



MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 3 September 2018

Present

Lord Mayor – Councillor G Bradbery AM (in the Chair), Councillors D Brown, C Walters, C Blakey, C Connor, J Kershaw, J Rimmer, J Dorahy, L Colacino, M Cox, T Brown and V King

In Attendance

General Manager – D Farmer, Director Infrastructure and Works, Connectivity Assets and Liveable City – G Doyle, Director Planning and Environment, Future City and Neighbourhoods – A Carfield, Director Corporate Services, Connected and Engaged City – R Campbell, Director Community Services, Creative and Innovative City (Acting) – J Thompson, Manager Governance and Information (Acting) – C Phelan, Chief Financial Officer – B Jenkins, Manager Property and Recreation – P Coyte, Manager Environmental Strategy and Planning (Acting) – D Green, Manager Project Delivery – G Whittaker, Manager Infrastructure Strategy and Planning – M Dowd, General Counsel - J Reilly

Apologies

Min No.

110 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the apology tendered on behalf of Councillor Figliomeni be accepted and a leave of absence be granted.

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CLOSED SESSION

- ITEM C1 CONFIDENTIAL: Performance Review Committee Report - General Manager's Annual Performance Review

Reason for Confidentiality

This report recommends that this item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2)(a) of the Local Government Act, 1993, as the report contains personnel matters concerning particular individuals.

- ITEM C2 CONFIDENTIAL: Confidential: Signature Event 2022

Reason for Confidentiality

This report recommends that this item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2)(d(i)) of the Local Government Act, 1993, as the report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

DISCLOSURE OF INTERESTS

Councillor T Brown declared a non-pecuniary, significant interest in Item 1, as she is employed by the University of Wollongong. Councillor T Brown stated that she would depart the Chamber during debate and voting on this Item.

Councillor Rimmer declared a non-pecuniary, non-significant Interest in Item B due to her appointment in the Office of the Member for Keira, Ryan Park. Councillor Rimmer stated that she would remain in the Chamber during debate and voting on this Item.

Councillor Colacino declared a non-pecuniary, non-significant Interest in Item C due to his daughter holding a position as the Media and Communications Manager for Seafood Industry Australia and stated that he would depart the Chamber during debate and voting on this Item.

Councillor Walters declared a non-pecuniary, non-significant in Item B due to his employer being named in the Notice of Motion. Councillor Walters stated that he would remain in the Chamber during debate and voting on this Item.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 13 AUGUST 2018

111 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Kershaw that the Minutes of the Ordinary Meeting of Council held on Monday, 13 August 2018 (a copy having been circulated to Councillors) be taken as read and confirmed.

PUBLIC ACCESS FORUM - ITEM 1 - PROPOSED PLANNING AGREEMENT WITH UNIVERSITY OF WOLLONGONG

Ms H Moon on behalf of The Friends of Wollongong Botanic Garden spoke against the Recommendation expressing opposition to the changes to Kooloobong Ovals as proposed in the Voluntary Planning Agreement (VPA) between Wollongong City Council and the University of Wollongong.

She requested that Kooloobong Ovals be excluded from the VPA. Synthetic turf, as proposed, is contrary to the nature of the Garden as a whole and would negatively impact on our reputation as a Regional Botanic Garden of Excellence.

Granting of a 20 year licence to the University and increasing use of the playing fields are contrary to the current Plan of Management which states the usage should remain at current scale and intensity. The draft Masterplan also states the fields should be available for Garden use and other activities, not exclusively for soccer as would be the case if the fields were synthetic. We are also concerned about the environmental impacts on the Garden caused by the preparation of the land and the rubber infill for synthetic turf.

Ms R Djokic on behalf of the University of Wollongong Junior Football Club spoke in favour of the Recommendation stating the Football Club benefit from the upgrade. She added, we are the future that this facility is being built for, we are the families that make up Wollongong in which our club name represents, we are here to share and not to own. We are already active members of the Gwynneville Community and as Kooloobong is located in such a public facilitated area we know that this area was built for Wollongong and not just those who live close by. With the Wollongong Botanical Gardens, the University of Wollongong and the Wollongong Conservatory of Music, it truly shows that this community is a hub for our children to learn, thrive and grow into amazing adults.

