

at 6.00 pm

Monday 12 May 2014

Present

Lord Mayor – Councillor Bradbery OAM (in the Chair), Councillors Kershaw, Brown, Takacs, Martin, Blicavs, Dorahy, Colacino, Crasnich, Petty and Curran (until 9.20 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 – L Kofod, Manager Finance – B Jenkins, Manager Community Cultural and Economic Development – T Buchanan and Manager Development Assessment and Certification – M Riordan

Apologies

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- 74 COUNCIL'S RESOLUTION** - RESOLVED on the motion of Councillor Petty seconded Councillor Brown that the apologies tendered on behalf of Councillors Connor and Merrin be accepted.

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DISCLOSURES OF INTEREST

Councillor Martin declared a non-pecuniary, non-significant conflict of interest in Item C, Item 3, Item 5 and Item 7 as the items deal with the Department of Planning and Environment and, as previously advised, she is employed by that Department.

Councillor Martin also declared a non-pecuniary, non-significant conflict of interest in Item 1 as she is a member of a number of cultural organisations named in the Cultural Plan and she is also a long-time associate and friend of Ms S Conroy, one of the consultants who worked on the Plan.

PRESENTATION – CERTIFICATE OF APPRECIATION – NSW BRANCH OF THE AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION

Councillor Blicavs tabled a Certificate of Appreciation awarded to Council for its valuable contributions and support of the NSW Branch of the Australian Local Government Women's Association, which includes the hosting of the 2015 Annual Conference in Wollongong during April/May.

75 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Blicavs seconded Councillor Curran that the presentation be received and noted.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 28 APRIL 2014

76 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 April 2014 (a copy having been circulated to Councillors) be taken as read and confirmed.

PUBLIC ACCESS FORUM – LORD MAYORAL MINUTE (ACKNOWLEDGEMENT OF GLEN MOORE) AND NEIGHBOURHOOD FORUM CHARTER

In relation to the Lord Mayoral Minute which acknowledges the contributions of Glen Moore, Mr W Erwin advised that over the past twelve months, three Mayoral Minutes had been tabled recognising community members who had contributed to the local community. These individuals had gone about their life with a heart of service and a passion in their endeavours. Mr Erwin said that it was clear that Wollongong's greatest asset was its people. Other fine examples included a team of students who took on the world with a retrofit of an old fibro house and came out with the best solar house in the world. There are also Australia Day Award winners and their stories. Wollongong has the Best Lifeguard in Australia and as of last week, the best Mum in Australia. These people are Wollongong's life and history and their stories need to be told and recorded for future generations. Mr Erwin felt that with the upcoming bicentenary, a page on Council's website or a book telling their stories was in order.

In terms of the Neighbourhood Forum Charter, Mr Erwin said that those who volunteer their time and resources are not covered as a volunteer, because as determined by Council officers, Neighbourhood Forum office bearers do not meet the definition of volunteers. The report states that the Charter meets key deliverables to *ensure an effective community engagement framework connects the community to Council decision making*. Mr Erwin asked how this was shown when the request from Neighbourhood Forum 5 for funding in the budget for an Access and Movement Study was refused, but the staff recommendation was that the Forum could proceed to develop an Implementation Plan. He felt that a study on what was happening now was appropriate so that the effects of access and movement were known, prior to the development of an Implementation Plan. Mr Erwin also gave other examples and concluded by saying that the community expects Council to support and enable them to achieve more, and to listen and take on board what the community is saying, that is, engage all.

PUBLIC ACCESS FORUM – SUPPORT FOR NOTICE OF MOTION – NAMING OF SECOND SYDNEY AIRPORT

Mr M Adams, Founder and Secretary of the Lawrence Hargrave Centre, supported the Notice of Motion which proposed that Sydney's second airport at Badgerys Creek be named the 'Lawrence Hargrave International Airport'. Mr Adams advised that Lawrence Hargrave, an Illawarra pioneer, completed his most important aeronautical achievements at Stanwell Park. Mr Adams also went on to outline Lawrence Hargrave's greatest achievements and where he stood in terms of importance in world aeronautical history.

Mr Adams said that Lawrence Hargrave was truly an international figure and is well known today worldwide. Yet, he chose to stay in Australia and carry on with ground-breaking aeronautical development. In conclusion, Mr Adams said that next year will mark the centenary of the death of Lawrence Hargrave and it would be fitting to mark that centenary with his name linked to the new international airport at Badgerys Creek.

