



MINUTES

ORDINARY MEETING OF COUNCIL

at 6:00 PM

Monday 5 February 2024

**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 Elisha Aitken

Councillor John Dorahy

Councillor Linda Campbell

Councillor Mithra Cox

Councillor Richard Martin

**In Attendance**

General Manager

Director Infrastructure + Works, Connectivity Assets + Liveable City

Director Planning + Environment, Future City + Neighbourhoods

Director Corporate Services, Connected + Engaged City

Director Community Services, Creative + Innovative City

Chief Financial Officer

Manager Governance + Customer Service

Manager City Strategy

Manager Project Delivery

Manager Development Assessment + Certification

Manager Infrastructure Strategy + Planning (Acting)

Manager Community Cultural + Economic Development

Manager Library + Community Services

Manager Sport + Recreation

Manager Commercial Operations + Property

Greg Doyle

Joanne Page

Linda Davis

Renee Campbell

Kerry Hunt

Brian Jenkins

Todd Hopwood

Chris Stewart

Glenn Whittaker

Mark Adamson

Ingrid McAlpin

Sue Savage

Sarah Taylor

Mark Berriman

Lani Richardson

Note: In accordance with the Code of Meeting Practice, participants in the meeting can participate via audio-visual link. Those who participated via audio-visual link are indicated in the attendance section of the Minutes.

## Apologies

Min No.

**910** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor T Brown seconded Councillor A Martin that

- a The apology tendered on behalf of Councillor Kershaw be accepted, a Leave of Absence being granted by resolution of Item 6 of this Meeting.
- b Leave of Absence be granted to Councillor Walters for the 26 February Council Meeting.
- c Leave of Absence be granted to Councillor Cox for the 18 March Council Meeting.

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## CLOSED SESSION

ITEM C1	CONFIDENTIAL: T1000125 - Southern Suburbs Community Centre, Library and Associated Works
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### Reason for Confidentiality

*This report recommends that this item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2)(c) of the Local Government Act, 1993, as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

## CONFLICTS OF INTERESTS

Councillor Ann Martin declared a non-significant, non-pecuniary interest in Item 1 - Wollongong Housing Strategy Implementation Progress Report and State Housing Policy Changes as she is employed by the Department of Planning and Environment. As she has no involvement in planning matters relating to the Wollongong LGA, Councillor Martin advised she would remain in the meeting during debate and voting on the item.

Councillor Cox declared a non-significant, non-pecuniary interest in Item 1 - Wollongong Housing Strategy Implementation Progress Report and State Housing Policy Changes, as it discusses potential rezoning around Corrimal Railway Station which is in close proximity to her residence. Councillor Cox advised she would remain in the meeting during debate and voting on the item.

## CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 11 DECEMBER 2023

- 911 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Walters that the Minutes of the Ordinary Meeting of Council held on Monday, 11 December 2023 (a copy having been circulated to Councillors) be taken as read and confirmed.

## PUBLIC ACCESS FORUM

ITEM NO	TITLE	NAME OF SPEAKER
1	Wollongong Housing Strategy Implementation Progress Report and State Housing Policy Changes	Phillip Balding <b>Against Recommendation</b>

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

## CALL OF THE AGENDA

- 913 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that the staff recommendations for Items 5 to 9 inclusive be adopted as a block.

## ITEM A - LORD MAYORAL MINUTE - AUSTRALIAN HONOURS AND AWARDS

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

- 1 Congratulates those local citizens who were recognised through the Australian Honours and Awards system in January 2024.
- 2 Writes to the Office of the Governor-General to request the identification of recipients per local government area be applied in future. Accordingly, each Council be notified of those in their local government area recognised through the Australian Honours and Awards system to enhance local recognition.

## CONFLICTS OF INTEREST

At this stage, Councillor Figliomeni declared a non-significant, non-pecuniary interest in Item 1 as he owns property in Coniston which is listed in Point 3. Councillor Figliomeni advised he would remain in the meeting during debate and voting on the item.

## ITEM 1 - WOLLONGONG HOUSING STRATEGY IMPLEMENTATION PROGRESS REPORT AND STATE HOUSING POLICY CHANGES

**915 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor T Brown seconded Councillor A Martin that -

- 1 The implementation progress of the Wollongong Housing Strategy be noted.
- 2 The General Manager be delegated authority to finalise the draft submission on the Explanation of Intended Effect (EIE) for Changes to create Low and Mid - Rise Housing and Transport Oriented Development Program (Attachment 4).
- 3 Include wording in the '*Transport Oriented Development Program*' section of the Submission – "That land around Coniston and Unanderra be investigated as potential alternative initial precincts under the Program".
- 4 Council write to the NSW Building Commissioner requesting a permanent presence in Wollongong to combat the rise in substandard building practices currently being experienced in the region, and in anticipation of a growth in the sector due to proposed changes to NSW planning policies.

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

A PROCEDURAL MOTION was MOVED by Councillor T Brown seconded Councillor Campbell that Councillor D Brown be granted an additional 1 minute to address the meeting in relation to Item 1.

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

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

## ITEM 2 - PROPOSED FUNDING AGREEMENT WITH HEAD START HOMES (AFFORDABLE HOUSING PROGRAM)

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

- 1 Resolves to enter into a proposed Agreement with Head Start Homes.
- 2 Authorises the General Manager to execute the proposed Agreement between Wollongong City Council and Head Start Homes.

