



MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 7 December 2020

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 Janice Kershaw
Councillor Jenelle Rimmer
Councillor John Dorahy
Councillor Leigh Colacino
Councillor Mithra Cox

In Attendance

General Manager	Greg Doyle
Director Infrastructure + Works, Connectivity Assets + Liveable City (Acting)	Glenn Whittaker
Director Planning + Environment, Future City + Neighbourhoods	Linda Davis
Director Corporate Services, Connected + Engaged City	Renee Campbell
Director Community Services, Creative + Innovative City	Kerry Hunt
Manager Governance + Customer Service	Todd Hopwood
Chief Financial Officer	Brian Jenkins
Manager Property + Recreation (attended via electronic means)	Lucielle Power
Chief Information Officer (attended via electronic means)	Ingrid McAlpin
Manager City Strategy (attended via electronic means)	Chris Stewart
Manager City Works (attended via electronic means)	Corey Stoneham
Manager Project Delivery (Acting) (attended via electronic means)	Robert Ryan
Manager Infrastructure Strategy + Planning (attended via electronic means)	Trish McClure
Manager Open Space + Environmental Services (Acting) (attended via electronic means)	Paul Tracey
Manager Community Cultural + Economic Development (attended via electronic means)	Sue Savage
Manager Library + Community Services (attended via electronic means)	Jenny Thompson

Note: Due to current government requirements around social distancing obligations due to the COVID-19 pandemic, participants in the meeting can participate via electronic means as permitted under legislation relating to the COVID-19 pandemic. Those who participated via electronic means are indicated in the attendance section of the Minutes.

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CLOSED SESSION

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

CONFLICTS OF INTERESTS

Councillor Martin declared a non-significant non-pecuniary conflict of interest in Item 1 – Draft Illawarra Shoalhaven Regional Plan 2040 and Item 2 Wollongong City Centre – Draft Planning Strategy, Draft Planning Proposal, Draft Developmental Control Plan due to her employment with the Department of Planning. As she is not part of the Regional Planning team and has had no role in the development of this Regional Plan, Councillor Martin advised she would remain in the Chamber during debate and voting on the item.

Councillor Colacino declared a non-significant non-pecuniary conflict of interest in Item 22 Notice of Motion – Councillor Leigh Colacino – Traffic Control Measures – Stanwell Park as he resides in Stanwell Park. Councillor Colacino advised that he would remain in the Chamber during debate and voting on the item.

Councillor Walters declared a non-significant non-pecuniary conflict of interest in Item C1 – Financial Support – ITeC Pty Ltd as he is a Council representative on the board of ITeC. Councillor Walters will depart the Chamber and not participate in debate nor voting on the item.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 16 NOVEMBER 2020

- 465 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, 16 November 2020 (a copy having been circulated to Councillors) be taken as read and confirmed.

PUBLIC ACCESS FORUM

ITEM	TITLE	NAME OF SPEAKER
25	Notice of Motion – Councillor Cameron Walters – Wollongong CBD Free Parking Period	Travis Machan, MMJ Wollongong For Recommendation
9	Draft Planning Agreement - Hanlyn Pty Ltd - 344 Farmborough Road, Farmborough Heights	Jair Graham Against Recommendation

- 466 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that all speakers be thanked for their presentation and invited to table their notes.

CALL OF THE AGENDA

- 467 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Colacino that the staff recommendations for Items 3 to 6, 8, 11, 12, 13, 15, 17 to 20 be adopted as a block.

ITEM A - LORD MAYORAL MINUTE - DRAFT ILLAWARRA SHOALHAVEN REGIONAL TRANSPORT PLAN

- 468 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery that Wollongong City Council write to Minister for Transport and Roads to -

- 1 Acknowledge and thank the NSW Government for committing \$44 million to progress the Picton Road motorway upgrade and \$21 million to progress the Mt Ousley Interchange Project.
- 2 Request that the consultation period for the draft Illawarra-Shoalhaven Regional Transport Plan be extended to 14 February 2021 to provide adequate time for community feedback and for Council to respond.

ITEM 1 - DRAFT ILLAWARRA SHOALHAVEN REGIONAL PLAN 2040

- 469 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that delegation be issued to the General Manager to finalise the draft submission on the Draft Illawarra Shoalhaven Regional Plan 2041 and Proposed Special Infrastructure Contribution Illawarra Shoalhaven (Attachment 2) and to submit to the NSW Department of Planning, Industry and Environment.

