

MINUTES

### ORDINARY MEETING OF COUNCIL

#### at 6.00 pm

### Monday 23 September 2019

#### Present

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

Councillor John Dorahy Councillor Leigh Colacino Councillor Mithra Cox Councillor Tania Brown Councillor Vicky King

#### In Attendance

General Manager Director Infrastructure + Works, Connectivity Assets + Liveable City Director Planning + Environment (Acting), Future City and Neighbourhoods Director Corporate Services, Connected + Engaged City Director Community Services, Creative + Innovative City Manager Governance + Customer Service Chief Financial Officer Manager Property + Recreation (Acting) Chief Information Officer Manager City Strategy (Acting) Manager City Works Manager Project Delivery Manager Infrastructure Strategy + Planning Manager Open Space + Environmental Services Manager Community Cultural + Economic Development Greg Doyle Andrew Carfield Chris Stewart Renee Campbell Kerry Hunt Todd Hopwood Brian Jenkins Lucielle Power Ingrid McAlpin David Green Mark Roebuck Glenn Whittaker Mike Dowd Joanne Page Sue Savage



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#### **CONFLICTS OF INTERESTS**

Councillor Walters declared a Non Pecuniary, Non Significant Conflict of Interest in Item A as he works for an organisation that works with the WIN Entertainment Centre. Councillor Walters advised he will remain in the Chamber for discussion and voting.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 2 SEPTEMBER 2019

291 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, 2 September 2019 (a copy having been circulated to Councillors) be taken as read and confirmed.

#### **COMMUNITY FLAG POLE**

Councillor T Brown presented three flags -

- 1 Pink ribbon flag for Breast Cancer awareness month
- 2 Teal ribbon flag for Ovarian Cancer awareness month
- 3 Black and red ribbon flag for Remembrance Day

#### PUBLIC ACCESS FORUM

ITEM	TITLE	NAME OF SPEAKER
5	Draft Economic Development Strategy 2019-2029	Adam Zarth For Recommendation
5	Draft Economic Development Strategy 2019-2029	Debra Murphy For Recommendation
-	Response to Statements by President of Illawarra Stingrays	John Karayiannis
-	Response to Statements by President of Illawarra Stingrays	Kendall Williams
-	5G and Wollongong	David Bourke
-	Stop 5G Rollout in the Illawarra	Prue Keenan

At this stage and prior to the completion of the Public Forum, Councillor Kershaw arrived at the meeting, the time being 6:23 pm

#### CALL OF THE AGENDA

293 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that the staff recommendations for Items 3, 4, 7 to 10, 12 to 14 and 16 be adopted as a block.

<sup>292</sup> 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.

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#### SUSPENSION OF STANDING ORDERS

294 COUNCIL'S RESOLUTION – RESOLVED on the motion of Councillor D Brown seconded Councillor Figliomeni was CARRIED UNANIMOUSLY that the order of debate be items 15, 1, 2, A (Lord Mayoral Minute), followed by business items in order.

#### SUSPENSION OF STANDING ORDERS

295 COUNCIL'S RESOLUTION – RESOLVED on the motion of Councillor D Brown seconded Councillor T Brown that standing orders be suspended to allow a presentation by Dominika Ryan of the NSW Audit Office in relation to Item 15.

#### ITEM 15 – ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2019

- 296 COUNCIL'S RESOLUTION RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Cox that -
  - 1 The Annual Financial Statements be endorsed and an opinion be formed in the prescribed format (as per Attachments 3 and 4) on the General Purpose Financial Statement and the Special Purpose Financial Statement.
  - 2 The audited Financial Statements, together with the Auditor's report, Executive Summary (Attachment 5) and Financial Commentary (Attachment 6) be presented to the public at the next Council meeting.
  - 3 Ms Ryan be thanked for her presentation.

#### **ITEM 1 - ELECTION OF DEPUTY LORD MAYOR**

- 297 COUNCIL'S RESOLUTION RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Walters that -
  - 1 That the term for the Deputy Lord Mayor be for the remainder of the term of Council.
  - 2 That the method of election for Deputy Lord Mayor be by open voting.

The Lord Mayor handed proceedings over to the Returning Officer.

