

MINUTES

ORDINARY MEETING OF COUNCIL

at 6:00 PM

Monday 29 July 2024

**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 Janice Kershaw

Councillor John Dorahy

Councillor Linda Campbell

Councillor Mithra Cox

Councillor Richard Martin

**In Attendance**

General Manager

Director Planning + Environment, Future City + Neighbourhoods

Director Corporate Services, Connected + Engaged City

Director Community Services, Creative + Innovative City (attended via audio-visual link)

Chief Financial Officer

General Counsel (attended via audio-visual link)

Manager Customer + Business Integrity (Acting)

Manager Sport + Recreation

Manager Commercial Operations + Property

Manager City Strategy

Manager Infrastructure Strategy + Planning

Manager Open Space + Environmental Services

Manager Community Culture + Engagement

Land Use Planning Manager

Greg Doyle

Linda Davis

Renee Campbell

Kerry Hunt

Brian Jenkins

Jeff Reilly

Michelle Martin

Mark Berriman

Lani Richardson

Chris Stewart

Nathan McBriarty

Paul Tracey

Sue Savage

David Green

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.

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## CONFLICTS OF INTERESTS

Councillor A Martin declared a non-significant, non-pecuniary interest in Item 1 - Submission - State Assessed Planning Proposal - Cowper Street, Warrawong, due to her employment at the Department of Planning and Environment. As she has no involvement in planning matters related to the Wollongong LGA, Councillor A Martin advised she would remain in the meeting during debate and voting on the item.

## CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 24 JUNE 2024

- 974 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, 24 June 2024 (a copy having been circulated to Councillors) be taken as read and confirmed.

## PUBLIC ACCESS FORUM

ITEM NO	TITLE	NAME OF SPEAKER
1	SUBMISSION – STATE ASSESSED PLANNING PROPOSAL – COWPER STREET, WARRAWONG	PHILLIP BALDING GREATER GONG AND HAVEN, SYDNEY YIMBY <b>AGAINST RECOMMENDATION</b>
NON-AGENDA ITEM	5985 ROBOTICS TEAM SUCCESS AT THE 2024 FIRST WORLD CHAMPIONSHIPS	FAITH CLARK & ZANITA PRATT PROJECT BUCEPHALUS
NON-AGENDA ITEM	BUILDING CODES – SOLAR REQUIREMENTS FOR NEW BUILDS	KELLIE NASH
NON-AGENDA ITEM	BANNING GAS FOR DOMESTIC USE IN THE COUNCIL AREA	TOM MACLACHLAN
NON-AGENDA ITEM	HEALTH – NO GAS CONNECTIONS TO NEW BUILDS	ANNE CIPANTS KNITTING NANNAS

- 975 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

- 976 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that the staff recommendations for Items 2 then 7 to 19 inclusive be adopted as a block.

## **ITEM 1 - SUBMISSION - STATE ASSESSED PLANNING PROPOSAL - COWPER STREET, WARRAWONG**

**977 COUNCIL'S RESOLUTION** - RESOLVED on the motion of Councillor T Brown seconded Councillor Campbell that the

- 1 The General Manager be delegated authority to finalise the draft submission (Attachment 2), on the Cowper Street, Warrawong – State Assessed Planning Proposal which indicates that the current proposal is not supported in its current form.
- 2 That council recognises the subject site has potential to provide significant housing supply to help with council's housing targets and to put downward pressure on the local housing crisis
- 3 That council commits to working with state agencies and stakeholders to find a successful resolution of outstanding issues.
- 4 That council re-affirms the city's Housing Policy 2023, noting that Point L13. reads *'Town Centres – review the floor space ratio and building height limits to increase the opportunity for shop top housing...'*. And at section f. Site specific changes reads; *'Council is currently assessing and processing draft Planning Proposal requests for locations that will provide additional housing...'*

*In favour* Councillors Kershaw, R Martin, D Brown, T Brown, A Martin, Campbell, Cox, Blakey, Aitken, Figliomeni and Bradbery

*Against* Councillors Walters and Dorahy

## **ITEM 2 - PUBLIC EXHIBITION - DRAFT NEIGHBOURHOOD PLAN CLEVELAND ROAD EAST PRECINCT, CLEVELAND ROAD, CLEVELAND**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 976)

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

- 1 The draft Neighbourhood Plan for the Cleveland Road East precinct be endorsed to progress to exhibition as an amendment to Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Urban Release Area for a minimum of 28 days following receipt of the following additional information from the proponent –
  - a Updated flood, earthworks, riparian and environmental requirements.
  - b Minor changes to proposed planning controls.
- 2 That the additional related amendments to Chapter D16 be exhibited with the draft Neighbourhood Plan.