ITEM 2 - WOLLONGONG CITY CENTRE - DRAFT PLANNING STRATEGY, DRAFT PLANNING PROPOSAL, DRAFT DEVELOPMENT CONTROL PLAN

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

- 1 Council note and give in-principle support for the draft Wollongong Development Control Plan 2009 – Chapter D13 Wollongong City Centre (attachment 3)
- 2 The draft Wollongong City Centre Planning Strategy (attachment 1) and the draft Wollongong City Centre Planning Proposal (attachment 2) and the Wollongong Development Control Plan (attachment 3) be considered for endorsement of exhibition and referral for Gateway Determination following further development of:
 - a The LGA-wide Retail Centres Study
 - b The Wollongong City Centre – Access and Movement for People Study, including consideration given to a DCP clause identifying a part or parts of the city with a zero minimum parking requirement.
 - c The City Centre Affordable Housing Contributions Study and related strategies to include consideration of value capture policies including (but not limited to) consideration of how any value capture scheme will relate to the 2% City Centre Development Contributions.
 - d An appropriate incentive scheme for commercial-only developments (as per point 7 of the staff recommendation in the report on this matter)
 - e Any instrument needed to give effect to the provision of mid-block pedestrian laneway access
 - f An LEP Clause at 7.18 Design Excellence in the Wollongong City Centre to require preparation of an arts plan as a site-specific requirement for lots above 2500 sqm.

In favour Councillors Kershaw, Rimmer, D Brown, T Brown, Martin, Colacino, Walters and Dorahy

Against Councillors Cox, Blakey, Bradbery and Figliomeni

Councillor Cox FORESHADOWED a MOTION should Councillor D Brown's Motion be defeated that -

- 1 The draft Wollongong City Centre Planning Strategy (Attachment 1) be endorsed for exhibition.
- 2 The draft Wollongong City Centre Planning Proposal (Attachment 2) be endorsed for referral to the NSW Department of Planning, Industry and Environment for a Gateway Determination to enable exhibition. The Department be advised that Council will not be seeking delegation to progress the finalisation of the Planning Proposal after exhibition and the consideration of submissions.
- 3 An application be made to the NSW Department of Planning, Industry and Environment requesting that the table in clause 25K of the Environmental Planning and Assessment Regulation 2000 be amended to refer to both the B3 Commercial Core and B4 Mixed Use zones within the Wollongong City Centre, as mapped in the Wollongong Local Environmental Plan 2009. This would enable development contributions of up to 2% of the capital development of development to be collected from the entire revised City

Centre area. This request is included in the draft Planning Proposal.

- 4 The draft Wollongong Development Control Plan 2009 – Chapter D13 Wollongong City Centre (Attachment 3) be endorsed for exhibition.
- 5 Following the receipt of the Gateway Determination, all documents be exhibited for a minimum period of 60 days. In the interim period prior to the commencement of formal exhibition, the draft documents are to be available on Council's website for information and informal consultation.
- 6 Following the exhibition period, the issues raised in submissions be reported to Council.
- 7 To incentivise the construction of new employment generating developments, the 2% Wollongong City Centre Development Contribution rate under the Wollongong City Wide Development Contributions Plan be reduced to 1% for new commercial- only development applications within the B3 Commercial Core zone of the Wollongong City Centre lodged after this meeting, for a period of 3 years.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 2, Councillor Cox departed and returned to the meeting, the time being from 7:07 pm to 7:08 pm.

During debate and prior to voting on Item 2, Councillor Walters departed and returned to the meeting, the time being from 7:08 pm to 7:09 pm.

ITEM 3 - WEST DAPTO DEVELOPMENT CONTRIBUTIONS PLAN 2020 FOR ADOPTION

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 467)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Colacino that The West Dapto Development Contributions Plan 2020 (Attachment 1) be adopted.

ITEM 4 - POST EXHIBITION - STAGE 1 HERITAGE SCHEDULE HOUSEKEEPING REVIEW

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 467)

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

- 1 In response to the exhibition, the exhibited draft Planning Proposal be amended to include the additional proposed updates detailed within Attachment 2.
- 2 The draft Planning Proposal to update Schedule 5 of the Wollongong Local Environmental Plan 2009 with the changes detailed in Attachment 4 of this report, and the proposed Heritage Map changes detailed within Attachment 3, be submitted to the NSW Department of Planning, Industry and Environment for review and finalisation through the preparation of an amending Local Environmental Plan.

