



MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

MONDAY 19 NOVEMBER 2018

Present

Lord Mayor – Councillor G Bradbery AM (in the Chair), Councillors D Brown, C Walters, D Figliomeni, J Kershaw, J Rimmer, J Dorahy, L Colacino, M Cox, T Brown, V King and C Blakey (arrived 6.36pm)

In Attendance

General Manager (Acting) – K Hunt, 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, Manager Community Cultural Economic Development (Acting) – S Gibson, Manager Governance and Customer Service – T Hopwood, Manager Information and Improvement – C Phelan, Chief Financial Officer – B Jenkins, Manager Property and Recreation – P Coyte, Manager City Works and Services – M Roebuck, Manager Project Delivery – G Whittaker and Manager – Development Assessment and Certification – M Riordan, Manager City Strategy – C Stewart and Manager Open Space and Environmental Services – J Gordon

Apologies

Min No.

155 **COUNCIL'S RESOLUTION** - RESOLVED on the motion of Councillor D Brown seconded Councillor Cox that the apology tendered on behalf of Councillor Blakey be accepted and a leave of absence be granted.

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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.

DISCLOSURE OF INTERESTS

Councillor Walters declared a Significant Non-Pecuniary Interest in relation to Item 4 as he is a primary residence is within 50 meters of the area and stated that he would vacate the Chamber during debate and voting.

Councillor Figliomeni declared a Pecuniary Interest in relation to Item 1 and stated that he would vacate the Chamber during debate and voting.

Councillor Dorahy declared a Significant Non-Pecuniary Interest in relation to Item 8 as he is a Director for West Illawarra and the ASTA Group who lease parkland from Council for the purpose of sport and stated that he would vacate the Chamber during debate and voting.

PETITION - KERB AND GUTTERING AT CARRINGTON STREET, BULLI

Councillor Cox advised that she was in receipt of a petition from 12 residents from Bulli in relation to Road Side Kerb and Guttering.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 29 OCTOBER 2018

156 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the Minutes of the Ordinary Meeting of Council held on Monday, 29 October 2018 (a copy having been circulated to Councillors) be taken as read and confirmed.

PUBLIC ACCESS FORUM - PUBLIC ACCESS FORUM – ITEM 5 – VEGETATION VANDALISM IN THE DUNES BEHIND WOONONA BEACH

Ms J Brienen spoke on behalf of Woonona Beach Committee spoke against the recommendation to install signage and shade cloth in the Woonona Beach area but does support the implementation of covert surveillance cameras. Ms Brienen advised the Committee opposes the recommendation to install signs on a number of points including:

- Signs punish the immediate residents of the area who fully support Council's Dune Management Strategy and planting program, are not the perpetrators of the vandalism, and have in the past experienced vilification, abuse and vandalism to their properties when the signs were last installed.
- Signs are proposed for the wrong area as the majority vandalism events have happened south of the Surf Club.
- Ineffective as signs in the past have not stopped the occasional vandalism events.
- Punish all beach goers by limiting the view over the ocean for the thousands of people who use the area to enjoy views over the beach, whale watch, check the surf, watch their children surf.
- Impede safety People could potentially drown during times where there are no patrols as people will not be able to look over the area and assist with rescues.

Ms Brienen advised that the Woonona Beach Committee would like the opportunity for Councillors to meet Committee members on site to discuss the history of the dune regeneration area, and provide more detailed and accurate information than what is contained in the business papers.

The Woonona Beach Committee would like Council staff to work with the Committee on a community education campaign which targets, residents of the entire Woonona area, primary and secondary school children in the Woonona and Southern Bulli area, and visitors to Woonona Beach.

PUBLIC ACCESS FORUM - PUBLIC ACCESS FORUM – ITEM 2 – PLANNING PROPOSAL PP-2018/7 PROPOSED AMENDMENT TO MINIMUM LOT SIZE MAP – LOTS 202 AND 203 DP 1175709, FAIRWATER DRIVE, CLEVELAND

Mr Rodger on behalf of Urbanco spoke against the recommendation stating the proposal seeks Council support to allow a simple boundary adjustment to re-align the current lot boundaries with the recently constructed road corridor. Lot 202 was divided into two separate portions, when Fairwater Drive was constructed and road corridor acquired by Council and Lot 203 has no direct vehicle access. Access to Lot 203 is through the creek corridor.

