

at 6:00 pm

Monday 28 November 2022

Present

Lord Mayor – Councillor Gordon Bradbery AM (in the Chair)
Deputy Lord Mayor – Councillor Tania Brown
Councillor Ann Martin
Councillor Cameron Walters
Councillor Cath Blakey
Councillor David Brown
Councillor Dom Figliomeni
Councillor Elisha Aitken

Councillor Linda Campbell
Councillor Mithra Cox
Councillor Richard Martin

In Attendance

General Manager
Director Infrastructure + Works, Connectivity Assets + Liveable City (Acting)
Director Planning + Environment, Future City + Neighbourhoods
Director Corporate Services, Connected + Engaged City
Director Community Services, Creative + Innovative City
Chief Financial Officer
Chief Information Officer
Manager Governance + Customer Service
Manager Property + Recreation
Manager City Strategy
Manager Project Delivery (Acting) (attended via audio-visual link)
Manager Community Cultural + Economic Development
Manager Organisational Development + Safety and Workplace Services (Acting)

Greg Doyle
Glenn Whittaker
Linda Davis
Renee Campbell
Kerry Hunt
Brian Jenkins
Ingrid McAlpin
Todd Hopwood
Lucielle Power
Chris Stewart
Robert Ryan
Sue Savage
Renee Whiteside

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

Apologies

Min No.

762 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor T Brown seconded Councillor A Martin that the apology tendered on behalf of Councillors Kershaw and Dorahy be accepted.

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CONFLICTS OF INTERESTS

Councillor Ann Martin declared a non-significant, non-pecuniary interest in Item 3 – Wollongong City Council Submission – Six Cities Regional Discussion Paper, as she works for the Department of Planning and Environment and the inclusion of Wollongong and the Illawarra-Shoalhaven region is a Department initiative. As she does not work on planning matters related to the Wollongong LGA, Councillor A Martin advised she would remain in the meeting during debate and voting on the item.

PRESENTATIONS

The Lord Mayor, Councillor Bradbery, presented a trophy and certificate awarded to Wollongong City Council by the International Association for Public Participation's. Wollongong City Council was awarded the 2022 Core Values Awards in the Indigenous category in recognition of the "Aboriginal Engagement Framework – Knowing and Valuing local Aboriginal people and communities".

The Lord Mayor, Councillor Bradbery, presented a shield presented to Council, recognising the decommissioning of the HMAS Wollongong.

The Lord Mayor, Councillor Bradbery, presented a medallion from the NSW Consulate General to India, presented to recognise the visit to Wollongong and commemorating the 75th Anniversary of Indian Independence.

The Lord Mayor, Councillor Bradbery, invited Lisa Berwick of the Audit Office of NSW to present on the Annual Financial Statements for the Year Ended 30 June 2022.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 7 NOVEMBER 2022

- 763 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Walters that the Minutes of the Ordinary Meeting of Council held on Monday, 7 November 2022 (a copy having been circulated to Councillors) be taken as read and confirmed.

PUBLIC ACCESS FORUM

ITEM	TITLE	NAME OF SPEAKER
Non-Agenda Item	Increasing Quality of Life by Boosting Active Travel	George Takacs Healthy Cities Illawarra

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

CALL OF THE AGENDA

- 765 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the staff recommendations for Items 2 then 4 and 5 then 7-12 inclusive then 14 and 16 be adopted as a block.

ITEM 1 - ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2022

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

- 1 The Annual Financial Statements be endorsed and an opinion be formed in the prescribed format (as per Attachments 2 and 3) on the General Purpose Financial Statement and the Special Purpose Financial Statement.
- 2 The audited Financial Statements and the Auditor's report be presented to the public at a meeting following the finalisation of the audit and public notification period.
- 3 That Lisa Berwick from the Audit Office of NSW be thanked for her presentation.

