



MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

Tuesday 9 June 2015

Present

Lord Mayor – Councillor Bradbery OAM (in the Chair), Councillors Connor, Brown, Takacs, Martin, Merrin, Blicavs (until 11.13 pm), Dorahy, Colacino, Crasnich (until 9.59 pm), Curran and Petty

In Attendance

General Manager – D Farmer, Director Corporate and Community Services – Creative, Engaged and Innovative City – G Doyle, Director Infrastructure and Works – Connectivity, Assets and Liveable City – M Hyde, Director Planning and Environment – Future, City and Neighbourhoods – A Carfield, Manager Governance and Information – L Kofod, Manager Finance – B Jenkins, Manager Property and Recreation – P Coyte, Manager Environmental Strategy and Planning – R Campbell and Manager Infrastructure Strategy and Planning – M Dowd

Apology

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64 **COUNCIL'S RESOLUTION** - RESOLVED on the motion of Councillor Brown seconded Councillor Connor that the apology tendered on behalf of Councillor Kershaw be accepted.

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DISCLOSURES OF INTERESTS

Councillor Takacs declared a conflict of interest in Item 1 as it involves his employer, the University of Wollongong. He advised that he would be departing the Chambers whilst the matter is debated and put to the vote, as he has done previously with all matters involving the University.

Councillor Dorahy declared a non-significant, non-pecuniary interest in Item 2 as he is the Chair of two other Floodplain Committees.

Councillor Petty declared a significant pecuniary interest in Item 3 as he is mentioned in the report. He advised that he would depart the Chambers during the debate and voting on this matter.

Note: The following declarations of interest in Item 6 were made after the Public Access Forum address by Mr Allen –

- Councillor Blicavs declared a non-significant, non-pecuniary interest as her son plays tennis at Beaton Park Tennis Club.
- Councillor Dorahy declared a non-significant, non-pecuniary interest as he is the Treasurer of Wests Leagues Illawarra.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 18 MAY 2015

65 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Colacino that the Minutes of the Ordinary Meeting of Council held on Monday, 18 May 2015 (a copy having been circulated to Councillors) be taken as read and confirmed.

PUBLIC ACCESS FORUM – VEGETATION AND VIEW MANAGEMENT

Mr J Austin, on behalf of the Sandon Point and McCauleys Beach Residents Group, supported the Lord Mayoral Minute. He advised that the Point Estate in particular was built with a northerly aspect with owners having to meet strict requirements to ensure view corridors were maintained so that everyone could share the amazing view. The whole premise for the design of this subdivision was to maximise the views. Residents were attracted to the area because of the coastal and escarpment views, for

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which they paid a premium price and designed homes at additional expense to take advantage of view corridors. However, he said that those residents are now left looking at a forest of trees. Whilst the residents support the need to protect the natural environment with vegetation, they believe the species chosen are completely inappropriate for this purpose.

In conclusion, Mr Austin stated that the Residents Group believed, without doubt, that it was possible to strike a balance between protecting the region's natural environment and the community's ability to enjoy that environment. He said that the Group looks forward to continuing to work with Council on this issue.

PUBLIC ACCESS FORUM – COUNCIL FUNDING CONTRIBUTION FOR NORTHFIELDS AVENUE BUS STOP AND TERMINUS UPGRADE

Mr I Young, on behalf of the Keiraville/Gwynneville Community Group questioned Council's proposed contribution of \$185,000 to the University of Wollongong for the above bus stop and terminus upgrade. He said that in 2013, he facilitated a safety workshop where it was apparent that traffic to the University and parking along the streets were significant contributing factors to the issue of safety in the area. It became obvious that a traffic movement study was necessary to understand the routes taken and the extent of the problems. An application was made to Council for funding in 2013, but funding was not available at that time and the Group was advised that it would be given consideration as part of the 2014-2015 budget. However, this funding was subsequently not included in the 2014-2015 budget. Mr Young said that the scope then grew from a traffic movement study to a full access and movement study, requiring a substantial budget increase over the original proposal.

In conclusion, Mr Young urged Councillors to carefully consider where the \$185,000 could be best spent so as to benefit not only the University, but the whole community.