Mr Rodger noted the boundary adjustment is a paper subdivision with no environmental impact, which simply resolves the lot boundaries created as a result of the Council subdivision of the land to create the Fairwater Drive road corridor. The boundary adjustment will resolve this issue and simply create one lot on the northern side of Fairwater Drive and one lot on the southern side.

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

CALL OF THE AGENDA

158 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Cox that the staff recommendations for Item 9-17 inclusive be adopted as a block.

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

DEPARTURE OF COUNCILLOR

Due to a prior disclosure of interest Councillor Figliomeni departed the Council Chamber the time being from 6.17 pm and did not participate in debate or voting on Item 1.

ITEM 1 - PLANNING PROPOSAL FOR LOTS 1, 2 AND 3 DP 810104 LOCATED BETWEEN BONG BONG AND CLEVELAND ROAD WITHIN STAGE 3 OF THE WEST DAPTO URBAN RELEASE AREA - POST EXHIBITION

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

- 1 The draft Planning Proposal for Lot 1, 2 & 3 DP 810104 between Bong Bong Road, Horsley and Cleveland Road, Huntley, be progressed to finalisation. The Planning Proposal incorporate:
 - a Amending the Land Zoning Map to rezoning the land from RU2 Rural Landscape to a mix of E2 Environmental Conservation, E3 Environmental Management, E4 Environmental Living, R2 Low Density Residential, R3 Medium Density Residential, and RE1 Public Recreation.
 - b Amending the Maximum Height of Buildings Map to show 9m for the R2 Low Density Residential zone and 16m for the R3 Medium Density Residential zone.
 - c Amending the Minimum Lot Size Map to show 249m² for the R2 Low Density Residential zone, 299m² for the R3 Medium Density zone, 2000m² for the E4 Environmental Living zone and 39.99ha for the E2 Environmental Conservation and E3 Environmental Management zones.
 - d Amending the Floor Space Ratio map to show 0.5:1 for the R2 Low Density Residential zone, and 0.75:1 for R3 Medium Density Residential zone.
 - e Amending the Natural Resource Sensitivity Map to more accurately reflect the sensitive vegetation on the site.
 - f Amending the Land Reservation Acquisition Map to show the proposed acquisition of the 2 parks and the widening of Cleveland Road.
 - g Amending the Heritage Map to include curtilage of 'Waples Butchery / Swan Homestead' and 'Sunnyside', and including their listing in the Heritage Schedule as being of local significance.
 - h Amending the Flood Map to more accurately reflect the 1:100 flood planning area.
 - i Amending the Riparian Map to remove the non-excitant watercourse.
 - j Amending the Urban Release Area map to include the site.
 - k Including LEP model provision Clause 4.1C Minimum Lot size (Integrated Housing) – to apply to the West Dapto Release Area.
- 2 The final Planning Proposal be referred to the NSW Department of Planning and Environment for the making of arrangements for drafting to give effect to the final proposal.
- 3 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.
- 4 The Neighbourhood Plan for Lot 1, 2 & 3 DP 810104 between Bong Bong Road, Horsley and Cleveland Road, Huntley be adopted as an amendment to the Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area.

In favour Councillors Kershaw, Rimmer, D Brown, T Brown, King, Colacino, Walters, Dorahy and Bradbery
Against Councillor Cox
Absent Councillor Figliomeni

ITEM 2 - PLANNING PROPOSAL PP-2018/7 PROPOSED AMENDMENT TO MINIMUM LOT SIZE MAP - LOTS 202 AND 203 DP 1175709, FAIRWATER DRIVE, CLEVELAND

- 160** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Cox that the item be deferred to allow the applicants additional time to address outstanding issues identified with the proposal including surrendering the development rights.

ITEM 3 - DRAFT PLANNING PROPOSAL: LOT 100 DP 1207784 CORDEAUX ROAD, MT KEMBLA

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

- 1 The draft Planning Proposal for Lot 100 DP 1207784 Cordeaux Road, Mt Kembla be progressed, following the registration of the Conservation Agreement on land title with the Office of Environment and Heritage, by finalising the Planning Proposal that seeks to amend the Land Zoning Map by -
 - a rezoning 2.36 hectares of the site from E3 Environmental Management to E4 Environmental Living with a Minimum Lot Size of 5,999m² and Floor Space Ratio of 0.3:1; and
 - b rezoning 6.61 hectares from E3 Environmental Management to E2 Environmental Conservation with a Minimum Lot Size of 39.99 hectares.
- 2 The final Planning Proposal be referred to the NSW Department of Planning and Environment for the making of arrangements for drafting to give effect to the final Proposal, noting that the General Manager will thereafter proceed to exercise his delegation issued by the NSW Department of Planning and Environment under Section 69 in relation to the final Proposal.
- 3 The Conservation Agreement for the riparian lands be finalised and registered on land title with the Biodiversity Conservation Trust (OEH), funding obtained and active management underway, prior to the issuing of a subdivision development approval.

