



## MINUTES

# ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 24 February 2020

### Present

Lord Mayor – Councillor Gordon Bradbery AM (in the Chair)

Deputy Lord Mayor – Councillor Tania Brown

Councillor Ann Martin

Councillor Cameron Walters

Councillor Cath Blakey

Councillor David Brown

Councillor Dom Figliomeni

Councillor Janice Kershaw

Councillor Jenelle Rimmer

Councillor John Dorahy

Councillor Leigh Colacino

Councillor Mithra Cox

Councillor Vicky King

### In Attendance

General Manager

Director Infrastructure + Works, Connectivity Assets + Liveable City

Director Planning + Environment, Future City and Neighbourhoods

Director Corporate Services, Connected + Engaged City

Director Community Services, Creative + Innovative City

Manager Governance + Customer Service

Chief Financial Officer

Manager City Strategy

Manager City Works (Acting)

Manager Project Delivery

Manager Infrastructure Strategy + Planning (Acting)

Manager Open Space + Environmental Services

Manager Community Cultural + Economic Development

Manager Library + Community Services

Greg Doyle

Andrew Carfield

Linda Davis

Renee Campbell

Kerry Hunt

Todd Hopwood

Brian Jenkins

Chris Stewart

Alan Davis

Glenn Whittaker

Mark Roebuck

Joanne Page

Sue Savage

Jenny Thompson

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## CONFLICTS OF INTERESTS

Councillor Kershaw declared a non-pecuniary, perceived, significant Conflict of Interest in Item 3 – Lease of Bellambi Surf Life Saving Club as she is on the executive committee of the Bellambi Surf Life Saving Club. Councillor Kershaw advised that she will depart the Chamber during debate and voting on this item.

Councillor T Brown declared a non-pecuniary, non-significant, perceived Conflict of Interest in Item 2 – Draft Keiraville and Gwynneville Access and Movement Study as her employer the University of Wollongong financially contributed to the study. Councillor T Brown advised that she will remain in the Chamber during debate and voting on this item.

Councillor Dorahy declared a non-pecuniary, non-significant interest in Item 9 – Tender T19/38 – IVR, Web and Parking Payment Services as he work in the industry. Councillor Dorahy advised that he will remain in the Chamber during debate and voting on this item.

## CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 3 FEBRUARY 2020

- 344 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Colacino that the Minutes of the Ordinary Meeting of Council held on Monday, 3 February 2020 (a copy having been circulated to Councillors) be taken as read and confirmed.

## PRESENTATION - COMMUNITY LETTER

Councillor Bradbery presented a letter he received from Herbornseelbach, a small town in Germany. The letter detailed the establishment of a memorial honouring fallen and surviving soldiers of a plane crash in Herbornseelbach during the second World War. The survivors included a citizen of Wollongong, Mr Anthony Shanahan.

## PUBLIC ACCESS FORUM

ITEM	TITLE	NAME OF SPEAKER
2	Draft Keiraville and Gwynneville Access and Movement Study	Phillip Laird For Recommendation

- 345 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the speaker be thanked for their presentation and invited to table their notes.

## CALL OF THE AGENDA

- 346 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that the staff recommendations for Items 4 to 13 inclusive be adopted as a block.

## **ITEM A – LORD MAYORAL MINUTE - INVESTIGATE OPPORTUNITIES TO HOUSE BEEHIVES ON APPROPRIATE LAND MANAGED BY WOLLONGONG CITY COUNCIL**

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

- 1 Acknowledges the ongoing impact of recent bushfires on honey production and bee pollination due to the loss of habitat on which bees rely.
- 2 Explore opportunities for approved apiarists affected by bushfires, to safely locate beehives in appropriate parks and green spaces managed by Wollongong City Council.
- 3 Encourage other Government agencies to make suitable locations, that are under their management, available to locate beehives that do not impact negatively on native ecology.

