



MINUTES

ORDINARY MEETING OF COUNCIL

at 6:00 pm

Monday 29 May 2023

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 Elisha Aitken

Councillor John Dorahy

Councillor Linda Campbell

Councillor Mithra Cox

Councillor Richard Martin

In Attendance

General Manager

Director Infrastructure + Works, Connectivity Assets + Liveable City

Director Planning + Environment, Future City + Neighbourhoods

Director Corporate Services, Connected + Engaged City

Director Community Services, Creative + Innovative City

Chief Financial Officer

Chief Information Officer (attended via audio-visual link)

Manager Governance + Customer Service

Manager Property + Recreation

Manager City Strategy

Manager Regulation + Enforcement

Manager Project Delivery

Manager Infrastructure Strategy + Planning

Manager Community Cultural + Economic Development

Manager Development Assessment and Certification (attended via audio-visual link)

Land Use Planning Manager

Greg Doyle

Joanne Page

Linda Davis

Renee Campbell

Kerry Hunt

Brian Jenkins

Ingrid McAlpin

Todd Hopwood

Lucielle Power

Chris Stewart

Corey Stoneham

Glenn Whittaker

Jeremy Morgan

Sue Savage

Mark Adamson

David Green

Note: In accordance with the Code of Meeting Practice, participants in the meeting can participate via audio-visual link. Those who participated via audio-visual link are indicated in the attendance section of the Minutes.

Note: Council resolved on 8 May 2023 to grant Councillor Kershaw a leave of absence from 8 May 2023 to 30 June 2023.

INDEX

	PAGE NO.
ITEM A Lord Mayoral Minute - Underground Petroleum Storage Systems	1
ITEM B Lord Mayoral Minute - Increase in Emergency Service Levy	2
ITEM 1 Public Exhibition: Wollongong City-Wide Development Contributions Plan 2023.....	2
ITEM 2 Draft Quarterly Review Statement March 2023	3
ITEM 3 Wollongong CBD Night Time Economy Policy Update	3
ITEM 4 Review of Council Policies	3
ITEM 5 Performance Review Committee Charter	4
ITEM 6 Local Government Remuneration Tribunal - Annual Fees payable to Lord Mayor and Councillors 1 July 2023 to 30 June 2024	4
ITEM 7 Otford Road, Otford - Causeway Repair Procurement	4
ITEM 8 T1000097 - Internal Audit Services to Council.....	4
ITEM 9 April 2023 Financials.....	5
ITEM 10 Statement of Investment - April 2023.....	5
ITEM 11 City of Wollongong Traffic Committee Minutes of Meeting held 9 May 2023.....	5

CONFLICTS OF INTERESTS

Councillor Ann Martin declared a pecuniary conflict of interest in Item 3 Wollongong CBD Night Time Economy Policy Update due to the policy influencing other neighbourhoods across the city where cafes, restaurants and live music venues are also operating and she is a part owner and Director of the Servo Food Truck Bar in Port Kembla. Councillor Ann Martin advised she would depart the meeting during debate and voting on the item.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 8 MAY 2023

- 822 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Walters that the Minutes of the Ordinary Meeting of Council held on Monday, 8 May 2023 (a copy having been circulated to Councillors) be taken as read and confirmed.

PRESENTATION - CRINGILA HILLS RECREATION PARK - PARK OF THE YEAR AWARD

Cr Bradbery recognised that the Cringila Hills Recreation Park has been awarded Park of the Year award at the Parks and Leisure Australia NSW Conference and congratulated Council on their effort.

PUBLIC ACCESS FORUM

ITEM NO	TITLE	NAME OF SPEAKER
A	Lord Mayoral Minute – Underground Petroleum Storage Systems	The Hon. Edward (Ted) Pickering B.Sc (Chem.Eng.) UNSW, AM FOR RECOMMENDATION

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

CALL OF THE AGENDA

- 824 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that the staff recommendations for Items 2 and 4 then 6 to 11 inclusive be adopted as a block.

ITEM A - LORD MAYORAL MINUTE - UNDERGROUND PETROLEUM STORAGE SYSTEMS

- 825 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery that Wollongong City Council write to the Minister for Environment and Heritage to request that funding or additional cost recovery mechanisms be made available to assist Councils to manage compliance with the Underground Petroleum Storage System Regulation 2019 and associated legislation, and request that clarity around ongoing liability and decommissioning cost be provided to Council.

Variation The variation moved by Councillor Cox (the addition of "and request that clarity around ongoing liability and decommissioning cost be provided to Council.") was accepted by the mover.

ITEM B - LORD MAYORAL MINUTE - INCREASE IN EMERGENCY SERVICE LEVY

826 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery that Wollongong City Council –

- 1 Write to the Treasurer, the Minister for Emergency Services, the Minister for Local Government and local State Member(s) to –
 - a Express opposition to the NSW Government decision to impose a significant Emergency Services Levy (ESL) cost increase on councils for 2023/24 by scrapping the ESL subsidy and disproportionately increasing the annual ESL, particularly after Council has exhibited the draft Operational Plan and annual budget.
 - b Note that the removal of the ESL subsidy, the 73% increase in the State Emergency Service budget and the 18% increase in the Fire and Rescue NSW budget, has meant that Wollongong City Council's < 3.7% rate increase which is intended to provide essential community services and infrastructure has been significantly eroded.
 - c Call on the NSW Government to take immediate action to –
 - i restore the ESL subsidy; or
 - ii defer payment of 2023/24 ESL until the following financial year to allow councils to adequately budget for this cost and request that IPART consider the ESL when setting the 2024/25 rate cap.
 - iii Develop a fairer, more transparent and financially sustainable method of funding critically important emergency services in consultation with local government.
- 2 Council writes to the Chair of the Independent Pricing and Regulatory Tribunal (IPART) advising that Council's forced emergency services contribution is manifestly disproportionate to the 2023/24 rate cap, which has resulted in additional financial stress.
- 3 That staff investigate adding the Emergency Services Levy as a separate line item on Wollongong City Council rates notices, as this is a State levy.
- 4 That Wollongong City Council express it's concern in relation to cost shifting.