In favour Councillors Kershaw, Rimmer, D Brown, T Brown, King, Colacino, Walters, Dorahy, Figliomeni and Bradbery
Against Councillor Cox

DEPARTURE OF COUNCILLOR

Due to a prior disclosure of interest, Councillor Walters departed the Chamber the time being 6.30pm and did not participate in debate or voting in relation to Item 4.

ITEM 4 - DRAFT PLANNING PROPOSAL: LOT 100 DP 1123517 NO. 227 CORDEAUX ROAD, MT KEMBLA

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

- 1 The draft Planning Proposal for 227 Cordeaux Road, Mt Kembla (Lot 100 DP 1123517) be progressed, following the registration of the Conservation Agreement on land title with the Office of Environment and Heritage, by finalising the Planning Proposal that seeks to amend the Land Zoning Map by:
 - a rezoning 4.3 hectares of the site from E3 Environmental Management to E4 Environmental Living with a Minimum Lot Size of 5,000m² and Floor Space Ratio of 0.3:1; and
 - b rezoning the remainder of the site (1.5 hectares) from E3 Environmental Management to E2 Environmental Conservation with a Minimum Lot Size of 39.99 hectares.
- 2 The final Planning Proposal be referred to the NSW Department of Planning and Environment for the making of arrangements for drafting to give effect to the final proposal, noting that the General Manager will thereafter proceed to exercise his delegation issued by the NSW Department of Planning and Environment under Section 69 in relation to the final proposal.
- 3 The Conservation Agreement for the riparian land be finalised and registered on land title with the Biodiversity Conservation Trust (OEH), funding obtained and active management underway, prior to the issuing of a subdivision development approval.

In favour Councillors Kershaw, Rimmer, D Brown, T Brown, King, Colacino, Dorahy, Figliomeni and Bradbery
Against Councillor Cox
Absent Councillor Walters

ATTENDANCE OF COUNCILLOR

During debate and prior to voting on Item 5, Councillor Blakey arrived at the meeting, the time being 6.36pm. Her prior granted Leave of Absence was taken to have been rescinded.

ITEM 5 - VEGETATION VANDALISM IN THE DUNES BEHIND WOONONA BEACH

163 COUNCIL'S RESOLUTION – RESOLVED on the motion of Councillor Kershaw seconded Councillor Rimmer that Council –

- 1 Note that the Woonona Beach dune system has been subject to a significant spate of ongoing vegetation vandalism since Council undertook dune management works in 2014.
- 2 Council continue to work with the Woonona Beach Committee (Woonona Surf Club, boardriders, Beach Care Illawarra and local residents) on measures to help stop the vandalism.
- 3 Council engage with the local community, including the local schools to have a community planting day.
- 4 Council promote community education on the types of plants being planted, why they were selected and the benefits of those plants.

- 5 Should vegetation vandalism continue within 12 months following the further consultation and the community planting, signs are to be placed in front of the 6 bays, where plantings have occurred. The signs are to remain in place until such time as vandalism is determined to have ceased, plants have been allowed to establish/recover and environmental conditions have been restored to Council's satisfaction for a minimum of 12 months.
- 6 An assessment of the ability and effectiveness of installing a covert surveillance camera(s) and CCTV at the Woonona Beach be undertaken, in accordance with the Tree and Vegetation Vandalism Covert Surveillance Camera Procedure and CCTV Policy, with the view to installing cameras if the assessment is supportive.
- 7 If it is necessary to implement point 5 and vegetation vandalism continues to occur at Woonona Beach, Council install appropriate barriers at the site to block views in accordance with Council's Tree and Vegetation Vandalism Policy.
- 8 The barriers remain in place until such time as vandalism is determined to have ceased, plants have been allowed to establish/recover and environmental conditions have been restored to Council's satisfaction for a minimum of 12 months.

Variations The variation moved by Councillor Rimmer (the amendment of six signs to three signs in Point 5) was accepted by the mover and seconder.

The variation moved by Councillor Cox (the amendment of three signs to six signs in Point 5) was accepted by the mover and seconder.

The variation moved by Cr Blakey in relation to Point 6 (to include reference to CCTV and CCTV Policy) was accepted by the mover and seconder.

