



MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 26 October 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 (attended via electronic means)
Councillor David Brown
Councillor Dom Figliomeni
Councillor Janice Kershaw
Councillor Jenelle Rimmer
Councillor John Dorahy (attended via electronic means)
Councillor Leigh Colacino
Councillor Mithra Cox

In Attendance

General Manager (attended via electronic means)	Greg Doyle
Director Infrastructure + Works, Connectivity Assets + Liveable City	Andrew Carfield
Director Planning + Environment, Future City + Neighbourhoods	Linda Davis
Director Corporate Services, Connected + Engaged City	Renee Campbell
Director Community Services, Creative + Innovative City	Kerry Hunt
Chief Financial Officer (attended via electronic means)	Brian Jenkins
Chief Information Officer (attended via electronic means)	Ingrid McAlpin
Manager Governance + Customer Service (attended via electronic means)	Todd Hopwood
Manager City Strategy (attended via electronic means)	Chris Stewart
Manager City Works (attended via electronic means)	Corey Stoneham
Manager Project Delivery (attended via electronic means)	Glenn Whittaker
Manager Development Assessment + Certification (attended via electronic means)	Mark Riordan
Manager Infrastructure Strategy + Planning (Acting) (attended via electronic means)	Andrew Heaven
Manager Open Space + Environmental Services (attended via electronic means)	Joanne Page
Manager Community Cultural + Economic Development (attended via electronic means)	Sue Savage
Manager Safety + Workplace Services (attended via electronic means)	Shaun Martin
General Counsel (attended via electronic means)	Jeff Reilly

Note: Due to current government requirements around social distancing obligations due to the COVID-19 pandemic, participants in the meeting can participate via electronic means as permitted under legislation relating to the COVID-19 pandemic. Those who participated via electronic means are indicated in the attendance section of the Minutes.

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CONFLICTS OF INTERESTS

Councillor Cox declared a pecuniary, significant conflict of interest in Item 2 – Draft Planning Proposal – Former Corrimal Coke Works Site, 27 Railway Street Corrimal, as she lives very close to the site and the proposal has the potential to affect land values. Councillor Cox advised she would depart the meeting during the debate and voting on the item, in addition to the Public Access Forum speakers' addresses to Council on the matter.

Councillor Martin declared a non-pecuniary, non-significant conflict of interest in Item 2 – Draft Planning Proposal – Former Corrimal Coke Works Site, 27 Railway Street Corrimal, and Item B – Council Role in NSW Planning System, as she works for the Department of Planning Industry and Environment, however she does not deal with any Wollongong Local Government issues in her role. Councillor Martin advised she would remain in the meeting during the debate and voting on the item, in addition to the Public Access Forum speakers' addresses to Council on the matter.

Councillor Dorahy declared a pecuniary, significant conflict of interest in Item 22 – Notice of Motion – Councillor Cath Blakey – Mine Expansion in the Cataract Drinking Water Catchment, as he owns shares in Wollongong Coal Limited. Councillor Dorahy advised he would depart the meeting during the debate and voting on the item, in addition to the Public Access Forum speakers' address to Council on the matter.

Councillor Walters declared a significant, actual conflict of interest in Item 3 – Helensburgh Town Centre Plan and Streetscape Masterplan, as he owns property in the Helensburgh area. Councillor Walters advised he would depart the meeting during debate and voting on the item.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 21 SEPTEMBER 2020

443 **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, 21 September 2020 (a copy having been circulated to Councillors) be taken as read and confirmed.

PETITION – STOP THE RUSSELL VALE COAL MINE EXPANSION

Councillor Cox tabled a Petition containing 1305 signatures, coordinated by the Seacliff Coasters, requesting that Council take a position to reject the coal mine expansion proposal at the Russell Vale Colliery.

PUBLIC ACCESS FORUM

DEPARTURE OF COUNCILLOR

Due to a declared conflict of interest, prior to the commencement of the Public Access Forum, Councillor Cox departed the meeting at 6:05 pm and returned to the meeting at the commencement of the third Public Access Forum speaker's address at 6:18 pm.