Variation The variation moved by Councillor T Brown (the addition of Point 3) was accepted by the mover.

Variation The variation moved by Councillor Figliomeni (the addition of Point 4) was accepted by the mover.

ITEM 1 - PUBLIC EXHIBITION: WOLLONGONG CITY-WIDE DEVELOPMENT CONTRIBUTIONS PLAN 2023

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

- 1 The draft Wollongong City-Wide Development Contributions Plan (2023) (Attachment 1), be exhibited for a minimum of 28 days.
- 2 Following the exhibition period, a report on submissions be prepared for Council's consideration.

An AMENDMENT was MOVED by Councillor Cox seconded Councillor Blakey that –

- 1 The draft Wollongong City-Wide Development Contributions Plan (2023) (Attachment 1), be exhibited for a minimum of 28 days.
- 2 Following the exhibition period, a report on submissions be prepared for Council's consideration.
- 3 Before going on exhibition, Towradgi Creek shared path be added to the list of the detailed works scheduled.

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

In favour

Councillors Cox and Blakey

Against

Councillors R Martin, D Brown, A Martin, T Brown, Campbell, Aitken, Walters, Dorahy, Figliomeni and Bradbery

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

ITEM 2 - DRAFT QUARTERLY REVIEW STATEMENT MARCH 2023

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 824)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that -

- 1 The draft Quarterly Review Statement March 2023 be adopted.
- 2 The Budget Review Statement as at March 2023 be adopted and revised totals of income and expenditure be approved and voted.

DEPARTURE OF COUNCILLOR

Due to a disclosed conflict of interest, Councillor Ann Martin departed the meeting at 6:52 and was not present for debate nor voting on Item 3. Councillor A Martin returned to the meeting at 7:05 at the conclusion of Item 3.

During debate and prior to voting on Item 3, Councillor Cox departed and returned to the meeting, the time being from 6:57 pm to 6:58 pm.

ITEM 3 - WOLLONGONG CBD NIGHT TIME ECONOMY POLICY UPDATE

828

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor T Brown seconded Councillor Walters that Council endorse the draft Wollongong CBD Night Time Economy Council Policy

ITEM 4 - REVIEW OF COUNCIL POLICIES

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 824)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that -

- 1 The Public Private Partnerships (PPP) Policy be revoked.
- 2 The Conference Attendance by Reference Groups and Committee Members Council Policy be revoked and recategorised as a procedure.

ITEM 5 - PERFORMANCE REVIEW COMMITTEE CHARTER

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

- 1 Council adopt the revised Performance Review Committee Charter.
- 2 Section 5 of the Charter be amended to note that the Deputy Lord Mayor is elected for the 'Term of Council or as resolved by Council'

ITEM 6 - LOCAL GOVERNMENT REMUNERATION TRIBUNAL - ANNUAL FEES PAYABLE TO LORD MAYOR AND COUNCILLORS 1 JULY 2023 TO 30 JUNE 2024

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 824)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that the annual fees payable for the period 1 July 2023 to 30 June 2024 be:

- 1 \$34,330 for each Councillor including the Lord Mayor, and
- 2 \$106,960 additional fee for the Lord Mayor.

ITEM 7 - OTFORD ROAD, OTFORD - CAUSEWAY REPAIR PROCUREMENT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 824)

COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that

- 1 Pursuant to section 55(3)(i) of the Local Government Act 1993, tenders not be invited for the contract (or contracts) for the repair of the failed causeway and associated works at Otford Road, Otford. This is due to extenuating circumstances, being the risk to the community due to fire and/or flood causing further inability of residents to escape, the pending Statutory Bushfire Danger Period commencing 1 October 2023 and the MS to the Gong Bike Ride event planned for 5 November 2023.
- 2 Council delegate to the General Manager the authority to undertake and finalise a formal quotation process, in accordance with Council's procurement policies and procedures with available contractors with demonstrated experience and ability to undertake the works with a view to enter a contract (or contracts) for these works.
- 3 Council delegate to the General Manager authority to enter a contract (or contracts) with the contractor or contractors selected following the process outlined at 2 above.
- 4 A report describing the outcome of the procurement process be submitted to the next available Council meeting following the successful engagement of contractor or contractors.

ITEM 8 - T1000097 - INTERNAL AUDIT SERVICES TO COUNCIL

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 824)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that -

- 1 In accordance with Section 178(1)(a) of the Local Government (General) Regulation 2021, Council accepts the tender of Centium Pty Ltd for provision of Internal Audit Services to Council for 2023 - 2027, in the sum of \$565,000 including 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 9 - APRIL 2023 FINANCIALS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 824)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that -

- 1 The financials be received and noted.
- 2 Council endorse the proposed changes to the Capital Budget for April 2023.

ITEM 10 - STATEMENT OF INVESTMENT - APRIL 2023

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 824)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that Council receive the Statement of Investment for April 2023.

ITEM 11 - CITY OF WOLLONGONG TRAFFIC COMMITTEE MINUTES OF MEETING HELD 9 MAY 2023

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 824)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that in accordance with the delegated authority to Council, the Minutes and Recommendations of the Wollongong Traffic Committee held on 9 May 2023 in relation to Regulation of Traffic as outlined within this report, be adopted.

THE MEETING CONCLUDED AT 7:06 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 26 June 2023.

Chairperson