



ORDINARY MEETING OF COUNCIL

HELD ON

TUESDAY 25 AUGUST 2009

AT 5:00 PM

PRESENT

Administrators Dr C Gellatly AO (in the Chair), G Kibble AO and R McGregor AM

IN ATTENDANCE

General Manager - D Farmer, Director Corporate and Community Services – I Halliday, Director Environment and Planning – A Carfield and Director Infrastructure and Works - P Kofod

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Minute No.

**CONFIRMATION OF MINUTES OF EXTRAORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 4 AUGUST 2009**

- 127 **RESOLVED UNANIMOUSLY** that the Minutes of the Extraordinary Meeting of Council held on Tuesday, 4 August 2009 (a copy having been circulated to Administrators) be taken as read and confirmed.

PUBLIC ACCESS FORUM

**MRS W BREWER - CONCERNS THAT HER PROPERTY HAD BEEN DEEMED
FLOOD PRONE AND CURRENT STATE OF BYARONG CREEK**

Mrs Brewer believed that Council had advised insurance companies that certain lands in Figtree, including her own, had been rezoned. She stated that her property had not been affected by flood waters in the storm event of 1998, nor had she had an insurance claim and yet, her land had been deemed as flood prone and high risk. She had also tried unsuccessfully to obtain Engineers' reports following various inspections of Byarong Creek. Mrs Brewer also stated that water flow in Byarong Creek was impeded with rubbish and overgrown vegetation.

Administrator Gellatly advised that a meeting would be arranged with Mrs Brewer to discuss her concerns.

INFRASTRUCTURE AND WORKS DEPARTMENT

**ITEM 1 - TENDERS T09/05, T09/06, T09/08, T09/09, T09/10, T09/11 & T09/13
- PROVISION OF ROAD WORKS MAINTENANCE SERVICES TO COUNCIL
(04.17.02.359) - REPORT OF MANAGER CITY WORKS (DG) 29/07/09**

- 128 **RESOLVED UNANIMOUSLY** that -
- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept and endorse each of the recommendations for the various road works and maintenance services to Council.
 - 2 Council delegate to the General Manager the authority to finalise and execute the contracts 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 contracts and any other documentation, should it be required, to give effect to this resolution.

Minute No.

ITEM 2 - TENDER NO. T09/21 FOR THE DESIGN, CONSTRUCTION, SUPPLY, DELIVERY AND INSTALLATION OF TRANSPORTABLE ACCOMMODATION CABINS TO COUNCIL FOR THE CORRIMAL BEACH TOURIST PARK (04.17.02.197) - REPORT OF MANAGER INFRASTRUCTURE (KA) 13/08/09

129 **RESOLVED UNANIMOUSLY that -**

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Timberline Cabins Pty Ltd for the design, construction, supply, delivery and installation of 12 transportable accommodation cabins to Council for Corrimal Beach Tourist Park, for the tendered sum of \$768,600.00 (GST Excl) and authorise the General Manager to finalise and execute the contract.
- 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 3 - PROPOSED ROAD CLOSURE OF PORTION OF PUBLIC ROAD WITHIN COLEDALE BEACH CAMPING RESERVE (28.15.01.075) – REPORT OF MANAGER PROPERTY AND RECREATION (RMC) 21/05/09

130 **RESOLVED UNANIMOUSLY that -**

- 1 Council consent to the closure of the portion of public road within the Coledale Beach Camping Reserve, as shown on Attachment I of the report, and upon closure, declare the land Community under the Local Government Act 1993.
- 2 Subject to the road closure being approved, authority be granted to create an easement for overhead powerlines in favour of Integral Energy.
- 3 Authority be granted to affix the Common Seal of Council to the Plan of Survey and Section 88B Instrument, together with any other documentation required to give effect to this resolution.

Minute No.

ITEM 4 - TRANSFER OF WATER POLLUTION CONTROL PONDS BEING LOT 2220 DPI089223, LOT 433 DPI052842 AND LOT 134 DPI015310 FROM CALWALE PTY LTD TO WOLLONGONG CITY COUNCIL AS CONDITION OF DEVELOPMENT APPROVAL 1997/167 (DA-1997/167) - REPORT OF MANAGER PROPERTY AND RECREATION (NR) 27/07/09

131 RESOLVED UNANIMOUSLY that -

- 1 Approval be granted to the transfer of lot 2220 DPI089223, Lot 433 DPI052842 and Lot 134 DPI015310 to Council.**
- 2 Upon transfer, the lots be classified Community land.**
- 3 Approval be granted to affix the Common Seal of Council to the deed of transfer.**

ITEM 5 - CREATION OF RESTRICTION ON THE USE OF LAND FOR ON-SITE WATER DETENTION FACILITY - GATEWAY PROJECT, BULLI TOPS (05.03.01.001) - REPORT OF MANAGER PROPERTY AND RECREATION (NR) 7/08/09

