



## MINUTES

# ORDINARY MEETING OF COUNCIL

at 6.00pm

**Monday 24 June 2013**

### Present

Lord Mayor – Councillor Bradbery OAM (in the Chair), Councillors Kershaw, Connor, Brown, Takacs, Martin, Merrin, 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 - 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 – P Coyte and Manager Environmental Strategy and Planning – R Campbell, Manager Infrastructure Strategy and Planning - M Dowd, Manager Library and Community Services - J Thompson and Manager Development Assessment and Compliance – M Riordan

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## **DISCLOSURE OF INTEREST**

Councillor Martin declared a non-significant, non-pecuniary interest in Item 2 due to her employment by the Department of Planning and Infrastructure. Councillor Martin advised that she would absent herself from the Chambers during the debate, as she is directly involved in the outcome.

## **PETITION – STOP INCREASING FEES FOR OUTDOOR PERSONAL TRAINING**

Councillor Crasnich tabled a petition with over 200 signatures calling on Council to reconsider its proposal to greatly increase the fees charged to outdoor personal trainers.

**105** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Crasnich seconded Councillor Dorahy that the petition be received.

## **PETITION – REMOVAL OF FAÇADE AND SCAFFOLDING – 302-204 LAWRENCE HARGRAVE DRIVE, THIRROUL**

Councillor Merrin tabled a petition signed by 375 residents, calling on Council to review the development application for 302-304 Lawrence Hargrave Drive and expedite the removal of the façade as it is considered dangerous and an impediment to pedestrian safety.

**106** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Merrin seconded Councillor Curran that the petition be received.

## **AWARD – COMMUNITY DEMOCRACY AND LEADERSHIP IN LOCAL GOVERNMENT**

Councillor Curran advised that on 22 June 2013, at the Illawarra News Community Awards, Councillor Petty received the Award for Community Democracy and Leadership in Local Government. Councillor Martin had also received several nominations. Councillor Curran extended congratulations to Councillor Petty and also to Illawarra News for acknowledging the role of Councillors in community democracy.

## **CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON TUESDAY, 11 JUNE 2013**

**107** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Connor that the Minutes of the Ordinary Meeting of Council held on Tuesday, 11 June 2013 (a copy having been circulated to Councillors) be taken as read and confirmed.

### **PUBLIC ACCESS FORUM – PROPOSAL TO INCREASE FEES CHARGED – PERSONAL TRAINERS USING PUBLIC SPACES**

Ms N McCarthy-Hicks expressed concerns about the proposed increase in fees and charges for personal trainers who train in public spaces. In representing local outdoor fitness businesses within the Illawarra, Ms McCarthy-Hicks questioned the fee increases of 30-49% and felt it was an astronomical increase. She said that these same small businesses are very proactive in supporting many local community events such as the Mothers' Day Fun Run and the Illawarra Aquathon. Fitness providers are offering valuable services that large numbers of the local community enjoy utilising.

Operating a small business incurs many overheads, and the perception that the fee paid to Council was the only overhead, was invalid. In conclusion, Ms McCarthy-Hicks advised that the proposed increase will have a big impact on the community, small businesses and local employment.

### **PUBLIC ACCESS FORUM – REQUEST FOR ADDITIONAL FUNDING – EXTENSIONS TO BULLI SURF LIFESAVING CLUB**

Mr K Caldwell, President of the Bulli Surf Lifesaving Club, advised that the current surf club was built in the 1950s and a fire in the 1980s saw members refurbish the building. Over the years, the Club has not sought funding and assistance and had gone about its core business of servicing the community in a quiet and professional manner. However, the building no longer has the capacity and capability of meeting the needs of members, lifeguards and the community and the Club is seeking more funding to undertake an extension. The proposal, which has been given development approval, comprises a two-storey extension and will include better storage facilities and club-rooms, including a training room/function room, secretary's office, toilets, a disabled lift and viewing platform/balcony.

Mr Caldwell thanked Council for the \$60,000 allocation from its 2013-2014

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Capital Works Budget. He also advised that the Club had been successful in gaining \$350,000 from the State Government and had consolidated \$80,000 from its building fund and fundraising efforts. However, Mr Caldwell sought an additional \$350,000 from Council to support this valuable community service. In conclusion, Mr Caldwell said that the Club promotes community involvement and inclusion, with sharing of resources and facilities, and the proposed extension will be a positive outcome for the community.