### **DEPARTURE OF COUNCILLOR**

During debate and prior to voting on Item 1, Councillor Colacino departed and returned to the meeting, the time being from 6:18 pm to 6:19 pm.

During debate and prior to voting on Item 1, Councillor Cox departed and returned to the meeting, the time being from 6:57 pm to 6:58 pm.

### **ITEM 1 - WOLLONGONG CITY CENTRE PLANNING REVIEW**

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

- 1 Community and stakeholder feedback be sought on the Wollongong City Centre Urban Design Framework and Economic Analysis.
- 2 Following the consultation period and review of submissions, the draft Planning Proposal and draft Development Control Plan amendments be finalised and reported to Council for consideration.
- 3 The suggested LGA-wide retail centres study be included for possible funding within the preparation of the next budget.

A PROCEDURAL MOTION was MOVED by Councillor Colacino seconded Councillor Dorahy that Councillor Cox be granted an additional 1 minute to address the meeting in relation to Item 1.

A PROCEDURAL MOTION was MOVED by Councillor King seconded Councillor Colacino that Councillor Martin be granted an additional 2 minutes to address the meeting in relation to Item 1.

At this stage an AMENDMENT was MOVED by Councillor Dorahy seconded Councillor Colacino that -

- 1
  - a Community and stakeholder feedback be sought on the Wollongong City Centre Urban Design Framework and Economic Analysis.
  - b Wollongong City Council arrange a workshop series creating reference committees of relevant community stakeholders with knowledge and qualifications to provide significant input to the public review process.
- 2 Following the consultation period and review of submissions, the draft Planning Proposal and draft Development Control Plan amendments be finalised and reported to Council for consideration.
- 3 The suggested LGA-wide retail centres study be included for possible funding within the preparation of the next budget.

A PROCEDURAL MOTION was MOVED by Councillor Walters seconded Councillor Councillor Martin that Councillor Colacino be granted an additional 3 minutes to address the meeting in relation to Item 1.

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

*In favour* Councillors Colacino, Walters, Dorahy

*Against* Councillors Kershaw, Rimmer, D Brown, T Brown, Martin, King, Cox, Blakey, Figilomeni and Bradbery

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

### DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 2, Councillor Rimmer departed and returned to the meeting, the time being from 7:30 pm to 7:32 pm.

### ITEM 2 - DRAFT KEIRAVILLE GWYNNEVILLE ACCESS AND MOVEMENT STUDY

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

- 1 The draft Keiraville - Gwynneville Access and Movement Study Overview and Consultant Report be placed on public exhibition for a period of six weeks.
- 2 Following the public exhibition period, a final draft Keiraville - Gwynneville Access and Movement Study Overview incorporating community feedback be presented to Council for adoption.
- 3
  - a Council write to Transport for New South Wales and local Members asking that Council receive feedback on the current funding status of the proposed interchange at Mount Ousley Road and the M1.
  - b Council emphasise the recognition of this interchange as having a major positive impact on traffic flow through Wollongong City Centre and the University of Wollongong.

*Variation* The variation moved by Councillor Colacino (the addition of points 3a and 3b) was accepted by the mover and seconder.

### DEPARTURE OF COUNCILLOR

Due to a disclosed conflict of interest, Councillor Kershaw departed the Chamber at 8:11 and was not present for the debate nor voting on Item 3. Councillor Kershaw returned to the meeting at 8:11 pm.

### ITEM 3 - LEASE OF BELLAMBI SURF LIFE SAVING CLUB

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

- 1 Council grant a 21 year lease of Crown land known as the Bellambi Surf Life Saving Club building, on part Lot 7017 Crown DP 1057474, being part Bellambi Point Reserve (R88075), Morgan Place, Bellambi to Bellambi Surf Life Saving Club Inc on terms outlined in the draft lease – refer Attachment 2.
- 2 Council delegate to the General Manager the authority to finalise and execute the lease and any supplementary documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal on the lease and any other documentation, should it be required to give effect to this resolution.

