



MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 23 July 2018

Present

Lord Mayor – Councillor Bradbery AM (in the Chair), Councillors Blakey, D Brown, T Brown, Colacino, Connor, Cox, Dorahy, Figliomeni, Kershaw, King, Rimmer and Walters

In Attendance

General Manager (Acting) – G Doyle, Director Infrastructure and Works, Connectivity Assets and Liveable City (Acting) – M Dowd, Director Planning and Environment, Future City and Neighbourhoods – A Carfield, Director Corporate Services, Connected and Engaged City (Acting) – T Tyrpenou, Director Community Services, Creative and Innovative City (Acting) – J Thompson, Manager Community Cultural and Economic Development – K Hunt, Manager Governance and Information (Acting) – C Phelan, Manager Environmental Strategy and Planning (Acting) – D Green and Manager Project Delivery – G Whittaker

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DISCLOSURE OF INTERESTS

Councillor Cox declared a non-significant, non-pecuniary interest in Items 11 and 12 as she is on the Board of Urban Biodiversity Illawarra, which has made submissions on the aforementioned items. Councillor Cox advised that she did not have a financial interest and would remain in the Chamber during debate and voting.

Councillor Blakey declared a significant pecuniary interest in Item 4 and stated that she would depart the Chamber during debate and voting. Note: Prior to consideration of Item 4, Councillor Blakey advised that she had not explained the reason for this interest, and subsequently advised that her partner works at the Conservatorium of Music, which is located within the grounds of the Botanic Gardens.

Councillor Rimmer declared a non-pecuniary, non-significant interest in Items A and B as she works for a local State Member of Parliament and in particular her employer attended the meeting mentioned in Item B. Councillor Rimmer advised that she would remain in the Chamber during debate and voting.

Council Walters declared a non-pecuniary, non-significant interest in Items A and B as he works for a local State Member of Parliament.

Prior to the close of the Meeting, Councillor King declared a non-significant, non-pecuniary interest in Item 16 as the preferred tenderer is a client of her business. Voting on the matter had already occurred as part of the Call of the Agenda.

ONE MINUTE'S SILENCE - DOUG LAMONT

The Lord Mayor advised of the recent passing of a much loved member of staff, Doug Lamont, and as a mark of respect, called for Council to observe one minute's silence.

One minute's silence was duly observed.

VOTE OF THANKS – LINDA WATKINS

On behalf of the Lord Mayor and Councillors, Councillor Kershaw presented a gift to Council employee Linda Watkins on her retirement.

83 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Kershaw seconded Councillor D Brown that on behalf of the Lord Mayor and Councillors a Vote of Thanks be moved for Linda Watkins.

WONGAWILLI ROAD ACCESS, FLOOD MITIGATION AND THE SANCTUARY PONDS DEVELOPMENT

Councillor King tabled a petition signed by 170 Wongawilli residents in relation to road access out of Wongawilli, flood mitigation and the Sanctuary Ponds Development. Residents claim that at no time have their submissions or objections been attended or responded to by Council. Residents request a full response to concerns raised and Councillor King also requested a Councillor Briefing on this matter.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 25 JUNE 2018

84 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Colacino that the Minutes of the Ordinary Meeting of Council held on Monday, 25 June 2018 (a copy having been circulated to Councillors) be taken as read and confirmed, subject to 'History Documentation – Dapto Radio Telescope Site' being amended from "presented a letter" to "presented a booklet and covering letter".

PUBLIC ACCESS FORUM - NOTICE OF MOTION - CORRECTIONAL CENTRE

Mr S Beck, on behalf of the Residents Against Dapto Jail urged Councillors to vote in favour of the motion to reject the proposal to build a Correctional Facility at Kembla Grange. He said there are a wide range of issues as to why this is not the correct site for a facility such as this, including its proximity to residential housing and its overlook, the removal of valuable industrial employment lands that are being considered by other employers, environmental issues including removal of essential habitats and deforestation, flooding and bushfire, the devaluation of surrounding land, and the flow on of negative impacts to Council from reduced rates, traffic issues and the stigma a facility such as this could bring to the Illawarra, amongst many other issues.

