



MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 9 December 2019

Present

Lord Mayor – Councillor Gordon Bradbery AM (in the Chair),
Deputy Lord Mayor - Councillor Tania Brown
Councillor Ann Martin
Councillor Cameron Walters
Councillor Cath Blakey
Councillor David Brown
Councillor Dom Figliomeni

Councillor Jenelle Rimmer
Councillor Leigh Colacino
Councillor Mithra Cox
Councillor Vicky King

In Attendance

General Manager
Director Infrastructure + Works, Connectivity Assets + Liveable City
Director Planning + Environment, Future City and Neighbourhoods
Director Corporate Services, Connected + Engaged City
Manager Governance + Customer Service
Chief Financial Officer
Manager City Strategy
Manager City Works
Manager Project Delivery
Manager Infrastructure Strategy + Planning
Manager Open Space + Environmental Services
Manager Community Cultural + Economic Development

Greg Doyle
Andrew Carfield
Linda Davis
Renee Campbell
Todd Hopwood
Brian Jenkins
Chris Stewart
Mark Roebuck
Glenn Whittaker
Mike Dowd
Joanne Page
Sue Savage

Apologies

Min No.

321 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Walters that the apologies tendered on behalf of Councillors Kershaw and Dorahy be accepted and leaves of absence granted.

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CONFLICTS OF INTERESTS

Councillor T Brown declared a non-pecuniary, non-significant, perceived conflict of interest in Item 2 – Appointment of Wollongong City Council Independent Directors to Destination Wollongong Board as she is a member-elected Board member. Councillor T Brown advised that she will remain in the Chamber during debate and voting on the item.

Councillor Figliomeni declared a non-pecuniary, non-significant conflict of interest in Item 24 – Tender T19/25 Affordable Housing Program as he is President of Scouts for the South Coast and Tablelands, who are currently in discussions with an organisation which made a submission as part of Item 24. Councillor Figliomeni advised that he will depart the Chamber during debate and voting on the item.

Councillor Martin declared a non-pecuniary, non-significant conflict of interest in Item 6 – Proposed Naming of Bridge Fowlers Road to Fairwater Drive Project as part of the report relates to a family friend, who has since deceased. Councillor Martin advised that she will remain in the Chamber during debate and voting on the item.

Councillor Bradbery declared a non-pecuniary, non-significant conflict of interest in Item 3 – Emissions Reduction Target – Global Covenant of Mayors as he is the Chair of the Bluescope Community Consultative Committee which is mentioned as one of the contributors to the consultation process related to the item. Councillor Bradbery advised that he will remain in the Chamber during debate and voting on the item.

Councillor Colacino declared a non-pecuniary, non-significant conflict of interest in Item 2 – Appointment of Wollongong City Council Independent Directors to Destination Wollongong Board and Item 5 – Mt Keira Summit Park Plan of Management as he is a Council-elected Board member of Destination Wollongong. Councillor Colacino advised that he will remain in the Chamber during debate and voting on both items.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 18 NOVEMBER 2019

322 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Cox that the Minutes of the Ordinary Meeting of Council held on Monday, 18 November 2019 (a copy having been circulated to Councillors) be taken as read and confirmed.

PUBLIC ACCESS FORUM

ITEM	TITLE	NAME OF SPEAKER
3	Emissions Reduction Target – Global Covenant of Mayors	Greg Knight For Recommendation
3	Emissions Reduction Target – Global Covenant of Mayors	George Takacs For Recommendation

At this stage the third Public Access Forum speaker, Isabella Todd, was called upon to address Council. At the commencement of her address she advised Council that she intended to speak for the recommendation as she had misunderstood the report when applying to speak against the recommendation.

A PROCEDURAL MOTION was MOVED by Councillor D Brown seconded Councillor Martin that the speaker be able to address Council.

3	Emissions Reduction Target – Global Covenant of Mayors	Isabella Todd For Recommendation
5	Mt Keira Summit Park Plan of Management	Gary Pesavento Against Recommendation
5	Mt Keira Summit Park Plan of Management	Nicole Busch Against Recommendation

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

CALL OF THE AGENDA

324 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that the staff recommendations for Items 1 and 7 to 23 inclusive be adopted as a block.

ITEM A – LORD MAYORAL MINUTE – RECOGNITION OF VOLUNTEERS OF WOLLONGONG LIBRARIES AND COMMUNITY SERVICES

325 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery that Council recognise, acknowledge and thank the many volunteers of Council and the wider community that contribute so much to the enrichment of the community.

ITEM 1 - LAKE ILLAWARRA ESTUARY MANAGEMENT COMMITTEE – COMMUNITY REPRESENTATIONS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 324).

