



MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 29 October 2018

Present

Lord Mayor (Acting) – Councillor D Brown (in the Chair), Councillors C Walters, D Figliomeni, J Kershaw, J Rimmer, J Dorahy, L Colacino, M Cox, T Brown and V King

In Attendance

General Manager – D Farmer, Director Infrastructure and Works, Connectivity Assets and Liveable City – G Doyle, Director Planning and Environment, Future City and Neighbourhoods – A Carfield, Director Corporate Services, Connected and Engaged City – R Campbell, Director Community Services, Creative and Innovative City – K Hunt, Manager Governance and Information (Acting) – C Phelan, Chief Financial Officer – B Jenkins, Manager Property and Recreation (Acting) – M Bond, Manager Environmental Strategy and Planning (Acting) – D Green, Manager City Works and Services – M Roebuck, Manager Project Delivery – G Whittaker, Manager Infrastructure Strategy and Planning – M Dowd, Manager Library and Community Services - J Thompson, Manager Development Assessment and Certification - M Riordan and Manager Community Culture and Economic Development (Acting) - S Gibson

Apologies

Min No.

140 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor King seconded Councillor Dorahy that the apologies tendered on behalf of the Lord Mayor – Councillor G Bradbery AM and Councillor Blakey be accepted and leave of absence be granted. Councillor King welcomed former Councillor Ann Martin in the gallery and acknowledged the 100 year anniversary of women in Local Government.

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CLOSED SESSION

ITEM C1 CONFIDENTIAL: Southern Suburbs District Community Centre and Library Project

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)(d(i)) of the Local Government Act, 1993, as the report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

141 CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 24 SEPTEMBER 2018

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor T Brown that the Minutes of the Ordinary Meeting of Council held on Monday, 24 September 2018 (a copy having been circulated to Councillors) be taken as read and confirmed with a correction to Minute 133, Agenda Item 3, page 7, noting that Councillor Tania Brown was elected to the Alternative delegate to the South East Australian Transport Strategy not Councillor David Brown.

PUBLIC ACCESS FORUM - ITEM A - NOTICE OF MOTION - COUNCILLOR BLAKEY - INVESTIGATION OF A FOOD ORGANICS GARDEN COLLECTION SERVICE

Ms Claire Gerson spoke in favour of the recommendation, and advised as the number of multi-unit dwellings (MUDs) is increasing in Wollongong, and particularly in the Central Business District and North Wollongong, there were plenty of opportunities to design and introduce the right Food Organics and Garden Organics (FOGO) Service for Wollongong's residential mix and needs, including MUDs.

She added the NSW EPA has an Organics Collections grants program that among other things aims to increase the expertise and experience in delivering organics collections in MUDs. The EPA's grants program will fund trials 'for source separated organics collections in MUDs'. So Wollongong Council can learn from other successful programs and devise a trial for MUDs in Wollongong.

Ms Kylie Flament (General Manager) of Green Connect Illawarra spoke in favour of the recommendation stating that she is a resident and mother who wanted to share what she had learnt about food and waste, and why now is the perfect time to move to FOGO.

She further explained, her experiences as a resident, recycling whatever she could and placing everything else into the red bin which goes to landfill. She added that she had not been concerned about food scraps assuming they would break down naturally in the landfill.

It was noted that this is not the case and often food waste turn into toxic sludge when mixed with other materials such as pharmaceuticals, heavy metals, battery acids and other waste.

Ms Flament highlighted the US had drilled into landfills and taken core samples showing food that is fully intact more than 50 years later and emphasised food waste buried in landfill causes 21 times more greenhouse gas issues than if the same waste broke down naturally.

Ms Flament questioned why the community would throw nutrients away and pay exorbitant landfill levies when we could turn it into something useful for our farmers, given the poor conditions of the soil due to drought. She added, up until recently, we could have thrown it into an Alternative Waste Treatment (AWT) facility, a sort of giant concrete mixer where the biodegradable parts are extracted and made into "mixed waste compost". However, just last week, the Environmental Protection Agency (EPA) ruled that compost made from mixed red bin waste is banned from use on agricultural land, plantations or even for mining rehabilitation due to studies showing it is so contaminated with plastic, metals and toxins that it is harmful. This new EPA decision severely restricts our future options for reducing waste to landfill. Now, if we don't introduce FOGO, then our only options are to either burn our food waste for energy, or otherwise just keep throwing it into landfill forever.