The Returning Officer for the election (Manager Governance and Customer Service) advised the meeting that nominations had been received from Councillor Cox, Councillor Walters and Councillor T Brown.

As there was more than one nomination the Returning Officer conducted an election for the position of Deputy Lord Mayor.

Following the election, the Returning Officer declared that Councillor T Brown was elected as Deputy Lord Mayor for the period up to 12 September 2020.



# ITEM 2 - APPOINTMENT OF COUNCILLOR DELEGATES TO COMMITTEES AND REFERENCE GROUPS

- 298 COUNCIL'S RESOLUTION RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Walters that -
  - 1 Councillor Representatives be appointed to the committees, reference groups and external organisations listed in Attachment 1, as per the nominations listed in the attachment.
  - 2 The following additional appointments and changes to the committees, reference groups and external organisations:

#### Wollongong Heritage Reference Group

- Councillor Cox removed from Chair but remaining a member
- Councillor Martin appointed as Chair

#### Lake Illawarra Estuary Management Committee

- Councillor Martin appointed
- Councillor Walters removed

Sports and Facilities Reference Group

• Councillor Walters appointed

Healthy Cities Illawarra Board

Councillor Blakey appointed as alternate.

3 The General Manager be authorised to appoint staff to any external committees that have vacancies following the election of Councillors.



#### DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item A:

- Councillor King departed the meeting, the time being 6:59 pm, and did not return to the meeting
- Councillor Kershaw departed and returned to the meeting, the time being from 7:27 pm to 7:28 pm

#### ITEM A – REFURBISHMENT OF THE WOLLONGONG ENTERTAINMENT CENTRE

299 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery that Wollongong City Council write to the Premier, Minister for Sport, Multiculturalism, Seniors and Veterans to -

- 1 Note that there have been no significant capital works or improvements undertaken on the Wollongong Entertainment Centre (WEC) since it was opened in 1998.
- 2 Note that the amenity of the WEC is tired and uninviting with seating which is especially uncomfortable and substandard at present.
- 3 Request that the following refurbishment of the WEC be expedited:
  - a An upgrade of the disability access, toilets and seating
  - b An upgrade of the facilities for exhibition and conference opportunities, expanding the use of the WEC to include additional tourism and visitor activities
  - c An upgrade of the Information, Communication and Technology systems, particularly the installation of Wi-Fi and digital media capabilities.
  - d An upgrade of sustainability features to achieve a NABERS 5 Green Star rating, to attract use by state and federal agencies, and major companies.
- 4 Note the need for this work to proceed to meet the infrastructure requirements for the forthcoming UCI (Union Cycliste Internationale) Road Cycling Championships to be staged in Wollongong September 2022.
- 5 Emphasise that, notwithstanding the need for urgent refurbishment, the long term objective is to upgrade or a complete rebuild of the Wollongong Entertainment Centre to a second tier convention and entertainment centre to meet the future needs of Wollongong and the region.

*Variation* The following variations were accepted by the Lord Mayor:

- The addition of Point 3d by Councillor Cox
- The addition of the words 'Premier' and 'Multiculturalism' to the Motion and the addition of Point 5 by Councillor Bradbery
- The addition of the words 'or a complete rebuild of' in Point 5 by Councillor Colacino

#### **ITEM 3 - 2020 COUNCIL MEETING CYCLE**

The following staff recommendation was adopted as part of the block adoption of items (refer Minute Number 293).

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

Council adopt the 2020 Council Meeting Cycle as shown in the attachment to this report.

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#### **ITEM 4 - ALTERATION OF COUNCIL WARD BOUNDARIES**

The following staff recommendation was adopted as part of the block adoption of items (refer Minute Number 293).

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

- 1 In accordance with s210A of the Local Government Act 1993, the proposed ward boundaries detailed in the report, and as shown in Attachment B, be endorsed and placed on public exhibition.
- 2 A further report be provided with the results of the public exhibition process.

#### DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 5:

- Councillor Cox departed and returned to the meeting, the time being from 7:56 pm to 7:58 pm.
- Councillor Colacino departed and returned to the meeting, the time being from 7:59 pm to 8:02 pm
- Councillor Walters departed and returned to the meeting, the time being from 8:03 pm to 8:05 pm.
- Councillor Rimmer departed and returned to the meeting, the time being from 8:07 pm to 8:09 pm.

