



MINUTES

ORDINARY MEETING OF COUNCIL

at 6:00 pm

Monday 8 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 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

Manager Governance + Customer Service

Manager Property + Recreation (attended via audio-visual link)

Manager City Strategy

Manager Development Assessment + Certification

Manager Infrastructure Strategy + Planning

Manager Open Space + Environmental Services (attended via audio-visual link)

Manager Community Cultural + Economic Development

Manager Library + Community Services

Greg Doyle

Joanne Page

Linda Davis

Renee Campbell

Kerry Hunt

Brian Jenkins

Todd Hopwood

Lucielle Power

Chris Stewart

Mark Adamson

Jeremy Morgan

Paul Tracey

Sue Savage

Jenny Thompson

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 6 February 2023 to grant Councillor Figliomeni a leave of absence from 11 April 2023 to 14 May 2023.

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

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## CLOSED SESSION

### ITEM C1 CONFIDENTIAL: Renewal of General Manager's Contract

#### 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.*

## CONFLICTS OF INTERESTS

Councillor Mithra Cox declared a non-significant, non-pecuniary conflict in Item 6 - Post Exhibition - Sportsgrounds and Sporting Facilities Strategy 2023-2027 and Item 10 – Sports Grants Program Assessment Outcome 2023-2024, as she plays for Figtree Football Club and her children play for Football South Coast Flames. As she does not have any management or executive responsibility at either sporting organisation, Councillor Cox advised she would remain in the meeting during debate and voting on both items.

## CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 3 APRIL 2023

- 814 **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, 3 April 2023 (a copy having been circulated to Councillors) be taken as read and confirmed.

## PUBLIC ACCESS FORUM

ITEM NO	TITLE	NAME OF SPEAKER
1	Public Exhibition – Bulli Showground Master Plan	Alastair Yorke Illawarra Folk Club Against Recommendation
Non-Agenda Item	Information regarding public engagement on the Aboriginal and Torres Strait Islander Voice	Daniel Bourke

- 815 **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

- 816 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Walters that the staff recommendations for Items 2 to 5 inclusive then 7 to 18 inclusive be adopted as a block.

## ITEM 1 - PUBLIC EXHIBITION - BULLI SHOWGROUND MASTER PLAN

- 817 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor R Martin that -

- 1 Council endorse the draft Bulli Showground Master Plan for public exhibition from 15 May to 12 June 2023.
- 2 Following exhibition, Council receives a further report with an updated Master Plan incorporating the community engagement findings.

## **ITEM 2 - PUBLIC EXHIBITION - DRAFT WOLLONGONG DEVELOPMENT CONTROL PLAN 2009 CHAPTER D21 - TALLAWARRA LANDS SITE**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 816)

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

- 1 The submitted draft Wollongong Development Control Plan 2009 - Chapter D21 – Tallawarra Lands be amended in accordance with the changes outlined in the report and requested information being submitted to Council within three months.
- 2 The draft Wollongong Development Control Plan 2009 - Chapter D21 – Tallawarra Lands be exhibited for a minimum period of 28 days, following the amendments being made to the satisfaction of staff.

## **ITEM 3 - POST EXHIBITION - ELECTRIC VEHICLE CHARGING INFRASTRUCTURE ON COUNCIL LAND POLICY**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 816)

**COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Walters that the draft Electric Vehicle Charging Infrastructure on Council Land Policy be adopted as a Council Policy.

## **ITEM 4 - POST EXHIBITION - DRAFT MULLET CREEK FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 816)

**COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Walters that the Mullet Creek Floodplain Risk Management Study and Plan (as amended) be adopted.

## **ITEM 5 - POST EXHIBITION - 'PLACES FOR THE FUTURE' SOCIAL INFRASTRUCTURE FUTURE DIRECTIONS PLAN 2023-2036'**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 816)

**COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Walters that the draft *Places for the Future* - Social Infrastructure Future Directions Plan: 2023-2036 is adopted.

## **ITEM 6 - POST EXHIBITION - SPORTSGROUNDS AND SPORTING FACILITIES STRATEGY 2023-2027**

**818** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Cox seconded Councillor Walters that Council -

- 1 Endorse the Sportsgrounds and Sporting Facilities Strategy 2023-2027.
- 2 Note the Sportsgrounds and Sporting Facilities Strategy 2023-2027 Implementation Plan.
- 3 Note the Sportsgrounds and Sporting Facilities Strategy 2023-2027 Engagement Report.

### **ITEM 7 - POST EXHIBITION: COUNCIL CODE OF BUSINESS ETHICS**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 816)

**COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Walters that Council adopt the revised Council Code of Business Ethics.

### **ITEM 8 - RISK MANAGEMENT FRAMEWORK**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 816)

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

- 1 The Draft Risk Management Framework be placed on public exhibition for a period of 21 days.
- 2 A further report be provided to Council at the conclusion of the exhibition period.

### **ITEM 9 - INTERNAL AUDIT CHARTER**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 816)

**COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Walters that the Internal Audit Charter be adopted by Council.

### **ITEM 10 - SPORTS GRANTS PROGRAM ASSESSMENT OUTCOME 2023-2024**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 816)

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

- 1 Council endorse the allocated points, rankings, and recommendations of the Sports and Facilities Reference Group assessment panel.
- 2 A sum of \$423,735.95 from the Sports Reserve fund is allocated to fund 10 projects that have met the criteria as determined by Sports and Facilities Reference Group assessment panel.

