



MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 16 November 2020

Present

Lord Mayor – Councillor Gordon Bradbery AM (in the Chair)
Deputy Lord Mayor – Councillor Tania Brown
Councillor Ann Martin
Councillor Cameron Walters
Councillor Cath Blakey
Councillor David Brown
Councillor Dom Figliomeni
Councillor Janice Kershaw

Councillor Jenelle Rimmer
Councillor John Dorahy
Councillor Leigh Colacino
Councillor Mithra Cox

In Attendance

General Manager (Acting)	Renee Campbell
Director Infrastructure + Works, Connectivity Assets + Liveable City (Acting)	Glenn Whittaker
Director Planning + Environment, Future City + Neighbourhoods	Linda Davis
Director Corporate Services, Connected + Engaged City (Acting)	Brian Jenkins
Director Community Services, Creative + Innovative City	Kerry Hunt
Manager Governance + Customer Service	Todd Hopwood
Chief Financial Officer (Acting) (attended via electronic means)	Tana Ramsden
Manager Property + Recreation (attended via electronic means)	Lucielle Power
Manager City Strategy (attended via electronic means)	Chris Stewart
Manager City Works (attended via electronic means)	Corey Stoneham
Manager Project Delivery (Acting) (attended via electronic means)	Robert Ryan
Manager Infrastructure Strategy + Planning (Acting)	Andrew Heaven
Manager Open Space + Environmental Services (attended via electronic means)	Joanne Page
Manager Community Cultural + Economic Development (attended via electronic means)	Sue Savage
Manager Regulation + Enforcement	Danny Madigan

Note: Due to current government requirements around social distancing obligations due to the COVID-19 pandemic, participants in the meeting can participate via electronic means as permitted under legislation relating to the COVID-19 pandemic. Those who participated via electronic means are indicated in the attendance section of the Minutes.

INDEX

	PAGE NO.
ITEM 1 Annual Financial Statements for the Year Ended 30 June 2020 - Post Advertising	2
ITEM 2 Draft Quarterly Review Statement - September 2020.....	2
ITEM 3 Post Exhibition - Wollongong City-Wide Development Contributions Plan 2020	2
ITEM 4 Post Exhibition - Climate Change Mitigation Plan.....	2
ITEM 5 Post Exhibition - Sustainable Wollongong 2030: A Climate Healthy City Strategy	3
ITEM 6 Post Exhibition - Cycling Strategy 2030	3
ITEM 7 Proposed Agreement - Animal Management Services	4
ITEM 8 Post Exhibition - Wollongong CBD Night Time Economy Council Policy.....	4
ITEM 9 Post Exhibition - Planning Agreements Policy	4
ITEM 10 Policy Review - Codes of Conduct and Procedures for Administration of the Codes of Conduct.....	5
ITEM 11 Tender T20/26 - Detailed Design and Construction of Mountain Bike and Walking Trails at Cringila Hills	5
ITEM 12 Tender T20/39 - Automatic Irrigation System at Robert Ziems Park - Cricket Oval - Corrimal	5
ITEM 13 Quotations VP197651 and E5573 – Helensburgh Toddlers' Pool – New Filtration System	5
ITEM 14 City of Wollongong Traffic Committee Minutes of Meeting held on 21 October 2020.....	6

CONFLICTS OF INTERESTS

Councillor T Brown declared a non-significant, non-pecuniary conflict of interest in Item 6 Post Exhibition – Cycling Strategy 2030, as her employer SMART at UOW, is referenced in the report. Councillor T Brown advised that she would remain in the Chamber during debate and voting on the item.

457 CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 26 OCTOBER 2020

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Colacino that the Minutes of the Ordinary Meeting of Council held on Monday, 26 October 2020 (a copy having been circulated to Councillors) be taken as read and confirmed.

PETITION – APPLICATION NUMBER DA – 2019/1356

Councillor Blakey tabled Petition containing 161 signatures, requesting that Council takes appropriate action on objections regarding loss of views and solar access, prior to determining DA Application 2019/1356.

