



**MINUTES OF THE ORDINARY MEETING OF WELLINGTON COUNCIL HELD IN
THE COUNCIL CHAMBERS, ON WEDNESDAY 17 DECEMBER 2014
COMMENCING AT 5:30 PM**

PRESENT

- | | |
|-----------------------------|---------------|
| - Clr R Buhr (In the Chair) | - Clr D Grant |
| - Clr M Hanney | - Clr A Jones |
| - Clr G Cross | - Clr A Conn |
| - Clr T Dray | - Clr P Smith |

IN ATTENDANCE

- | | |
|--|--|
| - Mr M Tolhurst (General Manager) | - Mr S Robb (Director Technical Services) |
| - Ms K Roberts (Director Corporate Services) | - Mr P Harlow (Director Strategic & Planning Services) |
| - Mrs L Lyons (Minute Taker) | |

ONE MINUTES SILENCE:

One minutes silence was observed in respect of the recent tragedy for those Australian's who lost their lives in the siege at Martin Place Sydney in the early hours of Tuesday morning.

(12/16)480

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APOLOGIES

RESOLVED on the motion of Clr Jones and Clr Dray, that apologies be received and accepted from Clr Griggs for non-attendance and leave of absence granted.

CARRIED

(12/16)481

DECLARATIONS OF INTEREST

Clr Conn declared an interest in Director of Corporate Service's Report Item 4 Sale of Land Overdue Rates stating that her husband is a Real Estate Agent.

Clr Conn declared an interest in Director of Corporate Service's Report Item 5 Donation Request stating that she is the Manager of WINS, one of the organisations that have requested a donation.

Clr Conn declared an interest in Director of Strategic & Planning Service's Report Item 1 Development Application Status stating that her brother is an applicant.

Clr Smith declared an interest in Director of Corporate Service's Report Item 5 Donation Request stating that she is a member of the board of WINS.

Clr Grant declared an interest in Director of Strategic & Planning Service's Confidential Report Item 1 Tender for Cleaning and Maintenance of Wellington Caves Caravan Park stating that one of the applicants is a client of Elders Insurance, his employer.

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(12/16)482 **CONFIRMATION OF ORDER OF BUSINESS**

The Confirmation of Minutes and Adoption of Committee Reports will be moved and take place after the Public Access Session.

(12/16)483 **PUBLIC ACCESS SESSION**

1 **REQUEST TO ADDRESS COUNCIL – PAMELLA LAWRENCE, GLEN BRYEN, GEOLYSE PTY LTD**

RESOLVED on the motion of Clr Jones and Clr Cross, that Council receive and note the address to Council from Pamela Lawrence, Glen Bryen and Geolyse Pty Ltd in relation to DA Application 2014/048.

CARRIED

(12/16)484 **CONFIRMATION OF MINUTES AND ADOPTION OF COMMITTEE REPORTS**

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A **ORDINARY MEETING MINUTES – 26.11.14**

RESOLVED on the motion of Clr Jones and Clr Cross, that the Ordinary Meeting Minutes dated 26.11.14 be "taken as read", confirmed and signed as a true record of the proceedings of the meeting with the following amendment in bold;

Finance & Audit Committee Meeting 17.11.14

Item 1 Response by Director of Strategic & Planning Services in relation to the Quarterly Budget Review;

That Council receive and note the information in relation to the Director of Strategic & Planning Services comments on the Quarterly Budget Review and further;

If the actual revenue for:
DA Fees
Caves Kiosk
Caves Caravan Park *and*,
Caves Complex

is not achieved, as at 31 December 2014, appropriate adjustments be made to the budget for the periods ended 31 March 2015 and 30 June 2015.

CARRIED

(12/16)485 **OUTSTANDING RESOLUTIONS** - Noted

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(12/16)486 **DIRECTOR, CORPORATE SERVICES' REPORT**

1 REPORTS FOR COUNCIL'S INFORMATION

RESOLVED on the motion of Clr Jones and Clr Hanney, that the following reports on:

- 1.1 Rates Report – November 2014
- 1.2 Outstanding User Pay Charges – November 2014
- 1.3 Financial Statement – November 2014

be received and noted for information.

CARRIED

2 SCHEDULE OF COUNCIL INVESTMENTS

RESOLVED on the motion of Clr Jones and Clr Hanney, that the report on Council's schedule of investments as at 30th November 2014 be received and noted for Council's information.

CARRIED

3 VARIATION TO GENERAL INCOME FOR 2015/2016 (RATE PEG)

RESOLVED on the motion of Clr Jones and Clr Hanney, that Council receive and note the information in relation to the increase in Council's general income (rate peg) by 2.4% for the 2015/2016 financial year, as determined by the Independent Pricing and Regulatory Tribunal.