ITEM 2 - PUBLIC EXHIBITION - WEST DAPTO DRAFT SOCIAL INFRASTRUCTURE NEEDS ASSESSMENT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 765)

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

- 1 Council support public exhibition of the draft West Dapto Social Infrastructure Needs Assessment for a minimum of 28 days.
- 2 Council exhibition material to clearly outline that delivering the Social Infrastructure Needs of West Dapto is reliant on a co-ordinated, equitable contribution from Council, other levels of Government and private sector.
- 3 Following exhibition staff report back to Council -
 - a A final West Dapto Social Infrastructure Needs Assessment with an engagement report explaining issues raised in submissions and how they were considered; and
 - b Detail further steps required to ensure delivery of the Social Infrastructure recommended in the final needs assessment.

ITEM 3 - WOLLONGONG CITY COUNCIL SUBMISSION - SIX CITIES REGION DISCUSSION PAPER

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

- 1 The Discussion Paper for the Six Cities Region released by the Greater Cities Commission be noted.
- 2 The General Manager be authorised to finalise the draft submission (Attachment 1) and forward it to the Greater Cities Commission for their consideration.
- 3 The following be included in Council's Submission –
 - a The 'A Connected Six Cities Region' section include a comment on the impracticality of achieving 30-minute trips to work on public transport given the limited local train timetable.
 - b Include specific support for the region's inclusion in Fast Rail considerations.
 - c Points 2.2 and 2.3 in section 'A connected Six Cities Region' of the Paper - note that areas of the LGA (not just the rail line) have poor connectivity and note that there are socio-economic barriers to connectivity as illustrated in demographic data for some (especially southern) suburbs.
 - d The importance of the Green Bus be emphasised at Point 2.9 of the paper.

- e Points 4.4 and 4.5 in the 'Inclusive Places Connected to Infrastructure' section of the paper - include support for modal shift to active and public transport and recognition that much of the region / LGA lacks convenient Public transport options and also note the LGA is committed to building active transport infrastructure.
 - f Points 5.3 and 5.4 in the section 'Powering local jobs and economies' - Note that our Economic Development Strategy includes job targets and emphasis on attracting professional / office jobs. Other parts of the region may have different priorities.
 - g Point 6.5 concerning climate change adaptations in section 'Climate-resilient green cities' - will need further consideration when the NSW Climate Change Adaptation Strategy action plans are finalised.
 - h Point 6.9 the Paper - Note Council's strong support to the review and expansion of Basix.
- 4 That the Greater Cities Partnership prospectus be included as an attachment to the submission

Variation The variation moved by Councillor T Brown (the addition of Point 4 That the Greater Cities Partnership prospectus be included as an attachment to the submission.) was accepted by the mover and seconder.

A PROCEDURAL MOTION was MOVED by Councillor A Martin seconded Councillor D Brown that Councillor T Brown be granted an additional 1 minutes to address the meeting in relation to Item 3.

ITEM 4 - DRAFT WOLLONGONG CITY COUNCIL ANNUAL REPORT 2021-2022

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 765)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the draft Wollongong City Council Annual Report 2021-2022 (and attachments) be endorsed.

ITEM 5 - DRAFT QUARTERLY REVIEW STATEMENT SEPTEMBER 2022

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 765)

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

- 1 The draft Quarterly Review Statement September 2022 be adopted.
- 2 The Budget Review Statement as at September 2022 be adopted and revised totals of income and expenditure be approved and voted.

ITEM 6 - ORGANISATIONAL STRUCTURE

768 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that in accordance with Section 332 of the Local Government Act 1993, Council endorse the senior staff structure as outlined in Attachment 1.