PUBLIC ACCESS FORUM – SUPPORT FOR ESTABLISHMENT OF AN ARTS HUB

Dr R Natalenko, Chairperson of the South Coast Writers Centre, felt that the Arts Hub, where all creative activities in the region could be advertised, promoted and, in part facilitated, would be ideally placed in central Wollongong. She felt that an Arts Hub would foster existing creative industries, increase public access and make visible the City's cultural diversity.

The Hub should exist for all artists and creatives, providing an opportunity to work and exhibit work in the centre of the City and also showcase the cultural capital that exists in the region. In conclusion, Dr Natalenko, advised that the Arts Hub would support Council in reaching its goal as a creative and vibrant City, through strategies that ensure the delivery of quality cultural and creative services.

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

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CALL OF THE AGENDA

- 78** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Blicavs that the staff recommendations for Items 2, 3, 5 and 6 inclusive, be adopted as a block.

ITEM D – LORD MAYORAL MINUTE - ACKNOWLEDGEMENT OF MR GLEN MOORE

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

- 1 Wollongong City Council formally recognise Mr Glen Moore for his outstanding contribution to our region and, in particular, for his role in the establishment and ongoing commitment to the Science Centre.
- 2 Council write to Mr Moore and convey the above sentiments.
- 3 Mr Moore be acknowledged with a Wollongong City Council Certificate of Recognition for Service to the Illawarra in Science and Astronomy.

Variation *The variation moved by Councillor Dorahy (the addition of Part 3) was accepted by the Lord Mayor.*

ITEM A – NOTICE OF MOTION - COUNCILLOR COLACINO - NAMING OF PROPOSED BADGERYS CREEK AIRPORT

A PROCEDURAL MOTION was MOVED by Councillor Crasnich seconded Councillor Martin that a five minute extension be granted to Councillor Colacino to address the meeting.

- 80** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor Blicavs that in light of the undeniable contributions of Mr Lawrence Hargrave to powered flight, Council write to the Deputy Prime Minister and Federal Minister for Infrastructure and Regional Development, The Hon. Warren Truss MP, and the State Minister for Transport and Minister for the Hunter, The Hon. Gladys Berejiklian MP, suggesting that the name for Sydney's new international airport at Badgerys Creek be *The Lawrence Hargrave International Airport.*

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ITEM B - NOTICE OF MOTION - COUNCILLOR BLICAVS - WOLLONGONG HARBOUR REVITALISATION

81 COUNCIL'S RESOLUTION - MOVED Councillor Blicavs seconded Councillor Brown that –

- 1 Council make representations to the State Government to commence engagement with the community to progress the revitalisation of Wollongong Harbour.
- 2 Council write to the State Government to invite them to provide a briefing and update on the revitalisation of Wollongong Harbour.

Variation *The variations moved by –*

- *Councillor Takacs to replace the word ‘immediately’ with ‘commence engagement with the community to’; was accepted by the mover and seconder; and,*
- *Councillor Brown to include the amendment as a Part 2 – was accepted by the mover.*

An AMENDMENT was MOVED by Councillor Petty seconded Councillor Curran that Council write to the State Government to invite them to provide a briefing and update on the revitalisation of Wollongong Harbour.

Councillor Petty's AMENDMENT on being PUT to the VOTE was LOST.

In favour No votes

Against Councillors Kershaw, Brown, Martin, Takacs, Blicavs, Dorahy, Colacino, Crasnich, Curran, Petty and Bradbery

Councillor Blicavs' MOTION on being PUT to the VOTE was CARRIED UNANIMOUSLY.

ITEM C - NOTICE OF MOTION COUNCILLOR CURRAN - MODIFICATIONS TO PORT KEMBLA OUTER HARBOUR CONSENT

The following PROCEDURAL MOTIONS were MOVED to grant five minute extensions to address the meeting in relation to Item C –

- Councillor Petty seconded Councillor Martin - an extension for Councillor Curran; and,
- Councillor Brown seconded Councillor Dorahy - an extension for Councillor Martin.