#### **ITEM 4 - PROPOSED ACQUISITION OF LOT 4 SECTION 38 DP 759104, KENNY STREET, WOLLONGONG**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 346).

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

- 1 Council authorise the acquisition of Lot 4 Section 38 in DP 759104, as shown attached and subject to the following conditions:
  - a Purchase price of \$10.00 (plus GST)
  - b Each party be responsible for their own legal costs.
- 2 Council grant authority for the use of the Common Seal of Council on all documents relevant to this matter, should it be required to give effect to this resolution.

#### **ITEM 5 - POLICY REVIEW: DEBT RECOVERY AND HARDSHIP ASSISTANCE COUNCIL POLICY**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 346).

**COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that the revised Debt Recovery and Hardship Assistance Council Policy be adopted.

#### **ITEM 6 - 2020 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - COUNCILLOR ATTENDANCE AND DEVELOPMENT OF MOTIONS**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 346).

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

- 1 The attendance of Councillors Bradbery, Kershaw, Colacino and Dorahy at the 2020 National General Assembly of Local Government and Regional Forum in Canberra between 13 and 17 June 2020 be endorsed.
- 2 Councillors to liaise with the Lord Mayor's Office on submitting Motions for consideration at the Conference.
- 3 The Lord Mayor be appointed as Council's voting delegate at the 2020 National General Assembly of Local Government.
- 4 The Lord Mayor and General Manager be delegated the authority to determine any further requests by Councillors to attend the 2020 National General Assembly of Local Government and Regional Forum.

#### **ITEM 7 - EXERCISE OF DELEGATIONS OVER THE CHRISTMAS / NEW YEAR PERIOD - TENDERS**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 346).

**COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that Council note the exercise of delegations by the General Manager and Lord Mayor or Deputy Lord Mayor over the Christmas/New Year period.

### **ITEM 8 - DRAFT QUARTERLY REVIEW STATEMENT - DECEMBER 2019**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 346).

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

- 1 The draft Quarterly Review Statement December 2019 be adopted.
- 2 The Budget Review Statement as at December 2019 be adopted and revised totals of income and expenditure be approved and voted.

### **ITEM 9 - TENDER T19/38 - IVR, WEB AND PARKING PAYMENT SERVICES**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 346).

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

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Commonwealth Bank of Australia for the provision of IVR, Web and Parking Payment services for the approximate sum of \$449,046.60, excluding GST, in accordance with the priced schedule of the service, for the period of three years.
- 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 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 - TENDER T19/43 - CULVERT REPAIRS AT DARKES ROAD, DAPTO - STAGE 2**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 346).

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

- 1 In accordance with clause 178 (1) (a) of the Local Government (General) Regulation 2005, Council accept the tender of Eywad Pty Ltd for Culvert Repairs at Darkes Road, Dapto – Stage 2, in the sum of \$289,198.50, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

### **ITEM 11 - PROCUREMENT POLICY EXEMPTION - CAB CHARGE AUSTRALIA LIMITED**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 346).

**COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that Council, under Section 55 (3)(i) of the Local Government Act 1993, enters into an agreement with Cab Charge Australia Ltd without inviting tenders, due to the unavailability of competitive or reliable tenders and otherwise, for the reasons set out in this report.

**ITEM 12 - QUARTERLY VARIATIONS REPORT FOR DEVELOPMENT APPLICATIONS - DECEMBER 2019**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 346).

**COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that Council note the development standards variation report for the period 1 October to 31 December 2019.

**ITEM 13 - CITY OF WOLLONGONG TRAFFIC COMMITTEE MINUTES HELD ON 29 JANUARY 2020**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 346).

**COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that in accordance with the powers delegated to Council, the Minutes and Recommendations of the City of Wollongong Traffic Committee held on 29 January 2020 in relation to Regulation of Traffic be adopted.

**THE MEETING CONCLUDED AT 8:11PM**

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 16 March 2020.

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Chairperson