PUBLIC ACCESS FORUM – BUILDING INSURANCE OF LEASED AND LICENCED BUILDINGS ON COUNCIL LAND

On behalf of Wollongong Tennis Courts Administration Inc (WTCA), Mr D Allen advised that since 1992 WTCA had been licensed by Council to insure and maintain 24 tennis centres, which include 62 tennis courts between Helensburgh and Primbee. Since that time, the WTCA had spent well over \$1.2M of its own funds on court resurfacing, fence replacement and lighting upgrades. Until recently, there was no financial input by

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Council or Government Departments, however, in the last 5-6 years this has changed because of the skyrocketing cost of insurance. In 1992 insurance fees were \$3,000 for buildings and public liability, however, from 2013 onwards the amount was \$35,000 and rising. Currently insurance costs equate to almost half of the income received by WTCA.

Mr Allen went on to outline the break-up of expenditures incurred by WTCA and in conclusion, he strongly urged Councillors to support the recommendation in the report.

DISCLOSURES OF INTEREST

Following the address by Mr Allen (above), Councillors Blicavs and Dorahy declared the following interests in Item 6 –

- Councillor Blicavs declared a non-significant, non-pecuniary interest as her son plays tennis at the Beaton Park Tennis Club.
- Councillor Dorahy declared a non-significant, non-pecuniary interest as he is the Treasurer of Wests Leagues Illawarra.

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

CALL OF THE AGENDA

67 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Crasnich that the staff recommendations for Items 8 to 13 inclusive, be adopted as a block.

SUSPENSION OF STANDING ORDERS

68 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Curran seconded Councillor Connor that Item 6 be considered as the next item of business under Suspension of Standing Orders.

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DEPARTURE OF COUNCILLOR

Councillor Dorahy departed the meeting during debate on Item 6 and was not present when the vote was taken.

ITEM 6 – BUILDING INSURANCE OF LEASED AND LICENSED BUILDINGS ON COUNCIL LAND

69 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Dorahy that –

- 1 Council endorse the removal of the requirement of tenants to obtain building insurance on Council's non-commercial buildings.
- 2 The income budget for commercial property income be increased to off-set the increase in the below excess insurance budget.
- 3 Council policy 'Property Insurance of Non-Commercial Council Buildings occupied by Lessees and Licensees' be revoked.
- 4 A further report be submitted to Council on an over-arching management policy proposed to replace the revoked 'Property Insurance of Non-Commercial Council Buildings occupied by Lessees and Licensees' policy.

Standing Orders were resumed.

ATTENDANCE AND DEPARTURE OF COUNCILLORS

During debate and prior to voting on Item A, Councillor Dorahy returned to the meeting, the time being 6.26 pm.

During debate and prior to voting on Item A, Councillor Curran departed and returned to the meeting, the time being from 6.52 pm to 6.53 pm.

ITEM A – LORD MAYORAL MINUTE – VEGETATION AND VIEW MANAGEMENT

A PROCEDURAL MOTION was MOVED by Councillor Merrin seconded Councillor Crasnich that Councillor Takacs be granted an additional one minute to address the meeting in relation to Item A. CARRIED.

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70 COUNCIL'S RESOLUTION – MOVED by Councillor Bradbery that –

- 1 As part of the development of the Urban Greening Strategy which is identified as a project in the draft 2015-2016 Annual Plan, Vegetation and View Management Guidelines be prepared to ensure a balanced approach to managing vegetation in urban areas.
- 2 The Guidelines be prepared by March 2016 and be the subject of a Councillor Briefing prior to the document coming to Council for approval to exhibit.

Variation The variation moved by Councillor Dorahy (the inclusion of Part 2) was accepted by the mover.

An AMENDMENT was MOVED by Councillor Petty seconded Councillor Curran that -

- 1 As part of the development of the Urban Greening Strategy which is identified as a project in the draft 2015-2016 Annual Plan, a report be prepared on Vegetation and View Management.
- 2 The report be the subject of a Councillor Briefing in March 2016 prior to being submitted to Council.