ITEM 5 - POST EXHIBITION - ELECTRIC VEHICLES CHARGING INFRASTRUCTURE ON PUBLIC LAND

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 467)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Colacino that Council adopt the Electric Vehicle (EV) Charging Stations on Public Land Policy.

ITEM 6 - POST EXHIBITION - KEIRAVILLE - GWYNNEVILLE ACCESS MOVEMENT STUDY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 467)

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

- 1 Council adopt the final draft Keiraville - Gwynneville Access and Movement Study Overview.
- 2 Council note the Keiraville - Gwynneville Access and Movement Study consultant report and Action Plan.

ITEM 7 - POST EXHIBITION - WOLLONGONG COMMUNITY SAFETY PLAN 2021-2025

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

- 1 Council adopt the Wollongong Community Safety Plan 2021-2025.
- 2 Council submit the adopted Wollongong Community Safety Plan 2021-2025 to the NSW Department of Communities and Justice for endorsement.

ITEM 8 - PROPOSED FUNDING AGREEMENT WITH THE ILLAWARRA COMMUNITY HOUSING TRUST

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 467)

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

- 1 Council resolve to enter into a proposed funding agreement with the Illawarra Community Housing Trust.
- 2 Council authorise the General Manager to execute the agreement between Wollongong City Council and the Illawarra Community Housing Trust.

ITEM 9 - DRAFT PLANNING AGREEMENT - HANLYN PTY LTD - 344 FARMBOROUGH ROAD, FARMBOROUGH HEIGHTS

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

- 1 The Draft Planning Agreement and Explanatory Note between Wollongong City Council and Hanlyn Pty Ltd (Attachments 2 and 3) for 344 Farmborough Road, Farmborough Heights, be exhibited for a period of 42 days (including an extension of the required 28 days due to the Christmas – New Year holiday period).
- 2 The Wollongong Local Planning Panel be advised that Hanlyn Pty Ltd and Council are proposing to enter into a Planning Agreement for the dedication of land and a monetary contribution, and should it determine that DA-2020/1245 be approved, appropriate conditions of consent be included requiring the Planning Agreement to be entered into and the terms of the Agreement to be satisfied.
- 3 Following public exhibition of the draft Voluntary Planning Agreement that a further report be presented to Council before the Planning Agreement is finalised.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 9, Councillor Colacino departed and returned to the meeting, the time being from 7:36 pm to 7:37 pm.

ITEM 10 - ADOPTION AND GAZETTAL OF THE LAKE ILLAWARRA COASTAL MANAGEMENT PROGRAM

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

- 1 The certified Lake Illawarra Coastal Management Program be adopted (Attachment 1).
- 2 A Notice advising adoption and gazettal of the Lake Illawarra Coastal Management Program, be endorsed and published in the NSW Gazette (Attachment 3).

ITEM 11 - WASTE AND RESOURCE RECOVERY - FEES AND EXEMPTIONS COUNCIL POLICY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 467)

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

- 1 Council adopt the draft Waste and Resource Recovery – Fees and Exemptions Council Policy from 11 January 2021.
- 2 Council support eligible Local Community Service Organisations through the development and implementation of Individualised Waste Management Plans to assist in waste reduction and increase diversion of material from landfill.
- 3 Council undertake additional community consultation in relation to fee exemptions for Pensioner Concession Cardholders in early 2021.

ITEM 12 - TENDER T20/14 - CONSTRUCTION OF CORRIMAL TENNIS COURT AMENITIES

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 467)

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Donnelley Civil Pty Ltd for the construction of Corrimal Tennis Court Amenities, in the sum of \$162,100.00, 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 13 - TENDER T20/22 - CRINGILA HILLS PLAYGROUND LANDSCAPE WORKS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 467)

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Undercover Landscapes Pty Ltd for Landscape Works as described in Tender T20/22, in the sum of \$445 376.00, excluding GST.
- 2 Council delegate authority to the General Manager 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 T20/36 - DESIGN AND CONSTRUCTION OF THE BULLI TENNIS CLUBHOUSE

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Colin Joss & Co Pty Ltd for the design and construction of the Bulli Tennis Clubhouse, in the sum of \$514,955.34, 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 T20/37 - BEATON PARK GRANDSTAND ROOF REPLACEMENT AND REMEDIAL WORKS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 467)

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Sullivans Constructions Pty Ltd for Beaton Park Grandstand Roof Replacement and Remedial Works, in the sum of \$477,646.00, 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 16 - APPOINTMENT OF ARIC CHAIRPERSON

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

- 1 Ms Donna Rygate be appointed as chairperson of the Audit, Risk and Improvement Committee for the period up to 31 October 2023.
- 2 Council acknowledge and thank Mr Terry Clout for his contribution as chair of the Audit, Risk and Improvement Committee.