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

- 1 Council re-appoint Annie Marlow and Wayne Cook as community representatives and Dr Kerrylee Rogers and Dr Brian Jones as independent scientific advisors on the Lake Illawarra Estuary Management Committee for the next term of the Committee (31 October 2020 or until the Coastal Management Program is certified, whatever occurs first).
- 2 Council adopt the amended Terms of Reference for the Lake Illawarra Estuary Management Committee.

ITEM 2 - APPOINTMENT OF WOLLONGONG CITY COUNCIL INDEPENDENT DIRECTORS TO DESTINATION WOLLONGONG BOARD

326 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor Martin that -

- 1 Council endorse the appointment of Ms Amy Harper and Mr Wayne Morris as the Council Appointed Independent Directors on the Destination Wollongong Board until 30 June 2021 (ie the final date of the current funding agreement).
- 2 Should a vacancy arise on the Destination Wollongong Board over this period, the next highest ranked applicant will be offered a position as a Council Appointed Independent Director.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 3, Councillor Colacino departed and returned to the meeting, the time being from 6:49pm to 6:51pm.

ITEM 3 - EMISSIONS REDUCTION TARGET - GLOBAL COVENANT OF MAYORS

327 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Cox seconded Councillor Martin that -

- 1 A science-derived greenhouse gas emissions reduction target of *net zero emissions by 2050* for the City of Wollongong be submitted to the Global Covenant of Mayors secretariat. Noting that Council is submitting this target on behalf of the community, for the benefit of the entire community and that Council is not solely responsible for the implementation of actions to achieve this target. This target is to be reviewed in five (5) years with a view to reduce the timeline from 2050 to 2030 in line with Council's target.
- 2 Council work towards an aspirational greenhouse gas emissions reduction target of *net zero emissions by 2030* for organisational operations and that this commitment be reviewed in five (5) years to enable consideration of progress towards the target.
- 3 Council develop a Climate Change Mitigation Action Plan in collaboration with key stakeholders to assist all sectors of the community achieve the emissions reduction target for the Wollongong local government area.
- 4 Council join the Cities Power Partnership Program.

Variation The variation moved by Councillor King (the addition of the words 'This target is to be reviewed in five (5) years with a view to reduce the timeline from 2050 to 2030 in line with Council's target.') at the end of point 1 was accepted by the mover and seconder.

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

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

- 1 A science-derived greenhouse gas emissions reduction target of *net zero emissions by 2050* for the City of Wollongong be submitted to the Global Covenant of Mayors secretariat. Noting that Council is submitting this target on behalf of the community, for the benefit of the entire community and that Council is not solely responsible for the implementation of actions to achieve this target.
- 2 Council work towards an aspirational greenhouse gas emissions reduction target of *net zero emissions by 2030* for organisational operations and that this commitment be reviewed in five (5) years to enable consideration of progress towards the target.
- 3 Council develop a Climate Change Mitigation Action Plan in collaboration with key stakeholders to assist all sectors of the community achieve the emissions reduction target for the Wollongong local government area.
- 4 Council join the Cities Power Partnership Program.

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

A PROCEDURAL MOTION was MOVED by Councillor Colacino seconded Councillor Cox that Councillor Martin be granted an additional 2 minutes to address the meeting in relation to Item 3.

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

In favour

Nil

Against

Councillors Bradbery, Rimmer, D Brown, T Brown, Martin, King, Cox, Blakey, Colacino, Walters and Figliomeni

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

ITEM 4 - WEST DAPTO PLANNING CONTROLS REVIEW - POST EXHIBITION

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

- 1 Council note the issues raised through submissions during exhibition held 2 August to 2 September 2019.
- 2 Council adopt Draft Chapter B2: Residential Subdivision and Draft Chapter D16: West Dapto Release Area as revised for inclusion in the Wollongong Development Control Plan 2009 and give notice of its adoption.
- 3 Council adopt the Open Space Design and Technical Manuals.
- 4 Staff further review Section 14 and 15 in the Draft DCP Chapter D16: West Dapto Release Area relating to precinct planning and that this review return to Council for authorisation to progress to public exhibition.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 5, Councillor Walters departed and returned to the meeting, the time being from 7:48pm to 7:50pm.

ITEM 5 - MT KEIRA SUMMIT PARK PLAN OF MANAGEMENT

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

- 1 The Mt Keira Plan of Management, for the Summit Park (Attachment 10) be adopted, incorporating the changes outlined in this report, and include measures to ensure that there are no impediments to providing increased access along Queen Elizabeth Drive to enable safe access to the Summit amenities for bushwalkers and cyclists.
- 2 The Plan of Management be reviewed, if needed, following finalisation of the NSW Government's Illawarra Escarpment Mountain Bike Strategy, to assess whether any additional infrastructure will be required.
- 3 A notice be placed in the local media advising of the adoption of the amended Plan of Management.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 6, Councillor T Brown departed and returned to the meeting, the time being from 8:02 pm to 8:04 pm.