**PUBLIC ACCESS FORUM – DEMOLITION OF FAÇADE AT 302-304 LAWRENCE HARGRAVE DRIVE, THIRROUL**

On behalf of the Thirroul Village Committee, Ms B Mebberson sought Council's support to address a problem relating to a partially demolished commercial building at 302-304 Lawrence Hargrave Drive, Thirroul. The demolition was part of the 2007 approved plan for the redevelopment of Thirroul Plaza and shortly after approval, the weatherboard fabric of the building was demolished and a steel frame erected to support the brick façade which was to be incorporated into the new Plaza. She said that this structure, which is situated on the main road, dominates the Thirroul township and covers the vestige of what was once an attractive early 20<sup>th</sup> century commercial premises.

Ms Mebberson stated that the land behind the façade had become a health hazard and the scaffolding was a dangerous impediment to pedestrian safety. The concrete barriers on the edge of the kerb also cause anxiety as they are 20 centimetres from Lawrence Hargrave Drive's busy downhill vehicular traffic. She said that if a heavy truck were to 'clip' one of the barriers or uprights, the result could be devastating. Ms Mebberson said the Thirroul Village Committee had collected a petition with over 370 signatures which had been tabled at tonight's Council meeting by Councillor Merrin requesting the demolition of the facade. In conclusion, Ms Mebberson said that many people in Thirroul felt alienated and helpless in this matter and, on behalf of the community, she requested that Council review the development application and expedite the removal of this dangerous eyesore.

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

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## DEPARTURE OF COUNCILLORS

During discussion and prior to voting on Item B, Councillors Crasnich and Curran departed and returned to the meeting, the times being from 6.46 pm to 6.48 pm, and 6.58 pm to 7.00 pm, respectively.

## ITEM B – LORD MAYORAL MINUTE - SUBMISSION FOR EXPRESSION OF INTEREST TO RESTART NSW ILLAWARRA INFRASTRUCTURE FUND

### 109 COUNCIL'S RESOLUTION - MOVED Councillor Bradbery that -

- 1 Council grant authority to the General Manager to:
  - a Make formal Expression of Interest submissions to the NSW Government Restart NSW Illawarra Infrastructure Fund for the undermentioned projects in order of priority -
    - i Fowlers Road Bridge and Road Connection - \$45M;
    - ii Bald Hill upgrade - \$5.8M; and,
    - iii Grand Pacific Walk/Way - Stage 1 - \$5M.
  - b Provide letters of support for the following organisations' Expression of Interest submissions –
    - i iAccelerate – University of Wollongong; and,
    - ii WIN Entertainment Centre upgrade to an entertainment and conference facility – Venues NSW.
- 2 Council write to the NSW State Government expressing its consternation at the inequitable treatment of the City of Wollongong in the distribution of proceeds from the lease of the Port Kembla Port, namely -
  - a The \$100 million allocated to the Illawarra has to be shared over five local government areas. This is not the case for Newcastle which will be the sole recipient and beneficiary of the NSW State Government's allocation from the sale/lease of the Newcastle Port.
  - b The allocation from the sale/lease of the Newcastle Port of the reported \$340 million to the City of Newcastle is hugely disproportionate and inequitable and without adequate justification. Mindful of the allocation of \$120 million for the Newcastle central business district revitalisation at the end of

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2012, this adds to the picture of neglect of our City. Wollongong City Council calls upon the NSW Government to redress this inequity and this crushing put-down of our City.

- 3 Council seek an urgent meeting with the NSW Premier, NSW Treasurer and Minister for The Illawarra, to explore opportunities to address our concerns and seek a similar proportion of funds from the sale/lease of the Port Kembla Port as that allocated to Newcastle.