He said that his group had collected over 14,000 signatures on a petition which will be tabled to NSW Parliament asking the State Government to reject Corrective Services NSW's proposal. The group plans to continue to fight until this proposal is completely taken off the table. Whilst Dapto was the largest signatory on the petition, Mr Beck said that Council would be interested to learn that Bulli and Wollongong were the second and third highest signatories which speaks loudly that the Illawarra as a whole rejects this proposal. In conclusion, Mr Beck encouraged Councillors to vote to reject this proposal and he commented that rejecting the proposal does not mean that a facility cannot be built in an appropriate area of the Illawarra, retaining the prospect of employment, but it does send a strong message to Corrective Services that Kembla Grange is not the correct location.

PUBLIC ACCESS FORUM – NOTICE OF MOTION - SOUTH COAST RAIL UPGRADES

Ms B Batten had campaigned for improvements to the South Coast Line including addressing overcrowding, accessible stations and the fact that the new fleet to be introduced in 2021, will have less seating. She had also campaigned for a reduction in travel times in order to achieve a better work/life balance for those who commute to Sydney. Ms Batten had organised a petition to the NSW Government, created a strong social media presence and activist group (Illawarra Rail Fail) to keep pressure on the NSW Government and organised the public meeting where the resolutions which Council will consider tonight were made.

Ms Batten said that despite efforts, the State Government continued to ignore the needs of Illawarra commuters. This has been highlighted most recently where the accessibility upgrade of Unanderra Station was left out of the State Budget despite ranking higher on the transport access program than two stations that were funded in the Budget. The State Government's response to the petition to solve overcrowding on the South Coast Line also showed their disregard for the Illawarra. The issue of the new fleet having far fewer seats was not addressed at all in the Government's form letter response. If Wollongong Council endorses the Notice of Motion and requests the Illawarra Shoalhaven Joint Organisation of Councils to do the same, it will send a strong message to the State Government that these are issues that must be addressed and that improvements to our rail line are essential to the long-term sustainability of our region.

Dr P Laird supported the recommendation explaining Wollongong, with its growing population, needs more trains to Sydney along with faster trains. He also noted that two reports of the Illawarra Business Chamber, released in 2014 and 2017, outlined the need for completion of the Maldon Dombarton link.

Dr Laird stated that in Victoria and Queensland, regional cities are obtaining State and Federal funding for improved rail connections to their State capital cities. Newcastle, which has more frequent and faster train services than Wollongong, is also receiving State and Federal funding to explore options for a better train service to Sydney. In conclusion, Dr Laird felt that the Notice of Motion was timely and that each part of the motion warrants consideration.

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

CALL OF THE AGENDA

- 86 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the staff recommendations for Items 3, 5 to 9 and 12 to 21 inclusive, be adopted as a block.

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

ITEM A - NOTICE OF MOTION - COUNCILLORS D BROWN, KERSHAW, CONNOR, FIGLIOMENI, BLAKEY AND T BROWN - CORRECTIONAL CENTRE

- 87 **COUNCIL'S RESOLUTION** – MOVED by Councillor D Brown seconded Councillor King that -
- 1 Wollongong Council oppose the proposal to build a correctional centre in West Dapto / Kembla Grange.
 - 2 Council –
 - a Recognises there is overwhelming community opposition to the proposal.
 - b Reaffirms the relevant sections of 'Wollongong Economic Development Strategy 2013-23' that notes Kembla Grange '*...has been earmarked as a key employment precinct. Existing facilities are to be expanded to include additional manufacturing ... These employment lands will also support the expansion of the NSW Ports Port Kembla Operation*'.
 - c Recognises growing private-sector interest in investing in the identified land to create and support local jobs in sectors where the Illawarra has a competitive advantage based on traditional manufacturing skills.
 - d Expresses concerns that the proposed correctional centre has the potential to create unacceptable conflicting land uses with new adjacent residential areas, and that Council recognise the concerns of residents who have recently moved to build homes in the area and now face the unexpected prospect of a neighbouring correctional centre.
 - e Expresses concerns that the proposed correctional centre has played no part in the long-term strategy for West Dapto. No evidence exists that the proposed correctional centre will be evaluated on its impact on the broader West Dapto area in respect to transport, community infrastructure (such as sites for schools, pre-schools, sporting or recreational facilities), or broader reputational damage to the City.
 - f Make a formal submission to the Corrective Services NSW consistent with this resolution and incorporating known or probable site constraints relating to flooding, endangered ecological communities, heritage items, soil contamination from agricultural activities, power and high-pressure gas easements, and any other identified issues.