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

In favour Councillors Merrin, Curran and Petty

Against Councillors Connor, Brown, Martin, Takacs, Blicavs, Dorahy, Colacino, Crasnich and Bradbery

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

In favour Councillors Connor, Brown, Martin, Blicavs, Dorahy, Colacino, Crasnich and Bradbery

Against Councillors Merrin, Curran, Takacs and Petty

MATTER OF GREAT URGENCY

Councillor Curran requested that the Lord Mayor give consideration to a matter of great urgency in relation to Council's duty to act as a Model Litigant.

The Lord Mayor deemed the matter not to be of great urgency. He also advised that the matter referred to by Councillor Curran was before the Court and is subject to certain legal constraints.

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DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item B, Councillor Crasnich departed and returned to the meeting, the time being from 7.36 pm to 7.37 pm.

ITEM B – NOTICE OF RESCISSION - COUNCILLORS BRADBERRY, CONNOR AND BLICAVS – ITEM 3 – COUNCIL MEETING 18 MAY 2015 – REVIEW OF PERFORMANCE REVIEW COMMITTEE CHARTER

71 **COUNCIL'S RESOLUTION** – RESOLVED on the motion of Councillor Connor seconded Councillor Blicavs that Council rescind its resolution of 18 May 2015 (Minute Number 62), relating to Item 3 of Council General Business – Review of Performance Review Committee Charter.

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

In favour Councillors Connor, Brown, Martin, Takacs, Blicavs, Dorahy, Colacino, Crasnich and Bradbery

Against Councillors Merrin, Curran and Petty

The following PROCEDURAL MOTIONS were CARRIED to allow additional time for the Councillors to address the meeting –

- Moved by Councillor Crasnich seconded Councillor Curran – two minutes for Councillor Merrin.
- Moved by Councillor Merrin seconded Councillor Martin – five minutes for Councillor Curran.
- Moved by Councillor Crasnich seconded Councillor Dorahy – two minutes for Councillor Blicavs.

DEPARTURE OF COUNCILLORS

During debate and prior to voting on the following motion, Councillors departed and returned to the meeting, as follows –

- Councillor Colacino from 7.47 pm to 7.49 pm; and,
- Councillor Blicavs from 8.12 pm to 8.13 pm.

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72 COUNCIL'S RESOLUTION – MOVED by Councillor Connor seconded Councillor Blicavs that Council adopt the Draft Performance Review Committee Charter, subject to the structure of the Committee being amended to include:

- 1 An External Facilitator, by agreement of the General Manager and the Performance Review Committee, and selected by the Performance Review Committee from suitable candidates in the list supplied by Local Government NSW; and
- 2 An Independent Observer, to be selected by the Performance Review Committee, from the Independent Members of the Corporate Governance Committee.

Variation The variation moved by Councillor Takacs to add the words 'from suitable candidates in the list supplied by Local Government NSW' to Part 1, was accepted by the mover and seconder.

An AMENDMENT was MOVED by Councillor Dorahy seconded Councillor Crasnich that Council adopt the Draft Performance Review Committee Charter, subject to the structure of the Committee being amended to include:

- 1 An External Facilitator by agreement and selection of the Performance Review Committee, and selected from suitable candidates in the list supplied by Local Government NSW; and
- 2 An Independent Observer, to be selected by the Performance Review Committee, from the Independent Members of the Corporate Governance Committee.

Variation The variation moved by Councillor Takacs to add the words 'and selected from suitable candidates in the list supplied by Local Government NSW' to Part 1, was accepted by the mover and seconder.

A FORESHADOWED AMENDMENT was MOVED by Councillor Merrin seconded Councillor Petty that Council adopt the Draft Performance Review Committee Charter, subject to the structure of the Committee being amended to include:

- 1 An External Facilitator provided through Local Government NSW; and
- 2 An Independent Observer, to be selected by the Performance Review Committee, from the Independent Members of the Corporate Governance Committee.

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

In favour Councillors Dorahy, Crasnich, Curran and Petty

Against Councillors Connor, Brown, Martin, Takacs, Merrin, Blicavs, Colacino and Bradbery

Following the defeat of Councillor Dorahy's Amendment, Councillor Merrin's FORESHADOWED AMENDMENT became the AMENDMENT.

A PROCEDURAL MOTION was MOVED by Councillor Brown seconded Councillor Dorahy that the debate be reopened to allow Councillor Merrin to debate her Foreshadowed Amendment. CARRIED.