Variation The variation moved by the Lord Mayor, Councillor Bradbery (the addition of point 2 "Council acknowledge and thank Mr Terry Clout for his contribution as chair of the Audit, Risk and Improvement Committee.") was accepted by the mover and seconder.

ITEM 17 - CODE OF CONDUCT COMPLAINT STATISTICS REPORT 2019-2020

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 467)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Colacino that the report on Code of Conduct Complaint Statistics for 2019-2020 be received and noted.

ITEM 18 - OCTOBER 2020 FINANCIALS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 467)

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

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

ITEM 19 - STATEMENT OF INVESTMENT - OCTOBER 2020

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 467)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Colacino that Council receive the Statement of Investment for October 2020.

ITEM 20 - CITY OF WOLLONGONG TRAFFIC COMMITTEE MINUTES OF MEETING HELD ON 11 NOVEMBER 2020

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 467)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Colacino that in accordance with powers delegated to Council, the Minutes and Recommendations related to Regulation of Traffic, of the City of Wollongong Traffic held on 11 November 2020, be adopted.

ITEM 21 – PLANNING PROPOSAL AUTHORITY – DRAFT PLANNING PROPOSAL – 3-15 SHORT STREET AND 312-324 PRINCES HIGHWAY, CORRIMAL

476 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Kershaw seconded Councillor Rimmer that the NSW Department of Planning, Industry and Environment be advised that Council is willing to be the Planning Proposal Authority for the draft Planning Proposal for 3-15 Short Street and 312-324 Princes Highway, Corrimal.

ITEM 22 - NOTICE OF MOTION - COUNCILLOR LEIGH COLACINO - TRAFFIC CONTROL MEASURES - STANWELL PARK

477 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor Dorahy that -

- 1 Council investigate, as soon as possible, options available that would put in place traffic calming measures along the length of road from the corner of Station Street and Lawrence Hargrave Drive slip road to the intersection of the Lawrence Hargrave Drive slip road and Lawrence Hargrave Drive main road Stanwell Park. The investigation to look at, but not be limited to, speed humps, blisters and side barriers.
- 2 Council investigate, with community consultation, what is required to lower the speed limit on all streets in Stanwell Park to 40 km/h, including the Lawrence Hargrave slip road mentioned in point 1, but excluding Lawrence Hargrave Drive.
- 3 A report, including costings for all options in points 1 and 2, in the form of Briefing Note or at a Briefing, be delivered to Councillors before the Councillor Planning Workshop meeting scheduled for 27 February 2021 so that works can be included into the 2021-2022 work schedule or sooner.

Variations The variation moved by the Lord Mayor, Councillor Bradbery (the addition of the words "with community consultation" in point 2) was accepted by the mover and seconder.

The variation moved by the Lord Mayor, Councillor Bradbery (the removal of the words "and implement as soon as possible" in point 2) was accepted by the mover and seconder.

A PROCEDURAL MOTION was MOVED by Councillor Walters seconded Councillor Martin that Councillor Colacino be granted an additional 3 minutes to address the meeting in relation to Item 22.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 22, Councillor T Brown departed and returned to the meeting, the time being from 8:07 pm to 8:09 pm.

During debate and prior to voting on Item 22, Councillor Cox departed and returned to the meeting, the time being from 8:14 pm to 8:15 pm.

During debate and prior to voting on Item 22, Councillor Walters departed and returned to the meeting, the time being from 8:17 pm to 8:18 pm.

ITEM 23 - NOTICE OF MOTION - COUNCILLOR MITHRA COX - ILLAWARRA RENEWABLE ENERGY ZONE

478 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Cox seconded Councillor Colacino that the General Manager write to Energy Minister Matt Kean to –

- 1 Thank him for his leadership in legislating a plan to transform the NSW electricity grid to renewable energy, for naming the Illawarra as a Renewable Energy Zone in the Renewable Energy Infrastructure Bill, and for including \$50m for the development of a green hydrogen industry.
- 2 Request a briefing on the Illawarra Renewable Energy Zone and how it may impact on Council's Economic Development Plan, our ambition to achieve net zero emissions in Wollongong by 2050 and on our future land use planning.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 23, Councillor Rimmer departed and returned to the meeting, the time being from 8:44 pm to 8:46 pm.