## **ITEM 3 - POST EXHIBITION - NEIGHBOURHOOD PLAN FOR "IOWNA" PRECINCT, MARSHALL MOUNT ROAD, MARSHALL MOUNT**

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

- 1 The Iowna Neighbourhood Plan (Attachment 3) be adopted as an amendment to the Wollongong Development Control Plan - Chapter D16 West Dapto Release Area, with the minor amendments and controls discussed in this report (Attachment 4) and deletion of draft Control No 20.
- 2 A public notice be place on Council's website advising of the adoption.

#### **ITEM 4 - POST EXHIBITION - CREATIVE WOLLONGONG 2024-2033 STRATEGY**

- 979 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor A Martin seconded Councillor R Martin that Council adopt the draft Creative Wollongong 2024-2033 Strategy.

#### **ITEM 5 - POST PUBLIC EXHIBITION AND TRIAL - MOBILE FOOD VENDING COUNCIL POLICY AND MOBILE VENDING TRIAL**

- 980 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Kershaw seconded Councillor R Martin that Council -

- 1 Adopt the draft Mobile Food Vending Council Policy in a response to the public exhibition period.
- 2 Endorse the roll-out of the mobile food vending programme across identified sites within the Local Government Area.
- 3 Council focus on increasing the mobile food vending program, by creating places of destination, for example car parks and street closures, and extending the hours later into the evening.
- 4 Council work with other agencies to enable the regulations and planning requirements to be made simpler and less restrictive for the operation of mobile food vendors.

*Variation The variation moved by Councillor Cox (the addition of wording "and extending the hours later into the evening" to Point 3) was accepted by the mover and seconder.*

#### **ITEM 6 - POLICY REVIEW - CLOTHING COLLECTION BINS ON COUNCIL LAND POLICY**

- 981 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Blakey seconded Councillor Cox that Council adopt the revised Clothing Collection Bins on Council Land Policy.

#### **ITEM 7 - POLICY REVIEW - MEDIA COUNCIL POLICY**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 976)

- COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that Council adopt the draft Media Council Policy.

#### **ITEM 8 - AUSTRALIA DAY COMMITTEE AND CITY OF WOLLONGONG AWARDS**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 976)

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

- 1 Endorse the proposal to revoke the Australia Day Committee Charter.
- 2 Endorse the proposal to form a community committee to support the functioning of the City of Wollongong Awards.
- 3 Endorse the inclusion of the current Australia Day Committee members at the next Lord Mayor's Recognition Reception, to thank them for their input and community service.

## **ITEM 9 - GRANT OF EASEMENT OVER COUNCIL COMMUNITY LAND AT OSBORNE PARK, WOLLONGONG**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 976)

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

- 1 Pursuant to section 46(1)(a1) of the *Local Government Act 1993*, Council resolves to grant an easement to drain water one (1) metre wide over Council land known as Lot 1 DP 62257, Osborne Park, Wollongong in favour of Lot 4 DP 17709, Lot 5 DP 17709 and Lot 1 DP 223450, 3-9 Wilson Street, Wollongong, as shown by the shaded yellow line on the attachment to this report.
- 2 The applicant will be responsible for compensation to Council for the grant of the easement in accordance with the amount assessed by an independent certified valuer.
- 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 10 - GRANT OF EASEMENT OVER COUNCIL COMMUNITY LAND AT LOT 662 DP 1033088, LOT 227 DP 869153 AND LOT 629 DP 1039548 IN HORSLEY**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 976)

