



MINUTES

ORDINARY MEETING OF COUNCIL

at 6:00pm

Monday 21 September 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

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
Manager Governance + Customer Service (Acting)
Chief Financial Officer
Manager Property + Recreation
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
Michelle Martin
Brian Jenkins
Lucielle Power
Chris Stewart
Corey Stoneham
Glenn Whittaker
Andrew Heaven
Joanne Page
Sue Savage
Jenny Thompson

Note: Due to current government requirements around social distancing obligations due to the COVID-19 pandemic, all Councillors and staff attended the Meeting of Council via Skype. The Lord Mayor and General Manager were present in the Council Chambers for this meeting.

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CLOSED SESSION

- ITEM C1 CONFIDENTIAL: Confidential - Report by Performance Review Committee - 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.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 31 AUGUST 2020

- 433 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Dorahy that the Minutes of the Ordinary Meeting of Council held on Monday, 31 August 2020 (a copy having been circulated to Councillors) be taken as read and confirmed.

MEETING ADJOURNMENT

Prior to the commencement of the Call of the Agenda, the meeting was adjourned in order to resolve technical issues being experience with the electronic meeting, the time being 6:04pm.

- 434 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the meeting be adjourned for five minutes to resolve technical issues being experienced.

CALL OF THE AGENDA

- 435 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the staff recommendations for Items 2, then 4 to 10 inclusive be adopted as a block.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 1, Councillor Martin joined the meeting, the time being 6:15 pm.

During debate and prior to voting on Item 1, Councillor Kershaw departed and returned to the meeting, the time being from 6:37 pm to 6:39 pm.

ITEM 1 - WOLLONGONG CITY CENTRE PLANNING REVIEW

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

- 1 The community and stakeholder feedback on the *Draft Wollongong City Centre Urban Design Framework* (February 2020) and *Wollongong City Centre Planning Review: Economic Analysis* (June 2019) as documented in the *City Centre Planning Review Engagement Report* (Attachment 2), be noted.
- 2 The revised final *Wollongong City Centre Urban Design Framework* (Attachment 3) be adopted as a planning policy to guide development outcomes in the City Centre and the preparation of a Draft Wollongong City Centre Planning Strategy.
- 3 A Draft Wollongong City Centre Planning Strategy, including the Draft Planning Proposal and Draft Wollongong Development Control Plan Chapter, be finalised and reported to Council by no later than 30 June 2021 and after considering and including those suggestions received during the exhibition that will lead to a more consultative and positive outcome for CBD owners, operators, commerce and the community.

Variation The variation moved by Councillor Figliomeni (the addition of the words 'by no later than 30 June 2021 and after considering and including those suggestions received during the exhibition that will lead to a more consultative and positive outcome for CBD owners, operators, commerce and the community' in point 3) was accepted by the mover and seconder.

A PROCEDURAL MOTION was MOVED by Councillor Colacino seconded Councillor Walters that Councillor Dorahy be granted an additional one and a half minutes to address the meeting in relation to Item 1.

ITEM 2 - PUBLIC EXHIBITION - DRAFT WOLLONGONG COMMUNITY SAFETY PLAN 2021-2025

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 435)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that Council endorse the public exhibition of the draft Wollongong Community Safety Plan 2021-2025 from 23 September to 26 October 2020 inclusive.

ITEM 3 - PUBLIC EXHIBITION - DRAFT WOLLONGONG CBD NIGHT TIME ECONOMY COUNCIL POLICY

437 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery seconded Councillor T Brown that -

- 1 Council endorse the public exhibition of the draft Wollongong CBD Night Time Economy Council Policy for a period of 28 days.
- 2 Council investigate the potential implications and opportunities for Wollongong arising from the Liquor Amendment (24-hour Economy) Bill 2020.

ITEM 4 - 2021 COUNCIL MEETING CYCLE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 435)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that Council adopt the 2021 Council Meeting Cycle as shown in the attachment to this report.

ITEM 5 - COUNCILLOR ATTENDANCE AT THE LOCAL GOVERNMENT NSW (LGNSW) ANNUAL CONFERENCE - 23 NOVEMBER 2020

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 435)

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

- 1 The Lord Mayor, Cr G Bradbery; Deputy Lord Mayor, Cr T Brown; and Councillors D Brown, A Martin, D Figliomeni, and J Kershaw be approved to register to participate in the Local Government NSW Annual Conference to be held online on 23 November 2020.
- 2 Council authorise the Lord Mayor, Cr G Bradbery; Deputy Lord Mayor, Cr T Brown and Councillors D Brown, A Martin, D Figliomeni, and J Kershaw as six voting delegates to the Conference.
- 3 Council delegate to the Lord Mayor authority to approve attendance of any other Councillor requesting to attend the Conference and to nominate up to one further voting delegate if required.

ITEM 6 - PROPOSED GRANT OF EASEMENT TO DRAIN WATER 1.2M WIDE OVER LOT 12 DP 210948, PART GUEST PARK, FAIRY MEADOW

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 435)

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

- 1 Pursuant to section 46(a1) of the *Local Government Act 1993*, Council resolves to grant an easement to drain water 1.2m wide over Council Community land being Part Guest Park, Fairy Meadow known as Lot 12 DP 210948, in favour of Lot 27 DP 26939 No 23 Guest Avenue, Fairy Meadow, as shown crosshatched on Attachment 1.
- 2 Council accept payment in the amount of \$1,200.00 (GST free) from the owner of Lot 27 DP 26939 No 23 Guest Avenue, Fairy Meadow as compensation for the grant of the easement.
- 3 The applicant be responsible for all costs relating to the easement including valuation, survey, plan registration and legal costs, and any other costs incurred in this matter.
- 4 Approval be granted to affix the Common Seal of Council to the survey plan, Section 88B Instrument and any other documentation required to give effect to this resolution.