Prior to the commencement of the fourth Public Access Forum speaker's address, Councillor Cox again departed the meeting, the time being 6:22 pm. Councillor Cox returned to the meeting at 6:37 pm at the commencement of the fifth Public Access Forum speaker's address.

Councillor Walters departed and returned to the meeting, the time being from 6:24 pm to 6:26 pm.

Councillor Colacino departed and returned to the meeting, the time being from 6:39 pm to 6:41 pm.

ITEM	TITLE	NAME OF SPEAKER
2	Draft Planning Proposal – Former Corrimal Coke Works Site, 27 Railway Street Corrimal	Anne Marett Corrimal Community Action Group Against Recommendation
2	Draft Planning Proposal – Former Corrimal Coke Works Site, 27 Railway Street Corrimal	Raewyn Proctor Against Recommendation
4	Public Exhibition – West Dapto Suburbs Review Project	Melissa Cicero Against Recommendation
2	Draft Planning Proposal – Former Corrimal Coke Works Site, 27 Railway Street Corrimal	Kate Strahorn Illawarra Coke Company Pty Ltd For Recommendation
4	Public Exhibition – West Dapto Suburbs Review Project	Sandra Etryk-Glavevski Against Recommendation
22	Notice of Motion – Councillor Cath Blakey – Mine Expansion in the Cataract Drinking Water Catchment	Michael Fletcher For Recommendation

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

CALL OF THE AGENDA

445 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the staff recommendations for Items 5 to 19 inclusive be adopted as a block.

SUSPENSION OF STANDING ORDERS

446 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Rimmer that the order of debate be items 1, A, B, C (Lord Mayoral Minutes), 2, followed by business items in order, and that standing orders be suspended to allow a presentation by Dominika Ryan of the NSW Audit Office in relation to Item 1.

ITEM 1 - ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2020

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

- 1 The Annual Financial Statements be endorsed, and an opinion be formed in the prescribed format (as per Attachments 2 and 3) on the General Purpose Financial Statements and the Special Purpose Financial Statements.
- 2 The audited Financial Statements and the Auditor's report be presented to the public at the Council meeting of 16 November 2020.
- 3 Council acknowledge and thank the auditors for their contribution.

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

ITEM A - LORD MAYORAL MINUTE - 50TH ANNIVERSARY OF LORD MAYORALTY, NAMING OF THE CITY OF WOLLONGONG AND OPENING OF WOLLONGONG BOTANIC GARDENS

448 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery that Wollongong City Council acknowledge and note the 50th anniversary of the -

- 1 Conferring of the Lord Mayoralty to Wollongong by Queen Elizabeth II on 10 April 1970.
- 2 Official opening of the Wollongong Botanic Gardens on 26 September 1970.
- 3 Adoption of the name "City of Wollongong" on 30 October 1970.

ITEM B - LORD MAYORAL MINUTE - COUNCIL ROLE IN NSW PLANNING SYSTEM

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

- 1 Develop a clear, plain English communication strategy to inform and educate residents about the NSW planning system and the role that Councillors and community feedback play in the planning process, more specifically Development Applications and Planning Proposals.
- 2 Write to the Minister for Planning and Public Spaces requesting that the State Government also prepare clear information for the community on the NSW planning system.

ITEM C - LORD MAYORAL MINUTE - TREE VANDALISM - REWARD MECHANISM FOR INFORMATION

450 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery that Wollongong City Council review the Tree and Vegetation Vandalism Policy to address continuing instances of vandalism across the LGA and explore further opportunities to deter tree and vegetation vandalism. The review should include -

- a The feasibility of a reward mechanism to encourage a person or persons to provide information to Council or Police that leads to the successful prosecution of offenders responsible for tree and/or vegetation vandalism
- b The potential installation of CCTV in strategic positions that identify the perpetrators of vandalism and anti-social activities.

Variation The variation moved by Councillor Dorahy (the addition of point b) was accepted by the mover.

DEPARTURE OF COUNCILLOR

Due to a declared conflict of interest, Councillor Cox departed the meeting at 7:35 pm and was not present during the debate nor voting on Item 2. Councillor Cox returned to the meeting at 8:34 pm following the conclusion of Item 2.