She further explained the benefits of composting, which has been successfully introduced across 27 councils in NSW.

Ms Flament advised that funding is currently available for interested councils through the EPA's Waste Less Recycle More Fund, for both set-up costs and implementation. Our neighbouring council, Shellharbour, has already received millions of dollars in funding for their new waste services and facilities. But there is a finite pool of money and it won't be available forever, so we should act now.

It's the perfect time because there is support for this at all levels. Residents want councils to secure a sustainable future, and the Australian and NSW governments are pushing for it, including through the recently drafted Circular Economy Policy. This point was reinforced as it relates to Council's Waste and Resource Recovery Policy 2022 which also demonstrates a VEN diagram showing social, environmental and economic benefits. FOGO targets these three areas.

In closing Ms Flament implored Councillors to introduce FOGO services in the Wollongong City Local Government Area.

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

CALL OF THE AGENDA

- 143 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Kershaw that the staff recommendations for Items 4-6, 9-15 and 18-24 inclusive be adopted as a block.

ITEM A - NOTICE OF MOTION - COUNCILLOR BLAKEY - INVESTIGATION OF A FOOD ORGANICS GARDEN COLLECTION SERVICE

- 144 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Cox seconded Councillor Figliomeni that Council formally move to investigate developing a FOGO (Food Organics Garden Organics) collection service, and other systems that reduce residential and commercial waste going to landfill and that this include a briefing and report to consider the options for implementation.

Variation The variation moved by Councillor D Brown (the addition of the words "and other systems that reduce residential and commercial waste going to landfill") was accepted by the mover and seconder.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 1, Councillor Walters departed and returned to the meeting, the time being from 6.32 pm to 6.33 pm.

ITEM 1 - MT KEIRA SUMMIT PARK DRAFT PLAN OF MANAGEMENT

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

- 1 The draft Mt Keira Summit Park Plan of Management and Landscape Concept Plan be exhibited for a minimum of 42 days including an independently chaired public meeting and Information Stand on site.
- 2 The draft Mt Keira Summit Park Plan of Management include a proposal to re-categorise a portion of community land from cultural significance to general community use to enable future suitable land use activities that align with the planning principles for the site (Attachment 4 to the report).
- 3 Previously engaged stakeholders involved in the Mt Keira visioning process be advised that the Draft Plan of Management has been prepared and will be placed on public exhibition.
- 4 Following the exhibition period and public meeting the submissions and comments be reported to Council.
- 5 The post exhibition report consider whether any changes to planning controls under the Wollongong Local Environmental Plan 2009 are required to assist with the implementation of the Plan of Management.

ITEM 2 - WEST DAPTO SECTION 94 DEVELOPMENT CONTRIBUTIONS PLAN (2017) - INDUSTRIAL LANDS

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

- 1 To assist the development of industrial land at West Dapto, an interim contribution rate of 20 per cent of the adopted industrial land contribution rate be applied on development applications subject to the West Dapto Section 94 Development Contributions Plan 2017 for a maximum period of two years, or the commencement of a new Plan.
- 2 The industrial lands development contribution rate be reviewed as part of the future draft West Dapto Development Contributions Plan (2019).

ITEM 3 - PLACES FOR PEOPLE - WOLLONGONG SOCIAL INFRASTRUCTURE PLANNING FRAMEWORK: 2018-2028

147 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor Rimmer that Council endorses for public exhibition the Social Infrastructure Planning Framework Supporting Document for a period of 28 days.

ITEM 4 - PROPOSED CLASSIFICATION OF CROWN LAND AS A CONSEQUENCE OF THE CROWN LAND MANAGEMENT ACT 2016

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

- 1 Council endorse the initial classification and categorisation of Crown Land as identified in Attachment 1, to the report.
- 2 The General Manager be authorised to finalise and submit a Classification of Crown Land as operational land form to apply for Ministerial consent to classify and manage the Crown land identified in Attachment 1 Part 3, of the report, as Operational Land.

- 3 The General Manager be authorised to finalise and provide written notice of initial categorisation applied to Crown land under the management of Council as a Crown Land Manager under section 3.23 of the Crown Land Management Act as identified in Attachment 1 Parts 1 and 2, of the report.