An AMENDMENT was moved by Councillor Curran seconded Councillor Merrin that -

- 1 Council grant authority to the General Manager to make formal Expression of Interest submissions to the NSW Government Restart NSW Illawarra Infrastructure Fund for the undermentioned projects in order of priority -
  - a Fowlers Road Bridge and Road Connection - \$45M;
  - b Upgrade and easy-accessibility, including disabled access, of Unanderra Railway Station;
  - c Bald Hill upgrade - \$5.8M; and,
  - d Grand Pacific Walk/Way - Stage 1 - \$5M.
- 2 Council write to the NSW State Government expressing its consternation at the inequitable treatment of the City of Wollongong in the distribution of proceeds from the lease of the Port Kembla Port, namely -
  - a The \$100 million allocated to the Illawarra has to be shared over five local government areas. This is not the case for Newcastle which will be the sole recipient and beneficiary of the NSW State Government's allocation from the sale/lease of the Newcastle Port.
  - b The allocation from the sale/lease of the Newcastle Port of the reported \$340 million to the City of Newcastle is hugely disproportionate and inequitable and without adequate justification. Mindful of the allocation of \$120 million for the Newcastle central business district revitalisation at the end of 2012, this adds to the picture of neglect of our City. Wollongong City Council calls upon the NSW Government to redress this inequity and this crushing put-down of our City.
- 3 Council seek an urgent meeting with the NSW Premier, NSW Treasurer and Minister for The Illawarra to explore



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opportunities to address our concerns and seek a similar proportion of funds from the sale/lease of the Port Kembla Port as that allocated to Newcastle.

A FORESHADOWED AMENDMENT was MOVED by Councillor Colacino seconded Councillor Dorahy that –

- 1 Council grant authority to the General Manager to –
  - a Make formal Expression of Interest submissions to the NSW Government Restart NSW Illawarra Infrastructure Fund for the undermentioned projects in order of priority -
    - i Fowlers Road Bridge and Road Connection - \$45M;
    - ii Bald Hill upgrade - \$5.8M; and,
    - iii Grand Pacific Walk/Way - Stage 1 - \$5M.
  - b Provide letters of support for the following organisations' Expression of Interest submissions –
    - i iAccelerate – University of Wollongong; and,
    - ii WIN Entertainment Centre upgrade to an entertainment and conference facility – Venues NSW.
- 2 Council seek an urgent meeting with the NSW Premier, NSW Treasurer and Minister for The Illawarra to explore opportunities to address our concerns and seek a greater proportion of funds from the lease of the Port Kembla Port.

A FORESHADOWED AMENDMENT was MOVED by Councillor Takacs seconded Councillor Petty that -

- 1 Council grant authority to the General Manager to:
  - a Make formal EOI submissions to the NSW Government Restart NSW Illawarra Infrastructure Fund for the undermentioned projects in order of priority -
    - i Fowlers Road Bridge and Road Connection - \$45M;
    - ii Bald Hill upgrade - \$5.8M;
    - iii Grand Pacific Walk/Way - Stage 1 - \$5M; and,
    - iv The funding of footbridges across Mt Ousley Road and Bulli Pass to facilitate the feasibility of a walk from Stanwell Park to Mt Keira.

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- b Provide letters of support for the following organisations' Expression of Interest submissions –
  - i iAccelerate – University of Wollongong; and,
  - ii WIN Entertainment Centre upgrade to an entertainment and conference facility – Venues NSW.
- 2 Council write to the NSW State Government expressing its consternation at the inequitable treatment of the City of Wollongong in the distribution of proceeds from the lease of the Port Kembla Port, namely -
  - a The \$100 million allocated to the Illawarra has to be shared over five local government areas. This is not the case for Newcastle which will be the sole recipient and beneficiary of the NSW State Government's allocation from the sale/lease of the Newcastle Port.
  - b The allocation from the sale/lease of the Newcastle Port of the reported \$340 million to the City of Newcastle is hugely disproportionate and inequitable and without adequate justification. Mindful of the allocation of \$120 million for the Newcastle central business district revitalisation at the end of 2012, this adds to the picture of neglect of our City. Wollongong City Council calls upon the NSW Government to redress this inequity and this crushing put-down of our City.
- 3 Council seek an urgent meeting with the NSW Premier, NSW Treasurer and Minister for The Illawarra to explore opportunities to address our concerns and seek a similar proportion of funds from the sale/lease of the Port Kembla Port as that allocated to Newcastle.

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

In favour  
Against

Councillors Merrin and Curran

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

Councillor Colacino's FORESHADOWED AMENDMENT then BECAME the AMENDMENT.

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

In favour  
Against

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

Councillor Takacs' FORESHADOWED AMENDMENT then BECAME the AMENDMENT.