Councillor Colacino departed and returned to the meeting, the time being from 8:05 pm to 8:07 pm.

A PROCEDURAL MOTION was MOVED by Councillor D Brown seconded Councillor Walters that Councillor Rimmer be granted an additional one (1) minute to address the meeting in relation to Item 2.

A PROCEDURAL MOTION was MOVED by Councillor Colacino seconded Councillor Walters that Councillor Dorahy be granted an additional one (1) minute to address the meeting in relation to Item 2.

ITEM 2 - DRAFT PLANNING PROPOSAL - FORMER CORRIMAL COKE WORKS SITE, 27 RAILWAY STREET CORRIMAL

451 COUNCIL'S RESOLUTION – RESOLVED on the motion of Councillor Kershaw seconded Councillor Rimmer that -

- 1 The draft Planning Proposal, draft Development Control Plan chapter and draft Planning Agreement for the former Corrimal Coke Works site be deferred, to enable revised planning controls to be prepared that address the following key outcomes -
 - a A maximum number of 550 dwellings, contained in a variety of housing types, as shown in the 2017 draft Master plan previously considered by Council
 - b The Land Zoning Map continue to show a mix of R3 Medium Density Residential and RE1 Public Recreation, as shown in Attachment 7
 - c The Height of Buildings Map be amended to show a range of building heights reflecting the different housing types, with a maximum building height of 4 stories (or 15 metres) and having regard for adjoining development
 - d The Floor Space Ratio Map be amended to reflect the outcomes of points a and c
 - e The Schedule 1 Additional Use provision be amended to incorporate permitted use provision for development at ground level for the following purposes: - business premises, - neighbourhood shops with a maximum gross floor area of 150m², - food and drink premises with a maximum gross floor area of 250m², - neighbourhood supermarket with a maximum gross floor area of 500m², with a combined total gross floor area (GFA) for these uses cannot exceed 2,000m²
 - f 6.5% of the proposed dwellings be made available for Affordable Rental Housing, through a Planning Agreement, to be managed by a Community Housing Provider
 - g No amendment is required to the proposed Minimum Lot size Map, Riparian Lands Map, Key Site Map, Urban Release Area Map, Local Provisions and other Schedule 1 Additional Use provisions.
- 2 The draft Development Control Plan chapter, site master plan and draft Planning Agreement be updated by the applicant to reflect the above outcomes, and the issues identified in the Council officers report.
- 3 The revised draft Planning Proposal, draft Development Control Plan chapter, site master plan and draft Planning Agreement be reported to Council within 6 months for consideration and determination as to whether the matter should be progressed to exhibition. A Councillor briefing be held within 5 months.
- 4 The draft Planning Proposal also make a minor housekeeping amendment to rezone the Cross Street road reserve and part of the former Lot 12 DP 749492 Cross Street from SP2 Infrastructure (Road) and RE2 Private Recreation to R2 Low density Residential with a Minimum Lot size of 449m², Floor Space Ratio of 0.5:1 and Height of Building limit of 9m, consistent with the adjoining Cross Street residential properties.

Variation The variation moved by Councillor Walters (the alteration of 5% to 6.5% in point 1f) was accepted by the mover and seconder.

In favour Councillors Kershaw, Rimmer, D Brown, T Brown, Martin, Blakey, Colacino, Walters, Bradbery and Figliomeni

Against Councillor Dorahy

Councillor Dorahy FORESHADOWED a MOTION should Councillor Kershaw's Motion be defeated that –