ITEM 5 - WOLLONGONG HERITAGE GRANT FUND ALLOCATION 2018-2019 AND 2017-2018

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

That the allocation of the Wollongong Heritage Grant Fund for the 2018-2019 Financial Year be noted, which has been finalised in accordance with Council's Financial Assistance Policy under delegation as detailed in Attachment 1 to the report.

ITEM 6 - POLICY REVIEW: CLOTHING COLLECTION BINS ON COUNCIL LAND COUNCIL POLICY

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

- 1 The Clothing Collection Bins on Council Land Council Policy be adopted.
- 2 The policy review date be updated to 31 August 2021.

- 148 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY** on the motion of Councillor King seconded Councillor T Brown that Items 7 and 8 be debated concurrently.

ITEM 7 - LEASE OF NORTH WOLLONGONG SURF LIFE SAVING CLUB

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

- 1 Council approve a 21 year lease of premises known as North Wollongong Surf Life Saving Club Building, on part Lot 3 Crown DP 1136814, part Stuart Park (D580060), George Hanley Drive, North to North Wollongong Surf Life Saving Club Inc as shown in the Draft Lease - Attachment 2, to the report.
- 2 Council delegate to the General Manager the authority to finalise and execute the Lease and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal on the lease and any other documentation, should it be required, to give effect to this resolution.
- 4 That a Councillor Briefing be held that covers options for Council to enter into Memoranda of Understanding with lessees to give effect to Council policies.

Variation The variation moved by Councillor D Brown (the addition of Point 4) was accepted by the mover and seconder.

ITEM 8 - LEASE OF HELENSBURGH-STANWELL PARK SURF LIFE SAVING CLUB

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

- 1 Council approve a 21 year lease of premises known as Helensburgh-Stanwell Park Surf Life Saving Club Building, part Lots 20 and 21 DP 7871, part Lot 2 DP 1028355 and part Lot 60 DP 1174246 to Helensburgh-Stanwell Park Surf Life Saving Club Inc as shown in the draft lease - Attachment 1, to the report.
- 2 Council delegate to the General Manager the authority to finalise and execute the lease and any other documentation required to give effect to this resolution.
- 3 Council waive the additional licence preparation fee of \$178 (GST inclusive) and rental fee of \$690 (GST inclusive) per annum for the 12 month temporary Crown land licence as the surf club will pay this fee and rental for the lease on Community land as outlined in Item 1 of this recommendation.
- 4 Subject to any Ministerial approval that may be required pursuant to the Crown Land Management Act 2016, Council delegate to the General Manager the authority to vary the lease to include that portion of Crown land the surf club building occupies, being part Lot 7304 Crown DP 1142283 Stanwell Park Recreation Area, as shown in Attachment 2, to the report.
- 5 Council grant authority for the use of the Common Seal on the lease and any other documentation, should it be required, to give effect to this resolution.
- 6 That a Councillor Briefing be held that covers options for Council to enter into Memoranda of Understanding with lessees to give effect to Council policies.

Variation The variation moved by Councillor D Brown (the addition of Point 6) was accepted by the mover and seconder.

ITEM 9 - PROPOSED ACQUISITION OF 2 ARROW AVENUE, FIGTREE AND 470 PRINCES HIGHWAY, WOONONA UNDER THE VOLUNTARY PURCHASE SCHEME FOR FLOOD AFFECTED PROPERTIES

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

- 1 Council authorise the acquisition of 2 Arrow Avenue, Figtree and 470 Princes Highway, Woonona, as shown by black hatching on the attachments to the report and subject to the following conditions:
 - a Purchase price of \$650,000 (GST free) for 2 Arrow Avenue, Figtree;
 - b Purchase price of \$2M (GST free) for 470 Princes Highway, Woonona;
 - c Each party be responsible for their own legal costs;
 - d Funding being provided by the Office of Environment and Heritage for two-thirds of each purchase price and each demolition cost; and
 - e An amount of \$383,334 be provided from Council's Capital Budget Contingency for remaining purchase and demolition costs.
- 2 Upon the acquisitions being finalised, No 2 Arrow Avenue, Figtree and No 470 Princes Highway, Woonona be classified as Community land in accordance with the Local Government Act 1993.
- 3 Authority be granted to the Lord Mayor and the General Manager to affix the Common Seal of Council to the transfer documents and any other documentation required to give effect to the resolution.