An AMENDMENT was MOVED by Councillor Walters seconded Councillor Dorahy that –

- 1 Wollongong Council oppose the proposal to build a correctional centre in West Dapto / Kembla Grange.
- 2 Council –
 - a Recognises there is overwhelming community opposition to the proposal.
 - b Reaffirms the relevant sections of 'Wollongong Economic Development Strategy 2013-23' that notes Kembla Grange '*...has been earmarked as a key employment precinct. Existing facilities are to be expanded to include additional manufacturing ... These employment lands will also support the expansion of the NSW Ports Port Kembla Operation*'.
 - c Recognises growing private-sector interest in investing in the identified land to create and support local jobs in sectors where the Illawarra has a competitive advantage based on traditional manufacturing skills.
 - d Expresses concerns that the proposed correctional centre has the potential to create unacceptable conflicting land uses with new adjacent residential areas, and that Council recognise the concerns of residents who have recently moved to build homes in the area and now face the unexpected prospect of a neighbouring correctional centre.
 - e Expresses concerns that the proposed correctional centre has played no part in the long-term strategy for West Dapto. No evidence exists that the proposed correctional centre will be evaluated on its impact on the broader West Dapto area in respect to transport, community infrastructure (such as sites for schools, pre-schools, sporting or recreational facilities), or broader reputational damage to the City.
 - f Make a formal submission to the Corrective Services NSW consistent with this resolution and incorporating known or probable site constraints relating to flooding, endangered ecological communities, heritage items, soil contamination from agricultural activities, power and high-pressure gas easements, and any other identified issues.
 - g Acknowledges that a Correctional Centre has benefits for the community, but only if in the right location, and requests that Correctional Services investigate another site within the Illawarra and South Coast area for the current proposal.

A FORESHADOWED AMENDMENT was MOVED by Councillor Cox seconded Councillor Blakey that -

- 1 Wollongong Council oppose the proposal to build a correctional centre in West Dapto / Kembla Grange.
- 2 Council –
 - a Recognises there is overwhelming community opposition to the proposal.
 - b Reaffirms the relevant sections of 'Wollongong Economic Development Strategy 2013-23' that notes Kembla Grange '*...has been earmarked as a key employment precinct. Existing facilities are to be expanded to include additional manufacturing ... These employment lands will also support the expansion of the NSW Ports Port Kembla Operation*'.
 - c Recognises growing private-sector interest in investing in the identified land to create and support local jobs in sectors where the Illawarra has a competitive advantage based on traditional manufacturing skills.
 - d Expresses concerns that the proposed correctional centre has the potential to create unacceptable conflicting land uses with new adjacent residential areas, and that Council recognise the concerns of residents who have recently moved to build homes

in the area and now face the unexpected prospect of a neighbouring correctional centre.

- e Expresses concerns that the proposed correctional centre has played no part in the long-term strategy for West Dapto. No evidence exists that the proposed correctional centre will be evaluated on its impact on the broader West Dapto area in respect to transport, community infrastructure (such as sites for schools, pre-schools, sporting or recreational facilities), or broader reputational damage to the City.
- f Make a formal submission to the Corrective Services NSW consistent with this resolution and incorporating known or probable site constraints relating to flooding, endangered ecological communities, heritage items, soil contamination from agricultural activities, power and high-pressure gas easements, and any other identified issues.
- g Question the need for additional prisons noting that over 50% of inmates have a diagnosed mental illness and many were homeless in the four (4) weeks prior to incarceration.

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

In favour Councillors Colacino, Walters and Dorahy

Against Councillors Kershaw, Rimmer, D Brown, T Brown, King, Connor, Cox, Blakey, Figliomeni and Bradbery

Councillor Cox's FORESHADOWED AMENDMENT became the AMENDMENT.