- 1 A revised draft Planning Proposal be prepared and exhibited for Lot 1 DP 795791, Lot 5 DP 749492, Lot 11 DP 749492 and Lot 126 DP 598190 known as the former Corrimal Coke Works, to amend Wollongong Local Environmental Plan 2009 as follows:
 - a Amend the Zoning Map (Attachment 7):
 - i Rezone Lot 1 DP 795579 from IN3 Heavy Industrial to R3 Medium Density Residential
 - ii Rezone Lot 5 DP 749492 to part R3 Medium Density Residential and part RE1 Public Recreation
 - iii Rezone Lot 11 DP 749492 from SP2 Infrastructure (Road) to RE1 Public Recreation
 - iv Retain Lot 126 DP 598190 as SP2 Infrastructure (Road).
 - b Amend the Height of Buildings Map (Attachment 7) to introduce heights between nine (9) metres and 22 metres.
 - c Amend the Floor Space Ratio Map (Attachment 7) to introduce FSRs between 0.75:1 and 2:1.
 - d Amend the Minimum Lot Size Map (Attachment 7) to introduce a minimum lot size of 450m² for the area proposed R3 Medium Density Residential zoning.
 - e Amend the Riparian Lands Map (Attachment 7) to identify the realigned riparian corridor.
 - f Amend the Natural Resource Sensitivity – Biodiversity Map (Attachment 7) to identify significant native vegetation communities.
 - g Amend the Key Site Map (Attachment 7) to identify the site as a Key Site under clause 7.18 Design Excellence.
 - h Amend the Urban Release Area Map (Attachment 7) to identify the site as requiring the provisions of Part 6 Urban Release Areas, clauses 6.1 and 6.2.
 - i Include the following new Part 7 Local Provisions:
 - i A “Sun Plane Protection” clause to protect the public open space identified in the Master Plan as “Heritage Plaza” and “Central Park” from excessive overshadowing by restricting the height of buildings.
 - ii A clause to allow increased heights beyond the maximum height control for certain heritage items: C1 North Stack (37m); C1 Brick Chimney Stack (29m) and the C1 Fine Coal Bin (25m), in the event that they need to be rebuilt.
 - iii A clause to grant development consent to development for the purpose of rooftop plant, lift towers, lift motor rooms and or communal open space and access to any structures associated with such space, that would exceed or causes a building to exceed, the height limits set.
 - j Amend Schedule 1 to incorporate the following additional permitted use provision:

Development at ground level for the following purposes within the mapped area:

 - business premises
 - neighbourhood shops with a maximum gross floor area of 150m²
 - food and drink premises with a maximum gross floor area of 250m²
 - neighbourhood supermarket with a maximum gross floor area of 1,000m²

The combined total gross floor area (GFA) for the above uses cannot exceed 2,000m². The objective of the clause is to limit the size of shops to ensure that the

Corrimal Town Centre remains the principal retail area.

- 2 The draft site-specific Development Control Plan chapter with the revisions outlined in Section 3.8 of this report and supporting documentation/technical studies be exhibited with the draft Planning Proposal.
- 3 The draft Planning Agreement Letter of Offer (including details of the arrangements for inclusion of 5% affordable rental housing) be exhibited with the draft Planning Proposal.
- 4 The draft Planning Proposal also make a housekeeping amendment to rezone the Cross Street Road reserve and part of the former Lot 12 DP 749492 Cross Street from SP2 Infrastructure (Road) and RE2 Private Recreation to R2 Low density Residential with a Minimum Lot size of 449m², Floor Space Ratio of 0.5:1 and Height of Building limit of 9m, consistent with the adjoining Cross Street residential properties.
- 5 The draft Planning Proposal, draft Development Control Plan chapter, draft Planning Agreement Letter of Offer and supporting documentation be exhibited for a minimum period of 60 days, in accordance with Council's resolution 3 April 2018, noting a community information session may not be possible given COVID-19 restrictions and hence alternative methods of community engagement will be utilised. The exhibition period may be extended due to the Christmas – New Year period.
- 6 During the exhibition period, consultation be undertaken with the following agencies -
 - a NSW Department of Industry – Crown Lands and Water Division
 - b NSW Environment Protection Authority
 - c NSW DPIE - Environment, Energy and Science
 - d Heritage NSW
 - e Endeavour Energy
 - f Transport for NSW (includes former RMS and Sydney Trains)
 - g Sydney Water
 - h Emergency response organisations (SES, RFS, NSW Fire and Rescue etc)
- 7 A post exhibition report be prepared for Council to consider. The report shall outline any proposed revisions to the draft Planning Proposal, Master Plan, draft DCP chapter and Letter of Offer.
- 8 Council note that the NSW Department of Planning, Industry and Environment will retain the authority and exercise plan making delegations.