ITEM 6 - PROPOSED NAMING OF BRIDGE FOWLERS ROAD TO FAIRWATER DRIVE PROJECT

330 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Martin seconded Councillor King that Council endorse the name for the main bridge extending from Fowlers Road over the Marshall Street deviation, South Coast Rail Line and Mullet Creek as part of the Fowlers Road to Fairwater Drive Project as "Karrara Bridge".

ITEM 7 - ACQUISITION OF LAND FOR ROAD PURPOSES - LANE 52 THIRROUL

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 324).

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

- 1 Council authorise the acquisition of part Volume 1923 Folio 23 being Lot 3 DP 166257 known as Lane 52 Thirroul for road purposes.
- 2 Pursuant to section 186 of the Local Government Act 1993, Council make application to the Minister for Local Government for the compulsory acquisition of part Volume 1923 Folio 23 being Lot 3 DP 166257.
- 3 Compensation be paid to the land owner at an amount determined by the Valuer General in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.
- 4 Council be responsible for the land owner's reasonable costs, if any, associated with Council's acquisition, including legal costs as required under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.
- 5 Council grant authority for the use of the Common Seal of Council on all documents relevant to this matter, should it be required to give effect to this resolution.
- 6 The General Manager be authorised to execute any transactional document required to finalise the compulsory acquisition and to give effect to this resolution.

- 7 Following acquisition of the land, Council dedicate the land as public road in accordance with section 10 of the Roads Act 1993 by publication of a notice in the NSW Government Gazette.
- 8 Upon Gazettal of the acquisition notice all rates and charges are discharged and the rates in the amount of \$22,747.51 are abandoned.

ITEM 8 - REQUEST TO WAIVE PART FEES - MARKET RENT REVIEW - LICENCE AGREEMENT WITH EASTERN SUBURBS LEAGUES CLUB LIMITED, BERKELEY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 324).

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

- 1 Council waive the market rent review under the licence agreement and adopt an increase to the rental reflecting Consumer Price Index (as calculated in accordance with the licence agreement) only.
- 2 It is noted that rental will be re-determined at the next market rent review required to occur under the licence agreement being 1 May 2024.

ITEM 9 - DRAFT HEWITTS CREEK FLOOD STUDY (2019)

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 324).

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

- 1 The Hewitts Creek Flood Study (2019) be adopted.
- 2 The Hewitts Creek Floodplain Risk Management Study & Plan progress under the current grant agreement.
- 3 Persons who made submissions be thanked and advised of Council's decision

ITEM 10 - DRAFT TOWRADGI CREEK FLOOD STUDY (2019)

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 324).

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

- 1 The Towradgi Creek Flood Study (2019) be adopted
- 2 The Towradgi floodplain risk management study and plan progress under the current grant agreement
- 3 Persons who made submissions be thanked and advised of Council's decision

ITEM 11 - ALLANS CREEK FLOOD STUDY (2019)

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 324).

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

- 1 The Allans Creek Flood Study (2019) be adopted
- 2 The Floodplain Risk Management Study and Plan for Allans Creek commence as a priority
- 3 Persons who made submissions be thanked and advised of Council's decision

ITEM 12 - DELEGATIONS OVER THE CHRISTMAS PERIOD

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 324).

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

- 1 Council note the report on Delegations over the Christmas Period.
- 2 Council delegate to the General Manager and the Lord Mayor, or Deputy Lord Mayor, the authority to accept tenders under Request for Tender processes between 10 December 2019 and 31 January 2020, with a report on the exercise of such delegation to be provided to the Ordinary Meeting of Council on 24 February 2020.

ITEM 13 - MODEL CODE OF CONDUCT COMPLAINTS STATISTICS REPORT 2018-2019

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 324).

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that the report on Model Code of Conduct Complaints Statistics Report for 2018-2019 be received and noted.

ITEM 14 - POLICY REVIEW: SMOKE-FREE (RECREATION AREAS) COUNCIL POLICY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 324).

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that Council endorse the revised Smoke-free (Recreation Areas) Policy noting the proposed inclusions:

- a Incorporation of e-cigarettes as per legislation.
- b The provision of smoke-free areas between and within 50m of the red and yellow flags at patrolled beaches from 1 February 2020.

ITEM 15 - TENDER T17/56 - WASTE WISE EVENTS FULL WASTE MANAGEMENT SERVICES

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 324).

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Community Resources Limited (trading as Green Connect) for Waste Wise Events full waste management services, in the sum of \$74,156.58 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 - TENDER T19/14 - CASH-IN-TRANSIT SERVICES

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 324).