In the past Wollongong Olympic Junior Football Club had no future, no affiliation with the Senior Club using the same name and out of date facilities that have become overcrowded during Football Season. Now, with our partnership with the UOW we can stay committed to keeping the club open to refugees, growing our girls league and providing a club for

Gwynneville and Wollongong City families. The University of Wollongong Football Club Juniors has proactively worked closely with the UOW to try and access some of the University facilities and the proposed upgrades to Kooloobong will provide an opportunity for the Junior football club to access extra facilities without the need for Wollongong City Council and to provide extra grounds to assist with the growth of the club. We will get to see girls teams grow, we will be able to spread out training without having to squeeze, we can train and play in times of rain or after rain. Our families want to see their children be able to use appropriate grounds and watch them thrive in their chosen sporting endeavours, to see them grow with a strong loyalty not only to our football club, but to the University of Wollongong and the City of Wollongong.

PUBLIC ACCESS FORUM - ITEM 2 - REVIEW OF ALCOHOL FREE ZONES

Detective Inspector B Ainsworth spoke on behalf of Wollongong Police Station in favour of the recommendation and thanked Council for the invitation.

Detective Ainsworth noted that the Wollongong Police District had forwarded a Submission supporting the future of Alcohol Free Zones in the Wollongong Local Government Area.

He added that Wollongong Police monitor 290 licenced premises within the Central Business District and stated that 16 of these venues trade after midnight.

He stated that Wollongong Police were supportive of the continuation of Alcohol Free Zones in order to remove alcohol in public spaces to reduce alcohol related violence and the escalation of anti-social behaviour.

He indicated that Wollongong Police would like Alcohol Free Zones mandated for a period of 4 years and related signage to be updated to reflect the current validity of Alcohol Free Zones.

DEPARTURE OF COUNCILLOR

During the Public Access Forum Councillor Walters departed and returned to the meeting, the time being from 6.38 pm to 6.39 pm.

PUBLIC ACCESS FORUM - ITEM C - NOTICE OF MOTION - COUNCILLOR BLAKEY - FIVE ISLANDS MARINE SANCTUARY

Mr K Pajmans in favour of the Recommendation and thanked Council's support for the Submission of the proposed Five Islands Marine Sanctuary.

Mr Pajmans stated that he was addressing Council as a recreational fisher from the Wollongong Local Government area who has studied Marine Science.

Mr Pajmans noted that there is significant benefits to be gained from the proposed Marine Sanctuary including increased abundance of species available for recreational fishermen. He added that he had undertaken many recreational activities in the water, including diving and fishing and noted the remarkable impact on the marine environment, resulting from marine sanctuaries such as those currently enforced in areas including Tathra, Merrimbular and Jervis Bay.

Mr G Schoer (Secretary) on behalf of the National Parks Association of NSW Southern Sydney Branch spoke in favour of the Recommendation.

He stated the Broadscale Biodiversity Assessment of the Hawkesbury Shelf Bioregion identified the terrestrial component Five Islands Nature Reserve as an area of important biodiversity value. The nature reserve is listed in the Directory of Important Wetlands due to JAMBA or CAMBA species that forage hunt and roost in the intertidal zone, including Eastern Reef Egret and Crested Tern. The Islands provide breeding sites and habitat for many migratory birds. The Nature Reserve provides nesting habitat for Little Penguins that use the

surrounding marine waters and beyond for food. Intertidal zones provide foraging places for species such as the vulnerable Sooty Oystercatcher. Martin Island boasts a bachelor group of Australian Sea Lions that rely on abundant seafood from the area, and continue to attract local and international tourism dollars, hence National Parks Association's recommendation of a further marine sanctuary around Martin Islet to add to that proposed for Toothbrush Islet. Below the low tide border extensive sponge gardens provide important habitat for nudibranchs as well as helping to filter pollutants from water. Ecklonia algae provide suitable habitat for the increasingly rare Weedy Seadragon, *Phyllopteryx taeniolatus*. There are a number of threatened and protected marine species that, together with terrestrial species, make this area a hotspot of a mix of rare species. The protected Bleaker's Devilfish depends on submerged reef habitats such as rock-ledges or caves that abound in this area to survive. The more extensive Special Purpose Zone around the rest of the Five Islands waters that Councillor Blakey supports, we also support. This zone will especially guard against boat landings on the foreshores that can disturb Little Penguins, Fur Seals and threatened and migratory waders. We also support Cr Blakey's recommendation that Council writes a submission to the Marine Estate Management Authority related to this and other potential sites in the Illawarra if it is desirous of supporting broader biodiversity enhancement in this, the southern part of the Bioregion which has been given minimal attention in sanctuaries proposed by MEMA.