The AMENDMENT was then PUT to the VOTE and was LOST.

In favour Councillors Cox and Blakey

Against Councillors Kershaw, Rimmer, D Brown, T Brown, King, Connor, Colacino, Walters, Dorahy, Figliomeni and Bradbery

Following the defeat of Councillor Cox's AMENDMENT, Councillor D Brown's MOTION was PUT to the VOTE and was CARRIED UNANIMOUSLY.

DEPARTURE OF COUNCILLORS

During debate and prior to voting on Item B, Councillors T Brown and Cox departed and returned to the meeting, the times being from 7.47 pm to 7.49 pm, and 7.36 pm to 7.38 pm, respectively.

ITEM B - NOTICE OF MOTION - COUNCILLOR BLAKEY - SOUTH COAST RAIL UPGRADES

MOVED by Councillor Blakey seconded Councillor Rimmer that Council -

- 1 Endorses the resolutions of the public meeting of South Coast commuters on 28 May 2018.
- 2 Writes to the NSW Minister for Transport and Infrastructure, and the Federal Minister for Infrastructure and Transport in support of the meeting resolutions, seeking clarification of the current and future capacity of the South Coast Line from Central to Bomaderry for freight and passenger services, and requesting a costed timeline of the South Coast rail upgrade implementation plan. The feedback from this correspondence be presented to Councillors in a Briefing on the strategic regional transport opportunities.
- 3 Seeks the support of the Illawarra-Shoalhaven Joint Organisation for the South Coast rail public meeting resolutions.
- 4 Calls on the NSW Government to invest the \$2.6B proposed to be used on the F6 extension between Arncliffe and Kogarah to instead be directed to a comprehensive

upgrade of the South Coast Rail Line.

- 5 Call on the NSW Government to undertake detailed studies on the viability of the proposed South West Illawarra Rail Line, known as SWIRL, which would provide both freight and passenger access to South West Sydney and the second Sydney airport, from the Illawarra.
- 6 Write to local State and Federal Members informing them of Council's resolution and requesting their support.

Variation The following variations were accepted by the mover and seconder –

- *Councillor T Brown (the addition of Point 5).*
- *Councillor Figliomeni (the addition of the words 'and future' and the words 'from Central to Bomaderry' to Point 2).*
- *Councillor Dorahy (the addition of Point 6).*

88 COUNCIL'S RESOLUTION – An AMENDMENT was MOVED by Councillor D Brown seconded Councillor Connor that Council -

- 1 Endorses the resolutions of the public meeting of South Coast commuters on 28 May 2018.
- 2 Writes to the NSW Minister for Transport and Infrastructure, and the Federal Minister for Infrastructure and Transport in support of the meeting resolutions, seeking clarification of the current and future capacity of the South Coast Line from Central to Bomaderry for freight and passenger services, and requesting a costed timeline of the South Coast rail upgrade implementation plan. The feedback from this correspondence be presented to Councillors in a Briefing on the strategic regional transport opportunities.
- 3 Seeks the support of the Illawarra-Shoalhaven Joint Organisation for the South Coast rail public meeting resolutions.
- 4 Calls on the NSW Government to invest at least \$2.6B in the South Coast Rail Line to match or exceed the sum proposed for the F6 extension between Arncliffe and Kogarah.
- 5 Call on the NSW Government to undertake detailed studies on the viability of the proposed South West Illawarra Rail Line, known as SWIRL, which would provide both freight and passenger access to South West Sydney and the second Sydney airport, from the Illawarra.
- 6 Write to local State and Federal Members informing them of Council's resolution and requesting their support.

Variation The following variations were accepted by the mover and seconder –

- *Councillor T Brown (the addition of Point 5).*
- *Councillor Figliomeni (the addition of the words 'and future' and the words 'from Central to Bomaderry' to Point 2).*
- *Councillor Dorahy (the addition of Point 6).*

Councillor D Brown's AMENDMENT on being PUT to the VOTE was CARRIED.