ITEM 10 - PROPOSED RENAMING OF A ROAD IN HELENSBURGH AND NAMING OF AN UNNAMED LANE IN WARRAWONG

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION - Council, under Section 162 of the Roads Act 1993 -

- 1 Rename part of Club Lane, Helensburgh as 'Gibbons Lane', and
- 2 Name the unnamed lane known as Lane 125 at Warrawong as 'Steeltown Lane'.

ITEM 11 - APPOINTMENT OF CHAIRPERSON TO AUDIT, RISK AND IMPROVEMENT COMMITTEE

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION - Council appoint Mr Terry Clout as independent chairperson of the Audit, Risk and Improvement Committee for a term of one year, to 30 October 2019.

ITEM 12 - APPOINTMENT OF MEMBERS TO THE LAKE ILLAWARRA ESTUARY MANAGEMENT COMMITTEE

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

- 1 Ms Annie Marlow and Mr Wayne Cook be appointed as community representatives on the Lake Illawarra Estuary Management Committee for the next term of the Committee.
- 2 Dr Kerry Lee Rogers and Dr Brian Jones be appointed as Independent Scientific Advisors to the Lake Illawarra Estuary Management Committee for the next term of the Committee.
- 3 The unsuccessful candidates be thanked for their nomination and interest in assisting in the management of Lake Illawarra.
- 4 A letter of thanks be sent to members of the Lake Illawarra Estuary Management Committee who have not re-nominated for their involvement and commitment to the management of Lake Illawarra.

ITEM 13 - ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2018 - POST ADVERTISING

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION - The Audited Annual Financial Statements for the year ended 30 June 2018, together with the Auditor's report, be presented to the public.

ITEM 14 - TENDER T18/17 MARKET STREET CAR PARK – REPAIR AND MAINTENANCE WORKS

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of SRG Services (Australia) Pty Ltd for repair and maintenance works to the Market Street Car Park, in the sum of \$794,482.00, 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 15 - TENDER T18/28 DAPTO RIBBONWOOD FIRE SYSTEM UPGRADE

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of CHUBB Fire and Security Pty Ltd for Ribbonwood Fire System Upgrade Supply and Installation Works, in the sum of \$128,300 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 T18/31 HILL 60 CONSERVATION MANAGEMENT PLAN AND ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT CONSULTANCY

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Niche Environment and Heritage for the preparation of a Conservation Management Plan and Aboriginal Heritage Assessment Report as per NSW Office of Environment and Heritage guidelines, in the sum of \$92,445.00, 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 17 - TENDER T18/32 CONTINENTAL POOL SHADE SAIL STRUCTURE

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Hytech Plastics Pty Ltd for the design and construction of a shade sail structure at the Continental Pools, Cliff Road, Wollongong in the sum of \$61,000.00, 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 18 - TENDER T18/36 WINDANG BOAT RAMP ROCK RETAINING WALL - SCOUR PROTECTION WORKS

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Coastwide Civil Pty Ltd for scour protection works adjacent to the Windang Boat Ramp, Windang Foreshore Park, Fern Street, Windang in the sum of \$313,360.00, 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 19 - TENDER T17/43 PROVISION OF A PANEL FOR COUNCIL'S PROJECT WASTE MATERIAL TREATMENT AND PURCHASE OF RECYCLED MATERIALS

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tenders as identified in the Attachment A, to the report, for -
 - a Schedule A Disposal of Building, Demolition, Asphalt/Road Pavement And General Solid Waste Material;
 - b Schedule B Loading Of Waste Material And Transportation Of Waste Material;
 - c Schedule C Purchase Of Recycled Materials – Ex Bin;
 - d Schedule D Asbestos Collection And Disposal Services;
 - e Schedule E Hazardous Waste Material Collection And Disposal Services;
 - f Schedule F Restricted Waste Material Collection And Disposal Services; and
 - g Schedule G Collection And Disposal Of Dead Animals And Unlisted Waste Material;for the Collection, Receiving, Processing And Disposal Of Council's Waste Materials and the Purchase of Recycled Materials”.