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

CALL OF THE AGENDA

- 113** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Cox that the staff recommendations for Items 6 to 14 and D and E be adopted as a block.

A PROCEDURAL MOTION was MOVED by Councillor D Brown seconded Councillor Rimmer that the numbered Agenda Items be considered prior to the lettered Agenda Items and that Item C2 be considered prior to Item C1. The PROCEDURAL MOTION on being PUT to the VOTE was CARRIED

ITEM E - LORD MAYORAL MINUTE - WOLLONGONG COAL - REMOVAL OF STOCKPILED MATERIAL FROM RUSSELL VALE

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 113).

COUNCIL'S RESOLUTION – Council –

- 1 Apply, within the scope of its legal and administrative responsibilities, as much rigour and scrutiny as possible to the Wollongong Coal's operations at Russell Vale mine to finalise the removal of unauthorised stockpiled material and remediation of the site.
- 2 Call upon the NSW Department of Planning and Environment and NSW Environment Protection Authority to apply greater rigour, scrutiny and compliance to fulfil the requirements of the Development Control Order issued to Wollongong Coal on 19 July 2018 (i.e. the removal of unauthorised stockpiled material and the ultimate remediation of the site).

ITEM A - NOTICE OF MOTION - COUNCILLOR RIMMER – RENEW OUR LIBRARIES

This Item was considered after the numbered agenda Items. Refer to Minute number 120.

ITEM B - NOTICE OF MOTION - COUNCILLOR COLACINO - DEER CULLING

This Item was considered after the numbered agenda Items. Refer to Minute number 121.

ITEM C - NOTICE OF MOTION - COUNCILLOR BLAKEY - FIVE ISLANDS MARINE SANCTUARY

This Item was considered after the numbered agenda Items. Refer to Minute number 122.

ITEM D - NOTICE OF MOTION - COUNCILLOR WALTERS - DAPTO PUBLIC SCHOOL TRAFFIC AND PARKING

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 113).

COUNCIL'S RESOLUTION – that Council –

- 1 Explore all options that could alleviate the parking and congestion problems that exist around Dapto Public School during peak periods.
- 2 Identify the times when the current parking issues impact on the safety of all road users including pedestrian, cycling traffic and motor vehicles.
- 3 Work with the Department of Education in identifying options which could resolve the current issues.
- 4 The outcomes of the investigation are to come to Council, in the form of a briefing prior to the end of November 2018.

DEPARTURE OF COUNCILLORS

Due to a prior Disclosure of Interest in Item 1, Councillor T Brown departed the Chamber and did not participate in debate and voting.

During debate and prior to voting on Item 1, Councillor Colacino departed and returned to the meeting, the time being from 7.09 pm to 7.10 pm.

A PROCEDURAL MOTION was MOVED by Councillor King seconded Councillor Connor that Councillor Blakey be granted an additional 1 minute to address the meeting in relation to Item 1. The PROCEDURAL MOTION on being PUT to the VOTE was CARRIED.

ITEM 1 - PROPOSED PLANNING AGREEMENT WITH UNIVERSITY OF WOLLONGONG

- 114** **COUNCIL'S RESOLUTION** - RESOLVED on the motion of Councillor D Brown seconded Councillor Walters that the General Manager be authorised to finalise the Planning Agreement with the University of Wollongong, which will require the University to undertake public domain works over the next 10 years in Keiraville in lieu of paying development contributions.

In favour Councillors Kershaw, Rimmer, D Brown, Colacino, Walters, Dorahy and Bradbery
Against Councillors King, Connor, Cox and Blakey

RETURN OF COUNCILLOR

Councillor T Brown returned to the meeting, the time being 7.42 pm.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 2, Councillor Dorahy departed the meeting, the time being from 7.43 pm. Councillor Dorahy did not return to the Chamber.

ITEM 2 - POLICY REVIEW: ESTABLISHMENT AND MAINTENANCE OF ALCOHOL FREE ZONES ON PUBLIC ROADS AND FOOTPATHS COUNCIL POLICY

115 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Connor that The Establishment and Maintenance of Alcohol Free Zones on Public Roads and Footpaths Council Policy be adopted.

