



## MINUTES

# ORDINARY MEETING OF COUNCIL

at 6:00 pm

Monday 1 November 2021

### 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 (attended via electronic means)  
Councillor Leigh Colacino  
Councillor Mithra Cox

### In Attendance

General Manager	Greg Doyle
Director Infrastructure + Works, Connectivity Assets + Liveable City (Acting)	Joanne Page
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 (attended via electronic means)	Todd Hopwood
Chief Financial Officer (attended via electronic means)	Brian Jenkins
Manager Property + Recreation (attended via electronic means)	Lucielle Power
Manager City Strategy (attended via electronic means)	Chris Stewart
Manager Development Assessment + Certification (Acting) (attended via electronic means)	Pier Panozzo
Manager Project Delivery (attended via electronic means)	Glenn Whittaker
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

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

ITEM C1 CONFIDENTIAL: Confidential: Proposed Compulsory Acquisition - Proposed Lot 1 DP 1278090 - Transport Asset Holding Entity - Part Dapto Train Station for Road Widening Purposes

### Reason for Confidentiality

*This report recommends that this item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2)(c) (d(i)) of the Local Government Act, 1993, as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND 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-pecuniary, non-significant conflict of interest in Item 2 – Post Exhibition - West Dapto Suburbs Review and Item 3 - Post Exhibition - Draft Planning Proposal - Former Corrimal Coke Works Site, 27 Railway Street, Corrimal, as she is employed by the Department of Planning. As she does not work on any projects associated with the Wollongong LGA, Councillor Martin advised she would remain in the meeting during debate and voting on the item.

Councillor Martin declared a non-significant, non-pecuniary conflict of interest in Item D - Lord Mayoral Minute - Production, Storage and Transport of Products at Port Kembla as she lives in the Port Kembla area. Councillor Martin advised she would remain in meeting during debate and voting on the item.

Councillor Cox declared a pecuniary conflict of interest in Item 3 - Post Exhibition - Draft Planning Proposal - Former Corrimal Coke Works Site, 27 Railway Street, Corrimal, as the site is at the end of her street and as such has the potential to affect property values in her street. Councillor Cox advised that she would depart the meeting during debate and voting on the item as well as during the Public Access Forum speakers' addresses to Council on the item.

Councillor Figliomeni declared a non-significant, non-pecuniary conflict of interest in Item D - Lord Mayoral Minute - Production, Storage and Transport of Products at Port Kembla as he lives in Port Kembla and is the former CEO of the Port Kembla Port. Councillor Figliomeni advised he would remain in the meeting during debate and voting on the item.

## CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 18 OCTOBER 2021

**601** **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Dorahy that the Minutes of the Ordinary Meeting of Council held on Monday, 18 October 2021 (a copy having been circulated to Councillors) be taken as read and confirmed.

## PETITION – FUNDING FOR SKATE PARKS

Councillor Cox tabled a petition containing 233 signatures calling on Wollongong City Council to allocate and fast track funding in the 2021-22 Budget for various skate parks and facilities in the Wollongong LGA and to consider options to use street skating in appropriate areas to activate the Wollongong CBD.

## DEPARTURE OF COUNCILLOR

Due to a disclosed conflict of interest, Councillor Cox departed the Chamber at 6:13 pm and was not present for the Public Access Forum speakers addresses to Council on Item 3. Councillor Cox returned to the Chamber at 6:32 pm at the conclusion of the addresses on Item 3.

## PUBLIC ACCESS FORUM

ITEM	TITLE	NAME OF SPEAKER
D	Lord Mayoral Minute – Production, Storage and Transport of Products at Port Kembla	Peter Maywald For Recommendation
D	Lord Mayoral Minute – Production, Storage and Transport of Products at Port Kembla	Philip Laird For Recommendation

3	Post Exhibition – Draft Planning Proposal – Former Corrimal Coke Works Site, 27 Railway Street, Corrimal	Laura Payne Illawarra Coke Company/Legacy Property  For Recommendation
3	Post Exhibition – Draft Planning Proposal – Former Corrimal Coke Works Site, 27 Railway Street, Corrimal	Narelle Hawken Illawarra Coke Company/Legacy Property  For Recommendation
3	Post Exhibition – Draft Planning Proposal – Former Corrimal Coke Works Site, 27 Railway Street, Corrimal	Ricky Fulton  Against Recommendation
3	Post Exhibition – Draft Planning Proposal – Former Corrimal Coke Works Site, 27 Railway Street, Corrimal	Jade Kennedy  Against Recommendation

**602** **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

**603** **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the staff recommendations for Items 1, 2 then 4 to 9 inclusive be adopted as a block.