- 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 - SEPTEMBER 2018 FINANCIALS

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

- 1 The financials be received and noted.
- 2 Council approve an increase in the capital budget of \$1.3M that is fully supported by corresponding level of funding from restricted assets.

ITEM 21 - STATEMENT OF INVESTMENT - AUGUST AND SEPTEMBER 2018

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION - Council receive the Statement of Investment for August and September 2018.

ITEM 22 - ANNUAL TABLING OF RETURNS OF DISCLOSURES OF INTEREST AND OTHER MATTERS - 2017 TO 2018

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION - Council note the tabling of the Annual Returns of Disclosures of Interests and Other Matters as required by Section 450A of the Local Government Act 1993.

ITEM 23 - BI-MONTHLY RETURNS OF DISCLOSURES OF INTERESTS AND OTHER MATTERS - OCTOBER 2018

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION - Council note the tabling of the Returns of Disclosures of Interest as required by Section 450A of the Local Government Act 1993.

ITEM 24 - CITY OF WOLLONGONG TRAFFIC COMMITTEE - MINUTES OF MEETING HELD 12 SEPTEMBER 2018

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION - In accordance with the powers delegated to Council, the Minutes and recommendations of the City of Wollongong Traffic Committee held on 12 September 2018 in relation to Regulation of Traffic be adopted.

CLOSED COUNCIL SESSION

The Lord Mayor (Acting) called for a motion to close the meeting for consideration of Item C1 Southern Suburbs District Community Centre and Library Project in accordance with Section 10A(2)(d(l)) of the Local Government Act 1993.

152 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Walters seconded Councillor Colacino that the meeting move into Closed Session to consider Item C1 - Southern Suburbs District Community Centre and Library Project in accordance with Section 10A(2)(d(l)) of the Local Government Act, 1993 on the basis that -

- 1 The report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
- 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.

Prior to putting the above Motion to the vote, the Lord Mayor (Acting) advised members of the press and gallery that Item C1 relates to the Southern Suburbs District Community Centre and Library and is classified as Confidential for the following reasons –

- 1 Section 10A(2)(d(l)) of the Local Government Act, 1993, permits the meeting to be closed to the public, as the report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
- 2 In accordance with Section 10(A) (4) of the Local Government Act, The Lord Mayor (Acting) invited members of the gallery to make representations to the Council meeting as to whether this part of the meeting should be closed.

No submissions were received from the press or members of the gallery, the MOTION on being PUT to the VOTE was CARRIED UNANIMOUSLY.

At this stage, the time being 7.25 pm, members of the press and gallery departed the Council Chambers.

The meeting moved into Closed Session, the time being 7.26 pm.

ITEM C1 - SOUTHERN SUBURBS DISTRICT COMMUNITY CENTRE AND LIBRARY PROJECT

153 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Cox seconded Councillor Dorahy that -

- 1 Pursuant to Section 186 of the Local Government Act 1993, Council make application to the Minister for Local Government and the Governor for the compulsory acquisition of the following properties to facilitate construction of a district level library and community centre to service the southern suburbs:
 - 54 King Street, Warrawong – Lot 1 DP 515419
 - 56-60 King Street, Warrawong – Lot 37 DP 18875 and Lot 38 DP 18875
 - 62-64 King Street, Warrawong – Lot 39 DP 18875 and Lot 40 DP 18875
 - 68 King Street, Warrawong – Lot 42 DP 18875

- 2 Upon the acquisitions being finalised, the above properties be classified as Operational Land in accordance with Section 31 of the Local Government Act 1993.
- 3 Council allocate funds for the purchase of the properties from the Strategic Projects Restricted Account.
- 4 The General Manager be authorised to sign any documentation necessary to complete the compulsory acquisitions.

154 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Walters seconded Councillor Colacino that the meeting move out of Closed Session and into Open Council.

Council resumed into Open Session at 7.26 pm and members of the press, gallery and staff were invited back into the Council Chambers.

The Lord Mayor (Acting) advised the meeting of Council's resolutions whilst in Closed Session (refer to Minute No. 153).

THE MEETING CONCLUDED AT 7.29 PM.

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 19 November 2018.

Chairperson