In favour Councillors Janice Kershaw, Jenelle Rimmer, David Brown, Tania Brown, Vicky King, Chris Connor, Cameron Walters, John Dorahy, Dom Figliomeni and Gordon Bradbery

Against Councillors Mithra Cox, Cath Blakey and Leigh Colacino

Councillor D Brown's AMENDMENT then became the MOTION.

The MOTION on being PUT to the VOTE was CARRIED.

In favour Councillors Kershaw, Rimmer, D Brown, T Brown, King, Connor, Cox, Blakey, Walters, Dorahy, Figliomeni and Bradbery

Against Councillor Colacino

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 1, Councillor Rimmer departed and returned to the meeting, the time being from 8.24 pm to 8.26 pm.

A PROCEDURAL MOTION was MOVED by Councillor Dorahy seconded Councillor Rimmer that Councillor Connor be granted an additional three (3) minutes to address the meeting in relation to Item 1.

ITEM 1 - WEST DAPTO STRATEGIC REVIEW - STRUCTURE PLAN, VISION AND PLANNING PRINCIPLES

89 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Connor seconded Councillor King that -

- 1 The draft West Dapto Vision 2018 which incorporates the West Dapto Structure Plan, Vision and Planning Principles (Attachment 2 of the report) be exhibited for a minimum period of 42 days with notification in accordance with the project's Engagement Plan.
- 2 Minor amendments to the Wollongong Development Control Plan 2009, Chapter D16 West Dapto Urban Release (Attachment 3 of the report) to commence the implementation of the West Dapto Vision 2018 be exhibited concurrently with the draft West Dapto Vision for a minimum period of 42 days.
- 3 The West Dapto Vision 2018 documents be updated as required to reflect the resolution in Item A of tonight's meeting.

Variation The variation moved by Councillor D Brown (the addition of Point 3) was accepted by the mover and seconder.

ITEM 2 - TENDER T17/65 – WEST DAPTO ACCESS - FOWLERS ROAD TO FAIRWATER DRIVE STAGES 2 AND 3 - BRIDGE, ROAD AND INTERSECTION WORKS INCLUDING SERVICE RELOCATIONS

90 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor King seconded Councillor Connor that -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Abergeldie Contractors Pty Ltd for West Dapto Access - Fowlers Road to Fairwater Drive Stages 2 and 3 - Bridge, Road and Intersection Works including Service Relocations, in the sum of \$39,907,718.00, 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 3 - DRAFT WOLLONGONG CITY-WIDE (PREVIOUSLY SECTION 94A) DEVELOPMENT CONTRIBUTIONS PLAN (2018) FOR ADOPTION

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 86).

COUNCIL'S RESOLUTION - The Wollongong City-Wide Development Contributions Plan (2018) be adopted (Attachment 1 to the report).

DEPARTURE OF COUNCILLORS

Councillor Blakey advised that she had earlier declared a conflict of interest in Item 4, however she had not explained the reason for this interest. She subsequently advised that her partner works at the Conservatorium of Music, which is located within the grounds of the Botanic Gardens. At this stage, Councillor Blakey departed the Chamber and was not present during debate and voting on Item 4.

During debate and prior to voting on Item 4, Councillors Walters and Dorahy departed and returned to the meeting, the time being from 8.47 pm to 8.48 pm and 8.50 pm to 8.52 pm respectively.

ITEM 4 - WOLLONGONG BOTANIC GARDEN DRAFT MASTERPLAN

91 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Dorahy that –

- 1 The draft Wollongong Botanic Garden Masterplan be exhibited for a minimum 28 day period.
- 2 Following a review of submissions received and the need for any amendments, the draft Wollongong Botanic Garden Masterplan be reported back to Council.
- 3 Key stakeholders be formally thanked for their initial input into the draft document, and advised of the public exhibition period.
- 4 Upon final adoption of the Masterplan a Councillor Briefing Session be held to consider any consequential amendments to Section 10.7 Certificates on surrounding properties and potential boundary adjustments and property acquisitions.

Variation The variation moved by Councillor Bradbery (the addition of the words 'on surrounding properties and potential boundary adjustments and property acquisitions' to Point 4) was accepted by the mover and seconder.