### ITEM 3 - SUBMISSION TO TFNSW – SOUTH FACING RAMPS M1 DAPTO

- 917 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Campbell seconded Councillor Aitken that Council endorses the draft submission on the South Facing Ramps M1 Princes Motorway, Dapto to Transport for NSW which includes Emerson Road as the preferred location.

### DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 3, Councillor Cox departed and returned to the meeting, the time being from 6:58 pm to 7:01 pm.

### DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 3, Councillor Walters departed and returned to the meeting, the time being from 7:13 pm to 7:15 pm.

### ITEM 4 - POST EXHIBITION: WOLLONGONG CITY LIBRARIES STRATEGY - DISCOVER, LEARN AND CONNECT 2024-2028

- 918 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor R Martin seconded Councillor D Brown that Council adopt the draft *Discover, learn, and connect* Wollongong City Libraries Strategy 2024-2028.

### ITEM 5 - APPOINTMENT OF COUNCIL 'LOCAL EXPERT' MEMBERS ON THE SOUTHERN REGIONAL PLANNING PANEL

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 913)

**COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that Council endorse the appointment for local expert representatives Marjorie Ferguson and Tina Christie (alternative delegate) to the Southern Regional Planning Panel for a period of three years to replace the previous outgoing members, Michael Mantei and Mark Carlon.

### ITEM 6 - LEAVE OF ABSENCE - COUNCILLOR JANICE KERSHAW - 5 FEBRUARY 2024 TO 19 MARCH 2024

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 913)

**COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that Leave of Absence be granted to Councillor Kershaw for the period of 5 February 2024 to 19 March 2024.

### ITEM 7 - COUNCILLOR ATTENDANCE AT 2024 NSW AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) ANNUAL CONFERENCE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 913)

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

- 1 Councillors Tania Brown and Ann Martin be authorised to attend the ALGWA Annual Conference in Macquarie Park between 14 and 16 March 2024, and
- 2 The General Manager be delegated the authority to determine requests from any other Councillor to attend the 2024 ALGWA Annual Conference.

## ITEM 8 - DECEMBER 2023 FINANCIALS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 913)

**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 endorse the proposed changes to the Capital Budget for November and December 2023.

## ITEM 9 - STATEMENT OF INVESTMENT - NOVEMBER AND DECEMBER 2023

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 913)

**COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that Council receive the Statement of Investment for November and December 2023.

## CLOSED COUNCIL SESSION

The Lord Mayor called for a motion to close the meeting to consider Confidential Items, which deal with reports to Council regarding Tender T1000125 – Southern Suburbs Community Centre, Library and Associated Works.

Prior to putting the Motion to the vote, the Lord Mayor advised the meeting that Item C1 and relates to a report to Council regarding the Tender T1000125 – Southern Suburbs Community Centre, Library and Associated Works and that it is classified as Confidential for the following reasons –

Section 10A (2)(c) of the Local Government Act 1993, members of the public are advised that Item C1 is classified as confidential as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**919 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor T Brown seconded Councillor Campbell that –

- 1 The meeting move into Closed Session to consider reports to Council regarding Tender T1000125 – Southern Suburbs Community Centre, Library and Associated Works, in accordance with Section 10A (2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public as the reports contain information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
- 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 matters in open meeting.

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

The meeting moved into Closed Session, the time being 7:25 pm.

## ITEM C1 - T1000125 - SOUTHERN SUBURBS COMMUNITY CENTRE, LIBRARY AND ASSOCIATED WORKS

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

- 1 In accordance with Section 178(1)(b) of the Local Government (General) Regulation 2021 Council decline to accept any of the tenders received for the Southern Suburbs Community Centre, Library and Associated Works and resolve to enter into negotiations with one or all of the tenderers or any other party with a view to entering into a contract in relation to the subject matter of the tender.
- 2 In accordance with Section 178(4) of the Local Government (General) Regulation 2021 the reason for hereby resolving to enter into negotiations with one or all of the tenderers or any other party and not inviting fresh tenders is that it is anticipated that a satisfactory outcome can be achieved with one of those parties who demonstrate a capacity and ability to undertake the works.
- 3 Council delegate to the General Manager the authority to undertake and finalise the negotiations, firstly with the tenderers, and, in the event of failure of negotiations with those tenderers, any other party, with a view to entering into a contract in relation to the subject matter of the tender.
- 4 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.
- 5 A report describing the outcome of the procurement process be submitted to the next available Council meeting following the successful engagement of contractor or contractors highlighting the probity and governance processes for transparency.

*Variation The variation moved by Councillor Bradbery (the addition of wording to Point 5 "highlighting the probity and governance processes for transparency") was accepted by the mover and seconder.*

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

Council resumed into Open Session at 7:34 pm

## OPEN COUNCIL SESSION

### RESOLUTIONS FROM THE CLOSED SESSION OF COUNCIL

The Lord Mayor advised the meeting of the Council's Resolutions whilst in Closed Session (refer Minute Number 920).

## THE MEETING CONCLUDED AT 7:36 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 26 February 2024.

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Chairperson