

MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 13 August 2018

Present

Lord Mayor – Councillor Bradbery AM (in the Chair), Councillors Blakey, D Brown, T Brown, Cox, Dorahy, Figliomeni, Kershaw, King, Rimmer and Walters

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, Manager Community Cultural and Economic Development – K Hunt, 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 City Works and Services – M Roebuck, Manager Project Delivery (Acting) – P Silveri, Manager Infrastructure Strategy and Planning – M Dowd

Apologies

Min No.



COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Dorahy that the apology tendered on behalf of Councillors Connor and Colacino be accepted and leave of absence granted.



ITEM C1

Reason for Confidentiality

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CLOSED S	ESSION	0

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)(b) of the Local Government Act, 1993, as the report contains discussion in relation to the personal hardship of a resident or ratepayer.

Confidential – Waiver of Interest – Rates Assessment No 32483 5

Minute No.

DISCLOSURE OF INTERESTS

Councillor G Bradbery declared a non-significant, non-pecuniary interest in Item A as he is a patron of the organisation known as SCARF.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 23 JULY 2018

95 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Rimmer that the Minutes of the Ordinary Meeting of Council held on Monday, 23 July 2018 (a copy having been circulated to Councillors) be taken as read and confirmed.

ATTENDANCE OF COUNCILLOR

During Public Access Forum, Councillor King arrived at the meeting, the time being 6.05 pm.

PUBLIC ACCESS FORUM - NOTICE OF MOTION - COMMUNITY SPONSORSHIP PROGRAM FOR REFUGEES

Ms J Cipants, on behalf of Amnesty International Wollongong Group, thanked the Lord Mayor, Councillors and members of the public for the opportunity to address Council.

Ms Cipants advised that she was a local and long standing spokesperson for Amnesty International in Wollongong and was seeking Council's support for a humane and sensible expansion to a Community Sponsorship Program for refugees in Australia.

She added, community sponsorship is a method of refugee resettlement that typically sits alongside government sponsorship programs. Individuals, communities or businesses pay the resettlement costs that would normally be paid by government. As part of Australia's Humanitarian Program we currently have a Community Support Program with a limit of 1,000 places per year. There are three (3) problems with the current program:

- 1 It comes out of the humanitarian program. It does not provide additional sponsored places.
- 2 It is very expensive, making it difficult for Australian groups or individuals to help.
- 3 It is likely to be quite restrictive in who can sponsor.

Amnesty International is asking Wollongong City Council to reaffirm its support for refugees and to call on the Federal Government to adapt and expand a Community Sponsorship Program in Australia. We ask that the Program become more accessible for community sponsors and increases the number of people who are granted humanitarian entry to Australia.

Ms K Sattler, as an advocate for local refugees in her paid work at the Illawarra Women's Health Centre and volunteer for SCARF also spoke in support of the Motion on the subject of Sponsorship of Refugees.

Ms K Sattler, advised she worked with a large Syrian family of 31 who began arriving in Wollongong in 2016. She stated the current Federal Government Policy regarding community sponsorship of refugees is unaffordable, bureaucratic and unhelpful.

Ms K Sattler added, it also undermines the current UN humanitarian category of refugee intake. The costs of \$30,000 or more are prohibitive for most individuals and communities to sponsor refugees and explains why the policy has been a failure to date.

She further added, for a welcoming community like Wollongong it ties our hands in being able to do the best job we can to help welcome and settle refugees and for that reason we should support this motion.



OUNCIL'S RESOLUTION – RESOLVED on the motion of Councillor D Brown seconded Councillor Rimmer that all speakers be thanked for their presentation and invited to table their notes.

CALL OF THE AGENDA

97 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that the staff recommendations for Items 4, 7, 9 to 15 inclusive be adopted as a block.

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

ITEM C – LORD MAYORAL MINUTE - COUNCILLOR BRADBERY – 20TH ANNIVERSARY OF 1998 WOLLONGONG FLOODS

This Item was considered after the numbered agenda Items. Refer to Minute number 104.

ITEM A - NOTICE OF MOTION - COUNCILLOR COX - COMMUNITY SPONSORSHIP PROGRAM FOR REFUGEES

This Item was considered after the numbered agenda Items. Refer to Minute number 105.