#### ITEM A - LORD MAYORAL MINUTE - FUNDING THE NORTHCLIFFE DRIVE EXTENSION

**604** **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery that Wollongong City Council -

- 1 Note that the Program Strategic Business Case and Concept Design work for the Northcliffe Drive Extension is expected to be completed by May 2022. This is the initial step under the State Government's major project funding model.
- 2 Note that due to the prolonged NSW Government process for finalising the Illawarra Shoalhaven Special Infrastructure Contribution (determined in 2021), there has been a delay in programmed infrastructure funding which has meant that infrastructure planning and delivery has not kept pace with growth.
- 3 Write to the Minister for Planning and Public Spaces and Minister for Transport and Roads, with copies to local State and Federal Members, to seek an urgent commitment to fund the detailed design, final business case and subsequent delivery of the Northcliffe Drive to West Dapto Road extension and rail over pass.
- 4 Request that consideration be given to a detailed feasibility study for establishing the Kanahooka Road and Emerson Road on and off ramps.

*Variation* The variation moved by Councillor Martin (the addition of point 4) was accepted by the mover.

## ACKNOWLEDGEMENT OF EMERGENCY SERVICES PERSONNEL

The Lord Mayor, Councillor Bradbery acknowledged the efforts of Emergency Services and Surf Life Saving personnel in Bulli with regard to the tragic boating incident that occurred last weekend which involved injury and loss of life, and offered condolences to families of all those involved.

## ITEM B - LORD MAYORAL MINUTE - FUNDING FROM RECREATIONAL FISHING FEES

**605** **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery that Wollongong City Council request that staff investigate funding and grant opportunities from the Recreational Fishing Trusts or the NSW Boating Now Program to support the improvement of the Bellambi boat ramp area and to help fund recreational fishing infrastructure in the Wollongong LGA.

*Variation* The variation moved by Councillor D Brown (the addition of the words “or the NSW Boating Now Program”) was accepted by the mover.

*Variation* The variation moved by Councillor Kershaw (the replacement of the words “support the development of a masterplan for the Bellambi foreshore precinct” with “support the improvement of the Bellambi boat ramp area”) was accepted by the mover.

A PROCEDURAL MOTION was MOVED by Councillor Martin seconded Councillor T Brown that Councillor Kershaw be granted an additional five (5) minutes to address the meeting in relation to Item C.

## ITEM C - LORD MAYORAL MINUTE - ACKNOWLEDGING COUNCILLOR KERSHAW FOR 25 YEARS OF SERVICE

**606** **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery that Wollongong City Council, on behalf of the community, acknowledge and thank Councillor Janice Kershaw for serving in local government, and more specifically as a Councillor on Wollongong City Council, for more than 25 years. We congratulate Councillor Kershaw on this outstanding achievement and acknowledge her family who have supported Councillor Kershaw to fulfil her role as a Councillor over this time.

## DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item D, Councillor Colacino departed and returned to the meeting, the time being from 7:44 pm to 7:47 pm.

During debate and prior to voting on Item D, Councillor T Brown departed and returned to the meeting, the time being from 7:55 pm to 7:56 pm.

During debate and prior to voting on Item D, Councillor Cox departed and returned to the meeting, the time being from 7:55 pm to 7:57 pm.

## ITEM D - LORD MAYORAL MINUTE - PRODUCTION, STORAGE AND TRANSPORT OF PRODUCTS AT PORT KEMBLA

**607** **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery that Wollongong City Council -

1 Write to Minister for Planning and Public Spaces expressing concern that further intensification and concentration of the production, storage and transport of highly volatile products at Port Kembla, approved under the State Environmental Planning Policy (Three Ports), could have potential negative impacts on -

a The community with cumulative noise and pollution levels on adjoining access

- roads;
- b Council assets and local amenity especially trucking noise; and
  - c The Port through increased risk of a chain reaction with cumulative hazardous operations.
- 2 The letter to the Minister for Planning and Public Spaces note that the community expects these concerns to be addressed in an assessment process and communicated accordingly to residents.
- 3 Write to the Minister for Transport and Minister for Planning and Public Spaces, noting the impacts of the Three Ports Policy and resulting increase in truck movements, requesting that the NSW Government bring forward construction of the Mount Ousley Interchange as a matter of urgency.