ITEM 24 - NOTICE OF MOTION - COUNCILLOR CAMERON WALTERS - INTERNAL MEDIA TRANSPARENCY

MOVED by Councillor Walters seconded Councillor Colacino that Council -

- 1 Establishes a Media Notifications Protocol for media events organised by Wollongong City Council for the Lord Mayor and Councillors.
- 2 Outlines that the protocol:
 - a Provides 7 days' notice to elected officials of a planned media event that Wollongong City Council holds or organises;
 - b Provides a minimum 72-hour alert via email to all elected officials of any media event due to occur, and, if this period is missed, justification be provided to all elected officials within 24 hours via email, and;
 - c Allows for events planned within this 72-hour period to occur after immediate email notification of the pending media event to all elected officials, once it has been raised with Council staff.

Variation The variation moved by Councillor Kershaw (amend point 2a to read "provides 7 days") was accepted by the mover and seconder.

In favour Councillors Kershaw, Martin, Colacino, Walters, Dorahy and Figliomeni

Against Councillors Rimmer, D Brown, T Brown, Cox, Blakey and Bradbery

Due to votes being tied, the Lord Mayor used his Casting Vote to vote against the Motion and the Motion was therefore LOST.

ITEM 25 - NOTICE OF MOTION - COUNCILLOR CAMERON WALTERS - WOLLONGONG CBD FREE PARKING PERIOD

MOVED by Councillor Walters seconded Councillor Dorahy that Council -

- 1 Notes the ongoing consequences and financial impacts of COVID-19 on residents and businesses in the Wollongong LGA;
- 2 Turns off all parking meters in the Wollongong CBD, starting 21 December 2020 and finishing 17 January 2021, with the following put in place:
 - a All metered zones are to become free parking, with current time limits still applying;
 - b Appropriate signage and social media alerts be arranged, noting that parking is “free” during the above dates, and;
 - c Notification be made to local businesses within the CBD that free parking will be offered during the above dates.
- 3 Write to the owners of Wollongong Central, GPT Group, calling on them to implement free parking during this period in line with Wollongong City Council, noting in the letter:

That, as a compromise, Wollongong City Council would be supportive of a 3-hour free parking period during the above dates in Wollongong Central car parks.

In favour Councillors Kershaw, Rimmer, Colacino, Walters, Dorahy and Figliomeni

Against Councillors D Brown, T Brown, Martin, Cox, Blakey and Bradbery

Due to votes being tied, the Lord Mayor used his Casting Vote to vote against the Motion and the Motion was therefore LOST.

A PROCEDURAL MOTION was MOVED by Councillor Colacino seconded Councillor Dorahy that Councillor Walters be granted an additional 2 minutes to address the meeting in relation to Item 25.

A PROCEDURAL MOTION was MOVED by Councillor T Brown seconded Councillor Martin that Councillor D Brown be granted an additional 30 seconds to address the meeting in relation to Item 25.

A PROCEDURAL MOTION was MOVED by Councillor Colacino seconded Councillor Walters that Councillor Dorahy be granted an additional 30 seconds to address the meeting in relation to Item 25.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 25, The Lord Mayor, Councillor Bradbery, departed and returned to the meeting, the time being from 9:41 pm to 9:43pm. During this time Deputy Lord Mayor, Councillor T Brown, presided the meeting as Acting Chair.

During debate and prior to voting on Item 25, Councillor Cox departed and returned to the meeting, the time being from 9:51 pm to 9:52 pm.

EXTENSION OF MEETING TIME

During the debate on Item 25, a PROCEDURAL MOTION was MOVED by Lord Mayor Councillor Bradbery that the meeting time be extended by 60 minutes to conclude at 11pm.

ITEM 26 - NOTICE OF MOTION - COUNCILLOR CAMERON WALTERS - SUPPORT FOR PERSONAL ELECTRIC TRANSPORT

479 **COUNCIL'S RESOLUTION** - RESOLVED on the motion of Councillor Walters seconded Councillor Cox that Council -

- 1 Supports the usage and uptake of personal electric transport such as electric bicycles in the City of Wollongong;
- 2 Notes the increased usage and demand for electric scooters and skateboards, and;
- 3 Writes to the Minister for Transport and Roads, The Hon Andrew Constance MP, to support the legalisation and regulation of electric scooters and skateboards on public land in New South Wales, noting in the letter that:
 - a Public usage of electric scooters and skateboards is already widespread in the Wollongong LGA, even though they can only be used legally on private property
 - b Council would prefer that legislation was in place to allow for the safe usage of electric scooters and skateboards in New South Wales, just like electric bicycles, and;
 - c Wollongong City Council would be willing to host a trial period for electric scooters and skateboards before any state-wide legalisation was put in place.