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

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Knightguard Protections Services Pty Ltd t/as Knightguard Protection Group for the provision of cash-in-transit services for the approximate sum of \$164,031, excluding GST, in accordance with the priced schedule of collections, for the period of three years.
- 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 17 - TENDER T19/31 - CONCRETE LINING WORKS OF BATTER SLOPE AND CASCADE DRAIN AT WOLLONGONG WASTE AND RESOURCE RECOVERY PARK, REDDALLS ROAD, KEMBLA GRANGE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 324).

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Dynamic Civil Pty Ltd for Concrete Lining Works of Batter Slope and Cascade Drain at Wollongong Waste and Resource Recovery Park, in the sum of \$517,702, 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 18 - TENDER T19/33 - RECONSTRUCTION OF THE BRICK ARCH CULVERT AT 20 CHELLOW DENE AVENUE, STANWELL PARK

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 324).

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Cadifern Pty Ltd to rehabilitate a brick arch culvert on Hargrave Creek Catchment adjacent to 20 Chellow Dene Avenue, Stanwell Park, in the sum of \$835,199.61, 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 19 - TENDER T19/36 - PROPOSED UPGRADE TO LIGHTING FOR COURTS 1 AND 2, LAKESIDE LEISURE CENTRE, KANAHOOKA

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 324).

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Stowe Australia Pty Ltd for lighting installation to Lakeside Leisure Centre (Courts 1 and 2), in the sum of \$124,180, 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 20 - OCTOBER 2019 FINANCIALS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 324).

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

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

ITEM 21 - STATEMENT OF INVESTMENT - OCTOBER 2019

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 324).

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that Council receive the Statement of Investment for October 2019.

ITEM 22 - CITY OF WOLLONGONG TRAFFIC COMMITTEE MINUTES OF ELECTRONIC MEETING HELD 13 NOVEMBER 2019

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 324).

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that in accordance with the powers delegated to Council, the Minutes and Recommendations of the City of Wollongong Traffic Committee Electronic Meeting held on 13 November 2019 in relation to Regulation of Traffic be adopted.

ITEM 23 - BI-MONTHLY RETURNS OF DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS - DECEMBER 2019

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 324).

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that Council note the tabling of the Returns of Disclosures of Interest as required by Part 4 of the Model Code of Conduct.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 24, Councillor Blakey departed and returned to the meeting, the time being from 8:06 pm to 8:07 pm.

Due to a disclosed conflict of interest, Councillor Figliomeni departed the Chamber at 8:06 and was not present for the debate or voting on Item 24. Councillor Figliomeni returned to the meeting at 8:17 pm.

CLOSED COUNCIL SESSION

The Lord Mayor called for a Motion to close the meeting to consider a Confidential Item, which deals with a report to Council regarding Tender T19/25 Affordable Housing Program, in accordance with Section 10A 2 (d(iii)) of the Local Government Act.

Prior to putting the above Motion to the vote, the Lord Mayor advised members of the press and gallery that Item 24 relates to a report to Council regarding Tender T19/25 Affordable Housing Program and is classified as Confidential for the following reasons -

- 1 Section 10A 2(d(iii)) of the Local Government Act 1993 as the report contains commercial information of a confidential nature that would, if disclosed, reveal a trade secret
- 2 In accordance with Section 10A (4) of the Local Government Act 1993, 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

331 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor T Brown seconded Councillor Colacino that the meeting move into Closed Session to consider a report to Council regarding the acquisition of property in accordance with Section 10A (2) (c) of the Local Government Act 1993 on the basis that -

- 1 Section 10A 2(d(iii)) of the Local Government Act 1993 as the report contains commercial information of a confidential nature that would, if disclosed, reveal a trade secret.
- 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.

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 8:06 pm, the meeting moved into Closed Session.

ITEM 24 - Tender T19/25 Affordable Housing Program

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept in principle the tender of the Illawarra Community Housing Trust Ltd trading as Housing Trust for the delivery of affordable housing, in the sum of \$4,340,000 excluding GST.
- 2 The General Manager be delegated the power to finalise contract terms with the Illawarra Community Housing Trust Ltd, being terms that are consistent with the items identified in the invitation to tender.
- 3 Council be provided with a further report on completion of the contract finalisation process for Council's consideration prior to execution of any contract.

333 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor T Brown that the meeting move out of Closed Session and into Open Council.

Council resumed into Open Session at 8:17 pm.

OPEN COUNCIL SESSION

RESOLUTIONS FROM THE CLOSED SESSION OF COUNCIL

The Lord Mayor advised the meeting of Council's Resolution whilst in Closed Session (refer to Minute Number 332).

THE MEETING CONCLUDED AT 8:18 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 03 February 2020.

Chairperson