A PROCEDURAL MOTION was MOVED by Councillor Petty seconded Councillor Blicavs that the MOTION be PUT. CARRIED.

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

In favour Councillors Merrin, Curran and Petty

Against Councillors Connor, Brown, Martin, Takacs, Blicavs, Dorahy, Colacino, Crasnich and Bradbery

Councillor Connor's MOTION was then PUT to the VOTE and was CARRIED.

In favour Councillors Connor, Brown, Martin, Takacs, Blicavs, Dorahy, Colacino, Crasnich and Bradbery

Against Councillors Merrin, Curran and Petty

DEPARTURE OF COUNCILLORS

Due to a prior Disclosure of Interest, Councillor Takacs departed the meeting and was not present during debate and voting on Item 1.

During debate and prior to voting on Item 1, the following Councillors departed and returned to the meeting –

- Councillor Connor from 9.16 pm to 9.18 pm; and,
- Councillor Crasnich from 9.26 pm to 9.28 pm.

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ITEM 1 – COUNCIL FUNDING CONTRIBUTION FOR NORTHFIELDS AVENUE BUS STOP AND TERMINUS UPGRADE

73 COUNCIL'S RESOLUTION – MOVED by Councillor Brown seconded Councillor Martin that Council:

- 1 Grant financial assistance to the University of Wollongong for the specific purpose of the upgrade of the Northfields Avenue bus stop and terminus.
- 2 Note that the funding is comprised of –
 - a A Council contribution of \$185,000; and
 - b A proposed contribution from Roads and Maritime Services (subject to approval and confirmation of exact amount).
- 3 Exchange letters with the University of Wollongong to clearly define the purposes of the funds and noting that payment will be made upon completion of the work in accordance with the approved plans and evidence of University expenditure.
- 4 Write to The Hon. Andrew Constance MP, Minister for Transport and Infrastructure, The Hon. Gareth Ward MP, Parliamentary Secretary for The Illawarra, and Local Members of State Parliament, seeking their help in securing agreement of Roads and Maritime Services to fund a proportion of the costs for the relevant Gwynneville/Keiraville transport studies, noting Council and the University of Wollongong have agreed to provide a proportion of funds for the studies.
- 5 Council bring forward \$100,000 from the Future Projects Restricted Assets to fund the Keiraville/Gwynneville Access and Movement Strategy in 2015-2016; on the proviso that Roads and Maritime Services makes a similar contribution.

Variation The variation moved by Councillor Bradbery (the addition of Point 5) was accepted by the mover and seconder.

An AMENDMENT was MOVED by Councillor Blicavs seconded Councillor Dorahy that –

- 1 Council grant financial assistance to the University of Wollongong for the specific purpose of the upgrade of the Northfields Avenue bus stop and terminus.
- 2 Council note that the funding is comprised of –
 - a A Council contribution of \$85,000; and
 - b A proposed contribution from Roads and Maritime Services (subject to approval and confirmation of exact amount).

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- 3 Council exchange letters with the University of Wollongong to clearly define the purposes of the funds and noting that payment will be made upon completion of the work in accordance with the approved plans and evidence of University expenditure.
- 4 \$100,000 be transferred to the Future Projects Restricted Asset from the reduction in expenditure on the Northfields Avenue Bus Stop and Terminus Project to begin the process of the Keiraville/Gwynneville Access and Movement Strategy.
- 5 An amendment be proposed to the draft Annual Plan 2015 – 16 (to be considered by Council 22 June 2015) to provide for the completion of the Keiraville/Gwynneville Access and Movement Strategy from the Future Projects Restricted Asset Account Fund.
- 6 Council write to The Hon. Andrew Constance MP, Minister for Transport and Infrastructure, The Hon. Gareth Ward MP, Parliamentary Secretary for The Illawarra, and Local Members of State Parliament, seeking their help in securing agreement of Roads and Maritime Services to fund a proportion of the costs for the relevant Gwynneville/Keiraville transport studies, noting Council and the University of Wollongong have agreed to provide a proportion of funds for the studies.

