



## MINUTES

# ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 28 October 2019

### Present

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

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

### In Attendance

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

Greg Doyle  
Andrew Carfield  
Linda Davis  
Renee Campbell  
Kerry Hunt  
Rod Keen  
Brian Jenkins  
Lucielle Power  
Ingrid McAlpin  
Chris Stewart  
Mark Roebuck  
Glenn Whittaker  
Mike Dowd  
Joanne Page  
Sue Savage  
Jenny Thompson

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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 INTEREST**

Councillor Figliomeni declared a non-pecuniary, non-significant conflict of interest in Item 12 as he owns a property in Coniston. However as the property is not nearby to the proposed works, Councillor Figliomeni advised he would remain in the Chamber during the debate and voting on the item.

Councillor Cox declared a pecuniary, significant conflict of interest in Item 2 as she lives very close to the site. Councillor Cox advised she would depart the Chamber during the debate and voting on the item, in addition to the Public Access Forum speakers' address to Council on the matter.

Councillor Cox also declared a non-pecuniary, non-significant conflict of interest in Item 14 as her husband plays for Figtree Soccer Club and his home ground is Harry Graham Park. Councillor Cox advised she would remain in the Chamber during the debate and voting on the item.

Councillor Dorahy declared a non-pecuniary, non-significant conflict of interest in Item 8 as he is the Chair of the associated Flood Committee. Councillor Dorahy advised he would remain in the Chamber during the debate and voting on the item.

Councillor Dorahy also declared a non-pecuniary, non-significant conflict of interest in Item 14 as his grandson plays soccer at Harry Graham Park. Councillor Dorahy advised he would remain in the Chamber during the debate and voting on the item.

## **POLICE AND EMERGENCY SERVICES GAMES**

Councillor Bradbery advised of his recent attendance at the Police and Emergency Services Games, along with Councillors T Brown, J Dorahy and C Walters. Councillor Bradbery advised that he is in receipt of a gold, silver and bronze medal, along with a shirt, cap and plaque, which were presented in gratitude to Wollongong City Council for the provision of facilities enabling the Games to take place.

## **CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 23 SEPTEMBER 2019**

**304** **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, 23 September 2019 (a copy having been circulated to Councillors) be taken as read and confirmed.

## **DEPARTURE OF COUNCILLOR**

Due to a declared conflict of interest, prior to the commencement of the Public Access Forum Councillor Cox departed the meeting at 6:06 pm and returned to the meeting at the commencement of the third Public Access Forum speaker at 6:22 pm.

## **DEPARTURE OF COUNCILLOR**

During the Public Access Forum Councillor D Brown departed and returned to the meeting, the time being from 6:21 pm to 6:22 pm.

## PUBLIC ACCESS FORUM

ITEM	TITLE	NAME OF SPEAKER
2	Interim Heritage Order – Former Corrimal Coke Works Site	Ainslie Lamb For Recommendation
2	Interim Heritage Order – Former Corrimal Coke Works Site	Mike Williams Against Recommendation
8	Allans Creek Flood Study (2019)	Dr John Mathieson Against Recommendation
22	Notice Of Motion – Councillor Dorahy – Light Rail Network – 21 <sup>st</sup> Century Wollongong – City of Innovation	Kieran Thomas For Recommendation
Non-Agenda Item	Council Climate Change Targets	Caitlin Cooper
Non-Agenda Item	Council Net Zero Emissions	Daniel Noonan

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

### CALL OF THE AGENDA

**306 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Cox that the staff recommendations for Items 1, 3 to 7, and 9 to 20 be adopted as a block.

### ITEM 1 - WOLLONGONG HERITAGE STRATEGY 2019-2022 - POST EXHIBITION

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 The Wollongong Heritage Strategy 2019-2022 (Attachment 3) be adopted as a supporting document.
- 2 The Wollongong Heritage Implementation Plan 2019-2022 be noted as an Operational Delivery Plan for delivery of the Wollongong Heritage Strategy.

### DEPARTURE OF COUNCILLOR

Due to a declared conflict of interest, Councillor Cox departed the meeting at 6:52 pm and was not present during the debate or voting on Item 2. Councillor Cox returned to the meeting at 7:15 pm.