A PROCEDURAL MOTION was MOVED by Councillor Cox seconded Councillor Blakey that Item 3 be Laid on the Table.

The PROCEDURAL MOTION was PUT to the VOTE and was LOST, therefore debate continued.

In favour Councillors Cox, Blakey and King

Against Councillors Kershaw, Rimmer, D Brown, T Brown, Colacino, Walters, and Bradbery

ITEM 3 - REVIEW OF ALCOHOL FREE ZONES

116 COUNCIL'S RESOLUTION - RESOLVED on the motion of Councillor D Brown seconded Councillor Rimmer that -

- 1 Council endorses the renewal of Alcohol Free zones in Helensburgh, Thirroul, Corrimal, Wollongong, Berkeley, Warrawong and Dapto as shown in Attachment 1 of the report for a period of four years.
- 2 Council adopts the replacement and updated Alcohol Free zone signage to be installed in Helensburgh, Thirroul, Corrimal, Wollongong, Berkeley, Warrawong and Dapto.
- 3 That consideration of Osborne Park as an Alcohol Prohibited Area be deferred until after the proposal has been placed on public exhibition for at least 28 days and that residents near the Park be notified by letter of the exhibition.
- 4 Council adopts a maximum of 10 events per annum in each of the following City Centre areas to be exempt from alcohol prohibition: Upper Crown Street Mall; Lower Crown Street Mall; Globe Lane; the Arts Precinct; and Wollongong Foreshore area (refer Attachment 3 of the report).
- 5 Authority is delegated to the General Manager to suspend the Alcohol Free Zone in other areas to a maximum of two events per year.
- 6 The exemptions in both Parts 4 and 5 be subject to the relevant event organiser undertaking a formal event approval process, including obtaining development consent, liaising with NSW Police and obtaining approval for a liquor licence from Liquor and Gaming NSW, and that all conditions for the safe delivery of an event be the responsibility of the event organiser.

In favour Councillors Kershaw, Rimmer, D Brown, T Brown, King, Connor, Colacino, Walters and Bradbery

Against Councillors Cox and Blakey

ITEM 4 - POLICY REVIEW: CCTV AND CODE OF PRACTICE

- 117 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Cox seconded Councillor Blakey that the matter be deferred and returned to Council following a Councillor Briefing.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 5, Councillor Cox departed the Chamber and returned to the meeting, the time being from 8.24 pm to 8.25 pm.

ITEM 5 - WOLLONGONG HARBOUR MASTERPLAN SUBMISSION

- 121 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that Council –
- 1 Note and thank the Department of Industry for the development of the Draft Wollongong Harbour Master Plan and supporting documents in consultation with Council and the Wollongong community.
 - 2 Endorse Council's submission on the Draft Wollongong Harbour Master Plan as contained in the body of this report with the following amendments:
 - a Supports the vast majority of inclusions in the Master Plan elements and is particularly supportive of the proposed pedestrian access improvements and improvements to the Central Pier, but excluding the long term plans to utilise alternative sites for boat building and maintenance.
 - b Inclusion of a statement that Council recognises the importance of water quality and supports the installation of stormwater control devices and reduction of single use plastics
 - c Inclusion of an additional Point labelled 8.d - Safe pedestrian access on the unnamed access road located behind the fishing Co-op building towards Endeavour Drive.
 - 3 Grant the General Manager authority to finalise the submission and forward it to the NSW Department of Industry by 7 September 2018.

Variation The following variations were accepted by the mover and seconder -

- *Councillor Colacino (the addition of Point 2a).*
- *Councillor Blakey (the addition of Point 2b).*
- *Councillor Cox (the addition of Point 2c).*

ITEM 6 - DELEGATION OF FUNCTIONS OF COUNCIL TO THE GENERAL MANAGER

The following staff recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 113).

COUNCIL'S RESOLUTION -

- 1 Council delegate to the General Manager all of the delegable functions of the Council, but excluding:
 - a Those functions specified in clauses (a) to (u) of section 377(1) of the Local Government Act 1993.
 - b The granting of leases of Council property where the total lease rental payable to Council for the term of the lease is more than \$1 million (including GST).
 - c The granting of leases of Council property where the term of the lease is for 10 years or more.
 - d The acceptance of tenders required to be invited pursuant to section 55 of the Local Government Act 1993 as at the date of this delegation.
- 2 Council fix the amount of \$3,000 as the amount above which any individual rate charge or debt owed to the Council may be written off only by resolution of the Council pursuant to clauses 131(1) and 213(2) of the Local Government (General) Regulation 2005.