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

In favour  
Against

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

The MOTION on being PUT to the VOTE was CARRIED.

In favour  
Against

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

## **MATTER OF GREAT URGENCY – MOTIONS FOR LOCAL GOVERNMENT NSW ANNUAL CONFERENCE**

Councillor Brown requested the Lord Mayor consider a matter of great urgency relating to motions for the Local Government NSW Annual Conference.

The Lord Mayor ruled the matter to be of great urgency.

**110** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Connor that Council consider a matter relating to motions for the Local Government NSW Annual Conference.

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

- 1 The Lord Mayor be delegated authority to submit on behalf of Council, motions to the Local Government NSW Annual Conference.
- 2 The motions will reflect those resolved by Council in the 12 months preceding the Conference.

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**MATTER OF GREAT URGENCY - PROPOSED DEMOLITION OF HISTORICAL BUILDING – THIRROUL RAILWAY STATION**

Councillor Kershaw requested the Lord Mayor consider a matter of great urgency relating to the proposed demolition of the original 1887 Thirroul Railway Station building. The application is for approval under Section 60 of the Heritage Act 1977 for demolition of two station buildings. She considered the matter urgent, as the next Council meeting is not until 22 July 2013, which may be too late for a response by Councillors.

The Lord Mayor ruled the matter to be of great urgency.

**112 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Kershaw seconded Councillor Connor that Council consider a matter relating to the proposed demolition of the original 1887 Thirroul Railway Station building.

**113 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Kershaw seconded Councillor Takacs that Council -

- 1 Object to the proposed demolition of the historic railway building at Thirroul Railway Station.
- 2 Support the Thirroul community in calling for RailCorp to immediately withdraw its development application and commence a consultation process with the community about plans for future development.
- 3 Write to the NSW Minister for Transport, The Hon. Gladys Berejiklian MP and the Minister for Heritage, The Hon. Robyn Parker MP, advising of Council's position.

*Variation The variation moved by Councillor Merrin to include the words 'and the Minister for Heritage, The Hon. Robyn Parker MP' was accepted by the Mover and Seconder.*

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**ITEM A – NOTICE OF MOTION COUNCILLOR PETTY - TELSTRA ASBESTOS PITS**

**114 COUNCIL'S RESOLUTION** - MOVED Councillor Petty seconded Councillor Colacino that Council re-write to Telstra requesting detailed information on –

- 1 Installation, maintenance and number of Telstra pits that may contain asbestos in the Wollongong Local Government Area.
- 2 Is it proposed that all Telstra pits with asbestos linings will be replaced.
- 3 If all pits with asbestos linings are to be replaced, what is the expected timeline for those works to be completed.
- 4 Claims by a former Telstra employee that Telstra “disposed of hundreds of broken asbestos pits at Helensburgh, Russell Vale, Wollongong and Unanderra tips”.
- 5 A copy of the Illawarra Mercury article dated 11 June 2013 titled “Thousands of Asbestos Pits on South Coast” be attached.

*Variation The variation moved by Councillor Colacino to include the word ‘number in Point 1, and the addition of points 2 and 3, was accepted by the Mover.*

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

- 1 Council re-write to Telstra requesting detailed information on-
  - a Installation and maintenance of Telstra pits that may contain asbestos in the Wollongong Local Government Area.
  - b Claims by a former Telstra employee that Telstra “disposed of hundreds of broken asbestos pits at Helensburgh, Russell Vale, Wollongong and Unanderra tips”.
  - c A copy of the Illawarra Mercury article dated 11 June 2013 titled “Thousands of Asbestos Pits on South Coast” be attached.
- 2 A report be brought to the Council meeting on 12 August 2013 investigating the feasibility of collecting and disposing of asbestos waste at Council’s Whyte’s Gully Waste Facility.

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

In favour Councillors Merrin and Takacs

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

The MOTION was PUT and CARRIED UNANIMOUSLY.

## CALL OF THE AGENDA

- 115 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Kershaw that the staff recommendations for Items 4, 6, 9 and 11 inclusive, be adopted as a block.

## DEPARTURE OF COUNCILLOR

During discussion and prior to voting on Item 1, the following Councillors departed and returned to the meeting. Councillor Blicavs from 8.12 pm to 8.13 pm; Councillor Merrin from 8.12 pm to 8.14 pm and Councillor Dorahy from 8.50 pm to 8.52 pm.