CARRIED

Clr Conn declared an interest and left the Chambers 5:57 pm.

★ **4 SALE OF LAND FOR OVERDUE RATES**

RESOLVED on the motion of Clr Cross and Clr Smith, that Council defer conducting the sale of land for overdue rates under section 713 of the Local Government Act, 1993 until 2015/16.

CARRIED

Clr Conn returned to the Chambers 6:01 pm.

5 REQUESTS FOR DONATIONS 2014/15

RESOLVED on the motion of Clr Jones and Clr Hanney, that Council grant the following requests for financial assistance, to be funded from the Donations Budget;

Organisation	Amount Requested	Purpose
Wellington Information & Neighbourhood Centre	\$373.70	Pool entry & Lifeguard for Christmas Party
Wellington Ministers Association	\$285.00	Civic Hall hire fee – Carols By Candlelight
Total:	\$658.70	

CARRIED

6 WBC ALLIANCE REPORT

RESOLVED on the motion of Clr Jones and Clr Hanney, that the WBC Alliance Report for November and December 2014 be received and noted for Councils information.

CARRIED

**7 CONCERNS FROM UNITED SERVICES UNION REGARDING
LOCAL GOVERNMENT REFORM PROCESS**

RESOLVED on the motion of Clr Jones and Clr Hanney, that Council receive and note the concerns of the United Services Union in regards to the NSW Government's "Fit for the Future" policy.

CARRIED

8 LOCAL GOVERNMENT REFORM – FIT FOR THE FUTURE

RESOLVED on the motion of Clr Jones and Clr Hanney, that the Director Corporate Services report on Local Government Reform – Fit For The Future be received and noted.

CARRIED

(12/16)487 **DIRECTOR, TECHNICAL SERVICES' REPORT**

★ **1 CONSTRUCTION AND MAINTENANCE WORKS REPORT
DECEMBER 2014**

RESOLVED on the motion of Clr Dray and Clr Grant, that the report in regards to the Construction and Maintenance Works Report December 2014 be received and noted for information.

CARRIED

★ **2 PLANT PURCHASING AND DISPOSAL**

RESOLVED on the motion of Clr Conn and Clr Dray, that the report in regards to the Plant Purchasing and Disposal be received and that a further report is brought back to Council outlining the tendering process in relation to purchasing cars. The report is to also include information from the Director Technical Services regarding the ACCC's local margin.

CARRIED

★ 3 **WELLINGTON CENTRAL BUSINESS DISTRICT BEAUTIFICATION
WORKS**

RESOLVED on the motion of Clr Cross and Clr Hanney, that;

1. Council endorse the proposed construction plans placed on public display and previously presented to Council at its 26 November 2014 Ordinary Meeting.
2. That plans and associated contract documentation be released for public tender over the December/January period with the results of the tender process being brought back to Council at its February 2015 Ordinary Meeting.
3. Council write to all persons who submitted feedback on the proposed plans thanking them for their submission.

CARRIED

Clr Conn voted against the motion.

(12/16)488 **DIRECTOR STRATEGIC & PLANNING SERVICES' REPORT**

1 **DEVELOPMENT APPLICATION STATUS**

RESOLVED on the motion of Clr Jones and Clr Hanney, that the report on Development Application Status be received and noted.

CARRIED

★ 2 **DA 2014/048**
PROPOSAL: MEDICAL CENTRE DEVELOPMENT
SITE: 15 NEW STREET, WELLINGTON – LOT A, DP 350531
APPLICANT: WELLINGTON ABORIGINAL CORPORATION HEALTH
SERVICE
OWNER: WELLINGTON ABORIGINAL CORPORATION HEALTH
SERVICE

RESOLVED on the motion of Clr Jones and Clr Hanney, that Development Application 2014/048 to develop a Medical Centre at 15 New Street, Wellington be approved subject to the conditions recommended in the attached planning report, which take into consideration the submissions received by residents in the area.