ITEM 5 - APPOINTMENT TO DESTINATION WOLLONGONG BOARD

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 86).

COUNCIL'S RESOLUTION –

- 1 Council endorse the appointment of Sharon Arrow as the Council Appointed Independent Director on the Destination Wollongong Board for a period of two years.
- 2 If a vacancy arises on the Destination Wollongong Board in the next two years, the next highest ranked applicant will be offered a position as a Council Appointed Independent Director.

ITEM 6 - LEASE OF PORT KEMBLA SURF LIFE SAVING CLUB

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 86).

COUNCIL'S RESOLUTION –

- 1 Council approve a 21 year lease of premises known as Port Kembla Surf Life Saving Club Building, part Upper Boatshed both on part Lot 1 DP 392759, Cowper Street, Port Kembla and Lower Boatshed on part Lot 1 DP 1089050, part King George Park, Port Kembla to Port Kembla Surf Life Saving Club Inc as shown in the Draft Lease - Attachment 3 of 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 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 Upper Boatshed occupies, being part Lot 7011 Crown DP 1056103 Perkins Beach, Port Kembla, as shown in Attachment 2 to the report.
- 4 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.

ITEM 7 - PROPOSED ACQUISITION OF PART OF LOT 151 DP 1088240 NO 4 BELL STREET, KEIRAVILLE FOR ROAD WIDENING

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 86).

COUNCIL'S RESOLUTION –

- 1 Council acquire the portion of Lot 151 DP 1088240 No 4 Bell Street, Keiraville, shown shaded dark grey on the attachment to the report, on the following conditions:
 - a Compensation be paid in the amount of \$38,000 (GST does not apply).
 - b Council be responsible for all costs including valuation, transfer, legal, and fencing, letterbox and water meter relocation costs, if required.
- 2 The Lord Mayor and General Manager be granted authority to affix the Common Seal of Council to the transfer documents and any other documentation required to give effect to this resolution.

ITEM 8 - PROPOSED SALE OF LOT 24 DP 240849 RYAN STREET, BALGOWNIE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 86).

COUNCIL'S RESOLUTION

- 1 Council authorise the sale of Lot 24 DP 240849 to the adjoining owner, or her nominee, on the following conditions:
 - a Purchase price of \$30,000 (GST exclusive) be paid for the land.
 - b Each party be responsible for their own legal costs.
- 2 Authority be granted to the Lord Mayor and General Manager to affix the Common Seal of Council to the transfer documents and any other documents required to give effect to this resolution.

ITEM 9 - PROPOSED CHANNEL REHABILITATION SPRAY STREET THIRROUL

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 86).

COUNCIL'S RESOLUTION

Council authorise the works described in this report pursuant to Section 67 of the Local Government Act.

ITEM 10 - COUNCILLOR ATTENDANCE AT THE 2018 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

92 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Connor that –

- 1 The Lord Mayor, Deputy Lord Mayor and any other Councillor nominated at this meeting be authorised to attend the 2018 Local Government NSW Annual Conference and associated functions to be held in Albury on 21 to 23 October 2018.
- 2 Council elect its 5 voting delegates in addition to the Lord Mayor and Deputy Lord Mayor who are automatically entitled to voting rights at this Conference.

In relation to Part 2 of the resolution, the Lord Mayor called for nominations and on a show of hands Councillors Figliomeni, Dorahy, Blakey, King and Walters, along with the Lord Mayor and Deputy Lord Mayor – Councillor D Brown were elected as Council's voting delegates.

ITEM 11 - POLICY REVIEW: PUBLIC TREE MANAGEMENT POLICY

93 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor King seconded Councillor Figliomeni that the Public Tree Management Policy (Attachment 1 to the report) be adopted with the following addition to the Policy - 3b – Tree removal:

All public trees removed by Council will be recorded on a publicly available online and/or on-site register, including the reason for removal.

Variation The variation moved by Councillor Cox (the addition of the words 'with the following addition to the Policy - 3b – Tree removal: All public trees removed by Council will be recorded on a publicly available online and/or on-site register, including the reason for removal.') was accepted by the mover and seconder.