## ITEM 1 - DRAFT WOLLONGONG 2022 STRATEGIC MANAGEMENT PLANS 2013-14 - FEEDBACK FOLLOWING EXHIBITION

- 116 COUNCIL'S RESOLUTION** - MOVED Councillor Brown seconded Councillor Blicavs that -

- 1 Council incorporate the changes recommended in the report for the following documents, and these documents be adopted:
  - a Delivery Program 2012-17 and Draft Annual Plan 2013-14;
  - b Draft Budget 2013-14 and Capital Budget 2013-14;
  - c Draft Revenue Policy, Fees and Charges 2013-14.
- 2 Council endorse its Rates and Charges for the period 1 July 2013 to 30 June 2014 as detailed in the draft Revenue Policy 2013-14, subject to the following –

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- a The rate for outdoor fitness trainers be increased by 20% per annum for the next 3 years, or until Council has achieved full cost-recovery.
  - b The traffic lights proposed at the corner of Throsby Drive and Denison Street and the corner of Victoria and Denison Streets, Wollongong be quarantined and works not commence until a report is submitted to Council consistent with the City Access Strategy.
- 3 The Internal Audit Committee consider a request to review and audit the Budget preparation process before the next Budget is due for preparation and exhibition.
  - 4 Council consider a report on the costs and implications of conducting a review on the areas of operation not recently reviewed, and the report include a list of services recently reviewed.
  - 5 A report come to Council on what are the options of having a Citizen's Jury on the components of the budget, including costings and processes, as well as reviewing the whole consultation process conducted during the 2013-2014 budget process.

*Variations The variations moved by –*

- *Councillor Crasnich - the addition of Point 2(a), and*
- *Councillor Blicavs – the addition of Point 2(b) and Point 5.*
- *Councillor Kershaw – an amendment to Point 5 to read ‘including costings and processes, as well as reviewing the whole consultation process conducted during the 2013-2014 budget process’.*

*were accepted by the mover and seconder.*

An AMENDMENT was MOVED by Councillor Petty seconded Councillor Curran that -

- 1 Council incorporate the changes recommended in the report for the following documents, and these documents be adopted:
  - a Delivery Program 2012-17 and Draft Annual Plan 2013-14;
  - b Draft Budget 2013-14 and Capital Budget 2013-14;
  - c Draft Revenue Policy, Fees and Charges 2013-14.
- 2 Council endorse its Rates and Charges for the period 1 July 2013 to 30 June 2014 as detailed in the draft Revenue Policy 2013-14, subject to the following –

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- The traffic lights proposed at the corner of Throsby Drive and Denison Street and the corner of Victoria and Denison Streets, Wollongong be quarantined and works not commence until a report is submitted to Council consistent with the City Access Strategy.
- 3 The Internal Audit Committee consider a request to review and audit the Budget preparation process before the next Budget is due for preparation and exhibition.
  - 4 Council conduct a full review of all of its operations.
  - 5 The 2014-2015 Budget timeline be amended to include a 'Citizen's Jury' review of the Financial Plan (similar to the Canada Bay model), as part of the Community Consultation, before Council approval, that would align with Council's Wollongong 2022 – Community Strategic Plan and specifically the goal of 'We are a connected and engaged community'.

A FORESHADOWED AMENDMENT was MOVED by Councillor Connor seconded Councillor Takacs that –

- 1 Council incorporate the changes recommended in the report for the following documents, and these documents be adopted:
  - a Delivery Program 2012-17 and Draft Annual Plan 2013-14;
  - b Draft Budget 2013-14 and Capital Budget 2013-14;
  - c Draft Revenue Policy, Fees and Charges 2013-14.
- 2 Council endorse its Rates and Charges for the period 1 July 2013 to 30 June 2014 as detailed in the draft Revenue Policy 2013-14, subject to the following –
  - The traffic lights proposed at the corner of Throsby Drive and Denison Street and the corner of Victoria and Denison Streets, Wollongong be quarantined and works not commence until a report is submitted to Council consistent with the City Access Strategy.
  - 3 The following be the subject of a Councillor Briefing Session, followed by a report to Council –
- 3 The Internal Audit Committee consider a request to review and audit the Budget preparation process before the next Budget is due for preparation and exhibition.
- 4 Council consider a report on the costs and implications of conducting



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a review on the areas of operation not recently reviewed, and the report include a list of services recently reviewed.