## **ITEM 2 - INTERIM HERITAGE ORDER - FORMER CORRIMAL COKE WORKS SITE**

**307 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Kershaw seconded Councillor Rimmer that -

- 1 The Interim Heritage Order over the Corrimal Coke Works site be extended for an additional six months. The alignment of the tramway be identified as archaeological significance.
- 2 Council reaffirms its resolution of 3 April 2018 to prepare a draft Planning Proposal that will involve the heritage listing of part of the former Corrimal Coke Works site as per the proposed curtilage map in Attachment 1, noting that the area for potential heritage listing will continue to be considered and refined through the planning proposal process.
- 3 Council notes that a Statement of Significance and potential referral to the Heritage Council for the inclusion of items within the Corrimal Coke Works Site on the State Heritage Register will be considered following the completion of the heritage assessment of the site.

A PROCEDURAL MOTION was MOVED by Councillor D Brown seconded Councillor Colacino that Councillor Kershaw be granted an additional one (1) minute to address the meeting in relation to Item 2.

## **ITEM 3 - IMPLEMENTATION OF INTERNAL AUDIT BUREAU RECTIFICATION PLAN - POST IMPLEMENTATION AUDIT**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 Council endorse the post implementation audit of the IAB Review Rectification Plan noting the auditor confirmed all recommendations have been completed and implemented.

## **ITEM 4 - APPOINTMENT OF AUDIT RISK AND IMPROVEMENT COMMITTEE CHAIRPERSON**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 Mr Terry Clout be appointed as chairperson of the Audit, Risk and Improvement Committee for the period up to 30 September 2020.

**ITEM 5 - PROPOSED COMPULSORY ACQUISITION - PROPOSED LOT 11 DP 1242770 - DEPARTMENT OF EDUCATION - REAR OF DAPTO HIGH SCHOOL**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 Council continue to negotiate with the Department of Education and, if agreement is reached to proceed with the land acquisition via Transfer, agree to be bound by the Valuer General's determination for compensation for the acquisition of proposed Lot 11 DP 1242770, being Part Lot 1 DP 81501.
- 2 In the event acquisition by Transfer is not approved by the Department of Education, Council acquire proposed Lot 11 DP 1242770, being part Lot 1 DP 81501, by compulsory process pursuant to the *Land Acquisition (Just Terms Compensation) Act 1991* by authority contained in the *Roads Act 1993* for the purpose of a road.
- 3 The minerals be excluded from this acquisition.
- 4 This acquisition is not for the purpose of resale.
- 5 The necessary applications relating to the compulsory acquisition including compensation determination be made to the Minister for Local Government and the Governor.
- 6 Council seek priority processing of the application through the Office of Local Government, due to the state significance of the infrastructure and to avoid undue delays.
- 7 Upon acquisition, Council dedicate proposed Lot 11 DP 1242770 as a road, pursuant to Section 10 of the *Roads Act 1993*.
- 8 Council grant authority for the use of the Common Seal of Council on all documents relevant to this matter, should it be required to give effect to this resolution.

**ITEM 6 - MINNEGANG CREEK FLOOD STUDY (2019) - LAKE HEIGHTS**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

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

**ITEM 7 - KULLY BAY OVERLAND FLOW STUDY (2019) - WARRAWONG**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 That the Kully Bay Overland Flow Study (2019) be adopted.

## DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 8, Councillor Rimmer departed and returned to the meeting, the time being from 7:19 pm to 7:19 pm.

## ITEM 8 - ALLANS CREEK FLOOD STUDY (2019)

**308** **COUNCIL'S RESOLUTION** – RESOLVED on the motion of Councillor Dorahy seconded Councillor Figliomeni that -

- 1 The item be deferred for a 6 week period to allow for a review of the methodology and further consultation with key stakeholders.

*Variation* The variation moved by Councillor Martin (the addition of words 'to allow for a review of the methodology and further consultation with key stakeholders') was accepted by the mover and seconder.