*Variation The variation moved by Councillor T Brown (the addition of point 3) was accepted by the mover.*

#### **ITEM 1 - END OF TERM REPORT 2017-2021**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 603)

**COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that Council endorse the End of Term Report 2017-2021.

#### **ITEM 2 - POST EXHIBITION - WEST DAPTO SUBURBS REVIEW**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 603)

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

- 1 Council applies to the Geographical Names Board (GNB) to progress the proposed new boundary and names for Suburbs 'A' and 'B' under the West Dapto Suburbs Review Project. The proposed suburb names being 'Stream Hill' and 'Kembla Grange' respectively.
- 2 The West Dapto Suburbs Review Project that applies to Huntley (Suburbs C and D) is paused until the outcomes of the GNB consideration of duplication of suburb names in NSW is finalised.
- 3 Council does not progress the West Dapto Suburb review of Avondale at this time.
- 4 Council staff keep a list of names relevant to West Dapto that have been nominated through the suburbs review process for consideration in future street and park naming. The list should be provided to active and future developers in the release area.

#### **DEPARTURE OF COUNCILLOR**

Due to a disclosed conflict of interest, Councillor Cox departed the Chamber at 8:04 pm and was not involved in the debate nor voting on Item 3. Councillor Cox returned to the Chamber at 8:48 pm at the conclusion of Item 3.

#### **DEPARTURE OF COUNCILLOR**

During debate and prior to voting on Item 3, Councillor Rimmer departed and returned to the meeting, the time being from 8:19 pm to 8:21 pm.

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

**ITEM 3 - POST EXHIBITION - DRAFT PLANNING PROPOSAL - FORMER CORRIMAL COKE WORKS SITE, 27 RAILWAY STREET, CORRIMAL**

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

- 1 The input provided by the community, community groups, community organisations, peak bodies and statutory authorities during the exhibition period of the Corrimal Coke Works draft Planning Proposal and supporting documents be acknowledged.
- 2 Note that the Planning Proposal for the former Corrimal Coke Works site has been designed to achieve a maximum number of 550 dwellings in a variety of housing types. 6.5% of the 550 dwellings are to be made available for Affordable Rental Housing, through a Planning Agreement, managed by a Community Housing Provider.
- 3 The Planning Proposal for the Corrimal Coke Works site, 27 Railway Street, Corrimal be progressed to finalisation and referred to the NSW Department of Planning, Industry and Environment for review and the preparation of an amendment to the Wollongong Local Environmental Plan (LEP) 2009 as follows -
  - a Amend the LEP Land Zoning Map (Attachment 6) by:
    - i Rezoning Lot 1 DP 795579 from IN3 Heavy Industrial to R3 Medium Density Residential
    - ii Rezoning Lot 5 DP 749492 from RE2 Private Recreation to part R3 Medium Density Residential and part RE1 Public Recreation
    - iii Rezoning Lot 11 DP 749492 from SP2 Infrastructure (Road) to RE1 Public Recreation
    - iv Retaining Lot 126 DP 598190 as SP2 Infrastructure (Road).
  - b Amend the LEP Height of Buildings Map (Attachment 6) to introduce heights between nine (9) metres and 15 metres.
  - c Amend the LEP Floor Space Ratio Map (Attachment 6) to introduce FSRs between 0.75:1 and 1.5:1.
  - d Amend the LEP Minimum Lot Size Map (Attachment 6) to introduce a minimum lot size of 449m<sup>2</sup> for the area proposed R3 Medium Density Residential zoning.
  - e Amend the LEP Riparian Lands Map (Attachment 6) to identify the realigned riparian corridor.
  - f Amend the LEP Natural Resource Sensitivity – Biodiversity Map (Attachment 6) to identify significant native vegetation communities.
  - g Amend the LEP Key Site Map (Attachment 6) to identify the site as a Key Site under clause 7.18 Design Excellence.
  - h Amend the LEP Urban Release Area Map (Attachment 6) to identify the site as requiring the provisions of Part 6 Urban Release Areas, clauses 6.1 and 6.2.
  - i Include new Part 7 Local Provisions in the LEP for the site incorporating -
    - i A “Sun Plane Protection” clause to protect the public open space identified in the Master Plan as “Heritage Plaza”, “Central Park” and “Southern Park” from excessive overshadowing by restricting the height of buildings.