ITEM 7 - GRANT OF EASEMENT OVER COUNCIL COMMUNITY LAND AT LOT 187 DP 15363 KNOWN AS HAROLD COX PARK, WOLLONGONG

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 765)

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

- 1 Pursuant to section 46 (1) (a1) of the *Local Government Act 1993*, Council resolves to grant an easement to drain water 1.0m wide over Council land known as Lot 187 DP 15363, Harold Cox Park, in favour of Lot 84 DP 15363, 21 Jutland Avenue, Wollongong, as shown crosshatched on the attachment to this report.
- 2 Council accept payment in the amount of \$1,000.00 from the owner of Lot 84 DP 15363, 21 Jutland Avenue, Wollongong, as compensation for the grant of the easement.
- 3 The applicant be responsible for all costs relating to the easement including valuation, survey, plan registration and legal costs, and any other costs incurred in this matter.
- 4 Approval be granted to affix the Common Seal of Council and/or delegation pursuant to section 377 of the *Local Government Act 1993* to the survey plan, Section 88B Instrument and any other documentation required to give effect to this resolution.
- 5 The General Manager be authorised to execute any documents to give effect to this resolution.

ITEM 8 - LEAVE OF ABSENCE - COUNCILLOR RICHARD MARTIN - 8 APRIL TO 18 APRIL 2023

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 765)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that Leave of Absence be granted to Councillor R Martin from 8 April to 18 April 2023.

ITEM 9 - REVIEW OF CORPORATE SERVICES POLICIES

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 765)

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

- 1 The Public Access to Documents and Information held by Council Policy be revoked
- 2 The following Council policies be reclassified as Management policies under the Policy Framework –
 - a Recruitment of External Members to Committees Policy
 - b Public Liability and Professional Indemnity Insurance Coverage for Council Delegates Policy

ITEM 10 - POST EXHIBITION - DRAFT CCTV CODE OF PRACTICE AND REGISTER

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 765)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the updated CCTV Code of Practice be adopted.

ITEM 11 - POST EXHIBITION - SWIMMING POOL BARRIER POLICY AND SWIMMING POOL SAFETY BARRIER INSPECTION PROGRAM PROCEDURE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 765)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that Council endorse the revised Swimming Pool Safety Barrier Policy and Swimming Pool Safety Barrier Inspection Program Procedure.

ITEM 12 - TENDER T1000036 - PROPOSED FUNDING AGREEMENT WITH HEAD START HOMES (AFFORDABLE HOUSING PROGRAM)

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 765)

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

- 1 Council resolve to enter into a proposed funding agreement with Head Start Homes.
- 2 Council authorise the General Manager to execute the agreement between Wollongong City Council and Head Start Homes.

ITEM 13 - TENDER T1000075 - BELLAMBI BOAT RAMP AMENITIES

769 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor R Martin seconded Councillor Walters that -

- 1 a In accordance with Section 178(1)(b) of the Local Government (General) Regulation 2021, Council decline to accept the tender received for the Bellambi Boat Ramp Amenities and resolve to enter into negotiations with the tenderer 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 Section 178(4) of the Local Government (General) Regulation 2021, the reason for Council hereby resolving to enter into negotiations with the tenderer or any other party and not inviting fresh tenders is that it is anticipated that a satisfactory outcome can be achieved with one of those parties who demonstrate a capacity and ability to undertake the works.
- 2 Council delegate to the General Manager the authority to undertake and finalise the negotiations, firstly with the tenderer, and, in the event of failure of negotiations with that tenderer, 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.
- 4 A report describing the outcome of the procurement process be submitted to the next available Council meeting following the successful engagement of contractor or contractors.

ITEM 14 - LATE REPORT: TENDER T1000078 - BEATON PARK TENNIS COURTS, GWYNNEVILLE - RELOCATION AND UPGRADE WORKS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 765)

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

- 1 a In accordance with Section 178(1)(b) of the Local Government (General) Regulation 2021, Council decline to accept any of the tenders received for Beaton Park Tennis Courts Relocation and Upgrade Works and resolve to enter into negotiations with one or all of the tenderers or any other party with a view to entering into a contract in relation to the subject matter of the tender.
- b In accordance with Section 178(4) of the Local Government (General) Regulation 2021, 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 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.
- 4 A report describing the outcome of the procurement process be submitted to the next available Council meeting following the successful engagement of contractor or contractors.