- 5 A report come to Council on what are the options of having a Citizen's Jury on the components of the budget, including costings and processes, as well as reviewing the whole consultation process conducted during the 2013-2014 budget process.

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

In favour  
Against

Councillors Dorahy, Curran and Petty

Councillors Kershaw, Connor, Brown, Martin, Takacs, Merrin, Blicavs, Colacino, Crasnich and Bradbery

Councillor Connor's FORESHADOWED AMENDMENT then BECAME the AMENDMENT.

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

In favour  
Against

Councillors Connor, Takacs, Merrin, Colacino, Curran and Petty

Councillors Kershaw, Brown, Martin, Blicavs, Crasnich, Dorahy and Bradbery

The MOTION on being PUT to the VOTE was CARRIED.

In favour  
Against

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

Councillors Merrin and Curran

## ADJOURNMENT OF MEETING

A PROCEDURAL MOTION was MOVED by Councillor Merrin seconded Councillor Petty that the meeting adjourn for a five minute break. At this stage, the time being 9.10 pm, the meeting was adjourned.

The meeting resumed at 9.16 pm with all Councillors present, with the exception of Councillor Curran, who attended the meeting at 9.18 pm, during discussion and prior to voting on Item 2.

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## DEPARTURE OF COUNCILLORS

Due to a prior disclosure of interest, Councillor Martin departed the Chambers and was not present during discussion and voting on Item 2.

During consideration of Item 2 and prior to voting on the item, Councillor Colacino departed and returned to the meeting, the times being from 9.21 pm to 9.23 pm.

## ITEM 2 - "A NEW PLANNING SYSTEM FOR NSW - WHITE PAPER" AND PLANNING BILL 2013

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

- 1 The draft submission on "A New Planning System for NSW – White Paper", Planning Bill 2013 (Attachment 1 to the report) be endorsed for finalisation by the General Manager and submission to the NSW Government, subject to –
  - The inclusion of a request that the Planning Legislation address the matter of unfinished developments, by way of allocating maximum completion dates for construction works, which are determined through conditions of consent.
- 2 Council write to the NSW Independent Commission Against Corruption in order to seek that the Commission express an opinion to the NSW State Government on the draft Planning Bills.
- 3 As a matter of urgency, Council formally request that the NSW State Government extend the time for submissions by at least 14 days.
- 4 Council indicate, within the context of its response, the cost in preparing the submission.

*Variation* The variations moved by Councillor Curran (the addition of Points 2 and 3), Councillor Merrin, the addition of the words 'subject to' together with the dot point in Part 1, and the addition of Point 4 by the Lord Mayor, were accepted by the Mover and Seconder.

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## DEPARTURE OF COUNCILLOR

During discussion and prior to voting on Item 3, Councillors Takacs and Blicavs departed and returned to the meeting, the times being from 9.57 pm to 9.58 pm, and 10.07 pm to 10.09 pm, respectively.

## EXTENSION OF MEETING TIME

A PROCEDURAL MOTION was MOVED by Councillor Blicavs seconded Councillor Martin that the meeting time be extended to 10.30 pm.

A PROCEDURAL MOTION was MOVED by Councillor Dorahy seconded Councillor Crasnich that Councillor Martin be granted an extension of time to address the meeting in relation to Item 3.

## ITEM 3 - COUNCIL SUBMISSION ON INDEPENDENT LOCAL GOVERNMENT REVIEW PANEL - "FUTURE DIRECTIONS"

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

- 1 Council endorse the Draft Submission, as amended, to the Independent Local Government Review Panel as Council's response to the Future Directions for NSW Local Government – Twenty Essential Steps.
- 2 The submission be altered to express Council's preference that any peak decision-making body for a proposed Illawarra area County Council, include an expanded composition that provides some measure of proportionality to reflect the differing sizes of the component Councils (changing parts of Section 11g of Council's submission).
- 3 Section 7 of Council's submission (Improve Political Leadership) include opposition to the concept of term limits for Councillors.
- 4 In relation to the Ward Model, this Council supports individual Councils forming their own view.