ITEM B - NOTICE OF MOTION - COUNCILLOR DORAHY - REQUEST FOR WOLLONGONG CITY COUNCIL COUNCILLORS AND STAFF TO ASSIST FUNDRAISING EVENT - 'WOLLONGONG BECOMES FARMER FOR A DAY"

This Item was considered after the number agenda Items. Refer to Minute number 106.

ITEM 1 - NEW POLICY: UNSOLICITED PROPOSALS COUNCIL POLICY - POST EXHIBITION REPORT

- 98 COUNCIL'S RESOLUTION RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that -
 - Any reference to the 'Corporate Governance Committee' be amended to read 'Audit, Risk and Improvement Committee'.
 - 2 The projected 12 month review be accompanied with a confidential information note outlining all proposals submitted and how they were assessed.
 - Inclusion at Clause 1.4 in the Policy that 'Councillors will be notified by a Confidential note an unsolicited proposal (including some detail) has been received, and now that formal processes are in place, Councillors are obliged to no longer engage with any party informally'.

Variation

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



ITEM 2 - PLANNING PROPOSAL AND PLANNING AGREEMENT - LOT 5 DP 1132746 NORTH MARSHALL MOUNT ROAD, MARSHALL MOUNT - POST EXHIBITION

99 COUNCIL'S RESOLUTION – RESOLVED on the motion of Councillor King seconded Councillor Dorahy that -

The Draft Planning Proposal for Lot 5 DP 1132746 North Marshall Mount Road, Marshall Mount, be progressed by -

- Finalising the Planning Proposal that seeks to permit subdivision of the site to create two additional lots with a dwelling house on each lot by reducing the Minimum Lot Size to 4.99 ha, 9.99 ha and 14.99 ha.
- 2 Finalising the Planning Agreement immediately following advice from NSW Department of Planning and Environment of the making of arrangements for drafting to give effect to the final Proposal.
- 3 Submitting the Planning Proposal to NSW Department of Planning and Environment for the making of arrangements for drafting to give effect to the final proposal.
- 4 Dedication of 14.8 ha of Lots 3 and 4 DP 216373 Dombarton to the Illawarra Escarpment.
- Noting that the General Manager will thereafter proceed to exercise delegation issued by NSW Department of Planning and Environment under Section 3.36 of the Act, in relation to the final Planning Proposal.

In favour Councillors Kershaw, Rimmer, D Brown, T Brown, King, Walters, Dorahy, Figliomeni and Bradbery

Against Councillors Cox and Blakey

ITEM 3 - APPOINTMENT OF MEMBERS TO THE AUDIT, RISK AND IMPROVEMENT COMMITTEE

- 100 COUNCIL'S RESOLUTION RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Dorahy that Council
 - 1 Appoint the following independent members to the Audit, Risk and Improvement Committee, for the terms specified:
 - a Terry Clout to 30 September 2020.
 - b Catherine Hudson to 30 September 2021.
 - c Stephen Horne to 30 September 2022.
 - 2 Elect two Councillor delegates and one alternate Councillor delegate to the Committee for a period determined by the Council, with elections to be conducted by open means on a show of hands.
 - 3 Appoint a Chairperson at the Ordinary Council meeting scheduled for 24 September 2018.
 - 4 Formally thank all members of the existing Corporate Governance and Audit Committees for their service and advice to Council.

In relation to Point 2 above, the election was undertaken and after nominations two (2) Councillor delegates were appointed, being Councillors Cox and Dorahy. One (1) Alternate Councillor delegate was appointed, being Councillor Figliomeni.



ITEM 4 - PROPOSED NAMING OF UNNAMED VEHICULAR ACCESSWAY AT COALCLIFF

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION – Action be taken under Section 162 of the Roads Act 1993 to name the unnamed vehicular accessway from Lawrence Hargrave Drive to Coalcliff Surf Lifesaving Club, shown by black dashed line on the attachment to this report, as "Bombora Way".

ITEM 5 - PROPOSED NAMING OF FOUR UNNAMED LANES IN CORRIMAL

101 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Cox that action be taken under Section 162 of the Roads Act 1993, to name the four unnamed lanes at Corrimal shown on the attachment to this report, as Summerhill Lane, Rosalia Lane, Bignell Lane and Festivus Lane.