ITEM 7 - POLICY REVIEW: PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO THE LORD MAYOR AND COUNCILLORS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 113).

COUNCIL'S RESOLUTION -

- 1 Endorse the renaming of the "Payment of Expenses and Provision of Facilities to the Lord Mayor and Councillors" Policy to "Councillor Expenses and Facilities" Policy; and
- 2 Adopt in principle the draft Councillor Expenses and Facilities Policy subject to it being placed on public exhibition for a period of not less than 28 days, inviting submissions from the public;
- 3 Receive a further report on the Councillor Expenses and Facilities Policy, including a summary of any submissions received prior to formal adoption of the Policy.

ITEM 8 - TENDER T18/09 - SUPPLY, INSTALL AND OPERATION OF CUSTOMER LAUNDRY EQUIPMENT AT WOLLONGONG CITY TOURIST PARKS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 113).

COUNCIL'S RESOLUTION -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accepts the tender of Simpard Pty Ltd for supply, installation and operation of Customer Laundry equipment at Wollongong City Tourist Parks in accordance with Tender T18/09, in return for 35% of takings remitted to Council.
- 2 Council delegates 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 grants 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 - TENDER T18/12 - ESTABLISHMENT OF CCTV INSPECTION AND REPORTING OF STORMWATER PIPELINES PANEL

The following staff recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 113).

COUNCIL'S RESOLUTION -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tenders of:
 - a Ken Barnes Pty Ltd
 - b Aqua Assets Pty Ltd
 - c Total Drain Cleaning Pty Ltd
 - d Killard Excavation

for CCTV inspection and reporting of stormwater pipelines to Council in accordance with the tendered schedule of rates contained in Table 2 of this report. The term of the contract is one year from the commencement date, with four possible extensions of one year each at the sole discretion of Council.
- 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 10 - PROPOSED ACQUISITION FOR ROAD WIDENING - PROPOSED LOT 67 IN DP241188 BEING PART LOT 4 IN DP36010

The following staff recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 113).

COUNCIL'S RESOLUTION -

- 1 Council acquires proposed Lot 67 in Deposited Plan 241188, being part Lot 4 in Deposited Plan 36010 for the purpose of road widening, under the following conditions -
 - a Compensation be paid in the amount of \$91,000 (excluding GST).
 - b Council assumes responsibility for all costs including valuation, transfer, legal, replacement or relocation of fencing, letterbox and water meter, if required.
- 2 Council (or its nominated contractor) completes the works associated with the replacement or relocation of the boundary fencing, landscaping, letterbox and water meter on a like for like basis.
- 3 Upon acquisition being finalised, the land be dedicated as public road pursuant to Section 10 of the Roads Act 1993.
- 4 The Lord Mayor and General Manager be granted authority to affix the Common Seal of Council to the transfer documents and any other documentation required to give effect to this resolution.

ITEM 11 - DRAFT QUARTERLY REVIEW STATEMENT JUNE 2018

The following staff recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 113).

COUNCIL'S RESOLUTION -

- 1 The draft Quarterly Review Statement June 2018 be adopted.
- 2 Council approve the transfer to Strategic Projects internally restricted cash \$1.1 million representing the improvement in the Available Funds result for the year ending 30 June 2018.

ITEM 12 - JULY 2018 FINANCIALS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 113).

COUNCIL'S RESOLUTION -

- 1 The financials be received and noted.
- 2 Council approves the proposed changes to the Capital Budget.
- 3 Council approves the introduction of contributed assets and associated funding.

ITEM 13 - STATEMENT OF INVESTMENT - JULY 2018

The following staff recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 113).

COUNCIL'S RESOLUTION - Council receive the Statement of Investment for July 2018.

ITEM 14 - CITY OF WOLLONGONG TRAFFIC COMMITTEE - MINUTES OF MEETING HELD 8 AUGUST 2018

The following staff recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 113).

COUNCIL'S RESOLUTION – In accordance with the powers delegated to Council, the Minutes and recommendations of the City of Wollongong Traffic Committee held on 8 August 2018 in relation to Regulation of Traffic be adopted.