Councillor Kershaw's MOTION on being PUT to the VOTE was CARRIED

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

During debate on Item 5, a PROCEDURAL MOTION was MOVED by Councillor Colacino seconded Councillor Walters that Councillor Dorahy be granted an additional two minutes to address the meeting in relation to Item 5.

At this stage, Councillor Colacino moved an AMENDMENT to Item 5 and on being PUT to the VOTE was LOST.

- 1 Note that the Woonona Beach dune system has been subject to a significant spate of ongoing vegetation vandalism since Council undertook dune management works in 2014.
- 2 Council continue to work with the Woonona Beach Committee (Woonona Surf Club, boardriders, Beach Care Illawarra and local residents) on measures to help stop the vandalism.
- 3 Council engage with the local community, including the local schools to have a community planting day.
- 4 Council promote community education on the types of plants being planted, why they were selected and the benefits of those plants.

- 5 Should vegetation vandalism continue within 12 months following the further consultation and the community planting, signs are to be placed in front of the 6 bays, where plantings have occurred. The signs are to remain in place until such time as vandalism is determined to have ceased, plants have been allowed to establish/recover and environmental conditions have been restored to Council's satisfaction for a minimum of 12 months
- 6 An assessment of the ability and effectiveness of installing a covert surveillance camera(s) at the Woonona Beach be undertaken, in accordance with the Tree and Vegetation Vandalism Covert Surveillance Camera Procedure, with the view to installing cameras if the assessment is supportive.
- 7 If it is necessary to implement point 5 and vegetation vandalism continues to occur at Woonona Beach, Council install appropriate barriers at the site to block views in accordance with Council's Tree and Vegetation Vandalism Policy.
- 8 The barriers remain in place until such time as vandalism is determined to have ceased, plants have been allowed to establish/recover and environmental conditions have been restored to Council's satisfaction for a minimum of 12 months.
- 9 That this matter come back to Council for reassessment in 12 months' time in relation to surveillance.

In favour
Against

Councillors Colacino, Walters and Dorahy

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

Following the defeat of Councillor Colacino's Amendment to Item 5, Councillor Kershaw's Original MOTION was PUT

ITEM 6 - OSBORNE PARK ALCOHOL PROHIBITION

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

- 1 Council endorse Osborne Park becoming an Alcohol Prohibited Area (APA) for four (4) years, with signs erected to advise the public.
- 2 An Information Report on the APA be compiled after 18 months operation to review incidents and effectiveness.
- 3 Council write to the State Government requesting that the naming of, and signage relating to APAs, be reviewed to more accurately reflect how these areas are envisioned to operate and be enforced as 'alcohol regulated' areas.

ITEM 7 - DRAFT AMENDED ROAD NAMING POLICY

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

- 1 The revised Road Naming Policy be adopted.
- 2 That the policy include a procedure where names for new roads are needed as a result of Council's internal processes (rather than external requests) a working group of the Ward councillors and the Lord Mayor will approve those names to be forwarded to community and agency consultation.

DEPARTURE OF COUNCILLOR

Due to a prior disclosure of interest, Councillor Dorahy departed the Chamber the time being 7.46pm and did not participate in debate or voting in relation to Item 8.

ITEM 8 - POLICY REVIEW - COMMUNITY AND SPORTING GROUP RENTALS COUNCIL POLICY

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

- 1 Council adopt the Community and Sporting Group Rentals Council Policy.
- 2 The policy review date be updated to 30 October 2022.

In favour Councillors Kershaw, Rimmer, D Brown, T Brown, King, Cox, Blakey, Colacino, Walters, Figliomeni and Bradbery
Absent Councillor Dorahy

ITEM 9 - COUNCILLOR EXPENSES AND FACILITIES POLICY - POST-EXHIBITION

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 158).

COUNCIL'S RESOLUTION - Council adopt the Councillor Expenses and Facilities policy, as exhibited.

ITEM 10 - NOTICE TO MINISTER FOR LANDS AND FORESTRY OF COUNCIL'S NATIVE TITLE MANAGER

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 158).

COUNCIL'S RESOLUTION Council –

- 1 Note the resolution of the Executive Management Committee on 7 August 2018 to appoint Ms K Ponne, Legal Counsel, as Council's Native Title Manager.
- 2 Authorise the General Manager to finalise and give written notice to the Minister for Lands and Forestry of the name and contact details of Council's Native Title Manager.