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

*Against* Councillor Bradbery

## ITEM 9 - TENDER T19/18 - DEMOLITION AND CONSTRUCTION OF WEBB PARK AMENITIES BUILDING, KANAHOOKA

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Batmac Constructions Pty Ltd for Demolition and Construction of Webb Park Amenities, Kanahooka in the sum of \$866,746.49, 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 10 - TENDER T19/19 - DEMOLITION AND CONSTRUCTION OF WISEMAN PARK AMENITIES BUILDING, GWYNNEVILLE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Batmac Constructions Pty Ltd for demolition and construction of Wiseman Park Amenities, Gwynneville in the sum of \$796,048.23, 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 11 - TENDER T19/21 - WATER MAIN INSTALLATION - WONGAWILLI ROAD RECONSTRUCTION**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Cadifern Pty Ltd for the installation of two water mains at lowered levels at the intersection of Shone Avenue and Wongawilli Road, Wongawilli, in the sum of \$421,387, 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 12 - TENDER T19/22 - PROPOSED CONSTRUCTION OF A RETAINING WALL ALONG THE DIVIDED CARRIAGEWAY AT IRIS AVENUE, CONISTON**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Cadifern Pty Ltd for the construction of a retaining wall and associated earthworks, fencing and drainage along Iris Avenue, Coniston in the sum of \$690,953.50, 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 13 - TENDER T19/24 - PROPOSED REPLACEMENT OF RETAINING WALL ALONG THE LANEWAY CONNECTING BELLEVUE ROAD TO OUTLOOK DRIVE, FIGTREE**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Growth Civil Landscapes Pty Ltd for the replacement retaining wall on the laneway connecting Bellevue Road and Outlook Drive, in the sum of \$137,281.50, 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 14 - TENDER T19/28 - SPORTSFIELD LIGHTING INSTALLATION TO HARRY GRAHAM PARK, FIGTREE, FIGTREE OVAL NO. 2, FIGTREE AND ELIZABETH PARK, BELLAMBI**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Central West Electrical Contractors Pty Ltd for lighting installation to Harry Graham Park, Figtree, Figtree Oval No. 2, Figtree and Elizabeth Park, Bellambi, in the sum of \$911,390.00, 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 - ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2019 - POST ADVERTISING**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 The audited Financial Statements for the year ended 30 June 2019, together with the Auditor's report, be presented to the public.

**ITEM 16 - SEPTEMBER 2019 FINANCIALS**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

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

**ITEM 17 - STATEMENT OF INVESTMENT - AUGUST AND SEPTEMBER 2019**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 Council receive the Statement of Investment for August and September 2019.

## **ITEM 18 - CITY OF WOLLONGONG TRAFFIC COMMITTEE MINUTES OF MEETING HELD 2 OCTOBER 2019**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 In accordance with the powers delegated to Council, the Minutes and Recommendations of the City of Wollongong Traffic Committee held on 2 October 2019 in relation to Regulation of Traffic be adopted.

## **ITEM 19 - BI-MONTHLY RETURNS OF DISCLOSURES OF INTERESTS AND OTHER MATTERS - OCTOBER 2019**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 Council note the tabling of the Returns of Disclosures of Interest as required by Part 4 of the Model Code of Conduct.

## **ITEM 20 - ANNUAL TABLING OF RETURNS OF DISCLOSURE OF PECUNIARY INTERESTS AND OTHER MATTERS - 2018 TO 2019**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 Council note the tabling of the Annual Returns of Disclosure of Pecuniary Interests and Other Matters as required by Clause 4.26 of the Model Code of Conduct for Local Councils in NSW.

### **DEPARTURE OF COUNCILLOR**

During debate and prior to voting on Item 21, Councillor Dorahy departed and returned to the meeting, the time being from 7:39 pm to 7:41 pm.

### **DEPARTURE OF COUNCILLOR**

During debate and prior to voting on Item 21, Councillor D Brown departed and returned to the meeting, the time being from 7:42 pm to 7:43 pm.

**ITEM 21 - NOTICE OF MOTION - COUNCILLOR FIGLIOMENI - PORT KEMBLA COMMUNITY INVESTMENT FUND (PKCIF)**

MOVED by Councillor Figliomeni seconded Councillor Walters that -

- 1 The Conservation Management Plan (CMP) for Hill 60 is finalised and actions for its implementation are agreed with Ward 3 Councillors no later than 28 February 2020.
- 2 Future Council funding requests under the Port Kembla Community Investment Fund (PKCIF) are directed towards –
  - a Completion of the Ngaraba-aan Cultural Trail including construction of a board walk where appropriate
  - b Restoration of the Hill 60 WWII tunnels in readiness for the UCI World Cycling Championships.
- 3 An investigation is initiated and a report provided to Council for consideration by 30 June 2020 on the possible opportunities to establish externally-funded commercial hospitality and tourist facilities at Hill 60.
- 4 Council contribute funding towards the above in accordance with the Capital Works program.
- 5 The Aboriginal Heritage Assessment Report currently underway is progressed in conjunction with the Aboriginal Community as a matter of urgency.
- 6 Council approach the Office of Heritage and Environment seeking urgent approval for the total implementation of the Hill 60 Master Plan Projects including item 2 above.