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

- 1 Pursuant to section 46(1)(a1) of the *Local Government Act 1993*, Council resolves to grant easements for underground cables three (3) metres wide over Council land known as Lot 662 DP 1033088, off Robins Creek Drive, Horsley and Lot 629 DP 1039548 and Lot 227 DP 869153, off Ashwood Place, Horsley in favour of Endeavour Energy, as shown by yellow dashed line on the attachments to this report.
- 2 The applicant will be responsible for compensation to Council for the grant of the easements in accordance with the amount assessed by an independent certified valuer.
- 3 The applicant will be responsible for all costs relating to the easement creation including valuation, survey, plan registration and legal costs, and any other incidental 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 11 - PROPOSED ACQUISITION - PROPOSED LOTS 7 AND 8 - PART LOT 1 DP 730326, 334 CLEVELAND ROAD, HUNTLEY FOR ROAD WIDENING PURPOSES ASSOCIATED WITH CLEVELAND ROAD UPGRADE PROJECT**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 976)

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

- 1 Council acquires by negotiation under authority of section 177 of the *Roads Act 1993* Proposed Lots 7 and 8 for road widening purposes, being part of Lot 1 in DP 730326 comprising an area of approximately 1,174m<sup>2</sup> and 4m<sup>2</sup>, respectively (subject to final survey and Plan of Acquisition). The General Manager be delegated with authority to complete negotiations, including determining the compensation payable in accordance with this report.
- 2 In the event an agreement cannot be reached within a reasonable timeframe (being at least a minimum period of six months from opening negotiations) then Council is authorised to proceed via Compulsory Acquisition to acquire part Lot 1 in DP 730326 (Proposed Lots 7 and 8) by authority contained within Section 177 of the *Roads Act 1993* via compulsory process pursuant to the *Land Acquisition (Just Terms Compensation) Act 1991* for road widening purposes.
- 3 The necessary applications relating to the compulsory acquisition, including compensation determination be made to the Minister for Local Government and the Governor.
- 4 Upon acquisition being finalised, Council dedicate Proposed Lots 7 and 8 as public road, pursuant to section 10 of the *Roads Act 1993*.
- 5 Council be responsible for all costs including valuation, transfer and legal costs associated with the acquisition, in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.
- 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 granted authority to sign any documentation necessary to give effect to this resolution.

**ITEM 12 - PROPOSED ACQUISITION - PROPOSED LOT 9 - PART LOT 2 DP 730326, 290 CLEVELAND ROAD, CLEVELAND FOR ROAD WIDENING PURPOSES ASSOCIATED WITH CLEVELAND ROAD UPGRADE PROJECT**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 976)

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

- 1 Council acquires by negotiation under authority of section 177 of the *Roads Act 1993* Proposed Lot 9 for road widening purposes, being part of Lot 2 in DP 730326 comprising an area of approximately 406m<sup>2</sup> (subject to final survey and Plan of Acquisition). The General Manager be delegated with authority to complete negotiations, including determining the compensation payable in accordance with this report.
- 2 In the event an agreement cannot be reached within a reasonable timeframe (being at least a minimum period of six months from opening negotiations) then Council is authorised to proceed via Compulsory Acquisition to acquire part Lot 2 in DP 730326 (Proposed Lot 9) by authority contained within Section 177 of the *Roads Act 1993* via compulsory process pursuant to the *Land Acquisition (Just Terms Compensation) Act 1991* for road widening purposes.



- 3 The necessary applications relating to the compulsory acquisition, including compensation determination be made to the Minister for Local Government and the Governor.
- 4 Upon acquisition being finalised, Council dedicate Proposed Lot 9 as public road, pursuant to section 10 of the *Roads Act 1993*.
- 5 The necessary applications relating to the compulsory acquisition, including compensation determination be made to the Minister for Local Government and the Governor.
- 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 granted authority to sign any documentation necessary to give effect to this resolution.