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MOVED Councillor Curran seconded Councillor Takacs that -

- 1 In the light of demonstrated capacity constraints on the existing rail network, as recently confirmed by the Department of Planning and Environment, Council urgently write to the New South Wales Premier, The Hon. Michael Baird MP, the Minister for Transport, The Hon. Gladys Berejiklian MP, and the Minister for Planning, The Hon. Pru Goward MP, requesting that all formal plans and development assessments for modifying the Port Kembla Outer Harbour consent be put on hold until –
 - a The New South Wales Government has produced a Port Kembla Precinct Infrastructure Plan that adequately accommodates the increased transport expected and associated with additional growth and Port-related activities.
 - b The New South Wales Government makes a commitment that all the required infrastructure will be provided for the further expansion of the Port Kembla Harbour and Port Kembla Harbour Precinct activities.
- 2 Council produce a detailed submission to the Department of Planning and Environment objecting to any further expansion of Port Kembla Harbour or activities associated with the Port Kembla Harbour Precinct and outlining the urgent need for the Maldon to Port Kembla rail link, strategic planning of infrastructure and commitment to produce the required infrastructure, prior to further expansion of Port Kembla or activities.
- 3 Council request an urgent meeting with New South Wales Premier, The Hon. Michael Baird, MP, Minister for Transport, The Hon. Gladys Berejiklian, MP, Minister for Planning, The Hon. Pru Goward, MP and the Minister for The Illawarra, The Hon. John Ajaka, MLC, to discuss the infrastructure needs associated with the Port, together with a presentation to them by Council Officers, Neighbourhood Forums 5 and 6, and the Wollongong Transport Coalition, regarding the urgent need for completion of the Maldon to Port Kembla rail link.
- 4 Council establish a Port Kembla Precinct Taskforce that includes NSW State Representatives, Port Kembla Port Corporation representatives, local Members of Parliament, the Lord Mayor, available Councillors, stakeholders and members of the community (through an expression of interest process).
- 5 Council urgently write to the Minister for Planning, The Hon. Pru Goward, MP, requesting that the recently agreed study of cumulative impacts of extra quarry truck movements be guided by a

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steering committee to include representatives of Council and members of the community (through an expression of interest process), along with the Roads and Maritime Services and the quarry industry.

At this point, Councillor Brown FORESHADOWED a MOTION should Councillor Curran's motion be defeated.

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

In favour
Against

No votes

Councillors Kershaw, Brown, Martin, Takacs, Blicavs, Dorahy, Colacino, Crasnich, Curran, Petty and Bradbery

Following the defeat of Councillor Curran's Motion, Councillor Brown's FORESHADOWED MOTION became the MOTION and on being PUT to the VOTE was CARRIED UNANIMOUSLY.

82 **COUNCIL'S RESOLUTION** - RESOLVED on the motion of Councillor Brown seconded Councillor Martin that -

- 1 Council re-state its previously adopted position with respect to freight movement being directed away from road to rail to mitigate congestion on local roads and combat other undesirable aspects of more truck movements throughout the City.
- 2 The Lord Mayor and General Manager be encouraged and authorised to make representations to any person or authority that supports the above.
- 3 The draft submission on Major Project 2008_0249 Modification 3 and Modification 4 for the Outer Harbour Development at Port Kembla (Attachment 5 to Item 7) be endorsed for finalisation by the General Manager and submitted to the NSW Department of Planning and Environment, subject to the following –
 - a The inclusion of a statement that Council supports the future development of the Port of Port Kembla, but expresses its desire for the State and Federal Governments to concurrently address the land transport access strategies for the Port; and
 - b The submission express Council's ongoing concern over the impact of the Port expansion on the City, without adequate rail connectivity beyond the Port and increasing pressure on already inadequate road and rail infrastructure.

DEPARTURE OF COUNCILLORS

During discussion and prior to voting on Item 1 –

- Councillors Crasnich and Curran departed and returned to the meeting, the time being 7.53 pm to 7.55 pm.
- Councillor Blicavs departed and returned to the meeting, the time being 7.56 pm to 7.57 pm.

ITEM 1 - CULTURAL PLAN 2014 – 2018

The following PROCEDURAL MOTIONS were MOVED to grant five minute extensions to address the meeting in relation to Item 1 –

- Councillor Crasnich seconded Councillor Blicavs - an extension for Councillor Colacino; and,
- Councillor Curran seconded Councillor Blicavs - an extension for Councillor Martin.