ITEM 15 - ANNUAL TABLING OF RETURNS OF DISCLOSURES OF INTEREST AND OTHER MATTERS - 2017 TO 2018

- 119** **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the Motion of Council D Brown seconded Councillor T Brown that Council defer the consideration of the Annual Returns of Disclosures of Interests and Other Matters as required by Section 450A of the Local Government Act 1993 until the October 2018 Council Meeting.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 15, Councillor Blakey departed and returned to the meeting, the time being from 9.41 pm to 9.46 pm.

ITEM A - NOTICE OF MOTION - COUNCILLOR RIMMER - RENEW OUR LIBRARIES

120 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Rimmer seconded Councillor Walters that Wollongong City Council –

- 1 Recognises the important role public libraries play in our community.
- 2 Supports the 'Renew our Libraries' campaign.
- 3 Provide a link to the 'Renew our Libraries' petition via Council's Website.
- 4 Calls on the NSW Government to increase funding to public libraries."

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item B, Councillor Blakey departed and returned to the meeting, the time being from 8.54 pm to 8.55 pm.

ITEM B - NOTICE OF MOTION - COUNCILLOR COLACINO - DEER CULLING

121 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the Motion of Councillor Colacino, seconded Councillor Walters that Council –

- 1 Write to Local Members of Government, Lee Evans, Ryan Park, Paul Scully, the Parliamentary Secretary for the Illawarra, Mr Gareth Ward, Member for Shellharbour, Anna Watson, and adjoining Councils, to highlight the growing problem the introduced deer species are having on the Illawarra.
- 2 Inform the Members that due to the Escarpment Protection Zone, the Water Catchment Area as well as the National Parks that surround Wollongong, the population of feral deer within our LGA is rapidly growing at an unmanageable rate.
- 3 Highlight within the letter the damage the deer are causing to the local residential, rural areas, escarpment and wider natural environment as well as exposing road users to increased risk due to the expanding deer population.
- 4 Ask them to recognise the need for an increase in the State Government's financial commitment to a wider and more comprehensive humane culling program and call on the State Government to formally declare deer a pest species.
- 5 Suggest that the enhanced financial assistance could be managed through Council and the Local Land Services.
- 6 A report, in the form of a briefing, come to Council no later than 5 November, that details the responses to the letters written and what actions, by State Government, Local Land Services and Local Council, can and will be taken in the future to further help eradicate the growing wild deer problem.
- 7 A report be submitted to Council on the impact to farmers and the implications of the deer being classified as a feral pest.

Variation The following variations were accepted by the mover and seconder.

Councillor King –

- *the addition of "and adjoining Councils" to Point 1.*
- *the addition of "rural areas, escarpment" to Point 3.*
- *the addition of Point 7.*

Variation

The following variations were accepted by the mover and seconder –

Councillor D Brown -

- the addition of “Member for Shellharbour, Anna Watson” to Point 1.*
- The addition of “and call on the State Government to formally declare deer a pest species.”*

A PROCEDURAL MOTION was MOVED by Councillor Connor seconded Councillor Cox that Councillor Colacino be granted an additional minute to address the meeting in relation to Item B. The PROCEDURAL MOTION on being PUT to the VOTE was CARRIED.

DEPARTURE OF COUNCILLOR

Due to a prior Disclosure of Interest in Item C, the time being 9.12 pm, Councillor Colacino departed the Chambers and did not participate in debate and voting and returned at 9.40 pm.

ITEM C - NOTICE OF MOTION - COUNCILLOR BLAKEY - FIVE ISLANDS MARINE SANCTUARY

122 MOVED by Councillor Blakey, seconded Councillor Cox that:

- Council notes -
 - The Release of Phase Three of the NSW Government’s Hawkesbury Shelf Marine Bioregion Assessment including a new marine park proposal for the region and a six week community consultation.
 - As part of the Plan
 - a proposal for new protections as part of a proposed Sanctuary and Special Purpose Zones around Five Islands’ group; and
 - a proposed Special Purpose Zone around the already approved Wollongong Artificial Reef site.
 - The closing date for public submissions to the Plan is 27 September 2018.
- Council staff make a submission supporting these proposed marine park protections and encouraging the NSW Government to consider further appropriate Sanctuary Zone options for the Wollongong coastline, only if these are supported by rigorous scientific backup and clear policy objectives.
- Council’s submission make strong recommendations to the NSW Government to ensure an effective community awareness program is implemented to inform residents of the new zoning once in place as well as long-term enforcement to ensure the success of the protected sites.
- Council’s submission request the Proposed Management Rules clarify the intent of the no-collection clause for invertebrates within the Special Purpose zone.