RETURN OF COUNCILLOR

During debate and prior to voting on Item 6, Councillor Walters departed the Chambers and returned to the meeting, the time being 6.46 pm.

ITEM 6 - POLICY REVIEW: CITY OF WOLLONGONG FLAG COUNCIL POLICY

- 102 COUNCIL'S RESOLUTION RESOLVED UNANIMOUSLY on the motion of Councillor T Brown seconded Councillor Rimmer that
 - 1 The City of Wollongong Flag Council Policy be adopted.
 - An additional flag pole be erected to demonstrate support for initiatives occurring within the community or Council, such as Sister City visits, civic engagement, special events or other community engagement purposes.
 - 3 Council Officers to determine the location within Arts Precinct and advise of any financial implications.

ITEM 7 - POLICY REVIEW: CIVIC RELATIONS COUNCIL POLICY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION – The Civic Relations Council Policy be adopted.

ITEM 8 - POLICY REVIEW: COMMUNITY RECOGNITION PROGRAM COUNCIL POLICY

103 COUNCIL'S RESOLUTION – The Community Recognition Program Council Policy be adopted, with the words "but not limited to" inserted at Section 2 of the Policy, prior to "Citizen of the Year" and in Section 7 three (3) years be amended to "two (2) years" after the words "considered posthumously and not prior to".



ITEM 9 - POLICY REVIEW: CROWN STREET MALL AND WOLLONGONG ARTS PRECINCT SMOKE-FREE COUNCIL POLICY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION -

- Both the Wollongong Arts Precinct Smoke-Free Council Policy and the Crown Street Mall Smoke-Free Council Policy, be revoked by Council.
- 2 The Crown Street Mall and Wollongong Arts Precinct Smoke-Free Council Policy be adopted.

ITEM 10 - TENDER ISJO 02/2018 - ILLAWARRA AND SHOALHAVEN JOINT ORGANISATION - LANDFILL GAS MANAGEMENT SERVICES

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION -

- In accordance with clause 178 (1)(b) of the Local Government (General) Regulation 2005, Council decline to accept any of the tenders received for ISJO 02/2018 and resolve to enter into negotiations with one or both tenderers or any other party with a view of entering into a contract in relation to the subject matter of the tender.
- 2 In accordance with clause 178 (4) of the Local Government (General) Regulation 2005, the reason for Council hereby resolving to enter into negotiations with one or both tenders or any other party and not inviting fresh tenders is that it is anticipated that a satisfactory outcome can be achieved with one of those parties who demonstrate a capacity and ability to undertake the works.
- 3 Council delegate to the General Manager the authority to undertake and finalise the negotiations with one or both tenders or any other party, as to satisfy specification and contract requirements.

ITEM 11 - TENDER T17/51 - DESIGN CERTIFICATION AND CONSTRUCTION SUPPORT SERVICES FOR HELENSBURGH LANDFILL REHABILITATION PROJECT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION -

- 1 Council in accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of SMEC Australia Pty Ltd for Design Certification and Construction Support Services for Helensburgh Landfill Rehabilitation Project under the tendered schedule of rates contained in Table 2 of this report.
- 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 - PROPOSED ACQUISITION OF PORTION OF LOT 209 DP 9943 NO 1 MURRAY ROAD, EAST CORRIMAL FOR ROAD WIDENING

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION -

- Council acquire Lot 124 DP 240922 for road widening, being the portion of Lot 209 DP 9943 No 1 Murray Road, East Corrimal shown on Attachment 1, on the following conditions:
 - a Compensation be paid in the amount of \$40,000 (GST does not apply).
 - b Council be responsible for all costs in the matter including valuation, transfer, legal and fence relocation costs, if required.
- 2 Upon acquisition, the land be dedicated as public road under the provisions of Section 10 of the Roads Act 1993.
- 3 Authority be granted to the Lord Mayor and General Manager to affix the Common Seal of Council to the transfer documents and any other documents required to give effect to this resolution.