83 **COUNCIL'S RESOLUTION** - RESOLVED on the motion of Councillor Martin seconded Councillor Curran that -

- 1 Council adopt the Wollongong Cultural Plan 2014-2018, including the -
 - Cultural Action Plan;
 - Live Music Action Plan; and,
 - Wollongong City Centre Evening Economy Action Plan.
- 2 Council officers present a briefing, as soon as practicable, as to the possibility of finding available funding sources for a new annual community cultural grants and commissions budget. The proposed annual budget be \$170,000, with \$150,000 being divided equally between the three Wards; each receiving an amount of \$50,000 a year for three years, starting with the 2014-2015 budget.
- 3 Within the proposed budget, an amount of \$20,000 be set aside to use as seed fund for attracting research into the social, cultural and economic return to the local economy from the new funding program. The purpose of this allocation is to research future resource decisions for community cultural development programs and projects that will possibly progress, pending the research findings, after the end of the three year funding period.

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- 4 The budget be made available for community cultural development projects and art commissions that work with communities and artists to develop new works that describe and interpret stories that have been based on the histories, achievements, stories and landscapes of the Wollongong area and its people.
- 5 A working group be convened via an expressions of interest process to investigate the use and funding opportunities (particularly external), and management of the Lower Town Hall. Those uses include, but not be limited to, short term rentals, exhibition space, rehearsal space and creative areas. The working group's findings come back as a report to Council early in 2015, with suggested recommendations as to the future use and possible funding sources for the Lower Town Hall.
- 6 The Cultural Reference Group be tasked with tracking the implementation of the Cultural Plan and Live Music Task Force actions and recommendations. They should work with staff, giving information, and report back to Council with outcomes outlining the successes and shortcomings of this great initiative.

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

ITEM 2 - MODIFICATION REQUEST TO PRELIMINARY WORKS PROJECT APPROVAL (MP-10/0046 MODIFICATION NO 2) - RUSSELL VALE COLLIERY RUSSELL VALE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 78).

COUNCIL'S RESOLUTION – The draft submission on the modification application to MP-10/0046 at Russell Vale Colliery, Russell Vale (Attachment 5 of the report) be endorsed for finalisation by the General Manager and submission to NSW Department of Planning and Environment.

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ITEM 3 - PLANNING AGREEMENTS POLICY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 78).

COUNCIL'S RESOLUTION –

- 1 The revised Planning Agreements Policy (attached to the report) be adopted by Council.
- 2 The formal adoption of the Planning Agreements Policy be advertised in the local newspaper.

DEPARTURE OF COUNCILLORS

During the debate and prior to voting on Item 4, Councillor Curran departed the meeting, the time being 9.20 pm.

During debate and prior to voting on Item 4, Councillor Colacino departed and returned to the meeting, the time being 9.19 pm to 9.22 pm.

ITEM 4 - NEIGHBOURHOOD FORUM CHARTER

84 COUNCIL'S RESOLUTION - RESOLVED on the motion of Councillor Brown seconded Councillor Blicavs that Council adopt the draft Neighbourhood Forum Charter, subject to the following amendments –

- 1 Point 6 – Meetings: The inclusion of the following sentence after the words 'two (2) hours each' - '*A Forum can apply to the General Manager to hold an 11th meeting in a year to be funded as per section 2.2.1.*'
- 2 2.2 - Level of Support: Opening statement to read 'Council will, where appropriate, provide the following support'.
- 3 2.2.6 to read 'Quarterly Convenor's meetings with Engagement Team representatives will be offered'.

Variation *The variations moved by Councillor Takacs (Parts 2 and 3) were accepted by the mover and seconder.*

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

Against Councillor Petty

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ITEM 5 - 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 78).

COUNCIL'S RESOLUTION – Council note the report.

ITEM 6 - MINUTES OF THE CITY OF WOLLONGONG TRAFFIC COMMITTEE MEETING HELD 16 APRIL 2014

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 78).

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 16 April 2014 in relation to Regulation of Traffic be adopted.

ITEM 7 - MODIFICATION REQUEST TO THE OUTER HARBOUR DEVELOPMENT (MP-08/249 MODIFICATION 3 AND 4) - PORT KEMBLA

The report's recommendation was incorporated into the resolution for Item C (Minute Number 82). There was no further consideration of this Item during the course of the meeting.

THE MEETING CONCLUDED AT 9.26 PM.

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 26 May 2014.

Chairperson