*Variation* The variation moved by Councillor Blicavs (the addition of Point 4) was accepted by the Mover and Seconder.

Minute No.

**ITEM 4 - COUNCIL SUBMISSION TO THE LOCAL GOVERNMENT ACTS TASKFORCE APRIL 2013 DISCUSSION PAPER -**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 115).

**COUNCIL'S RESOLUTION** – Council endorse the Draft Submission (Attachment 1 to the report) to the Local Government Acts Taskforce as Council's response to the call for submissions contained in the April 2013 Discussion Paper.

**DEPARTURE OF COUNCILLOR**

During discussion and prior to voting on Item 5, Councillor Colacino departed and returned to the meeting, the time being from 10.25 pm to 10.28 pm.

**EXTENSION OF MEETING TIME**

A PROCEDURAL MOTION was MOVED by Councillor Colacino seconded Councillor Dorahy that the meeting time be extended to 11.00 pm.

**ITEM 5 - WARRAWONG TOWN CENTRE MASTER PLAN AND IMPLEMENTATION STRATEGY**

**119 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Blicavs seconded Councillor Crasnich that -

- 1 The Warrawong Town Centre Master Plan be adopted (Attachment 1 to the report).
- 2 The Warrawong Town Centre Implementation Strategy be endorsed to guide implementation and future capital expenditure (Attachment 2 to the report).
- 3 The input provided by the Community into the preparation of the Warrawong Town Centre Master Plan be acknowledged (Consultation reports provided in Attachment 3 to the report).
- 4 Within six months, estimates be made on Items yet to be costed.

Minute No.

## ITEM 6 - ENVIRONMENTAL UPGRADE AGREEMENTS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 115).

### **COUNCIL'S RESOLUTION** – Council –

- 1 Support Environmental Upgrade Agreements “in principle”, but not proceed with an Environmental Upgrade Agreement program at this time.
- 2 Review the opportunities for an Environmental Upgrade Agreement program in two years.
- 3 Write to the NSW Office of Environment and Heritage advising of its decision and request to be kept informed of development of Environmental Upgrade Agreement delivery and engagement models, particularly via Third Party Administration.
- 4 In partnership with relevant agencies, identify and promote other opportunities to support commercial building owners in greenhouse gas emission reduction initiatives.

## ITEM 7 - PROPOSED SALE OF SURPLUS COUNCIL LAND

MOVED Councillor Curran seconded Councillor Merrin that -

- 1 Council authorise the sale of the following parcels of Council land:
  - Lot 1 DP 329804 Canterbury Road, Kembla Grange;
  - Part of Lot 3 DP 231808 Darcy Road, Port Kembla;
  - Lot 1 DP 347045 Shellharbour Road, Port Kembla;
  - Lot 1 DP 1132396 Sperry Street, Wollongong;
  - Part of Lot 81 DP 1153714 Keira Mine Road, Keiraville;
  - Part of Lot 3 DP 204631 Station Street, Thirroul; and
  - Lot 2 DP 723137 Pioneer Road, Woonona.
- 2 Council authorise the General Manager to set the reserve prices (based on valuation advice) where the properties are being sold by public auction.
- 3 Council authorise the General Manager to finalise the terms of the sale (including the sale price) of the properties that are not sold at public auction.

Minute No.

- 4 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.
- 5 The sale of Lots 1 and 2 DP 255390 Harvey Street, Dapto and Part of Lot 192 DP 700165 Nolan Street, Berkeley be the subject of a further report to Council which includes historical information, as well as details about community consultation.

**120 COUNCIL'S RESOLUTION** - An AMENDMENT was MOVED by Councillor Kershaw seconded Councillor Connor that -

- 1 Council authorise the sale of the following parcels of Council land:
  - Lot 1 DP 329804 Canterbury Road, Kembla Grange;
  - Part of Lot 3 DP 231808 Darcy Road, Port Kembla;
  - Lot 1 DP 347045 Shellharbour Road, Port Kembla;
  - Lots 1 and 2 DP 255390 Harvey Street, Dapto;
  - Lot 1 DP 1132396 Sperry Street, Wollongong;
  - Part of Lot 81 DP 1153714 Keira Mine Road, Keiraville;
  - Part of Lot 3 DP 204631 Station Street, Thirroul; and
  - Lot 2 DP 723137 Pioneer Road, Woonona.
- 2 Council authorise the General Manager to set the reserve prices (based on valuation advice) where the properties are being sold by public auction.
- 3 Council authorise the General Manager to finalise the terms of the sale (including the sale price) of the properties that are not sold at public auction.
- 4 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.
- 5 The sale of Part of Lot 192 DP 700165 Nolan Street, Berkeley be deferred to the Council meeting on 22 July 2013 with additional clarification as to its environmental status and issues, as well as bushcare works undertaken on the site.