ITEM 13 - REQUEST FOR APPROVAL FOR LORD MAYOR - SISTER CITY AND FRIENDSHIP CITY VISIT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION -

- 1 Council approve the Lord Mayor to travel to the City of Kawasaki as part of the 30th Anniversary of the Sister City relationship with Wollongong.
- 2 Council approve the Lord Mayor to then travel to Longyan in China to promote Wollongong hosting the Chinese Longyan Triennial World Congress in September 2019.

ITEM 14 - CITY OF WOLLONGONG TRAFFIC COMMITTEE - MINUTES OF MEETING HELD ON 11 JULY 2018

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION – In accordance with the powers delegated to Council, the Minutes and recommendations of the City of Wollongong Traffic Committee held on 11 July 2018 in relation to Regulation of Traffic be adopted.

ITEM 15 - BI-MONTHLY RETURNS OF DISCLOSURES OF INTERESTS AND OTHER MATTERS - AUGUST 2018

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

COUNCIL'S RESOLUTION – Council note the tabling of the Returns of Disclosures of Interest as required by Section 450A of the Local Government Act 1993.



ITEM C - LORD MAYORAL MINUTE - 20TH ANNIVERSARY OF 1998 WOLLONGONG FLOODS

- 104 COUNCIL'S RESOLUTION RESOLVED UNANIMOUSLY on the motion of the Councillor Bradbery that Wollongong City Council
 - 1 Note the 20th anniversary of one of the most significant rainfall events in the City's history which occurred on 17 August 1998.
 - Acknowledges the pain, grief and trauma that the event caused residents, the extensive damage, loss of property and infrastructure.
 - Note that over the past 20 years Wollongong City Council has expended approximately \$40 million on capital works, voluntary acquisition of flood affected homes and flood studies to address inundation events such as the one on 17 August 1998. Wollongong City Council will continue to apply resources to address such events in our unique geographic context.
 - 4 Note the continued engagement with the State Government and other agencies for ongoing funding to address flooding issues and mitigation. Wollongong City Council has committed to spend \$24.7 million over the next 4 years on storm water capital and flood management as well as \$9.04 million on storm water and flood operations and maintenance.

ITEM A - NOTICE OF MOTION - COUNCILLOR COX - COMMUNITY SPONSORSHIP PROGRAM FOR REFUGEES

- 105 COUNCIL'S RESOLUTION RESOLVED UNANIMOUSLY on the motion of Councillor Cox seconded Councillor Rimmer that Council
 - 1 Reaffirms that Wollongong is a community that welcomes refugees.
 - 2 Supports an expanded and improved Community Sponsorship Program (CSP).
 - Writes to the Federal Government, calling on them to improve and expand the CSP and ensure the program:
 - a Does not take places from others in need.
 - b Provides adequate support and services.
 - c Limits the costs to sponsors.
 - d Allows communities, families and businesses to act as sponsors.
 - e Creates more places for people in need of protection to settle in Australia.
 - 4 Provide a briefing for Councillors on Council's role in supporting refugees.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item B, Councillor Cox departed and returned to the meeting, the time being from 7.33 pm to 7.34 pm.

ITEM B - NOTICE OF MOTION - COUNCILLOR DORAHY - REQUEST FOR WOLLONGONG CITY COUNCIL COUNCILLORS AND STAFF TO ASSIST FUNDRAISING EVENT - 'WOLLONGONG BECOMES FARMER FOR A DAY"

MOVED by Councillor Dorahy seconded Councillor Walters that Council -

1 Provide support to assist the Farmers of NSW who are in the midst of what is now a perilous and certainly deep drought.



- a The support be in the form of a fundraising event day such as a Community BBQ in the Town Hall and IPAC rectangle.
- b Allow their employees to dress as a farmer or farm hand on the day.
- 2 In order to maximise the fundraising event, Wollongong City Council inform their suppliers, residents and the many businesses in the Local Government Area to seek their assistance and support for this worthy event.
- 3 The suggested name for this event be: 'Wollongong becomes Farmer for a Day'.
- 4 Given the urgency for assistance for the farmers, a date, prior to mid-September 2018, be selected for this fundraising event.
- The monies raised be put through a 100% farmer assisting venture to be named prior to the event eg 'Buy a Bale' charity .
 - a The charity provide the option and process to allow those interested in tax deductions.