#### ITEM 5 - DRAFT ECONOMIC DEVELOPMENT STRATEGY 2019-2029

- 300 COUNCIL'S RESOLUTION RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Colacino that -
  - 1 Council endorses the Economic Development Strategy 2019-2029.
  - 2 Council notes the Community Engagement Report, the We Asked, You Said, We Did Summary, the Recommended Updates Summary and the Economic Development Strategy 2019-2029 Implementation Plan.
  - 3 That the Economic Development Strategy be reviewed within the next 12 to 24 months to determine VET gaps and how TAFE can contribute to job growth in the region.

*Variation* The addition of Point 3 by Councillor Figliomeni was accepted by the mover and seconder

#### DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 6:

- Councillor Kershaw departed the meeting, the time being 8:23 pm, and did not return to the meeting.
- Councillor T Brown departed and returned to the meeting, the time being from 8:33 pm to 8:35 pm.

A PROCEDURAL MOTION was MOVED by Councillor Colacino seconded Councillor Walters that an additional 30 seconds be granted to Councillor Dorahy in relation to Item 6.

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#### **ITEM 6 - EMISSIONS REDUCTION TARGET - GLOBAL COVENANT OF MAYORS**

Motion of Councillor Cox seconded Councillor Blakey that -

- 1 A science-derived emissions reduction target of net zero emissions by 2050 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 An Emissions Reduction Action Plan be developed in collaboration with and to assist all sectors of the community to achieve the emissions reduction target for the Wollongong Local Government Area.
- *Variation* The addition of the words 'in collaboration with and' to Point 2 by Cr Martin

At this stage Councillor D Brown moved a FORESHADOWED MOTION seconded Councillor Martin should Councillor Cox's Motion be defeated –

That this item be deferred until after a period of public consultation on the attached reports.

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

Following the defeat of Councillor Cox's Motion, Councillor D Brown's FORESHADOWED MOTION was PUT to the VOTE and was CARRIED

301 COUNCIL'S RESOLUTION – RESOLVED on the motion of Councillor D Brown seconded Councillor martin that –

This Item be deferred until after a period of public consultation on the attached reports.

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

#### **ITEM 7 - COLLINS CREEK FLOOD STUDY 2019**

The following staff recommendation was adopted as part of the block adoption of items (refer Minute Number 293).

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

- 1 That the Collins Creek Flood Study (2019) be adopted.
- 2 Persons who made submissions be thanked and advised of Council's decision.



#### ITEM 8 - DRAFT PLANNING AGREEMENT: CALDERWOOD HEIGHTS PTY LTD – 347 CALDERWOOD ROAD, CALDERWOOD

The following staff recommendation was adopted as part of the block adoption of items (refer Minute Number 293).

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

- The Draft Planning Agreement and Explanatory Note between Wollongong City Council 1 and Calderwood Heights Pty Ltd (Attachments 2 and 3) be exhibited for a minimum period of 28 days.
- 2 Shellharbour City Council be advised that Wollongong City Council and Calderwood Heights Pty Ltd are proposing to enter into a Planning Agreement for the provision of monetary contributions towards Wollongong City Council road upgrades as required by the Calderwood Major Project Approval, and should it determine that DA0290/2018 or any other development application for the subject land be approved, appropriate conditions of consent be included.
- The General Manager be delegated authority to determine, finalise and execute the 3 Planning Agreement, including making minor amendments, after consideration of any issues raised in the public exhibition.

#### ITEM 9 - DRAFT PLANNING PROPOSAL 4 YENDA AVENUE BULLI PP-2018/8

The following staff recommendation was adopted as part of the block adoption of items (refer Minute Number 293).

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

- A draft Planning Proposal be submitted to the NSW Department of Planning, Industry 1 and Environment for 4 Yenda Avenue (Lot 105 DP 264639) Bulli seeking a Gateway determination to amend Schedule 1 of Wollongong Local Environmental Plan 2009 to permit a Centre-based Child Care Facility.
- 2 A detailed Flood Management Plan and Bushfire Management Plan be submitted by the applicant if the proposal obtains a "Gateway" approval and prior to public exhibition.
- 3 The draft Planning Proposal, including the Flood Management Plan and Bushfire Management Plan be exhibited for 28 days.
- The Department of Planning, Industry and Environment be requested to issue authority 4 to the General Manager to exercise plan making delegation in accordance with Council's resolution of 26 November 2012.