PUBLIC ACCESS FORUM

ITEM	TITLE	NAME OF SPEAKER
4	Post Exhibition – Climate Change Mitigation Plan	Greg Knight Renew Illawarra For Recommendation
4	Post Exhibition – Climate Change Mitigation Plan	Rowan Huxtable Citizens Climate Lobby For Recommendation
7	Proposed Agreement – Animal Management Services	Donna Ashelford Animal Welfare League NSW Illawarra Branch For Recommendation

DEPARTURE OF COUNCILLOR

During the Public Access Forum, Councillor Colacino departed and returned to the meeting, the time being from 6:06 pm to 6:09 pm.

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

CALL OF THE AGENDA

459 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the staff recommendations for Items 2, 3, 5, then 8 to 12 and 14 be adopted as a block.

ITEM 1 - ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2020 - POST ADVERTISING

460 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Cox that the audited Financial Statements for the year ended 30 June 2019, together with the Auditor's report, be presented to the public.

An AMENDMENT was MOVED by Councillor Figliomeni seconded Councillor Dorahy that -

- 1 The audited Financial Statements for the year ended 30 June 2019, together with the Auditor's report, be presented to the public.
- 2 Council engage an independent expert to undertake a health check including Council policy commitments to confirm Council's financial viability for the next 4 years to tie in with the budget forecasts.

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

In favour Councillor Figliomeni

Against Councillors Cox, Colacino, Rimmer, Kershaw, D Brown, Blakey, Dorahy, Bradbery, T Brown, Martin and Walters

Councillor D Brown's MOTION was then PUT to the VOTE and was CARRIED to become the RESOLUTION.

ITEM 2 - DRAFT QUARTERLY REVIEW STATEMENT - SEPTEMBER 2020

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 459)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that -

- 1 The draft Quarterly Review Statement September 2020 be adopted.
- 2 The Budget Review Statement as at September 2020 be adopted and revised totals of income and expenditure be approved and voted.

ITEM 3 - POST EXHIBITION - WOLLONGONG CITY-WIDE DEVELOPMENT CONTRIBUTIONS PLAN 2020

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 459)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the Wollongong City-Wide Development Contributions Plan (2020) be adopted.

ITEM 4 - POST EXHIBITION - CLIMATE CHANGE MITIGATION PLAN

461 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Cox seconded Councillor Martin that -

- 1 The updated draft Climate Mitigation Action Plan 2020, as attached in this report, be adopted
- 2 An addition be made to point L14 of the report to read "Prepare subsequent Climate Change Mitigation Plan 2022-2026 including adjusting the carbon budget based on the latest scientific assessment from the Intergovernmental Panel on Climate Change (IPCC) and the Australian Climate Change Authority."
- 3 An amendment be made to Clause E13 to also read "Investigate the establishment of a joint PPA for The City of Wollongong and including major industrial and commercial entities within the LGA. Provide a briefing to Councillors by June 2021."

Variation The variation moved by Councillor Martin (the addition of Point 3) was accepted by the mover and seconder.

An AMENDMENT was MOVED by Councillor Colacino seconded Councillor Walters that the updated draft Climate Mitigation Action Plan 2020, as attached in this report, be adopted.

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

In favour Councillors Colacino, Walters and Dorahy

Against Councillors Cox, Bradbery, Rimmer, Kershaw, D Brown, Blakey, T Brown, Martin and Figliomeni

Councillor Cox's MOTION was then PUT to the VOTE and was CARRIED to become the RESOLUTION.

A PROCEDURAL MOTION was MOVED by Councillor D Brown seconded Councillor T Brown that Councillor Colacino be granted an additional 30 seconds to address the meeting in relation to Item 4.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 4, Councillor Walters departed and returned to the meeting, the time being from 6:48 pm to 6:50 pm.

During debate and prior to voting on Item 4, Councillor Blakey departed and returned the meeting, the time being from 7:16 pm to 7:18 pm.

ITEM 5 - POST EXHIBITION - SUSTAINABLE WOLLONGONG 2030: A CLIMATE HEALTHY CITY STRATEGY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 459)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that -

- 1 The updated draft Sustainable Wollongong 2030: A Climate Healthy City Strategy, as attached in this report, be adopted by Council.
- 2 The existing Environmental Sustainability Policy be repealed.

ITEM 6 - POST EXHIBITION - CYCLING STRATEGY 2030

462 COUNCIL'S RESOLUTION - RESOLVED on the motion of Councillor Colacino seconded Councillor T Brown that -

- 1 The draft Cycling Strategy 2030 be adopted.
- 2 That persons who made submissions on the draft strategy be thanked and advised of Council's resolution.