ITEM 7 - PROPOSED SUPPORT TO ADDRESS GAZETTAL ANOMALY AND TRANSFER OWNERSHIP OF UNFORMED ROAD TO NATIONAL PARKS & WILDLIFE SERVICE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 435)

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

- 1 Council support the proposal by the National Parks and Wildlife Service to formally reserve the unnamed road reserve that traverses Lot 191 DP 1204076 as shown crosshatched on Attachments 1 and 2, as National Park, effectively transferring ownership of the road reserve to the NSW Minister for Energy and Environment.
- 2 The National Parks and Wildlife Service be responsible for preparation, and if necessary, registration of all necessary documentation to effect the reservation.
- 3 The National Parks and Wildlife Service 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 8 - TENDER T20/27 - RETAINING WALL CONSTRUCTION AT DARCY ROAD, PORT KEMBLA

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 435)

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

- 1 In accordance with clause 178(1)(a) of the *Local Government (General) Regulation 2005*, Council accept the tender of Donnelley Civil Pty Ltd for Darcy Road Port Kembla – Retaining Wall Construction, in the sum of \$124,278.00, 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 9 - TENDER T20/30 - INSTALLATION OF SPORTS FIELD LIGHTING AT GUEST PARK, FAIRY MEADOW

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 435)

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of REES Electrical Pty Ltd for the installation of sports field lighting at Guest Park, Fairy Meadow, in the sum of \$236,090.00, 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 10 - STATEMENT OF INVESTMENT - AUGUST 2020

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 435)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that Council receive the Statement of Investment for August 2020.

ITEM 11 - CITY OF WOLLONGONG TRAFFIC COMMITTEE MINUTES OF MEETING HELD ON 26 AUGUST 2020

438 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor T Brown seconded Councillor D Brown that in accordance with powers delegated to Council, the Minutes and Recommendation related to Regulation of Traffic, of the City of Wollongong Traffic Committee held on 26 August 2020, be adopted.

ITEM 12 - NOTICE OF MOTION - COUNCILLOR TANIA BROWN - REGIONALISATION OF GOVERNMENT SERVICES

439 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor T Brown seconded Councillor Colacino that -

- 1 Council develop and implement an advocacy program to promote Wollongong as a location for regionalising NSW state government functions and offices due to changes in workforce post COVID.
- 2 The General Manager and Senior Executive be authorised to meet with the NSW Government, including key Ministers and Heads of Departments and relevant agencies such as NSW Property, to promote the regionalisation program.
- 3 The General Manager be authorised to include local peak bodies and representatives to assist this advocacy program, which will help with implementation of the city's adopted Economic Development Strategy and particularly action 1.8 which calls for advocacy to government for relocation of services.
- 4 Council note that the COVID pandemic and rise in technology has shown that workforces no longer need a physical presence in a capital city but can be decentralised, for example away from the Sydney CBD or Parramatta, and delivered effectively from regional centres.
- 5 Council note that Wollongong presents a safe alternative for workforce relocation and has 58,000 sqm of A-grade office space under construction or in the pipeline. This provides an opportunity for the NSW government to deliver tangible and long-term

support to regional economies such as the Illawarra and assist in regional economic development.

- 6 A report be delivered, or Councillor Briefing be held by 30 June 2021 to update on the success of the advocacy program.

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 on the General Manager's Annual Performance Review in accordance with Section 10A (2) (a) of the Local Government Act.

Prior to putting the above Motion to the vote, the Lord Mayor advised members of the public that Item C1 relates to a report to Council on the General Manager's Annual Performance review and is classified as Confidential for the following reasons -

- 1 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.
- 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.

As no representations had been received prior to the meeting, from members of the public objecting to the closure of this section of the meeting, the Lord Mayor advised that the webcast will be paused while Council considers these items.

440 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor T Brown seconded Councillor Kershaw that the meeting move into Closed Session to consider a report to Council on the General Manager's Annual Performance Review in accordance with Section 10a (2) (a) of the Local Government Act 1993 on the basis that -

- 1 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 matter in open meeting.

At this stage, the time being 7:15pm, the meeting moved into Closed Session.

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

441 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery seconded Councillor Rimmer that -

- 1 Council note the General Manager's Performance Agreement Review 2019-2020.
- 2 Council note the General Manager's Performance Agreement for 2020-2021.
- 3 Council note there is no change proposed to the General Manager's remuneration package.
- 4 Councillors recognise and thank the General Manager for his efforts in difficult and unique circumstances in the last 12 months.

Variation The variation moved by Councillor Kershaw (the addition of point 4) was accepted by the mover and seconder.

442 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Dorahy seconded Councillor Kershaw that the meeting move out of Closed Session and into Open Council.

Council resumed into Open Session at 7:28pm.

OPEN COUNCIL SESSION

RESOLUTIONS FROM THE CLOSED SESSION OF COUNCIL

The Lord Mayor advised the meeting of Council's Resolution whilst in Closed Session (refer to Minute Number 441).

THE MEETING CONCLUDED AT 7:28PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 26 October 2020.

Chairperson