ITEM 11 - PROPOSED ACQUISITION OF PROPOSED LOT 70 DP 241188, BEING PART LOT 1 DP 36010, PRINCES HIGHWAY, DAPTO FOR ROAD WIDENING PURPOSES

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 158).

COUNCIL'S RESOLUTION That -

- 1 Council acquires proposed Lot 70 DP 241188, being part Lot 1 DP 36010 for the purpose of road widening on the following conditions:
 - a Compensation by paid in the amount of \$103,000 (excluding GST);
 - b Council be responsible for all costs including valuation, transfer, legal, replacement or relocation of fencing, letterbox and water meter, if required.

- 2 Council (or its nominated contractor) complete 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 12 - PROPOSED GRANT OF EASEMENT TO DRAIN WATER OVER LOT 55 DP 25035 TIMBERI PARK, DAPTO

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 158).

COUNCIL'S RESOLUTION That -

- 1 Council approve the grant of an Easement to Drain Water 1.5m Wide over Lot 55 DP 25035 Timberi Park, Dapto in favour of Lot 57 DP 25035 Nos 19-23 Avondale Road, Dapto, as shown by black dashed lines on the attachment to the report.
- 2 Council accept payment in the amount of \$1,500 (GST free) from the owner of Lot 57 DP 25035 Nos 19-23 Avondale Road, Dapto as compensation for the grant of the easement.
- 3 The applicant be responsible for all costs associated with this matter.
- 4 Approval be granted to the General Manager and Lord Mayor to affix the Common Seal of Council to the survey plan, administration sheet and Section 88B Instrument and the General Manager be delegated authority to execute any other documentation required to give effect to this resolution.

ITEM 13 - COMMUNITY TRANSPORT - PROCUREMENT EXEMPTION - LEDALE PTY LTD (TRADING AS CANTY'S BUS RENTALS)

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 158).

COUNCIL'S RESOLUTION - Council, under Section 55(3)(i) of the Local Government Act 1993, enter into an agreement with Ledale Pty Ltd (trading as Canty's Bus Rentals) without inviting tenders due to extenuating circumstances, unavailability of competitive and reliable tenderers and otherwise, for the reasons set out in this report.

ITEM 14 - TENDER T18/37 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 158).

COUNCIL'S RESOLUTION That -

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Rhelm for the Mullet Creek Floodplain Risk Management Study and Plan in the sum of \$149,960 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 15 - TENDER T18/39 WALKER STREET HELENSBURGH - CULVERT CONSTRUCTION AND WATER MAIN WORKS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 158).

COUNCIL'S RESOLUTION - That -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Cadifern Pty Ltd for Walker Street, Helensburgh – Water Main Protection, Water Main Relocation and Culvert Construction, in the sum of \$277,958, 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 16 - DRAFT QUARTERLY REVIEW STATEMENT SEPTEMBER 2018

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 158).

COUNCIL'S RESOLUTION That -

- 1 The draft Quarterly Review Statement September 2018 be adopted.
- 2 The Budget Review Statement as at September 2018 be adopted and revised totals of income and expenditure be approved and voted.

ITEM 17 - CITY OF WOLLONGONG TRAFFIC COMMITTEE - MINUTES OF MEETING HELD ON 10 OCTOBER 2018 AND ELECTRONIC MEETINGS ON 2 AND 7 NOVEMBER 2018

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 158).

COUNCIL'S RESOLUTION - In accordance with the powers delegated to Council, the Minutes and recommendations of the City of Wollongong Traffic Committee held on 10 October 2018 and the electronic meetings were held on 2 and 7 November 2018 in relation to Regulation of Traffic be adopted.

DEPARTURE OF COUNCILLORS

During debate and prior to voting on Item A:

- Councillor T Brown departed and returned to the meeting, the time being from 7.57 pm to 7.58 pm.
- During debate on Item A, Councillor Cox departed the Chamber at 8.02 pm and was not

present for the vote.

ITEM A - NOTICE OF MOTION - COUNCILLOR FIGLIOMENI - HILL 60 MASTERPLAN

This item was considered after the numbered agenda items.

167 **COUNCIL'S RESOLUTION** – RESOLVED on the motion of Councillor Figliomeni seconded Councillor Cox that Wollongong City Council write to the Minister for the Environment and Heritage to –

- 1 Acknowledge the work carried out on the Hill 60 Master Plan to date and explore ways that the Hill 60 Master Plan projects and refurbishment can be brought forward and progressed with greater urgency.
- 2 Note that Council has worked closely with the local Aboriginal Communities in the development of plans to extend the Ngaraba-aan cultural trail from MM beach to Hill 60 and beyond and request that this work be given urgent consideration as part of the approval process.
- 3 That Council officers respond frankly to the Office of Environment and Heritage Customer Satisfaction Survey.