**309 COUNCIL'S RESOLUTION** – An AMENDMENT was MOVED by Councillor Martin seconded Councillor Cox that -

- 1 The Conservation Management Plan (CMP) for Hill 60 is finalised and actions for its implementation are agreed with Council no later than 28 February 2020.
- 2 Future Council funding requests under the Port Kembla Community Investment Fund (PKCIF) and other funding opportunities include -
  - a Completion of the Ngaraba-aan Cultural Trail including construction of a board walk where appropriate
  - b Appropriate restoration of the Hill 60 WWII tunnels in readiness for the UCI World Cycling Championships.
- 3 An investigation is initiated and a report provided to Council for consideration by 30 June 2020 on the possible expression of interest opportunities to establish commercially viable hospitality and tourist facilities at Hill 60.
- 4 The Aboriginal Heritage Assessment Report currently underway is progressed in conjunction with the Aboriginal Community as a matter of urgency.
- 5 The Council approach the Office of Heritage and Environment seeking urgent approval for the total implementation of the Hill 60 Master Plan Projects including item 2 above.

- Variations*
- The variation moved by Councillor Rimmer (the addition of words 'are agreed with Council', replacing the previous wording 'are agreed with Ward 3 Councillors' in Point 1) was accepted by the mover and seconder.
  - The variation moved by Councillor Bradbery (the addition of words 'and other funding opportunities' in Point 2) was accepted by the mover and seconder.

Councillor Martin's AMENDMENT on being PUT to the VOTE was CARRIED UNANIMOUSLY.

## DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 22:

- Councillor Martin departed and returned to the meeting, the time being from 8:19 pm to 8:21 pm.
- Councillor T Brown departed and returned to the meeting, the time being from 8:22 pm to 8:23 pm.
- Councillor Rimmer departed and returned to the meeting, the time being from 8:28 pm to 8:30 pm.
- Councillor Cox departed and returned to the meeting, the time being from 8:56 pm to 8:57 pm.

## ITEM 22 - NOTICE OF MOTION - COUNCILLOR DORAHY - LIGHT RAIL NETWORK - 21ST CENTURY WOLLONGONG - CITY OF INNOVATION

MOVED by Councillor Dorahy seconded Councillor Cox that -

- 1 A Briefing be provided to Councillors by 27 July 2020 providing feedback and commentary on the Opportunity Cost versus the Opportunity Benefit to be determined through the following measures -
  - a Contact made with NSW Government Premier Berejiklian; Minister for Infrastructure and Transport Andrew Constance; Minister for Finance Dominic Perrotet; Local MP's Gareth Ward, Ryan Park and Paul Scully to seek support and options to achieve funding for the project.
  - b Contact the following Federal Government Ministers to, at a minimum, seek a meeting/s to discuss the merits of Wollongong's desire to build a Light Rail Network and to seek support for the critical funding for the project - Minister for Finance Mathias Cormann; Minister for Infrastructure and Transport Michael McCormack; Minister for Regional Development, Territories and Local Government Dr John McVeigh; Minister for Cities, Urban Infrastructure and Population The Hon Alan Tudge MP; Minister for Regional Services, Decentralisation and Local Government & Assistant Minister for Trade and Investment Mark Coulton; Local Federal MP's Senator Concetta Fierravanti-Wells, Member for Cunningham Sharon Bird, Member for Whitlam Stephen Jones and Member for Shellharbour Anna Watson.
  - c Contact made with the Illawarra Business Chamber and Regional Development Australia (Illawarra) CEO's regarding the utilisation of their strong lobbying channels and business connections to assist in achieving this capital project opportunity for Wollongong.
  - d Local, national and international business groups with expertise to deliver a plan for light rail infrastructure, be identified and contacted, to determine the potential costs of this project against WCC's Draft design for corridors.
  - e Development of a scalable Draft Plan to achieve this opportunity outcome with potential corridor uptake, cost and timeline indications, with the initial section to include Crown Street from Marine Drive to the Hospital.
- 2 WCC Councillors put forward their support for the third largest City in NSW to be brought into the 21st Century with a view to application for and lobbying to receive funding from both State and Federal Governments to this potential project.
- 3 WCC, through the Lord Mayor, make an approach to WCC International contacts in Wollongong's Sister Cities and connections in the North of England where experience and expertise could be gained to fast track the opportunity for a Light Rail Network in a wider scale through a potential Public Private Partnership option.
- 4 WCC undertake a Survey with the residents in Q1-20 for the concept of a Light Rail Network and where residents perceive the best corridors are suited for a Light Rail Network to operate.