- ii A clause to allow increased heights beyond the maximum height control for certain heritage items: C1 North Stack (37m); C1 Brick Chimney Stack (29m) and the C1 Fine Coal Bin (25m), in the event that they need to be rebuilt.
  - iii A clause to grant development consent to development for the purpose of rooftop plant, lift towers, lift motor rooms and or communal open space and access to any structures associated with such space, that would exceed or causes a building to exceed, the height limits set.
- j Include a Schedule 1 Additional Permitted Use provision in the LEP to enable -  
Development at ground level for the following purposes within the mapped area (Attachment 6)
- Business premises.
  - Neighbourhood shops with a maximum gross floor area of 150m<sup>2</sup>.
  - Food and drink premises with a maximum gross floor area of 250m<sup>2</sup>.
  - Neighbourhood supermarket with a maximum gross floor area of 500m<sup>2</sup>.
- The combined total gross floor area (GFA) for the above uses cannot exceed 2,000m<sup>2</sup>. The objective of the clause is to limit the size of shops to ensure that the Corrimal Town Centre remains the principal retail area.
- 4 The minor house-keeping amendment for the Cross Street Road reserve and part of the former Lot 12 DP 749492 Cross Street from SP2 Infrastructure (Road) and RE2 Private Recreation to R2 Low Density Residential with a Minimum Lot size of 449m<sup>2</sup>, Floor Space Ratio of 0.5:1 and Height of Building limit of 9m, consistent with the adjoining Cross Street residential properties. be included in the final Planning Proposal
  - 5 The draft Development Control Plan Chapter be updated to reflect the final draft Planning Proposal, the advice of the State Heritage Listing Committee (21/10/21) that the chapter be strengthened in terms of Aboriginal Cultural Heritage Values and industrial heritage, and the management of the Grey-headed Flying Fox camp. The revised chapter be subject to a further report to Council.
  - 6 The draft Letter of Offer form the basis of a draft Planning Agreement and continue to be negotiated with Legacy Property and be subject to a future report to Council.

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

*Against* Councillor Blakey

Councillor Blakey FORESHADOWED a MOTION should Councillor T Brown's Motion be defeated that –

- 1 The input provided by the community, community groups, community organisations, peak bodies and statutory authorities during the exhibition period of the Corrimal Coke Works draft Planning Proposal and supporting documents be acknowledged.
- 2 Note that the Planning Proposal for the former Corrimal Coke Works site has been designed to achieve a maximum number of 550 dwellings in a variety of housing types. 6.5% of the 550 dwellings are to be made available for Affordable Rental Housing, through a Planning Agreement, managed by a Community Housing Provider.
- 3 The Planning Proposal for the Corrimal Coke Works site, 27 Railway Street Corrimal be deferred to better meet the Heritage NSW listing outcome and the community concerns about traffic, contamination and Aboriginal Heritage.
- 4 The minor house-keeping amendment for the Cross Street Road reserve and part of the former Lot 12 DP 749492 Cross Street from SP2 Infrastructure (Road) and RE2 Private

Recreation to R2 Low Density Residential with a Minimum Lot size of 449m<sup>2</sup>, Floor Space Ratio of 0.5:1 and Height of Building limit of 9m, consistent with the adjoining Cross Street residential properties. be included in the final Planning Proposal

- 5 The draft Development Control Plan Chapter be updated to reflect the advice of the State Heritage Listing Committee (21/10/21) that the chapter be strengthened in terms of Aboriginal Cultural Heritage Values and industrial heritage, and the management of the Grey-headed Flying Fox camp. The revised chapter be subject to a further report to Council.
- 6 The draft Letter of Offer form the basis of a draft Planning Agreement and continue to be negotiated with Legacy Property and be subject to a future report to Council.

#### **ITEM 4 - POST EXHIBITION - PESTICIDES NOTIFICATION PLAN - COUNCIL POLICY**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 603)

**COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the draft 2021 Pesticides Notification Plan – Council Policy be adopted.

#### **ITEM 5 - CODE OF CONDUCT COMPLAINT STATISTICS REPORT 2020-2021**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 603)

**COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the report on Code of Conduct Complaint Statistics for 2020-2021 be received and noted.