Variations The variation moved by Councillor Kershaw (the addition of the words 'even though they can only be used legally on private property' in point 3a) was accepted by the mover and seconder.

The variation moved by the Lord Mayor, Councillor Bradbery (the addition of the words 'and regulation' in point 3) was accepted by the mover and seconder.

In favour Councillors Kershaw, D Brown, T Brown, Martin, Cox, Blakey, Colacino, Walters, Bradbery and Dorahy

Against Councillors Rimmer and Figliomeni

Councillor Figliomeni FORESHADOWED a MOTION should Councillor Walters Motion be defeated that -

Council write to the Minister of Transport and Transport NSW requesting the development of legislation to regulate the use of electronic scooters and skateboards, noting that Council will also offer to host a trial period before any state-wide legalisation is put in place.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 26, Councillor Colacino departed and returned to the meeting, the time being from 10:29 pm to 10:30 pm.

Due to a previously disclosed conflict of interest, prior to debate and voting on Item C1, Councillor Walters departed the meeting at 10.48 pm.

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 financial assistance to Illawarra ITeC Pty Ltd, in accordance with Section 10A (2) (d(i)) of the Local Government Act 1993.

Prior to putting the above Motion to the vote, the Lord Mayor advised the meeting that Item C1 relates to a report to Council regarding financial assistance to Illawarra ITeC Pty Ltd and is classified as Confidential for the following reason -

- 1 Section 10A (2)(d(i)) of the Local Government Act 1993, permits the meeting to be closed to the public, as the report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

As no representations had been received prior to the meeting, from members of the public objecting to the closure of this section of the meeting, the Lord Mayor advised that the webcast will be paused while Council considers these items.

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

- 1 The meeting move into Closed Session to consider a report to Council regarding the financial assistance to Illawarra ITeC Pty Ltd, in accordance with Section 10A (2)(d(i)) of the Local Government Act 1993, on the basis that the report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
- 2 On balance, the public interest in preserving the confidentiality of the information supplied outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting.

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 10:49 pm, the meeting moved into Closed Session.

ITEM C1 – CONFIDENTIAL: FINANCIAL SUPPORT – ILLAWARRA ITEC PTY LTD

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

- 1 Council agrees to support the application by ITeC to a financial institution for an overdraft facility of \$500,000, with that support provided by acting as guarantor of the repayment of the facility by ITeC.
- 2 Council notes that such a guarantor arrangement constitutes financial assistance for the purposes of the *Local Government Act* 1993.
- 3 The guarantor arrangement be only implemented where ITeC has entered into a Deed with Council that includes the following matters:
 - a the guarantor arrangement (and overdraft facility) ceases five years from the date of the Deed;
 - b a mortgage in favour of Council over identified ITeC assets;
 - c an agreement from ITeC concerning repayment of any drawdowns of funds, and
 - d provisions relating to continuous disclosure, notification of drawdowns, financial statements, periodic forecasts, actuals and variations (and proposed actions if negative) to Council.
- 4 The General Manager be authorised to execute a Deed between ITeC and Council that includes the matters identified at point 3 above.

482 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Dorahy seconded Councillor Kershaw that the meeting move out of Closed Session and into Open Council.

Council resumed into Open Session at 11:04 pm

EXTENSION OF MEETING TIME

During the debate on Item C1, a PROCEDURAL MOTION was MOVED by Councillor Bradbery that the meeting time be extended by 15 minutes

RETURN OF COUNCILLOR

Prior to the Lord Mayor advising the meeting of Council's Resolution whilst in Closed Session, Councillor Walters returned to the meeting, the time being 11.05 pm.

OPEN COUNCIL SESSION

RESOLUTIONS FROM THE CLOSED SESSION OF COUNCIL

The Lord Mayor advised the meeting of Council's Resolutions whilst in Closed Session (refer to Minute Number 481).

THE MEETING CONCLUDED AT 11:06PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 1 February 2021.

Chairperson