The MOTION on being PUT to the VOTE was LOST.

Variation The following variations were accepted by the mover and seconder –

Councillor D Brown:

- the addition of “only if these are supported by rigorous scientific backup and clear policy objectives” to Point 2.*
- The addition of Point 4.*

In favour Councillors Cox, Blakey and Bradbery

Against Councillors Kershaw, Rimmer, D Brown, T Brown, King, Connor and Walters

CLOSED COUNCIL SESSION

The Lord Mayor called for a motion to close the meeting to consider the following reports which deal with:

- 1 Item C1 the Performance Review Committee Report – General Manager’s Annual Performance Review in accordance with Section 10A(2)(a) of the Local Government Act 1993.
- 2 Item C2 Signature Event 2022 in accordance with Section 10A(2)(d(ii)) of the Local Government Act 1993.

123 COUNCIL’S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Walters seconded Councillor Rimmer that the meeting move into Closed Session to consider the following items:

- 1 The Signature Event 2022 in accordance with Section 10A(2)(d(ii)) of the Local Government Act 1993 on the basis that –
 - a The report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
 - b On balance, the public interest in preserving the confidentiality of the information supplied outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting.”
- 2 Matters relating to the General Manager’s Performance Review 2017/18 and Performance Agreement 2018/19 and related matters. The review and agreement contains personal matters concerning a particular individual. Therefore warrants the matter being dealt with in closed session.

Prior to putting the above Motion to the vote, the Lord mayor advised members of the press that in accordance with Section 10A (4) of the Local Government Act, I invite members of the gallery to make representations to the Council meeting as to whether this part of the meeting should be closed.

- 1 Members of the gallery are advised that Item C2 relates to the Signature Event 2022 and is classified as Confidential as the report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
- 2 Matters in C1 relating to the General Manager’s Performance Review 2017/18 and Performance Agreement 2018/19 and related matters. The review and agreement contains personal matters concerning a particular individual. Therefore warrants this matter being dealt with in closed session.

There being no representations made by members of the gallery, the MOTION was PUT to the VOTE and was CARRIED UNANIMOUSLY.

At this stage, the time being 9.41 pm, members of the gallery and press departed the Chamber.

The meeting moved into Closed Session, the time being 9.42 pm.

ITEM C2 – SIGNATURE EVENT 2022

In accordance with the PROCEDURAL MOTION relating to the Call of the Agenda, this Item was considered prior to Item C1.

124 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Walters that –

- 1 Council endorse a collaborative bid to host the event in the City in 2022 through a total in-kind and/or cash contribution up to the limit as outlined in the report.
- 2 Should the bid be successful the matter return to Council for further consideration.

EXTENSION OF MEETING TIME

During the debate on Item C2, a PROCEDURAL MOTION was MOVED by Councillor T Brown seconded Councillor Colacino that the meeting time be extended by 30 minutes.

At this stage, the time being 10.13 pm, all staff members vacated the Chamber. The Executive Officer to the Lord Mayor, the Lord Mayor and Councillors present remained in the Chamber to consider Item C1.

In accordance with the PROCEDURAL MOTION relating to the Call of the Agenda, this Item was considered after Item C2.

ITEM C1 – PERFORMANCE REVIEW COMMITTEE REPORT – GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW

125 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Cox that –

- 1 Council note the General Manager's Performance Agreement Review 2017-2018.
- 2 Council note the General Manager's Performance Agreement 2018-2019.
- 3 Council note there is no change proposed to the General Manager's remuneration package except for appropriate adjustments arising from the annual determination of the Statutory and Other Officers Remuneration Tribunal.
- 4 Council endorses the Lord Mayor and the Deputy Lord Mayor to have discussions with the General Manager about his contract.

126 **COUNCIL'S RESOLUTION** - RESOLVED on the motion of Councillor Colacino seconded Councillor Walters that the meeting move out of Closed Session and into Open Council.

Members of the gallery and staff were invited back into the Chamber.

The Lord Mayor advised the meeting of Council's resolutions whilst in Closed Session (refer to Minute Numbers 124 and 125).

THE MEETING CONCLUDED AT 10.28 PM.

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 24 September 2018.

Chairperson