**ITEM 13 - PROPOSED ACQUISITION - PROPOSED LOTS 10, 11 AND 12 - PART LOT 59 DP 1125379 AND PART LOT 1 DP 156208 CLEVELAND ROAD, CLEVELAND FOR ROAD WIDENING PURPOSES ASSOCIATED WITH CLEVELAND ROAD UPGRADE PROJECT**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 976)

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

- 1 Council acquires by negotiation under authority of section 177 of the *Roads Act 1993* Proposed Lots 10, 11 and 12 for road widening purposes, being part of Lot 59 DP 1125379 and Part of Lot 1 in DP 156208 and comprising an area of approximately 8m<sup>2</sup>, 249m<sup>2</sup> and 37m<sup>2</sup>, respectively (subject to final survey and Plan of Acquisition). The General Manager be delegated with authority to complete negotiations, including determining the compensation payable in accordance with this report.
- 2 In the event an agreement cannot be reached within a reasonable timeframe (being at least a minimum period of six months from opening negotiations) then Council is authorised to proceed via Compulsory Acquisition to acquire Part Lot 59 in DP 1125379 (Proposed Lots 10 and 11) and part Lot 1 in DP 156208 (Proposed Lot 12) by authority contained within Section 177 of the *Roads Act 1993* via compulsory process pursuant to the *Land Acquisition (Just Terms Compensation) Act 1991* for road widening purposes.
- 3 The necessary applications relating to the compulsory acquisition, including compensation determination be made to the Minister for Local Government and the Governor.
- 4 Upon acquisition being finalised, Council dedicate Proposed Lots 10, 11 and 12 as public road, pursuant to section 10 of the *Roads Act 1993*.
- 5 Council be responsible for all costs including valuation, transfer and legal costs associated with the acquisition, in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.
- 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 granted authority to sign any documentation necessary to give effect to this resolution.

**ITEM 14 - PROPOSED ACQUISITION - PROPOSED LOT 13 - PART LOT 1 DP 999485 CLEVELAND ROAD, CLEVELAND FOR ROAD WIDENING PURPOSES ASSOCIATED WITH CLEVELAND ROAD UPGRADE PROJECT**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 976)

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

- 1 Council acquires by negotiation under authority of section 177 of the *Roads Act 1993* Proposed Lot 13 for road widening purposes, being Part Lot 1 DP 999485 comprising an area of approximately 19m<sup>2</sup> (subject to final survey and Plan of Acquisition). The General Manager be delegated with authority to complete negotiations, including determining the compensation payable in accordance with this report.
- 2 In the event an agreement cannot be reached within a reasonable timeframe (being at least a minimum period of six months from opening negotiations) then Council is authorised to proceed via Compulsory Acquisition to acquire part Lot 1 DP 999485 (Proposed Lot 13) by authority contained within Section 177 of the *Roads Act 1993* via compulsory process pursuant to the *Land Acquisition (Just Terms Compensation) Act 1991* for road widening purposes.
- 3 The necessary applications relating to the compulsory acquisition, including compensation determination be made to the Minister for Local Government and the Governor.
- 4 Upon acquisition being finalised, Council dedicate Proposed Lot 13 as public road, pursuant to section 10 of the *Roads Act 1993*.
- 5 Council be responsible for all costs including valuation, transfer and legal costs associated with the acquisition, in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.
- 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 granted authority to sign any documentation necessary to give effect to this resolution.

**ITEM 15 - PROPOSED ACQUISITION - PROPOSED LOT 14 - PART LOT A DP 156446, CLEVELAND ROAD, CLEVELAND FOR ROAD WIDENING PURPOSES ASSOCIATED WITH CLEVELAND ROAD UPGRADE PROJECT**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 976)

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

- 1 Council acquires by negotiation under authority of section 177 of the *Roads Act 1993* Proposed Lot 14 for road widening purposes, being part of Lot A in DP 156446 comprising an area of approximately 8,764m<sup>2</sup> (subject to final survey and Plan of Acquisition). The General Manager be delegated with authority to complete negotiations, including determining the compensation payable in accordance with this report.
- 2 In the event an agreement cannot be reached within a reasonable timeframe (being at least a minimum period of six months from opening negotiations) then Council is authorised to proceed via Compulsory Acquisition to acquire part Lot A in DP 156446 (Proposed Lot 14) by authority contained within Section 177 of the *Roads Act 1993* via compulsory process pursuant to the *Land Acquisition (Just Terms Compensation) Act 1991* for road widening purposes.