#### **ITEM 10 - DRAFT COMMUNITY PARTICIPATION PLAN - ENVIRONMENTAL PLANNING** AND ASSESSMENT ACT

The following staff recommendation was adopted as part of the block adoption of items (refer Minute Number 293).

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

- 1 The Draft Community Participation Plan be exhibited for a minimum period of 28 days.
- 2 The exhibition material include advice that the Wollongong Development Control Plan 2009 – Appendix 1 Public Notification and Advertising Procedures is proposed to be repealed, upon the commencement of the Community Participation Plan.

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# ITEM 11 - THIRROUL SURF LIFE SAVING CLUB INC - REQUEST FOR WAIVER OF FEES FOR LICENCE AGREEMENT

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

The fees payable in respect of the proposed licence agreement, being the preparation of lease and licence agreements fee and the licence fee (payable annually), not be waived.

# ITEM 12 - PUBLIC EXHIBITION PROPOSED FEES AND CHARGES 2019/20 - BALGOWNIE VILLAGE COMMUNITY CENTRE

The following staff recommendation was adopted as part of the block adoption of items (refer Minute Number 293).

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

Council adopt the Balgownie Village Community Centre Fees and Charges for 2019/2020.

## ITEM 13 - TENDER T18/46 PROVISION OF DESIGN AND TECHNICAL SERVICES TO COUNCIL

The following staff recommendation was adopted as part of the block adoption of items (refer Minute Number 293).

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

- In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tenders shown below in Tables A T for the Provision of Design and Technical Services to Council for a period of one year with the option to extend annually for a further four years at the sole discretion of Council.
- 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 14 - TENDER T19/26 RIBBONWOOD KURRAJONG KITCHEN REFURBISHMENT

The following staff recommendation was adopted as part of the block adoption of items (refer Minute Number 293).

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 Sullivans Constructions for Ribbonwood Kurrajong Hall 1 kitchen refurbishment, in the sum of \$139,716, 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.

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# ITEM 16 - CITY OF WOLLONGONG TRAFFIC COMMITTEE MINUTES OF MEETING HELD ON 28 AUGUST 2019

The following staff recommendation was adopted as part of the block adoption of items (refer Minute Number 293).

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 held on 28 August 2019 in relation to Regulation of Traffic be adopted.

#### DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 17, Councillor Cox departed and returned to the meeting, the time being from 9:21 pm to 9:26 pm.

ITEM 17 - NOTICE OF MOTION - COUNCILLOR COLACINO - INTERPRETIVE HISTORICAL SIGNAGE ALONG GRAND PACIFIC WALK

- 303 COUNCIL'S RESOLUTION RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor Walters that Wollongong City Council -
  - 1 Develop a delivery model that outlines what areas could benefit from, and are worthy of, interpretive historical signage along the entire length of the Grand Pacific Walk and other frequently visited tourism areas within Wollongong's LGA.
  - 2 The proposed delivery model for provision of, and extent of, signage be included into a briefing note to be provided to Councillors before the next round of budget discussions for the 2020-2021 financial year. The briefing note should also include the following
    - a An indicative cost for the design and placement of signage that would outline the history of the old miners' cottages that skirt the edge of Lawrence Hargrave Drive at Scarborough
    - b The briefing note should include any obstacles that could inhibit the delivery of this type of interpretative signage
    - c The cost of this signage is not to be included into the amounts allocated to finalise the missing sections of the shared Grand Pacific Walk
    - d The report should indicate an appropriate amount that could be put into an annual fund that would allow for the rollout for the proposed interpretive signage to be progressively introduced. This fund will be separate from any grant funding opportunities that become available
    - e Investigate what requirements would be needed to put in place such signage
    - f Include within the briefing note what other types of delivery streams could be utilised to deliver this type of service
    - g Any proposed signage will not be limited to the European history of any given area
    - h Research and indicate which other languages, separate to English, could benefit from being included into any display.

#### THE MEETING CONCLUDED AT 9:32 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 28 October 2019.

Chairperson