ADDITIONAL TIME

During debate on Item B, a PROCEDURAL MOTION was MOVED by Councillor D Brown seconded Councillor Kershaw that Councillor Dorahy be granted an additional two minutes to address the meeting.

At this stage, Councillor Bradbery FORESHADOWED a MOTION should Councillor Dorahy's Motion be defeated

Councillor Dorahy's MOTION on being PUT to the VOTE was LOST.

In favour Against

Councillors Walters and Dorahy

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

Following defeat of Councillor Dorahy's Motion, Councillor Bradbery's FORESHADOWED MOTION became the MOTION.

- 106 COUNCIL'S RESOLUTION RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery, seconded Councillor Kershaw that Wollongong City Council -
 - 1 Post on Council's Website our recognition and support farmers and rural communities experiencing extreme drought conditions and post a link to the Australian Red Cross Drought Appeal for those wishing to financially support to the relief effort.
 - 2 Display information about the Appeal in Council's libraries, community centres and publicised via Council's social media.
 - 3 Encourages residents who are experiencing financial difficulties, due to the drought, to make representations for rate relief to the General Manager.
 - 4 Donates \$10,000 towards the Red Cross Drought Appeal from the Strategic Projects Reserve.
 - 5 Receive information on social media reach via an Information Note to Councillors at regular intervals.

Variation

The following variations were accepted by the mover and seconder:

- Councillor Kershaw (the addition of Point 4).
- Councillor Walters (the addition of Point 5).
- Councillor D Brown (the addition of Point 2).



CLOSED COUNCIL SESSION

The Lord Mayor called for a motion to close the meeting to consider a report which deals with a Waiver of Interest in relation to Rates Assessment No 32483 5 in accordance with Section 10A (2) (b) of the Local Government Act 1993.

- 107 COUNCIL'S RESOLUTION RESOLVED UNANIMOUSLY on the motion of Councillor Figliomeni seconded Councillor T Brown that the meeting move into Closed Session to consider a report which deals with a Waiver of Interest in relation to Rates Assessment No 32483 5 in accordance with Section 10A 2(b) of the Local Government Act 1993 on the basis that
 - 1 The report contains discussion in relation to the personal hardship of a resident or ratepayer.
 - 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 matter in open meeting.

Prior to putting the above Motion to the vote, the Lord Mayor advised members of the press that Item C1 relates to a Waiver of Interest in relation to Rates Assessment No 32483 5 and is classified as Confidential for the following reasons –

- 1 Section 10A 2(b) of the Local Government Act 1993, permits the meeting to be closed to the public, as the report contains discussion in relation to the personal hardship of a resident or ratepayer.
- 2 In accordance with Section 10A (4) of the Local Government Act, the Lord Mayor invited members of the gallery to make representations to the Council meeting as to whether this part of the meeting should be closed.

There being no members present in the gallery, the MOTION was PUT to the VOTE and was CARRIED UNANIMOUSLY.

At this stage, the time being 8.00 pm, members of the press departed the Council Chambers.

The meeting moved into Closed Session, the time being 8.00 pm.

ITEM C1 - WAIVER OF INTEREST - RATES ASSESSMENT NO 32483 5

- COUNCIL'S RESOLUTION RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Council Figliomeni that Council resolves to write off the interest amount totalling \$11,532.89 on Rates Assessment No 32483 5 and allow waiver of interest for a period of up to 12 months to allow debts to be extinguished.
- 109 COUNCIL'S RESOLUTION RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Rimmer that the meeting move out of Closed Session and into Open Council.

Council resumed into Open Session at 8.01 pm and members of the press were invited back into the Council Chambers.



DEPARTURE OF COUNCILLOR

At the conclusion of the Closed Session Councillor King departed and returned to the meeting, the time being from 8.01 pm to 8.02 pm.

The Lord Mayor advised the meeting of Council's resolution whilst in Closed Session (refer to Minute Number 108).

Minute Number 108).	
THE MEETING CONCLUDED AT 8.03 PM.	
Confirmed as a correct record of proceedings at the O Wollongong held on Monday 3 September 2018.	rdinary Meeting of the Council of the City of
	Chairperson