- 5 WCC convene a small Committee of WCC executives, Councillors and two to four invited Local Businesspersons to plan and advance the opportunity. The committee to begin its role from late January 2020.

*Variation* The variation moved by Councillor King (the addition of words 'and Member for Shellharbour Anna Watson') was accepted by the mover and seconder.

A PROCEDURAL MOTION was MOVED by Councillor Colacino seconded Councillor Martin that Councillor Dorahy be granted an additional two (2) minutes to address the meeting in relation to Item 22.

At this stage, Councillor D Brown FORESHADOWED a MOTION should Councillor Dorahy's Motion be defeated that -

- 1 Any options for new public transport systems in the city be considered within discussions to develop the next Community Strategic Plan and interested Councillors are encouraged to submit proposals during that process.

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

- 1 A Briefing be provided to Councillors by 27 July 2020 providing feedback and commentary on the following actions -
  - a Contact made with NSW Government Premier Berejiklian; Minister for Infrastructure and Transport Andrew Constance; Minister for Finance Dominic Perrottet; Local MP's Gareth Ward, Ryan Park and Paul Scully to seek support and options to achieve funding for the project.
  - b Contact the following Federal Government Ministers to, at a minimum, seek a meeting/s to discuss the merits of Wollongong's desire to build a Light Rail Network and to seek support for the critical funding for the project - Minister for Finance Mathias Cormann; Minister for Infrastructure and Transport Michael McCormack; Minister for Regional Development, Territories and Local Government Dr John McVeigh; Minister for Cities, Urban Infrastructure and Population The Hon Alan Tudge MP; Minister for Regional Services, Decentralisation and Local Government & Assistant Minister for Trade and Investment Mark Coulton; Local Federal MP's Senator Concetta Fierravanti-Wells, Member for Cunningham Sharon Bird, Member for Whitlam Stephen Jones and Member for Shellharbour Anna Watson.
  - c Contact made with the Illawarra Business Chamber and Regional Development Australia (Illawarra) CEO's regarding the utilisation of their strong lobbying channels and business connections to assist in achieving this capital project opportunity for Wollongong.
  - d Local, national and international business groups with expertise to deliver a plan for light rail infrastructure, be identified and contacted, to determine the potential costs of this project against WCC's Draft design for corridors.
- 2 WCC Councillors put forward their support for the third largest City in NSW to be brought into the 21st Century with a view to application for and lobbying to receive funding from both State and Federal Governments to this potential project.
- 3 WCC, through the Lord Mayor, make an approach to WCC International contacts in Wollongong's Sister Cities and connections in the North of England where experience and expertise could be gained to fast track the opportunity for a Light Rail Network in a wider scale through a potential Public Private Partnership option.
- 4 WCC convene a small Committee of WCC executives, Councillors and two to four invited Local Businesspersons to plan and advance the opportunity. The committee to begin its role from late January 2020.

A PROCEDURAL MOTION was MOVED by Councillor Dorahy seconded Councillor Cox that Councillor Blakey be granted an additional one (1) minute to address the meeting in relation to Item 22.

At this stage, Councillor Colacino FORESHADOWED a MOTION should Councillor Dorahy's Motion be defeated that -

Council work toward the development of an Integrated Transport Policy.

A PROCEDURAL MOTION was MOVED by Councillor Dorahy seconded Councillor Rimmer that Councillor Colacino be granted an additional two (2) minutes to address the meeting in relation to Item 22.

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

**In favour** Councillors Cox, Blakey and Figliomeni

**Against** Councillors Kershaw, Rimmer, D Brown, T Brown, Martin, King, Colacino, Walters, Dorahy and Bradbery

Following the defeat of Councillor Cox's AMENDMENT, Councillor Dorahy's MOTION on being PUT to the VOTE was LOST

**In favour** Councillor Dorahy

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

At this stage Councillor D Brown's FORESHADOWED MOTION became the MOTION.

