was built in 1923. Councillor Petty advised that in 2014 Sydney Trains replaced the 1923 brick bridge with an unworkable and dangerous bridge.

The Lord Mayor subsequently deemed the matter to be of great urgency.

A PROCEDURAL MOTION was MOVED by Councillor Petty seconded Councillor Curran that Council consider a matter of great urgency relating to the upgrade of the Otford Road Rail Bridge.

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

Minute No.

86 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Petty seconded Councillor Curran that –

- 1 Due to the replacement in 2014 of the 1923 Otford Road Rail Bridge by Sydney Trains with an unworkable and dangerous bridge, Council support residents in their ongoing struggle for a safe functional railway bridge that meets or exceeds the benefits of the 1923 bridge by –
 - a Senior Council staff attending the community meeting with Sydney Trains on the evening of 3 August 2016.
 - b Providing the community, via the Fix Otford Bridge Committee, all available information on the redesign of the Otford railway bridge by Sydney Trains.
- 2 A Councillor Briefing be held post the community meeting with Sydney Trains on 3 August 2016.

ITEM 1 - ST JOSEPH'S CATHOLIC CONVENT AND CHURCH, 48-50 PARK ROAD BULLI

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

- 1 A draft Planning Proposal be prepared to add:
 - a St Joseph's Roman Catholic Church, and
 - b Former St Joseph's Roman Catholic Convent,to the heritage list contained within Schedule 5 of the Wollongong Local Environmental Plan 2009 as items of local significance, and to update the Wollongong Local Environmental Plan Heritage Map accordingly.
- 2 The draft Planning Proposal be placed on public exhibition for a minimum period of 28 days.
- 3 A further report on the outcomes of the exhibition be presented to Council at the conclusion of the notification period.
- 4 The Interim Heritage Order relating to the former Convent building be kept in place until the post exhibition report is considered.

Minute No.

ITEM 2 - UPDATE ON PROPOSED ADDITIONAL OFF LEASH DOG AREAS - PARKS

88 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Takacs that –

- 1 The report be noted and the proposed new dog park/off leash areas be considered in the review of the Dogs on Beaches and Parks Policy in November 2017.
- 2 Any recommendation for a dog park at MacCabe Park, resulting from the above review, be considered as part of the broader review of plans for MacCabe Park.

ITEM 3 - DRAFT PLANNING PROPOSAL - BOUNDARY ADJUSTMENT 63 BUTTENSCHAW DRIVE, COLEDALE AND 65 BUTTENSCHAW DRIVE, AUSTINMER

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 84).

COUNCIL'S RESOLUTION –

- 1 A draft Planning Proposal be prepared for 65 Buttenschaw Drive (Lot 31 DP 270554), Austinmer and submitted to NSW Planning and Environment for a Gateway determination, proposing to:
 - Rezone part of the site from E3 Environmental Management to E4 Environmental Living, with a Floor Space Ratio of 0.3:1 and a minimum lot size of 999m².
 - Reduce the minimum lot size of the remainder of the site from 39.99ha to 2,999m² to facilitate the proposed boundary adjustment.
- 2 Should the Gateway determination result in progression of the Planning Proposal, consultation be undertaken with NSW Rural Fire Service.
- 3 The draft Planning Proposal be exhibited for 28 days, should the Gateway determination result in progression of the Planning Proposal.
- 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.

DISCLOSURE OF INTERESTS

During the debate on Item 4, Councillor Martin declared a non-pecuniary, non-significant disclosure of interest in Item 4, insofar as it potentially crosses over to her employer, the Department of Planning and Environment.

The following PROCEDURAL MOTIONS were PUT to the VOTE and CARRIED to allow additional time for Councillors to address the meeting in relation to Item 4 –

- Moved by Councillor Crasnich seconded Councillor Merrin – an additional five minutes for Councillor Connor; and,
- Moved by Councillor Merrin seconded Councillor Takacs – an additional three minutes for Councillor Curran.