Variation *The variation moved by Councillor Brown (the addition of Point 5) was accepted by the Mover and Seconder.*

Minute No.

Councillor Kershaw's AMENDMENT on being PUT to the VOTE was CARRIED.

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

**Against** Councillors Merrin, Curran and Petty

Councillor Kershaw's AMENDMENT then BECAME the MOTION.

The MOTION on being PUT to the VOTE was CARRIED.

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

**Against** Councillor Curran

## DEPARTURE OF COUNCILLOR

During discussion and prior to voting on Item 8 Councillor Merrin departed the meeting, the time being from 10.57 pm. Councillor Merrin was not present during voting on Item 8.

## ITEM 8 - MT KEMBLA MINE MEMORIAL PATHWAY - LAND PROPOSAL FOR STAGES 3 AND 4

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

- 1 Council acknowledge the desirability of proposed Stages 3 and 4 of the Mt Kembla Mine Memorial Pathway and the community's efforts in the project to date.
- 2 A report come to Council that –
  - a Further details the options to bring Stage 3 of the pathway into public ownership or allow public access via an easement;
  - b Details costs for constructing and maintaining the pathway; and,
  - c Includes information on a consultation phase with stakeholders to determine the range of construction elements for the pathway.

Minute No.

**ITEM 9 - TENDER T13/09 - PROVISION OF A MULTI CHANNEL CUSTOMER SERVICE REQUEST MANAGEMENT SYSTEM (CRMS)**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 115).

**COUNCIL'S RESOLUTION –**

- 1 a 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 the supply, installation, configuration, testing, training and commissioning of a Multi Channel CRMS Software System and resolve to enter into negotiations with two of the tenderers, Infor Global Solutions (ANZ) Pty Ltd and Datacom Systems (NSW) Pty Ltd, or any other parties, with a view to entering into a contract in relation to the subject matter of the tender.
  - b In accordance with the Local Government (General) Regulation 2005, Clause 178(4), the reason for Council hereby resolving to enter into negotiations with Infor Global Solutions (ANZ) Pty Ltd and Datacom Systems (NSW) Pty Ltd and not inviting fresh tenders is that it is anticipated that a satisfactory outcome can be achieved with one of those parties, or any other party, who have demonstrated a capacity and ability to supply a suitable CRMS system.
- 2 Council delegate to the General Manager the authority to undertake and finalise the negotiations, firstly with the recommended tenderers, and, in the event of failure of negotiations with those tenderers, any other parties, with a view to entering into a contract in relation to the subject matter of the tender.

**ATTENDANCE OF COUNCILLOR**

During consideration of Item 10 and prior to voting on the item, Councillor Merrin returned to the meeting, the time being 10.58 pm.



Minute No.

**ITEM 10 - TENDER T13/05 - SUPPLY, INSTALL AND MAINTAIN GUARDRAILS -**

**122 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor Blicavs that -

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council appoints each of the recommended contractors, as listed below, to the panel for the supply, installation and maintenance of guardrails within the Wollongong Local Government Area for a period of up to 5 years with an estimated value of \$1M in total:
  - Euro Civil;
  - Ledacon.
- 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 11 - MINUTES OF CITY OF WOLLONGONG TRAFFIC COMMITTEE ELECTRONIC MEETING HELD 6 JUNE 2013**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 115).

**COUNCIL'S RESOLUTION** - In accordance with the powers delegated to Council, the minutes and recommendations of the Electronic Meeting of the City of Wollongong Traffic Committee held on 6 June 2013 in relation to Regulation of Traffic be adopted.

**THE MEETING CONCLUDED AT 10.59 PM.**

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 22 July 2013.

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Chairperson