### **ITEM 11 - TRANSFER OF OWNERSHIP OF UNFORMED AND UNNAMED ROAD LOT 1 DP 56059 OTFORD TO NATIONAL PARKS AND WILDLIFE SERVICES TO FORM PART OF ROYAL NATIONAL PARK**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 816)

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

- 1 Council supports the proposal by the National Parks and Wildlife Service to formally reserve the unnamed road reserve that traverses Lot 1 DP 56059 as shown crosshatched on Attachments 1 and 2, as National Park, effectively closing the road reserve and transferring ownership to the National Park and Wildlife Services.
- 2 The National Parks and Wildlife Services be responsible for preparation, and if necessary, registration of all necessary documentation to effect the reservation.
- 3 The National Parks and Wildlife Services be responsible for any and all costs in relation to this matter.

- 4 Approval be granted to affix the Common Seal of Council to any documentation required to give effect to this resolution.

**ITEM 12 - LEAVE OF ABSENCE - COUNCILLOR JANICE KERSHAW - 8 MAY 2023 TO 30 JUNE 2023**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 816)

**COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Walters that leave of absence be granted to Councillor Kershaw for the period 8 May 2023 to 30 June 2023.

**ITEM 13 - TENDER T1000093 - DRAINAGE OUTLET STRUCTURE RECONSTRUCTION - CLIFF PARADE, THIRROUL**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 816)

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

- 1 a In accordance with Section 178(3)(e) of the Local Government (General) Regulation 2021, following no tender submissions being received, Council resolve to enter into negotiations with a suitably qualified and experienced parties with a view to entering into a contract in relation to the subject matter of the tender.
- b In accordance with Section 178(4) of the Local Government (General) Regulation 2021, the reason for Council hereby resolving to enter into negotiations and not inviting fresh tenders is that it is anticipated that a satisfactory outcome can be achieved.
- 2 Council delegate to the General Manager the authority to undertake and finalise the negotiations with suitably qualified and experienced parties, with a view to entering into a contract in relation to the subject matter of the tender.
- 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 14 - TENDER T1000096 - CORRIMAL BEACH TOURIST PARK AMENITIES BLOCKS 3 AND 4 - ROOF REPLACEMENT WORKS**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 816)

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

- 1 In accordance with Section 178(1)(a) of the Local Government (General) Regulation 2021, Council accept the tender of Batmac Constructions Pty Ltd for Corrimal Beach Tourist Park Amenities Blocks 3 and 4 - Roof Replacement Works, in the sum of \$452,769.40, inclusive 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 15 - MARCH 2023 FINANCIALS**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 816)

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

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

### **ITEM 16 - STATEMENT OF INVESTMENT - MARCH 2023**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 816)

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

### **ITEM 17 - TABLING OF RETURNS OF DISCLOSURES OF PECUNIARY INTEREST AND OTHER MATTERS - MAY 2023**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 816)

**COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Walters that Council note the tabling of the Returns of Disclosures of Interest as required by Part 4 of the Model Code of Conduct.

### **ITEM 18 - CITY OF WOLLONGONG TRAFFIC COMMITTEE MINUTES OF MEETING HELD ON 11 APRIL 2023**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 816)

**COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Walters that in accordance with the delegated authority to Council, the Minutes and Recommendations of the Wollongong Traffic Committee held on 11 April 2023 in relation to regulation of Traffic as outlined within this report, be adopted.

## **CLOSED COUNCIL SESSION**

The Lord Mayor called for a motion to close the meeting to consider a Confidential item, which deals with a report to Council regarding the Renewal of the General Manager's Contract

Prior to putting the Motion to the vote, the Lord Mayor advised the meeting that Item C1 relates to a report to Council regarding the renewal of the General Manager's contract and that it is classified as Confidential for the following reason –

Section 10A(2) (a) of the Local Government Act 1993, permits the meeting to be closed to the public, as the report contains personnel matters concerning particular individuals.

819 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor T Brown seconded Councillor Dorahy that –

- 1 The meeting move into Closed Session to consider a report to Council regarding Renewal of General Manager's Contract, in accordance with Section 10A(2)(a) of the Local Government Act, 1993, which permits the meeting to be closed to the public as the report contains personnel matters concerning particular individuals.



- 2 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 matters in open meeting.

The MOTION on being PUT to the VOTE was CARRIED UNANIMOUSLY.

The meeting moved into Closed Session, the time being 6:47 pm.

#### **ITEM C1 - RENEWAL OF GENERAL MANAGER'S CONTRACT**

**820 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor T Brown seconded Councillor Walters that –

- 1 Wollongong City Council note that based on the Local Government NSW General Manager Remuneration Report 2021/2022, the median salary for General Managers of Urban Very Large Councils in NSW is \$492,446 per annum.
- 2 Wollongong City Council offer Mr Greg Doyle a five-year contract as General Manager effective from 3 June 2023 with a Total Remuneration Package of \$492,500 per annum.

**821 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor T Brown seconded Councillor R Martin that the meeting move out of Closed Session and into Open Council.

Council resumed into Open Session at 6:52 pm.

#### **OPEN COUNCIL SESSION**

##### **RESOLUTIONS FROM THE CLOSED SESSION OF COUNCIL**

The Lord Mayor advised the meeting of the Council's Resolutions whilst in Closed Session (refer Minute Number 820)

#### **THE MEETING CONCLUDED AT 6:54 PM**

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Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 29 May 2023.

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Chairperson