DEPARTURE OF COUNCILLOR

Due to a declared conflict of interest, Councillor Walters departed the meeting at 8:34 pm and was not present during the debate nor voting on Item 3. Councillor Walters returned to the meeting at 8:48 pm following the conclusion of Item 3.

ITEM 3 - HELENSBURGH TOWN CENTRE PLAN AND STREETScape MASTERPLAN

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

- 1 The Helensburgh Town Centre Plan 2020–2045 be adopted (Attachment 3).
- 2 The Helensburgh Streetscape Masterplan be adopted (Attachment 4).
- 3 The Helensburgh Town Centre Implementation Plan be noted (Attachment 5).

DEPARTURE OF COUNCILLOR

Councillor Rimmer departed and returned to the meeting, the time being from 8:54 pm to 8:57 pm.

Councillor Colacino departed and returned to the meeting, the time being from 8:54 pm to 8:58 pm.

ITEM 4 - PUBLIC EXHIBITION - WEST DAPTO SUBURBS REVIEW PROJECT

453 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Martin seconded Councillor Figliomeni that -

- 1 Council endorse the proposed shortlist of names, as detailed in Figure 2, excluding the area west of Kembla Grange, for public exhibition. The exhibition period will be for six (6) weeks.
- 2 Council work with residents to investigate further naming options for the second portion of Kembla Grange.

ITEM 5 - LAKE ILLAWARRA ESTUARY MANAGEMENT COMMITTEE – COMMUNITY AND SCIENTIFIC ADVISOR APPOINTMENTS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 445)

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

- 1 Annie Marlow and Wayne Cook continue to serve as community members on behalf of the Wollongong LGA, on the LIEMC, until 31 August 2021.
- 2 Dr Kerrylee Rogers and Dr Brian Jones continue to serve as independent scientific advisors on the LIEMC until 31 August 2021.
- 3 Council adopt the amended Terms of Reference for the LIEMC in terms of the membership timeframe.

ITEM 6 - APPOINTMENT OF INDEPENDENT MEMBER TO THE AUDIT, RISK AND IMPROVEMENT COMMITTEE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 445)

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

- 1 Approve the appointment of Ms Donna Rygate to the Audit, Risk and Improvement Committee for an initial term of three years, expiring on 31 October 2023.
- 2 Thank Mr Terry Clout for his service and advice to Council as an independent member and Chairperson of the Committee.

ITEM 7 - TENDER T20/21 - ADMINISTRATION BUILDING - INSTALLATION OF SOLAR PANELS ON COUNCIL CAR PARK

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 445)

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 Autonomous Energy Pty Ltd for the Administration Building Solar Car Park, in the sum of \$924,677.70, excluding GST noting a proposed variation of \$7,599.00 excluding GST post-award, in accordance with clause 176 of the Regulations.
- 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 8 - TENDER T20/23 - BULLI COMMUNITY CENTRE ACCESSIBLE TOILET, ACCESS RAMP AND INTERNAL AND EXTERNAL PAINTING WORKS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 445)

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 Batmac Constructions Pty Ltd for Bulli Community Centre upgrades to accessible toilet, access ramp and internal/external painting works, in the sum of \$337,766.71 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 T20/25 - PUCKEYS ESTATE BOARDWALKS AND BRIDGE REPAIRS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 445)

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Cadifern Civil for Puckeys Estate Boardwalks and Bridge Repairs, in the sum of \$718,899.00, 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 - TENDER T20/28 - ROOF REPLACEMENT - ELIZABETH PARK, BELLAMBI SOCCER CLUBHOUSE AND OCEAN PARK, WOONONA SOCCER CLUBHOUSE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 445)

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 Batmac Constructions Pty Ltd for Roof Replacements for both Elizabeth Park, Bellambi Soccer Clubhouse and Ocean Park, Woonona Soccer Clubhouse, in the sum of \$444,513.94, excluding GST.
- 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 11 - TENDER T20/31 - WOLLONGONG TOWN HALL - ROOF TRUSS STRENGTHENING AND RIGGING UPGRADES