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

1 Any options for new public transport systems in the city be considered within discussions to develop the next Community Strategic Plan and interested Councillors are encouraged to submit proposals during that process.

A PROCEDURAL MOTION was MOVED by Councillor D Brown seconded Councillor T Brown that the MOTION be PUT.

The MOTION on being PUT to the VOTE was CARRIED

**In favour** Councillors Rimmer, D Brown, T Brown, Martin, Cox, Blakey, Figliomeni and Bradbery

**Against** Councillors Kershaw, King, Colacino, Walters and Dorahy

### **ITEM 23 - NOTICE OF MOTION - COUNCILLOR COX - LOCAL RECYCLING INDUSTRY**

**311** **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Cox seconded Councillor Colacino that –

1 Council welcomes the announcement from Prime Minister Scott Morrison, that the federal government will commit \$20 million for innovative projects to grow the Australian recycling industry.

2 Council writes to Prime Minister Morrison, the NSW Premier and the Federal Minister for Industry, Science and Technology, Karen Andrews, to express an interest that Wollongong be the site of a new Australian recycling plant noting a suitable site or sites for its location.

*Variation* The variation moved by Councillor Figliomeni (the addition of the words 'noting a suitable site or sites' in Point 2) was accepted by the mover and seconder.

## CLOSED COUNCIL SESSION

The Lord Mayor called for a Motion to close the meeting to consider a Confidential Item, which deals with a report to Council regarding the acquisition of property, in accordance with Section 10A (2) (c) of the Local Government Act.

Prior to putting the above Motion to the vote, the Lord Mayor advised members of the press and gallery that Item C1 relates to a report to Council regarding the acquisition of property and is classified as Confidential for the following reasons -

- 1 Section 10A (2) (c) of the Local Government Act 1993, permits the meeting to be closed to the public, 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
- 2 In accordance with Section 10A (4) of the Local Government Act 1993, the Lord Mayor invited members of the gallery to make representations to the Council meeting as to whether this part of the meeting should be closed

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

- 1 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
- 2 On balance, the public interest in preserving the confidentiality of the information supplied outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting.

There being no members present in the gallery, the MOTION was PUT to the VOTE and was CARRIED UNANIMOUSLY.

At this stage, the time being 9:29pm, the meeting moved into Closed Session.

### ITEM C1 - ACQUISITION OF PROPERTIES FOR NEW HELENSBURGH LIBRARY

**313 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor T Brown seconded Councillor Walters that -

- 1 Council negotiate with the owner(s) of 53 and 55 Walker Street, Helensburgh, being Lot 10 and 11 Section B in DP 2205 for the purpose of acquiring these properties in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*, with authority being delegated to the General Manager to complete negotiations.
- 2 In the event that Council is unable to negotiate the acquisition of 53 and 55 Walker Street, Helensburgh within a reasonable timeframe (being at least a period of six months from first correspondence), Council proceed to acquire 53 and 55 Walker Street, Helensburgh by compulsory process pursuant to the *Land Acquisition (Just Terms Compensation) Act 1991* by authority contained in the *Local Government Act 1993* for the purpose of a Library and Community Centre.
- 3 If Council proceeds to acquire 53 and 55 Walker Street, Helensburgh by compulsory process, pursuant to Section 186 of the *Local Government Act 1993*, Council make the necessary applications to the Minister for Local Government and the Governor to compulsorily acquire the properties.
- 4 That the minerals are to be excluded from these acquisitions and that these acquisitions are not for the purpose of resale.
- 5 Upon the acquisition being finalised, the properties be classified as Operational Land in accordance with the *Local Government Act 1993*.



- 6 The Lord Mayor and General Manager be granted authority to affix the Common Seal of Council to any documentation required to give effect to this resolution and the General Manager be authorised to sign any documentation necessary to complete the compulsory acquisitions.

**314 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Martin seconded Councillor Rimmer that the meeting move out of Closed Session and into Open Council.

Council resumed into Open Session at 9:38pm.

## **OPEN COUNCIL SESSION**

### **RESOLUTIONS FROM THE CLOSED SESSION OF COUNCIL**

The Lord Mayor advised the meeting of Council's Resolution whilst in Closed Session (refer to Minute Number 313).

### **THE MEETING CONCLUDED AT 9:41PM**

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Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 18 November 2019.

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Chairperson