#### **ITEM 6 - DRAFT QUARTERLY REVIEW STATEMENT SEPTEMBER 2021**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 603)

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

- 1 The draft Quarterly Review Statement September 2021 be adopted.
- 2 The Budget Review Statement as at September 2021 be adopted and revised totals of income and expenditure be approved and voted.
- 3 Council approve the transfer of proceeds from land sale of \$915K to Strategic Projects internally restricted cash as proposed in the revised financial schedules.
- 4 Council approve inclusion in budget of a centrally held provision of \$7.060M funded from Strategic Projects internally restricted cash to support the estimated impact of the second wave COVID-19 as proposed in the revised schedules.

#### **ITEM 7 - SEPTEMBER 2021 FINANCIALS**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 603)

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

- 1 The financials be received and noted.
- 2 Council approve the net proposed increase to the Capital Budget for September 2021 of \$1.05M comprised of an increase in fully funded projects \$3.08M, offset by a decrease in contingency \$2.0M and reclassification of \$0.03M of footpath associated works to

operational budget.

## **ITEM 8 - CITY OF WOLLONGONG TRAFFIC COMMITTEE MINUTES OF MEETING HELD 12 OCTOBER 2021**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 603)

**COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that in accordance with the powers delegated to Council, the Minutes and Recommendations of the Wollongong Traffic Committee meeting held on 12 October 2021 in relation to Regulation of Traffic be adopted.

## **ITEM 9 - NOTICE OF MOTION - COUNCILLOR CATH BLAKEY - KOALA PROTECTION**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 603)

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

- 1 Recognise the importance of the preservation and protection of koala habitats and populations in Greater Sydney and New South Wales.
- 2 Note the report from the NSW Legislative Council inquiry *Koala populations and habitats in New South Wales* that found koalas are projected to become extinct in NSW by 2050 unless there is urgent government intervention.
- 3 Write to the Premier, Minister for Planning & Public Spaces, Minister for Energy and Environment, and Minister for Agriculture urging them to -
  - a Support the extension of the proposed Georges River National Park to the Illawarra Escarpment and the adjacent Water Catchment area.
  - b Maintain local government's ability to regulate environmental zones to protect, manage and restore lands of high ecological, scientific, cultural or aesthetic values, particularly for the protection of core koala habitat.
  - c Provide planning certainty, resources and support for identifying core koala habitat and the development of Koala Plans of Management; and
  - d Allow for departures from the Koala Habitat Protection Guideline based on existing surveys, local circumstances or emerging technology where this is agreed to by the Department.

## **DEPARTURE OF COUNCILLOR**

During debate and prior to voting on Item 10, Councillor D Brown departed and returned to the meeting, the time being from 8:50 pm to 8:51 pm.

During debate and prior to voting on Item 10, The Lord Mayor, Councillor Bradbery departed the meeting, the time being from 8:53 pm. During the Lord Mayor's absence, Deputy Lord Mayor Councillor T Brown assumed the chair. The Lord Mayor resumed the chair when he returned to the meeting, the time being 8:55 pm.

## **ITEM 10 - NOTICE OF MOTION - COUNCILLOR JOHN DORAHY - SOLAR POWER SYSTEMS ACROSS COUNCIL BUILDINGS AND FACILITIES**

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

- 1 A Briefing be provided to Councillors as an element of Council's 2022/2023 Budget preparation process regarding a review that would determine the potential to have solar power systems installed across Council buildings, facilities and available land. The

review will support Council to consider if the installation of solar power across the organisation is a worthwhile action to assist -

- a Council's Net Zero Emissions target of 2030
- b Lower power costs
- c Increased efficiencies across our LGA.

*Variation The variation moved by Councillor Martin (the addition of the words "and available land" in point 1) was accepted by the mover and seconder.*

#### **DEPARTURE OF COUNCILLOR**

During debate and prior to voting on Item 11, Councillor Dorahy departed the meeting and did not return, the time being 9:33 pm.

A PROCEDURAL MOTION was MOVED by Councillor Walters seconded Councillor Rimmer that Councillor Martin be granted an additional one (1) minute to address the meeting in relation to Item 11.

#### **DEPARTURE OF COUNCILLOR**

During debate and prior to voting on Item 11, Councillor Rimmer departed and returned to the meeting, the time being from 9:57 pm to 9:59 pm.