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 445)

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 Colin Joss & Co Pty Ltd trading as Joss Facility Management for Wollongong Town Hall Roof Truss Strengthening and Rigging Upgrades, in the sum of \$342,961.11, 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 12 - TENDER T20/32 - SANDON POINT BEACH ACCESS STAIRS (MULTIPLE) AND EROSION CONTROL

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 445)

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 Dynamic Civil Pty Ltd for replacement of Beach Access Stairs and installation of erosion control measures at Sandon Point, in the sum of \$362,294.00, 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 13 - TENDER T20/33 - EMPLOYEE ASSISTANCE PROGRAM

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 445)

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 Mentor Services for the provision of an employee assistance program in the sum of \$174,000 excluding GST for a term of 3 years with 2 x 1 year extension options.
- 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 14 - TENDER T20/34 - HEININGER HALL (DAPTO RIBBONWOOD CENTRE) - AMENITIES REFURBISHMENT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 445)

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 Trinity Quality Interiors Pty Ltd for the refurbishment of the amenities at Heininger Hall, in the sum of \$188,650.75, 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 T20/35 - REFURBISHMENT OF AMENITIES AT GUEST PARK, FAIRY MEADOW

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 445)

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 Batmac Constructions Pty Ltd for refurbishment of Guest Park Amenities, in the sum of \$461,177.73, 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 - SEPTEMBER 2020 FINANCIALS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 445)

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

- 1 The financials be received and noted.
- 2 Council approves the proposed changes to the Capital Budget.

ITEM 17 - STATEMENT OF INVESTMENT - SEPTEMBER 2020

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 445)

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

ITEM 18 - ANNUAL TABLING OF RETURNS OF DISCLOSURE OF PECUNIARY INTERESTS AND OTHER MATTERS - 2019 TO 2020

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 445)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that Council note the tabling of the Annual Returns of Disclosure of Pecuniary Interests and Other Matters as required by Clause 4.26 of the Model Code of Conduct for Local Councils in NSW.

ITEM 19 - CITY OF WOLLONGONG TRAFFIC COMMITTEE MINUTES OF MEETING HELD ON 30 SEPTEMBER 2020

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 445)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T 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 30 September 2020, be adopted.

DEPARTURE OF COUNCILLOR

The Lord Mayor, Councillor Bradbery, departed and returned to the meeting, the time being from 9:23 pm to 9:25 pm. During this time Deputy Lord Mayor, Councillor T Brown, presided the meeting as Acting Chair.

Councillor T Brown departed and returned to the meeting, the time being from 9:29 pm to 9:30 pm.

Councillor Martin departed and returned to the meeting, the time being from 9:43 pm to 9:45 pm.

ITEM 20 - NOTICE OF MOTION - COUNCILLOR COLACINO - OVERHEAD ELECTRONIC SIGNAGE

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

- 1 Council immediately discuss with TfNSW the possibility, and need for, making use of their overhead electronic signage, along the main roads leading into and throughout the Wollongong area, to announce the current parking and driving situation of the beaches of, but not limited to, the Northern suburbs of Wollongong. The use of these electronic signs should cover the following scenarios -
 - a Alerting visitors to the region to periods when car parks have reached their capacity
 - b Alerting drivers to traffic congestion along Lawrence Hargrave Drive during peak usage events
 - c Providing expected travel times and expected lengths of delay.
- 2 Council identify procedures and works necessary for the implementation of the above.

Variation The variation moved by Councillor Figliomeni (the addition of point 2) was accepted by the mover and seconder.

EXTENSION OF MEETING TIME

During the debate on Item 21, a PROCEDURAL MOTION was MOVED by Councillor Bradbery that the meeting time be extended by 30 minutes.