ITEM 15 - ADMINISTRATION OF THE 2024 ELECTION OF LORD MAYOR AND COUNCILLORS

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

- 1 Pursuant to s. 296(2) and (3) of the *Local Government Act 1993* (NSW) ("the Act") Council enter into an election arrangement by contract for the Electoral Commissioner to administer the election for Lord Mayor and Councillors of Wollongong City Council scheduled for September 2024.
- 2 Such contract to include the administration of council polls (if any) or constitutional referenda (if any) of the Council conducted as part of the September 2024 elections.
- 3 Authority be granted to affix the Common Seal of Council to the contract document and any other documentation, should it be required to give effect to this resolution.
- 4 The General Manager be delegated the authority to extend, modify or renegotiate the contract with the Electoral Commissioner should the date of the scheduled September 2024 elections be postponed.

ITEM 16 - CITY OF WOLLONGONG TRAFFIC COMMITTEE MINUTES OF MEETING HELD ON VARIOUS DATES IN 2022

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 765)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that in accordance with the delegated authority to Council, the Minutes and Recommendations of the Wollongong Traffic Committee held on various dates in 2022 in relation to Regulation of Traffic as outlined within this report, be adopted.

A PROCEDURAL MOTION MOVED by Councillor D Brown seconded Councillor Figliomeni that Item 17 be laid on the table to be considered after Item 18 was CARRIED UNANIMOUSLY

ITEM 18 - NOTICE OF MOTION - COUNCILLOR RICHARD MARTIN - BULLI AND THIRROUL TRAFFIC IMPROVEMENTS

MOVED by Councillor R Martin seconded Councillor T Brown that -

- 1 An information note be delivered to Councillors to enable them to update the community appropriately on traffic issues in Thirroul. The information note should include communication from Transport for NSW responding to Council's submissions on:
 - a Alternative local road connections
 - b Alternative intersection improvements
 - c Reducing speed limits
 - d Improvement to existing public carparks
 - e Improved on-street parking, formalising King Street Reserve into a car park
 - f Reconfigure Station Street parking
 - g Improve beach parking (Mary Street / The Esplanade)
- 2 Council writes to Transport for NSW for an update and status on each of the above points for providing a solution to the traffic issues in Thirroul.

An AMENDMENT was MOVED by Councillor Cath Blakey seconded Councillor Cox that

- 1 An information note be delivered to Councillors to enable them to update the community appropriately on traffic issues in Thirroul. The information note should include communication from Transport for NSW responding to Council's submissions on:
 - a Alternative local road connections
 - b Alternative intersection improvements
 - c Reducing speed limits
 - d Improvement to existing public carparks
 - e Improved on-street parking, formalising King Street Reserve into a car park
 - f Reconfigure Station Street parking
 - g Improve beach parking (Mary Street / The Esplanade)
 - h Increased frequency of rail services
 - i infrastructure to support modal shift to active transport
- 2 Council writes to Transport for NSW for an update and status on each of the above points for providing a solution to the traffic issues in Thirroul.

771 COUNCIL'S RESOLUTION RESOLVED UNANIMOUSLY on the motion (FORESHADOWED AMENDMENT) of Councillor D Brown seconded Councillor Walters that –

- 1 An information note be delivered to Councillors to enable them to update the community appropriately on traffic issues in Thirroul. The information note should include communication from Transport for NSW responding to Council's submissions on:
 - a Alternative local road connections
 - b Alternative intersection improvements
 - c Reducing speed limits
 - d Improvement to existing public carparks
 - e Improved on-street parking, formalising King Street Reserve into a car park
 - f Reconfigure Station Street parking
 - g Improve beach parking (Mary Street / The Esplanade)
- 2 Council writes to Transport for NSW for an update and status on each of the above points for providing a solution to the traffic issues in Thirroul.
- 3 A separate Information Note or Briefing be delivered to Councillors on the status of -
 - a Increased frequency of rail services
 - b Infrastructure to support modal shift to active transport

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

In favour

Councillors Blakey and Cox

Against

Councillors R Martin, D Brown, T Brown, A Martin, Campbell, Aitken, Walters, Figliomeni and Bradbery