A FORESHADOWED AMENDMENT was MOVED by Councillor Merrin seconded Councillor Blicavs that Council –

- 1 Grant financial assistance to the University of Wollongong for the specific purpose of the upgrade of the Northfields Avenue bus stop and terminus.
- 2 Note that the funding is comprised of –
 - a A Council contribution of \$185,000; and
 - b A proposed contribution from Roads and Maritime Services (subject to approval and confirmation of exact amount).
- 3 Exchange letters with the University of Wollongong to clearly define the purposes of the funds and noting that payment will be made upon completion of the work in accordance with the approved plans and evidence of University expenditure.
- 4 Write to The Hon. Andrew Constance MP, Minister for Transport and Infrastructure, The Hon. Gareth Ward MP, Parliamentary Secretary for The Illawarra, and Local Members of State Parliament, seeking their help in securing agreement of Roads and Maritime Services to fund a

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proportion of the costs for the relevant Gwynneville/Keiraville transport studies, noting Council and the University of Wollongong have agreed to provide a proportion of funds for the studies.

Councillor Blicavs AMENDMENT on being PUT to the VOTE was LOST.

In favour Councillors Blicavs, Dorahy, Colacino and Crasnich
Against Councillors Connor, Brown, Martin, Merrin, Curran, Petty and Bradbery

Councillor Merrin's FORESHADOWED AMENDMENT then BECAME the AMENDMENT.

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

In favour Councillors Merrin, Blicavs, Dorahy, Colacino and Crasnich
Against Councillors Connor, Brown, Martin, Curran, Petty and Bradbery

Councillor Brown's MOTION was then PUT to the VOTE and was CARRIED.

In favour Councillors Connor, Brown, Martin, Blicavs, Dorahy, Colacino, Crasnich and Bradbery
Against Councillors Merrin, Curran and Petty

EXTENSION OF MEETING TIME

A PROCEDURAL MOTION was MOVED by Councillor Petty seconded Councillor Martin that the meeting time be extended to 11.00 pm. CARRIED.

DEPARTURE OF COUNCILLORS

At this stage the time being 9.59 pm, Councillor Crasnich departed the meeting.

During the debate and prior to voting on Item 2, the following Councillors departed and returned to the meeting –

- Councillor Blicavs from 9.59 pm to 10.01 pm;
- Councillor Colacino from 9.59 pm to 10.01 pm; and,
- Councillor Curran from 9.59 pm to 10.03 pm.

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ITEM 2 – ADOPTION OF THE REVIEW OF TOWRADGI CREEK FLOOD STUDY

74 COUNCIL'S RESOLUTION – RESOLVED on the motion of Councillor Merrin seconded Councillor Brown that the revised Towradgi Creek Flood Study be adopted.

In favour Councillors Connor, Brown, Martin, Merrin, Takacs, Blicavs, Dorahy, Colacino and Bradbery

Against Councillors Curran and Petty

DEPARTURE OF COUNCILLORS

Due to a prior disclosure of interest, Councillor Petty departed the Chambers and was not present during debate and voting on Item 3.

During the debate and prior to voting on Item 3, Councillor Merrin departed and returned to the meeting, the time being from 10.25 pm to 10.28 pm.

ITEM 3 – DECISION OF THE CIVIL AND ADMINISTRATIVE TRIBUNAL – OFFICE OF LOCAL GOVERNMENT V PETTY

A PROCEDURAL MOTION was MOVED by Councillor Dorahy seconded Councillor Martin that Councillor Curran be granted a one minute extension to address the meeting in relation to Item 3. CARRIED.

MOVED by Councillor Blicavs seconded Councillor Connor that –

- 1 The Orders of the Civil and Administrative Tribunal be noted.
- 2 Councillor Petty be removed from the Audit Committee.

75 COUNCIL'S RESOLUTION – An AMENDMENT was MOVED by Councillor Brown seconded Councillor Merrin that –

- 1 The Orders of the Civil and Administrative Tribunal be noted.
- 2 Council request Councillor Petty reconsider his position on the Audit Committee in the light of the outcome of the Tribunal's findings.

Variation The variation moved by Councillor Bradbery to add the words 'in the light of the outcome of the Tribunal's findings' to Part 2, was accepted by the mover and seconder.