ITEM 12 - POLICY REVIEW: TREE AND VEGETATION VANDALISM POLICY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 86).

COUNCIL'S RESOLUTION

The Tree and Vegetation Vandalism Policy be adopted.

ITEM 13 - POLICY REVIEW: COMMUNITY ENGAGEMENT POLICY 2018

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 86).

COUNCIL'S RESOLUTION

Council adopt the amended Community Engagement Policy.

ITEM 14 - TENDER T18/05 - LANDFILL ENVIRONMENTAL MONITORING SERVICES

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 86).

COUNCIL'S RESOLUTION

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Australia Laboratory Services for Landfill Environmental Monitoring Services for a period of five (5) years, and any extension granted in accordance with the proposed contract, in the sum of \$431,054, 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 T18/08 - MT KEIRA POWER SUPPLY PROJECT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 86).

COUNCIL'S RESOLUTION

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of ARA Electrical High Voltage Pty Ltd trading as Transelect for the Mt Keira Power Supply Project, in the sum of \$994,273.00, 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, but only after Council has received construction approval from both Endeavour Energy and National Parks and Wildlife Service.
- 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 T18/14 - LICENCE TO OPERATE DAPTO POOL KIOSK AND CASH COLLECTION/RECEIPTING SERVICES AGREEMENT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 86).

COUNCIL'S RESOLUTION

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Tecy Transport Pty Ltd for Licence to operate Dapto Pool Kiosk and Cash Collection/Receipting Services, in the sum of \$500 per month (excluding GST) for the licence to operate the kiosk and Council pay an amount of \$10,400 per month (excluding GST) through a Services Agreement for cash collection/receipting duties.
- 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 T18/15 - LICENCE TO OPERATE CORRIMAL POOL KIOSK AND CASH COLLECTION / RECEIPTING SERVICES AGREEMENT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 86).

COUNCIL'S RESOLUTION

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Kenneth and Leanne Holloway for Licence to operate Corrimal Pool Kiosk and Cash Collection/Receipting Services, in the sum of \$500 per month (excluding GST) for the Licence to operate the kiosk and Council pay an amount of \$15,300 per month (excluding GST) through a Services Agreement for cash collection/receipting duties.
- 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 T18/21 - HENNINGS LANE, AUSTINMER - EMBANKMENT STABILISATION

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 86).

COUNCIL'S RESOLUTION

- 1 a In accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005, Council decline to accept any of the tenders received for the Embankment Stabilisation on Hennings Lane, adjacent to the rear boundary of No. 50 The Grove, Austinmer 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.
- b In accordance with clause 178(4) of the Local Government (General) Regulation 2005, the reason for Council hereby resolving to enter into negotiations with one or all of the tenderers or any other party and not inviting fresh tenders is that no acceptable tender was received within the budget allocated and 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.
- 2 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.
- 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 T18/25 - REFURBISHMENT OF STONE SHELTERS AT STUART PARK, NORTH WOLLONGONG

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 86).

COUNCIL'S RESOLUTION

- 1 a In accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005, Council decline to accept any of the tenders received for refurbishment of the stone shelters at Stuart Park, North Wollongong 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.
- b In accordance with clause 178(4) of the Local Government (General) Regulation 2005, the reason for Council hereby resolving to enter into negotiations with one or all of the tenderers or any other party and not inviting fresh tenders is that no acceptable tender was received within the budget allocated and 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.
- 2 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.
- 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 - STATEMENT OF INVESTMENT - JUNE 2018

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 86).

COUNCIL'S RESOLUTION

Council receive the Statement of Investment for June 2018.

ITEM 21 - CITY OF WOLLONGONG TRAFFIC COMMITTEE - MINUTES OF ELECTRONIC MEETING HELD ON 28 JUNE 2018

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 86).

COUNCIL'S RESOLUTION

In accordance with the powers delegated to Council, the Minutes and recommendations of the City of Wollongong Traffic Electronic Meeting held on 28 June 2018 in relation to the Regulation of Traffic be adopted.

THE MEETING CONCLUDED AT 9.00 PM.

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 13 August 2018.

Chairperson