- 3 The necessary applications relating to the compulsory acquisition, including compensation determination be made to the Minister for Local Government and the Governor.
- 4 Upon acquisition being finalised, Council dedicate Proposed Lot 14 as public road, pursuant to section 10 of the *Roads Act 1993*.
- 5 Council be responsible for all costs including valuation, transfer and legal costs associated with the acquisition, in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.
- 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 granted authority to sign any documentation necessary to give effect to this resolution.

**ITEM 16 - PROPOSED ACQUISITION - PROPOSED LOT 15 - PART LOT 1 DP 194419, 273 CLEVELAND ROAD, CLEVELAND FOR ROAD WIDENING PURPOSES ASSOCIATED WITH CLEVELAND ROAD UPGRADE PROJECT**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 976)

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

- 1 Council acquires by negotiation under authority of section 177 of the *Roads Act 1993* Proposed Lot 15 for road widening purposes, being part of Lot 1 in DP 194419 comprising an area of approximately 5,300m<sup>2</sup> (subject to final survey and Plan of Acquisition). The General Manager be delegated with authority to complete negotiations, including determining the compensation payable in accordance with this report.
- 2 In the event an agreement cannot be reached within a reasonable timeframe (being at least a minimum period of six months from opening negotiations) then Council is authorised to proceed via Compulsory Acquisition to acquire part Lot 1 in DP 194419 (Proposed Lot 15) by authority contained within Section 177 of the *Roads Act 1993* via compulsory process pursuant to the *Land Acquisition (Just Terms Compensation) Act 1991* for road widening purposes.
- 3 The necessary applications relating to the compulsory acquisition, including compensation determination be made to the Minister for Local Government and the Governor.
- 4 Upon acquisition being finalised, Council dedicate Proposed Lot 15 as public road, pursuant to section 10 of the *Roads Act 1993*.
- 5 Council be responsible for all costs including valuation, transfer and legal costs associated with the acquisition, in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.
- 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 granted authority to sign any documentation necessary to give effect to this resolution.

**ITEM 17 - PROPOSED ACQUISITION - PROPOSED LOTS 16 AND 17 - PART LOT 1 DP 741423, AND PART LOT 1 DP 1126171 CLEVELAND ROAD, HUNTLEY FOR ROAD WIDENING PURPOSES ASSOCIATED WITH CLEVELAND ROAD UPGRADE PROJECT**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 976)

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

- 1 Council acquires by negotiation under authority of section 177 of the *Roads Act 1993* Proposed Lots 16 and 17 for road widening purposes, being part of Lot 1 in DP 741423 and part Lot 1 DP 1126171 comprising an area of approximately 7,574m<sup>2</sup> and 291m<sup>2</sup>, respectively (subject to final survey and Plan of Acquisition). The General Manager be delegated with authority to complete negotiations, including determining the compensation payable in accordance with this report.
- 2 In the event an agreement cannot be reached within a reasonable timeframe (being at least a minimum period of six months from opening negotiations) then Council is authorised to proceed via Compulsory Acquisition to acquire Part Lot 1 DP 741423 (Proposed Lot 16) and part Lot 1 DP 1126171 (Proposed Lot 17) by authority contained within Section 177 of the *Roads Act 1993* via compulsory process pursuant to the *Land Acquisition (Just Terms Compensation) Act 1991* for road widening purposes.
- 3 The necessary applications relating to the compulsory acquisition, including compensation determination be made to the Minister for Local Government and the Governor.
- 4 Upon acquisition being finalised, Council dedicate Proposed Lots 16 and 17 as public road, pursuant to section 10 of the *Roads Act 1993*.
- 5 Council be responsible for all costs including valuation, transfer and legal costs associated with the acquisition, in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.
- 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 granted authority to sign any documentation necessary to give effect to this resolution

**ITEM 18 - STATEMENT OF INVESTMENT - MAY 2024**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 976)

**COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that Council receive the Statement of Investment for May 2024.

**ITEM 19 - MAY 2024 FINANCIALS**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 976)

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

- 1 The financials be received and noted.
- 2 Council endorse the proposed changes to the Capital Budget for May 2024.