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Councillor Brown's AMENDMENT on being PUT to the VOTE was CARRIED.

In favour Councillors Brown, Martin, Takacs, Merrin, Colacino and Curran

Against Councillors Connor, Dorahy, Blicavs and Bradbery

Councillor Brown's AMENDMENT then BECAME the MOTION.

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

In favour Councillors Connor, Brown, Martin, Merrin, Takacs, Blicavs, Colacino and Curran

Against Councillors Dorahy and Bradbery

A PROCEDURAL MOTION was MOVED by Councillor Brown seconded Councillor Blicavs that Items 4 and 5 be considered concurrently. CARRIED.

DEPARTURE OF COUNCILLORS

During debate and prior to voting on Items 4 and 5, the Lord Mayor, Councillor Bradbery, vacated the Chair and departed the meeting, the time being 10.53 pm. At this stage, Councillor Connor assumed the Chair.

The Lord Mayor returned to the meeting at 10.55 pm and resumed the Chair.

During debate and prior to voting on Items 4 and 5, Councillor Petty departed and returned to the meeting, the times being from 10.53 pm to 10.54 pm.

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ITEM 4 – ANNUAL FEES PAYABLE TO THE LORD MAYOR AND COUNCILLORS FOR 2015/2016 AND ITEM 5 - ANNUAL FEES PAYABLE TO INDEPENDENT MEMBERS OF COUNCIL'S AUDIT AND CORPORATE GOVERNANCE COMMITTEES 2015/2016

76 COUNCIL'S RESOLUTION – RESOLVED on the motion of Councillor Brown seconded Councillor Blicavs that the fees payable for the period 1 July 2015 to 30 June 2016 be –

- 1 \$27,550 for Councillors;
- 2 \$80,260 for the Lord Mayor;
- 3 \$810 per meeting for the Independent Chairs of the Audit and Corporate Governance Committees; and,
- 4 \$543.75 per meeting for Independent Members of the Audit and Corporate Governance Committees.

In favour Councillors Connor, Brown, Martin, Takacs, Merrin, Blicavs, Dorahy, Colacino, Curran and Bradbery

Against Councillor Petty

ITEM 5 – ANNUAL FEES PAYABLE TO INDEPENDENT MEMBERS OF COUNCIL'S AUDIT AND CORPORATE GOVERNANCE COMMITTEES 2015/2016

This Item was considered in conjunction with Item 4 (refer above and to Procedural Motion).

ITEM 6 – BUILDING INSURANCE OF LEASED AND LICENSED BUILDINGS ON COUNCIL LAND

This Item was considered under Suspension of Standing Orders (refer Minute Numbers 68 and 69).

ITEM 7 – REVIEW OF COUNCIL'S INVESTMENT POLICY

77 COUNCIL'S RESOLUTION – MOVED by Councillor Merrin seconded Councillor Takacs that this matter be deferred and be subject to a Councillor Briefing which includes more information on the social, environmental and corporate governance principles which have been provided as examples within the UN Definitions for Responsible Investment.

An AMENDMENT was MOVED by Councillor Petty seconded Councillor Curran that the revised Investment Policy be endorsed.

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

In favour Councillors Connor, Dorahy, Colacino, Curran and Petty

Against Councillors Brown, Martin, Takacs, Merrin, Blicavs and Bradbery

Councillor Merrin's MOTION was then PUT to the VOTE and was CARRIED UNANIMOUSLY.

ITEM 8 – PROPOSED LEASE OF THE GIRL GUIDES HALL AT 73 EMERSON ROAD, DAPTO

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 67).

COUNCIL'S RESOLUTION – Authority be granted for a lease to be entered into for land classified as Operational Land being Lot 183 DP246830 73 Emerson Road, Dapto, to the Girl Guides Association of New South Wales for a term of ten (10) years in accordance with the terms set out in this report.

ITEM 9 – PROPOSED RELEASE OF MULTIPLE RESTRICTIONS AS TO USER, EASEMENT FOR ACCESS AND CAVEAT FROM LOT 6000 DP 1204370 PRINCE OF WALES AVENUE, UNANDERRA

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 67).