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

Councillor D Brown's FORESHADOWED AMENDMENT then became the MOTION and on being PUT to the VOTE was CARRIED UNANIMOUSLY

A PROCEDURAL MOTION MOVED by Councillor D Brown seconded Councillor Walters that Item 17 be lifted from the table to be considered was CARRIED UNANIMOUSLY

ITEM 17 - NOTICE OF MOTION - COUNCILLOR LINDA CAMPBELL - LAKE ILLAWARRA

MOVED by Councillor Campbell seconded Councillor A Martin that -

- 1 Council officers engage the Hon Kevin Anderson MP, Minister for Lands and Water, and Minister for Hospitality and Racing, and Paul Scully MP, to continue to develop effective plans in conjunction with State government agencies consistent with the Adopted Lake Illawarra Coastal Management Plan for short and medium-term works on the foreshore park at Windang with a view to work being completed prior to summer 2023
- 2 Council continue to work through the implementation plan and priorities of the 2021 adopted and certified Lake Illawarra Coastal Management Plan, including actions that relate to investigating options to manage erosion in and around the lake entrance (EC1), monitoring changes in the entrance channel (EC4), and undertaking small scale emergency action to manage site specific erosion if required (EC3).
- 3 Regular updates be provided to residents residing in suburbs adjoining Lake foreshore areas and that these include, but are not limited to, on site information stalls.
- 4 Updated information on funds received, works already undertaken and priorities for projects planned for the Lake is made available to residents and the link to online information is promoted to residents.

- 5 Information be provided to Councillors about the Lake Illawarra Entrance Options Study when the information is available.
- 6 As part of the next scheduled review of the Lake Illawarra CMP the investigation of potential safe swimming areas be considered as an action. This may include Windang, Kanahooka, or other Lake side suburbs.
- 7 When sites are identified for future trails of hot coal bins Windang be considered as a potential site.

772 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion (AMENDMENT) of Councillor Bradbery seconded Councillor Figliomeni that -

- 1 Council acknowledges and affirms that the Lake Illawarra Entrance is primarily a State responsibility to maintain and manage and that Council continues to work with state agencies to develop effective plans consistent with the adopted Lake Illawarra Coastal Management Program for short and medium-term work on the foreshore park at Windang.
- 2 Council call upon the State Government to work with the Lake Illawarra CMP Project Management Team and the Implementation Group to implement priorities of the 2021 adopted and certified Lake Illawarra Coastal Management Program, including actions that relate to investigating options to manage erosion in and around the Lake entrance (EC1), monitoring changes in the entrance channel (EC4), and undertaking small scale emergency action to manage site specific erosion if required (EC3)
- 3 Regular updates be provided to residents residing in suburbs adjoining Lake foreshore areas and that these include, but are not limited to, on site information stalls.
- 4 Updated information on funds received, works already undertaken and priorities for projects planned for the Lake is made available to residents and the link to online information is promoted to residents.
- 5 Information be provided to Councillors about the Lake Illawarra Entrance Options Study when the information is available.
- 6 As part of the next scheduled review of the Lake Illawarra CMP the investigation of potential safe swimming areas be considered as an action. This may include Windang, Kanahooka, or other Lake side suburbs.
- 7 When sites are identified for future trails of hot coal bins Windang be considered as a potential site.

Variation The variation moved by Councillor Campbell (Points 3 -7 of the recommendation as printed be included in the amendment) was accepted by the mover and seconder.

Councillor Bradbery's AMENDMENT on being PUT to the VOTE was CARRIED UNANIMOUSLY to become the MOTION. The MOTION on being PUT to the VOTE was CARRIED UNANIMOUSLY.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 17, Councillor Walters departed and returned to the meeting, the time being from 7:21 pm to 7:23 pm.

During debate and prior to voting on Item 17, Councillor Cox departed and returned to the meeting, the time being from 7:29 pm to 7:30 pm.

THE MEETING CONCLUDED AT 7:37 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 28 November 2022.

Chairperson