132 RESOLVED UNANIMOUSLY that -

- 1 Approval be granted to the creation of the restriction on the use of land for an on-site water detention facility.**
- 2 Approval be granted to affix the Common Seal of Council to the 88B documents and the plan of restriction on use of land.**

ITEM 6 - MINUTES OF THE CITY OF WOLLONGONG TRAFFIC COMMITTEE MEETING HELD 28 JULY 2009 (SU25591) - REPORT OF MANAGER INFRASTRUCTURE (MW) 4/08/09

133 RESOLVED UNANIMOUSLY that -

- 1 In accordance with the powers delegated to Council, the minutes and recommendations of the City of Wollongong Traffic Committee (Items 34-37 and Item 1) in relation to Road Closures, be adopted.**
- 2 Appropriate persons and Departments be advised of Council's decisions.**

Minute No.

CORPORATE AND COMMUNITY SERVICES DEPARTMENT

ITEM 7 - JUNE 2009 QUARTERLY MANAGEMENT PLAN REVIEW (SU24043) - REPORT OF MANAGER ORGANISATIONAL STRATEGY AND IMPROVEMENT (GD) 13/08/09

- 134 **RESOLVED UNANIMOUSLY** that -
- 1 The June 2008-09 Quarterly Management Plan Review be adopted.
 - 2 Financial statements as at 30 June 2009 be adopted.

ITEM 8 - JULY 2009 FINANCIALS (12.01.01.001) - REPORT OF MANAGER FINANCE (TR) 13/08/09

- 135 **RESOLVED UNANIMOUSLY** that the report be received and noted.

ITEM 9 - STATEMENT OF INVESTMENTS - JULY 2009 (SU23508) - REPORT OF MANAGER FINANCE (SP) 11/08/09

- 136 **RESOLVED UNANIMOUSLY** that Council receive the Statement of Investments for July 2009.

ITEM 10 - SPONSORSHIP BY COUNCIL OF COMMUNITY EVENTS (SU26433) - REPORT OF MANAGER PUBLIC RELATIONS (MW) 11/08/09

- 137 **RESOLVED UNANIMOUSLY** that -
- 1 Council note the report.
 - 2 Future reports contain a column in the Sponsored Events table which lists the funds requested by each group.

Note: The Council added Part 2 to the Officer's recommendation.

Minute No.

IHAP MATTERS

ITEM 11 - USE OF WOLLONGONG BOTANIC GARDENS FOR MUSIC EVENTS - TO BE HELD BIANNUALLY FOR THE NEXT FIVE (5) YEARS - IHAP REPORT (DA-2009/47) - REPORT OF MANAGER CITY PLANNING (JW) 6/08/09

138 **RESOLVED UNANIMOUSLY** that -

- 1 Council grant consent to DA-2009/47 for the use of Wollongong Botanic Gardens for music events, to be held biannually for the next five (5) years, subject to the conditions contained in Attachment 3 of the report.
- 2 Given that approval is for biannual music events over five years, monitoring needs to ensure adherence to noise constraints.

Note: The Council added Part 2 to the Officer's recommendation.

ITEM 12 - ALTERATIONS AND ADDITIONS TO SANDON POINT SURF LIFE SAVING CLUB AND USE OF THE TOP FLOOR AS A PLACE OF PUBLIC ENTERTAINMENT - LOT 103 DP 7813 - IHAP REPORT (DA-2008/906) - REPORT OF MANAGER CITY PLANNING (PP) 7/08/09

139 **RESOLVED UNANIMOUSLY** that Council grant development consent to DA-2008/906 subject to conditions contained in Attachment 5 of the report.

ITEM 13 - SECOND STOREY ADDITION AND AMENITIES BLOCK - 9 FOLEY STREET, GWYNNEVILLE - IHAP REPORT (DA-2008/169) - REPORT OF MANAGER CITY PLANNING (TS) 4/08/09

140 **RESOLVED UNANIMOUSLY** that Council grant development consent to DA-2008/169 subject to conditions contained in Attachment 5 of the report.

ITEM 14 - CONTINUED USE OF UNAUTHORISED RUMPUS ROOM AT 5 ROSEMOUNT STREET, DAPTO - IHAP REPORT (DA-2009/648) - REPORT OF MANAGER CITY PLANNING (CM) 5/08/09

141 **RESOLVED UNANIMOUSLY** that Council grant development consent to DA-2009/648 subject to conditions contained in Attachment 3 of the report.

THE MEETING CONCLUDED AT 5.14 PM

Confirmed as a correct record of proceedings at the Ordinary meeting of the Council of the City of Wollongong held on 22 September 2009.

Chairperson

Wollongong City Council