COUNCIL'S RESOLUTION –

- 1 Council authorise the release of the following affectations from Lot 6000 DP 1204370 Prince of Wales Avenue, Unanderra for nil compensation:
 - Easement for Access Variable Width.
 - Restriction as to User – use of land restricted to open storage, car parking and landscaping.
 - Restrictions as to User (x6) – fencing.
 - Restriction as to User – no building on or excavation of the subject land.
 - Caveat.
- 2 Authority be granted to affix the Common Seal of Council to the Easement, Caveat and Restriction as to User release documents and any other documents required to give effect to this resolution.

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ITEM 10 – LORD MAYOR’S ATTENDANCE – 2015 ASIA PACIFIC CITIES SUMMIT AND MAYORS’ FORUM – BRISBANE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 67).

COUNCIL’S RESOLUTION – Council approve the attendance of Councillor Bradbery at the 2015 Asia Pacific Cities Summit and Mayors’ Forum in Brisbane staying three nights on business.

ITEM 11 – APRIL 2015 FINANCIALS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 67).

COUNCIL’S RESOLUTION –

- 1 The report be received and noted.
- 2 Proposed changes in the Capital Works Program be approved.

ITEM 12 – STATEMENT OF INVESTMENTS – APRIL 2015

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 67).

COUNCIL’S RESOLUTION – Council receive the Statement of Investments for April 2015.

ITEM 13 – CITY OF WOLLONGONG TRAFFIC COMMITTEE – MINUTES 13 MAY 2015

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 67).

COUNCIL’S RESOLUTION – In accordance with the powers delegated to Council, the minutes and recommendations of the City of Wollongong Traffic Committee Meeting held on 13 May 2015 in relation to Regulation of Traffic be adopted.

EXTENSION OF MEETING TIME

A PROCEDURAL MOTION was MOVED by Councillor Petty seconded Councillor Dorahy that the meeting time be extended to 12.00 pm. CARRIED.

Minute No.

ITEM 14 – LAKE ILLAWARRA ESTUARY MANAGEMENT COMMITTEE TERMS OF REFERENCE

78 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Martin seconded Councillor Connor that Council -

- 1 Endorse the updated Terms of Reference (Attachment 1 of the report) for the Lake Illawarra Estuary Management Committee.
- 2 Appoint Annie Marlow and Steven Savic as the two community members to the Lake Illawarra Estuary Management Committee.
- 3 Approve the appointment of Dr Brian Jones and Dr Kerrylee Rogers as the two Independent Scientific Advisors to the Lake Illawarra Estuary Management Committee.

DEPARTURE OF COUNCILLOR

At this stage, the time being 11.13 pm, Councillor Blicavs departed the meeting.

CLOSED COUNCIL

79 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Dorahy seconded Councillor Brown that Items 1 and 2 of Confidential Council business which deal with the proposed acquisition of two parcels of land be considered in Closed Session, for the following reasons –

- a Section 10A 2(d)(ii) of the Local Government Act 1993 as the reports contain commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council.
- b On balance, the public interest in preserving the confidentiality of commercial information outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting.

Prior to moving into Closed Session, the Lord Mayor advised members of the gallery that both reports relate to proposals to acquire land and the reports are classified as Confidential under Section 10A 2(d)(ii) of the Local Government Act 1993, permits the meeting to be closed to the public, as the reports contain commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council.

Minute No.

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.

No submissions were received from the press or members of the gallery.

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

At this stage, the time being 11.14 pm, members of the press and gallery departed the Council Chambers.

The meeting moved into Closed Session, the time being 11.15 pm.

Council resumed into Open Session at 11.45 pm and members of the gallery were invited back into the Council Chambers.

RESOLUTIONS FROM THE CLOSED SESSION OF COUNCIL

ITEM 1 - POTENTIAL ACQUISITION OF LAND

- 80** The Lord Mayor advised that whilst in Closed Session, Council resolved to delegate to the General Manager the authority to bid at an upcoming land auction.

ITEM 2 - POTENTIAL ACQUISITION OF LAND

- 81** The Lord Mayor advised that whilst in Closed Session, Council resolved to delegate to the General Manager the authority to bid at an upcoming land auction.

THE MEETING CONCLUDED AT 11.46 PM.

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 22 June 2015.

Chairperson