CARRIED

On being put, the motion was voted on as follows:

FOR: Clr Smith, Clr Grant, Clr Conn, Clr Jones, Clr Dray, Clr Cross, Clr Hanney, Clr Buhr

AGAINST: Nil

**3 WELLINGTON RURAL LAND USE STRATEGY PLANNING
PROPOSAL FOR ADDITIONAL R5 ZONED LAND**

RESOLVED on the motion of Cllr Jones and Cllr Hanney, that;

1. Council resolve to prepare a Planning Proposal to rezone the eight areas of land recommended in this report from RU1 Primary Production to Zone R5 Large Lot Residential;
2. The draft Planning Proposal, including a copy of the Booth Associates R5 report presented to Council's Meeting of 17 December 2014, be forwarded to the Regional Manager of the Department of Planning and Environment seeking the matter be progressed through the Gateway process to allow the proposals to proceed to public exhibition; and
3. Staff action the preparation of a possible draft amendment to the Wellington DCP and possible Contributions plan, for report to Council once the Gateway determination is known.

CARRIED

**4 WELLINGTON LOCAL ENVIRONMENTAL PLAN 2012
PLANNING PROPOSAL FOR AN ADDITIONAL CLAUSE TO ALLOW
MORE FLEXIBILITY IN BOUNDARY ADJUSTMENTS**

RESOLVED on the motion of Cllr Jones and Cllr Hanney, that ;

1. Council resolve to prepare a Planning Proposal to introduce a specific additional clause into the Wellington LEP 2012 to increase flexibility with respect to Council's ability to approve Boundary Adjustment Subdivisions in the rural zones; and
2. the draft Planning Proposal presented to Council's Ordinary Meeting of 17 December 2014 be forwarded to the Regional Manager of the Department of Planning and Environment, seeking the matter be progressed through the Gateway process to allow the proposals to proceed to public exhibition.

CARRIED

5 **WELLINGTON LOCAL ENVIRONMENTAL PLAN 2012 PLANNING
PROPOSAL FOR AMENDMENTS TO THE LOT SIZE MAP TO
SIMPLIFY EXISTING HOLDING PROVISIONS AND TO RECTIFY
CERTAIN ANOMALIES**

RESOLVED on the motion of Clr Jones and Clr Hanney, that ;

1. Council resolve to prepare a Planning Proposal to address 14 anomalies relating to the existing holding status of certain lands in the rural zones;
2. the draft Planning Proposal also instigate actions to replace the existing holding provisions as defined in Clause 4.2B(5) of the Wellington LEP 2012 with appropriate amendments to the lot size map; and
3. the draft Planning Proposal presented to Council's Ordinary Meeting of 17 December 2014 be forwarded to the Regional Manager of the Department Of Planning and Environment, seeking the matter be progressed through the Gateway process to allow the proposals to proceed to public exhibition.

CARRIED

6 **FIRST QUARTERLY REVIEW OF THE DELIVERY PLAN 2014/2015**

RESOLVED on the motion of Clr Jones and Clr Hanney, that Council review and note the information in relation to the quarterly reviews of the adopted Delivery Plan.

CARRIED

★ 7 **MAJOR EVENTS SUPPORT POLICY**

RESOLVED on the motion of Clr Cross and Clr Conn, that the Major Events Support Policy be deferred to January Ordinary meeting.

CARRIED

(12/16)489 **MAYORAL MINUTES REPORT**

★ 1 **LETTER TO TROY GRANT MP – MAYOR ROD BUHR**

RESOLVED on the motion of Clr Jones and Clr Grant, that a costed scope of works in relation to the Rygate Park Precinct and the Wellington Caves Redevelopment be prepared for Council's consideration at the next available Ordinary meeting of Council after the meeting of the Facilities Committee.

CARRIED

(12/16)490 **OTHER BUSINESS MATTERS**

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Clr Hanney stated that the Australia Day nomination forms were now available and encouraged Councillors to distribute the forms amongst their committees.

(12/16)491 **NOTICES OF MOTION**

1 NOTICE OF MOTION – CLR M GRIGGS – “FIT FOR THE FUTURE”

RESOLVED on the motion of Clr Jones and Clr Smith that this Item be moved to the Confidential Section for consideration in conjunction with Corporate Service’s Item 1 Engagement of External Consultant to Facilitate Council’s Improvement Proposal.

CARRIED

★ 2 NOTICE OF MOTION – CLR R BUHR

Withdrawn by Clr Buhr

(12/16)492 QUESTIONS WITHOUT NOTICE - Nil

(12/16)493 **RESOLVED** on the motion of Clr Jones and Clr Hanney, that the recommendations of all unstarred items in the Open Section of the Agenda be accepted as resolutions of Council.

CARRIED

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HELD IN THE COUNCIL CHAMBERS, ON WEDNESDAY 17TH DECEMBER 2014**

TERMINATION

There being no further business the meeting was declared closed at 7:47 pm.

TAKEN AS READ, CONFIRMED AND SIGNED AS A TRUE RECORD THIS

DAY OF 2014.

MAYOR