In favour Councillors Cox, Bradbery, Colacino, Rimmer, Kershaw, D Brown, Blakey, Dorahy, T Brown, Martin and Walters

Against Councillor Figliomeni

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 6, Councillor Rimmer departed and returned to the meeting, the time being from 7:52 pm to 7:54 pm.

During debate and prior to voting on Item 6, Councillor Cox departed and returned to the meeting, the time being from 7:55 pm to 7:57 pm.

ITEM 7 - PROPOSED AGREEMENT - ANIMAL MANAGEMENT SERVICES

463 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that -

- 1 Council resolves, pursuant to section 55(3) of the *Local Government Act* 1993, to enter into the proposed agreement with RSPCA without the calling of tenders as it considers that a satisfactory result would not be achieved by inviting tenders because of extenuating circumstances and the unavailability of competitive or reliable tenders for the following reasons -
 - a The RSPCA is the only organisation available within the local government area with a centrally located animal shelter capable of providing professional animal care and management required of Council under legislative requirements;
 - b The entry into this agreement provides a significant economic benefit to the Council over the term of the contract when compared to the cost of Council providing its own facility.
- 2 Council authorise the General Manager to execute the Agreement between Council and the RSPCA and any other documentation to give effect to this resolution.
- 3 Council provide financial assistance pursuant to section 356 of the *Local Government Act* 1993 in the amount of \$25,000/annum to the RSPCA for the next three years in respect of the Community Animal Welfare Scheme (CAWS).

ITEM 8 - POST EXHIBITION - WOLLONGONG CBD NIGHT TIME ECONOMY COUNCIL POLICY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 459)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that -

- 1 Council adopt the Wollongong CBD Night Time Economy Council Policy.
- 2 Council note work is currently underway to investigate any implications and opportunities for Wollongong's Night Time Economy, arising from the NSW Government's Liquor Amendment (24-hour Economy) Bill 2020, subject to it becoming law. Further, Council staff are reviewing the detail of additional night time economy announcements and will consult with the NSW Government on implementation of these initiatives.

ITEM 9 - POST EXHIBITION - PLANNING AGREEMENTS POLICY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 459)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the Planning Agreements Policy (2020) be adopted.

ITEM 10 - POLICY REVIEW - CODES OF CONDUCT AND PROCEDURES FOR ADMINISTRATION OF THE CODES OF CONDUCT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 459)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that Council adopt the revised -

- 1 Code of Conduct for Councillors
- 2 Code of Conduct for Staff
- 3 Code of Conduct for Council Committee Members, Delegates of Council and Council Advisors
- 4 Procedures for the Administration of the Codes of Conduct.

ITEM 11 - TENDER T20/26 - DETAILED DESIGN AND CONSTRUCTION OF MOUNTAIN BIKE AND WALKING TRAILS AT CRINGILA HILLS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 459)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Dirt Art Pty Ltd for detailed design and construction of mountain bike and walking trails within the Cringila Hills Recreation Precinct, in the sum of \$1,280,462.00 excluding GST.
- 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 12 - TENDER T20/39 - AUTOMATIC IRRIGATION SYSTEM AT ROBERT ZIEMS PARK - CRICKET OVAL - CORRIMAL

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 459)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Water Well Sales Pty Ltd for the supply and Installation of an automatic irrigation system, in the sum of \$153 340.00, excluding GST.
- 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 13 - QUOTATIONS VP197651 AND E5573 – HELENSBURGH TODDLERS' POOL – NEW FILTRATION SYSTEM

- 464 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor Rimmer that Council note the engagement of SPK Plumbing and Civil Pty Ltd to complete the proposed new filtration system to the Helensburgh Toddlers' Pool for the total sum of \$223,309.00 (Ex GST).

ITEM 14 - CITY OF WOLLONGONG TRAFFIC COMMITTEE MINUTES OF MEETING HELD ON 21 OCTOBER 2020

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 459)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that in accordance with powers delegated to Council, the Minutes and Recommendation related to Regulation of Traffic, of the City of Wollongong Traffic Committee held on 21 October 2020, be adopted.

THE MEETING CONCLUDED AT 8:27 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 7 December 2020.

Chairperson