**ITEM 20 - NOTICE OF MOTION - COUNCILLOR JOHN DORAHY - CLEANING UP OUR BUS STOPS**

**982 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Dorahy seconded Councillor Aitken that Wollongong City Council investigate the viability of the installation of garbage bins at bus stops throughout the LGA and provide a Briefing or Information Note, early in new term of Council, detailing the results of this investigation including -

- a the total number of bus stops in the LGA and the potential costs to undertake further investigations to identify those most prone to littering, with the view to potentially rolling out any new initiative via a tiered system.
- b costs associated with the installation of bins and servicing.
- c timeframes and methodology for the implementation of potential initiatives identified.
- d options for informative signage at bus stops detailing the importance of keeping our bus stops clean and tidy, and the potential fines associated with not disposing of litter appropriately, and the costs of emptying the bins.

*Variation The variation moved by Councillor Campbell (the addition of “and servicing”) was accepted by the mover and seconder.*

*Variation The variation moved by Councillor D Brown (rewording of Point 1 “provide a Briefing or Information Note, early in the new term of Council”) was accepted by the mover and seconder.*

**ITEM 21 - NOTICE OF MOTION - COUNCILLOR JOHN DORAHY - MANAGEMENT OF FLOOD IMPACTS ON WOLLONGONG LGA WATERWAYS**

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

- 1 Council request a combined meeting of all Wollongong floodplain committees early in the new term of Council to receive an update following the April 2024 flood event, with the aim to inform -
  - a Options to lessen the impacts of increasing high volume rainfall events.
  - b Local emergency announcements to improve resident and business evacuation processes.
  - c Early community announcements when high rainfall events are anticipated, to provide residents and businesses with the opportunity to shore up the homes or businesses.
- 2 A Briefing be delivered to the incoming term of Councillors to provide information on –
  - a Council's processes around follow up on customer requests relating to flooding events.
  - b What planning is in place to address the issues causing creek and waterway flooding issues such as vegetation growth and debris accumulation.
  - c Detail on potential management options such as gabion walls, concrete waterway lining and available debris control structures
- 3 Council consider the impacts on our beaches where the debris has been deposited into the oceans via waterways and stormwater infrastructure and how to improve the clean-up of beaches after these events.

*In favour* Councillors Kershaw, D Brown, Campbell, Aitken, Walters, Dorahy and Figliomeni

*Against* Councillors R Martin, T Brown, A Martin, Cox, Blakey and Bradbery



*Variation The variation moved by Councillor D Brown (the addition of wording “incoming term of Councillors” to Point 2) was accepted by the mover and seconder.*

*Variation The variation moved by Councillor Kershaw (the rewording of Point 1 “The aim to inform”) was accepted by the mover and seconder.*

A PROCEDURAL MOTION was MOVED by Councillor D Brown seconded Councillor Walters that Councillor Dorahy be granted an additional 2 minutes to address the meeting in relation to Item 21.

## 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 7:31 pm to 7:32 pm.

## ITEM 22 - NOTICE OF MOTION - COUNCILLOR TANIA BROWN - FLAGSTAFF HILL TRAFFIC STUDY

**984 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor T Brown seconded Councillor D Brown recognising the need for additional parking, improved traffic flow and safety around the city centre foreshore area, that a Briefing be provided to councillors on fast tracking a precinct traffic study for Flagstaff Hill that takes into consideration –

- a Introducing a one-way traffic movement on the Endeavor Drive loop.
- b Parallel or 45 degree parking.
- c Measures to improve safety for motorists, pedestrians and cyclists in the area.

## ITEM 23 - NOTICE OF MOTION - COUNCILLOR MITHRA COX - CLIMATE ADAPTATION PLAN FOR COMMUNITY SPORT

**985 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Cox seconded Councillor Blakey that Council develops a climate mitigation plan for community sport including –

- 1 Working with sports associations to negotiate a protocol whereby access to fields and facilities at the change between winter and summer sports is flexible, or otherwise has capacity to extend the season for codes that have been significantly impacted by weather or other unanticipated events. This could include but is not limited to –
  - a Freeing up additional football pitches on a temporary basis to enable the season to be extended. There are some locations that could be made playable with the simple addition of line marking and temporary goals, like Roy Johanson Park in Figtree or Nicholson Park in Woonona.
  - b Contacting the Department of Education, Wollongong University or other relevant state agencies to request that some of their sporting fields be made available to extend the winter sport season.
- 2 In the longer term, developing an additional chapter of the Sportsgrounds and Sporting Facilities Strategy that deals specifically with climate adaptations for community sport. This could include, but is not limited to –
  - a A longer term plan for drainage, irrigation and shade at sporting grounds.
  - b Considering planning for one or more indoor multi use sporting facilities that could be used for a range of sports in times of ongoing wet weather or extreme heat. This facility would need to be bookable by a range of clubs and teams, and under the control of council, not licenced to a single club to ensure equity of access.