Variation The Following variations were accepted by the mover and seconder:

- Councillor Bradbery the addition of Point 3.
- Councillor King (the addition of the words "Acknowledge the work carried out on the Hill 60 Master Plan to date") to Point 1.

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

Absent Councillor Cox

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item B , Councillor Walters departed and returned to the meeting, the time being from 8.17 pm to 8.19 pm.

ITEM B - NOTICE OF MOTION - COUNCILLOR COX - WOLLONGONG FOOD TRUCKS TRIAL

The Motion of Councillor T Brown seconded Councillor Figliomeni that Council develop a strategy to encourage food trucks in our city to contribute to a vibrant night life in Wollongong. The strategy to promote food trucks in Wollongong would encompass:

- Identifying public land not limited to the CBD that is appropriate for food trucks of mobile food vendors.
- Identifying spaces in need of night time activation and food options.
- Developing a simple process for food trucks to book a space and pay their fee.
- Reviewing our existing policy on Mobile Food Vending Vehicles.
- Applying learnings from food truck trials in other Local Government Areas such as the City of Sydney.

Variation The variation moved by Councillor Colacino the addition of (not limited to the CBD) was accepted by the mover and seconder.

At this stage, Councillor D Brown FORESHADOWED A MOTION should Councillor T Brown's Motion be defeated.

The MOTION on being PUT to the VOTE was LOST.

In favour Councillors Cox and Blakey

Against Councillors Kershaw, Rimmer, D Brown, T Brown, King, Colacino, Walters, Dorahy, Figliomeni and Bradbery
Following the defeat of Councillor T Brown's Motion, Councillor D Brown's FORESHADOWED MOTION became the MOTION.

168 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion by Councillor D Brown and Seconded by Councillor Cox that a Councillor Briefing be held that outlines a stakeholder consultation program to review food truck policies which includes the following:

- 1 Identifying public land not limited to the CBD that is appropriate for food trucks of mobile food vendors.
- 2 Identifying spaces in need of night time activation and food options.
- 3 Developing a simple process for food trucks to book a space and pay their fee.
- 4 Reviewing our existing policy on Mobile Food Vending Vehicles.
- 5 Applying learnings from food truck trials in other Local Government Areas such as the City of Sydney.

Variation The variation moved by Councillor Figliomeni that the briefing to Council encompass the inclusion of Points 1-5 was accepted by the mover and seconder.

CLOSED COUNCIL SESSION

The Lord Mayor called for a motion to close the meeting to consider a Lord Mayoral Minute which deals with a Report back to Council on outcomes of Council resolution of 3 September 2018 regarding the General Manager's Contract in accordance with Section 10A (2) (a) of the Local Government Act 1993.

169 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Figliomeni seconded Councillor Colacino that the meeting move into Closed Session to consider a Lord Mayoral Minute which deals with a Report back to Council on outcomes of Council resolution of 3 September 2018 regarding the General Manager's Contract 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.

Prior to putting the above Motion to the vote, the Lord Mayor advised members of the press and gallery that Item C relates to a Lord Mayoral Minute regarding a report back to Council on outcomes of Council resolution of 3 September 2018 regarding the General Manager's Contract 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 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 8.26 pm, members of the gallery departed the Council Chambers.

The meeting moved into Closed Session, the time being 8.27 pm.

ITEM C – LORD MAYORAL MINUTE – REPORT BACK TO COUNCIL ON OUTCOMES OF COUNCIL RESOLUTION OF 3 SEPTEMBER 2018 REGARDING THE GENERAL MANAGER’S CONTRACT

170 **COUNCIL’S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of the Councillor Bradbery that –

- 1 Council offer the General Manager a new Contract of Employment consistent with the Standard Contract of Employment for General Managers issued by the Office of Local Government.
- 2 The contract will commence on 15 December 2018 for a term of three (3) years to supersede the existing contract of employment.
- 3 The terms and conditions of the contract be consistent with the existing General Manager’s current Contract of Employment.

171 **COUNCIL’S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Rimmer seconded Councillor Walters that the meeting move out of Closed Session and into Open Council.

Council resumed into Open Session at 8.45 pm and members of the press were invited back into the Council Chambers.

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 170).

THE MEETING CONCLUDED AT 8.48 PM.

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 10 December 2018.

Chairperson