DEPARTURE OF COUNCILLOR

During the debate and prior to voting on Item 4, Councillor Colacino departed and returned to the meeting, the time being from 6.32 pm to 6.35 pm.

ITEM 4 - DRAFT VOLUNTARY PLANNING AGREEMENT NEGOTIATION PROCESS BETWEEN THE ASSOCIATION OF MINING RELATED COUNCILS AND THE NSW MINERALS COUNCIL

89 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Connor seconded Councillor Colacino that -

- 1 Council support the Association of Mining Related Councils in entering into a Memorandum of Understanding with the NSW Minerals Council to enable further negotiations to potentially develop a non-binding framework for the negotiation of Voluntary Planning Agreements by mining proponents and local councils.
- 2 Council support in principle the proposed Draft VPA Negotiation Process timeline flowchart.
- 3 The Association of Mining Related Councils be advised of Council's resolution.

Variation *The variation moved by Councillor Merrin to add the words 'non-binding' to Part 1 was accepted by the mover and seconder.*

ITEM 5 - DRAFT COMMUNITY SAFETY PLAN 2016-2020 AND DRAFT SNAPSHOT 2012-2016

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 84).

COUNCIL'S RESOLUTION –

- 1 The draft Community Safety Plan 2016-2020 and draft Community Safety Plan Snapshot 2012-2016 be adopted.
- 2 The Community Safety Plan 2016-2020 be submitted to the NSW Department of Justice for endorsement.

ITEM 6 - DEBT RECOVERY AND HARDSHIP ASSISTANCE COUNCIL POLICY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 84).

COUNCIL'S RESOLUTION – Council receive the report.

ITEM 7 – POLICY REVIEW: SUBDIVISION

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 84).

COUNCIL'S RESOLUTION – The Subdivision Policy be adopted.

ITEM 8 - DEDICATION OF TWO LANES IN COLEDALE AS PUBLIC ROAD

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 84).

COUNCIL'S RESOLUTION – In accordance with S.16 of the Roads Act 1993, Council approve the dedication as public road of two lanes in Coledale on the eastern side of Lawrence Hargrave Drive, off Northcote Street, Cater Street and Rawson Street, by placement of a notice in the NSW Government Gazette.

ITEM 9 - PROPOSED ACQUISITION OF PART OF LOT 48 DP 9943 NO 41 MURRAY ROAD, EAST CORRIMAL FOR ROAD WIDENING

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 84).

COUNCIL'S RESOLUTION –

- 1 Council acquire Lot 104 DP 240922 for road widening, being the portion of Lot 48 DP 9943 No 41 Murray Road, East Corrimal shown on Attachment 1 to the report, on the following conditions:
 - a Compensation be paid in the amount of \$25,000 (GST exc);
 - b Council be responsible for all costs in the matter including valuation, transfer, legal and water meter relocation costs, if required.
- 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 10 - PROPOSED CREATION OF RECIPROCAL EASEMENT FOR ACCESS OVER LOTS 40 AND 42 DP 5330 NOS 24 AND 26 BRIDGE STREET, CONISTON

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 84).

COUNCIL'S RESOLUTION –

- 1 Council authorise the grant of an Easement for Access Variable Width over Lots 40 and 42 DP 5330 Nos 24 and 26 Bridge Street, Coniston, as shown on the attachment to the report.
- 2 Authority be granted to affix the Common Seal of Council to the easement creation documents and any other documents required to give effect to this resolution.

ITEM 11 - CITY OF WOLLONGONG TRAFFIC COMMITTEE - MINUTES OF MEETING HELD 29 JUNE 2016

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 84).

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 29 June 2016 in relation to Regulation of Traffic be adopted.

ITEM 12 - BI-MONTHLY TABLING OF REPORTS OF DISCLOSURES OF INTERESTS AND OTHER MATTERS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 84).

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 7.08 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 15 August 2016.

Chairperson