- c Considering the need for shade at sporting grounds.
- d Working with other government agencies on facilities sharing plans, to enable community access to school halls, university and TAFE facilities or state government owned facilities like the Wollongong Entertainment Centre.

*Variation The variation moved by Councillor Figliomeni (the deletion of “extend into and overlap with the cricket season”) was accepted by the mover and seconder.*

*Variation The variation moved by Councillor D Brown (Point 1 read “negotiate a protocol whereby access to fields and facilities at the change between winter and summer sports is flexible, or otherwise has capacity to extend the season for codes that have been significantly impacted by weather or other unanticipated events. This could include but is not limited to....”) was accepted by the mover and seconder.*

A PROCEDURAL MOTION was MOVED by Councillor T Brown seconded Councillor Dorahy that Councillor Cox be granted an additional 30 seconds to address the meeting in relation to Item 23.

#### **ITEM 24 - NOTICE OF MOTION - COUNCILLOR DOM FIGLIOMENI - PALM TREE**

MOVED by Councillor Figliomeni seconded Councillor Dorahy that –

- 1 Subject to no legal impediment and Council approving the appropriate funds, Council remove the palm tree from the light pole and the associated art pieces in the mall at the earliest opportunity.
- 2 If appropriate, the palm tree and art be relocated to a suitable location such as the Botanic Garden, or if no suitable location is available, the palm trees be planted in-ground not as an art piece.
- 3 Council first notify the artist of its intentions.

The MOTION on being PUT to the VOTE was LOST

*In favour* Councillors Dorahy and Figliomeni

*Against* Councillors Kershaw, R Martin, D Brown, T Brown, A Martin, Campbell, Cox, Blakey, Aitken, Walters, Bradbery

#### **DEPARTURE OF COUNCILLORS**

During debate and prior to voting on Item 24, Councillor Cox departed and returned to the meeting, the time being from 8:47 pm to 8:49 pm.

During debate and prior to voting on Item 24, Councillor T Brown departed and returned to the meeting, the time being from 8:55 pm to 8:57 pm.

#### **DEPARTURE OF CHAIR**

During debate and prior to voting on Item 24, Councillor Bradbery departed and returned to the meeting, the time being from 9:03 pm to 9:04 pm. During that period the Deputy Lord Mayor Councillor Tania Brown assumed the chair. The Lord Mayor resumed the chair when he returned to the meeting, the time being 9:04 pm.



**ITEM 25 - NOTICE OF MOTION - COUNCILLOR ANN MARTIN - FREE DAPTO POOL ENTRY SUMMER SWIM**

**986 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor A Martin seconded Councillor Walters that Wollongong City Council prepare an option paper and detail the cost to Council to investigate a voucher system or other options to provide free entry to Dapto and Corrimal pools for children, aged 5-16 initially during the summer school holiday period, while also investigating funding opportunities to subsidise water-based recreation opportunities as part of a Dapto and Corrimal Summer Swim program.

*Variation The variation moved by Councillor Walters (the addition of Corrimal pool) was accepted by the mover and seconder.*

*Variation The variation moved by Councillor Blakey (the addition of "or other options") was accepted by the mover and seconder.*

**DEPARTURE OF COUNCILLORS**

During debate and prior to voting on Item 25, Councillor R Martin departed and returned to the meeting, the time being from 9:34 pm to 9:35 pm.

During debate and prior to voting on Item 25, Councillor Campbell departed and returned to the meeting, the time being from 9:36 pm to 9:38 pm.

**THE MEETING CONCLUDED AT 9:50 PM**

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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 12 August 2024.

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Chairperson