ITEM 21 - NOTICE OF MOTION - COUNCILLOR TANIA BROWN - WOLLONGONG FORESHORE TRAFFIC MANAGEMENT

455 **COUNCIL'S RESOLUTION** - RESOLVED on the motion of Councillor T Brown seconded Councillor Rimmer that recognising the work already undertaken by Wollongong City Council, in the yet to be released 'Wollongong Foreshore Parking Strategy', that -

- 1 Staff review this impending strategy and advise whether there are any pop-up parking opportunities or alternatives that could be brought forward to alleviate pressure on the foreshore precincts of the city over Summer 2020/21, noting the particularly high traffic volume areas of Austinmer, Bulli, Thirroul, Stanwell Park, Port Kembla and the city precinct comprising Stuart Park, North Wollongong Beach, City Beach and Wollongong Harbour.
- 2 Given that Council contributes financially to the Gong Shuttle, that we increase promotion of this service as a convenient way to avoid parking congestion and gain easy access to the city beaches.
- 3 Staff investigate the ability to quarantine a small number of parking spaces for Surf Life Saving volunteers, close to the two city surf clubs, to enable our volunteers ready access to the Club facilities.

Variation The variation moved by Councillor Bradbery (the addition of the words 'or alternatives') in point 1) was accepted by the mover and seconder.

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

Against Councillor Cox

DEPARTURE OF COUNCILLOR

Due to a declared conflict of interest, Councillor Dorahy departed the meeting at 10:11 pm and was not present during the debate nor voting on Item 22. Councillor Dorahy did not return to the meeting.

EXTENSION OF MEETING TIME

During the debate on Item 22, a PROCEDURAL MOTION was MOVED by Councillor Bradbery that the meeting time be extended by 25 minutes.

ITEM 22 - NOTICE OF MOTION - COUNCILLOR CATH BLAKEY - MINE EXPANSION IN THE CATARACT DRINKING WATER CATCHMENT

456 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Blakey seconded Councillor Cox that Council -

- 1 Write to the Independent Planning Commission to object to the Russell Vale Underground Expansion Project on the basis of community concerns of increased heavy vehicle traffic, dust, noise, threat to the drinking water catchment, Aboriginal heritage sites and greenhouse gas emissions, as well as Wollongong Coal's poor track record on workplace safety, debt servicing and operating compliance. Council also requests that if the project is approved then the conditions should require:
 - a the completion of infrastructure at Russell Vale Colliery to protect residents from particulate and noise pollution before any coal is extracted
 - b the fulfilment of outstanding consent conditions of the 1989 and 1990 development approvals for Russell Vale mine operators, including the payment of security bond to Wollongong Council, the remediation of the Russell Vale Emplacement Area to an agreed final landform and the dedication of the parcel of golf course land to Council.
- 2 Write to the Planning Minister to seek reform of the Environmental Planning and Assessment Act to enable a Fit and Proper test of a proponent to be encompassed in the assessment process for state significant developments.

An AMENDMENT was MOVED by Councillor Walters seconded Councillor Colacino that Council -

- 1 Write to the Independent Planning Commission to express concerns regarding the Russell Vale Underground Expansion Project on the basis of community concerns of increased heavy vehicle traffic, dust, noise, threat to the drinking water catchment, Aboriginal heritage sites and greenhouse gas emissions, as well as Wollongong Coal's poor track record on workplace safety, debt servicing and operating compliance. Council also requests that if the project is approved then the conditions should require:
 - a the completion of infrastructure at Russell Vale Colliery to protect residents from particulate and noise pollution before any coal is extracted
 - b the fulfilment of outstanding consent conditions of the 1989 and 1990 development approvals for Russell Vale mine operators, including the payment of security bond to Wollongong Council, the remediation of the Russell Vale Emplacement Area to an agreed final landform and the dedication of the parcel of golf course land to Council.
- 2 Write to the Planning Minister to seek reform of the Environmental Planning and Assessment Act to enable a Fit and Proper test of a proponent to be encompassed in the assessment process for state significant developments.

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

In favour Councillors Figliomeni, T Brown, Colacino and Walters

Against Councillors Kershaw, Cox, Martin, D Brown, Rimmer, Bradbery and Blakey

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

THE MEETING CONCLUDED AT 10:56 PM

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

Chairperson