#### **EXTENSION OF MEETING TIME**

During the debate on Item 11, a PROCEDURAL MOTION was MOVED by Councillor T Brown seconded Councillor Rimmer that the meeting time be extended by 30 minutes.

#### **ITEM 11 - NOTICE OF MOTION - COUNCILLOR MITHRA COX - AFFORDABLE HOUSING TARGETS**

MOVED by Councillor Cox seconded Councillor Blakey that Council -

- 1 Adopt an in-principle target of 30% affordable housing for all residential rezonings and voluntary planning agreements.
- 2 Work to put the policy frameworks in place to enable us to achieve these affordable housing targets.

*Variation The variation moved by Councillor Blakey (the removal of the words "new multi-unit developments" in point 1) was accepted by the mover.*

**610 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion (AMENDMENT) of Councillor Kershaw seconded Councillor Figliomeni that Council work to put the policy frameworks in place to enable Council to maximise affordable housing targets.

*Variation The variation moved by Councillor Bradbery (the replacement of the words "enable Council to achieve increased affordable housing targets" with "enable Council to maximise affordable housing targets") was accepted by the mover and seconder.*

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

*In favour* Councillors Kershaw, Rimmer, D Brown, T Brown, Martin, Colacino, Walters, Figliomeni and Bradbery

*Against* Councillors Cox and Blakey

Councillor Kershaw's AMENDMENT became the MOTION and on being PUT to the VOTE was CARRIED UNANIMOUSLY to become the RESOLUTION.

### **EXTENSION OF MEETING TIME**

During the debate on Item 12, a PROCEDURAL MOTION was MOVED by Councillor Bradbery seconded Councillor T Brown that the meeting time be extended by 30 minutes.

### **ITEM 12 - NOTICE OF MOTION - COUNCILLOR LEIGH COLACINO - MOBILE PHONE RECEPTION BETWEEN COALCLIFF AND SCARBOROUGH**

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

- 1 Council write to the Federal and State Ministers for Communications, the Federal and State Ministers for Emergency Services, and Local Members of both Federal and State Governments explaining the need for improved mobile phone reception between the suburbs of Coalcliff and Scarborough in the Northern Suburbs of Wollongong.
- 2 Within the letter refer to the impacts of the current lack of mobile signal in the area when accidents occur on the popular Seacliff Bridge, potentially delaying the attendance of emergency services.

### **CLOSED COUNCIL SESSION**

The Lord Mayor called for a Motion to close the meeting to consider a Confidential Item, which deals with a report to Council regarding -

- The proposed compulsory acquisition of property, in accordance with Section 10A (2) (c) (d(i)) of the Local Government Act, 1993.

Prior to putting the above Motion to the vote, the Lord Mayor advised the meeting that -

- 1 Item C1 relates to a report to Council regarding the proposed compulsory acquisition of property and is classified as Confidential for the following reason -
  - a Section 10A (2) (c) (d(i)) of the Local Government Act 1993, permits the meeting to be closed to the public, as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND 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 the item.

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

- 1 The meeting move into Closed Session to consider a report to Council regarding -
  - a Proposed compulsory acquisition of property, in accordance with Section 10A (2) (c) (d(i)) of the Local Government Act 1993, on the basis that the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND 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 matters 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 10:34 pm, the meeting moved into Closed Session.

**ITEM C1 – CONFIDENTIAL: PROPOSED COMPULSORY ACQUISITION - PROPOSED LOT 1 DP 1278090 - TRANSPORT ASSET HOLDING ENTITY - PART DAPTO TRAIN STATION FOR ROAD WIDENING PURPOSES**

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

- 1 Council continue negotiating with the owner of Lot 2 DP 856667 for the purpose of acquiring Proposed Lot 1 DP 1278090, being Part Lot 2 DP 856667 (**Proposed Lot 1**), for road widening purposes in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*, with authority being delegated to the General Manager to complete those negotiations, including determining the compensation payable in accordance with this report.
- 2 If Council can acquire Proposed Lot 1 via agreement, Council proceed with the land acquisition via private agreement, or by Section 30 pursuant to the *Land Acquisition (Just Terms Compensation) Act 1991*, with authority being delegated to the General Manager to complete the transaction including determining the compensation payable in accordance with this report.
- 3 In the event an agreement to acquire cannot be reached, Council acquire Proposed Lot 1 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 the purpose of road widening.
- 4 This acquisition is not for the purpose of resale.
- 5 The necessary applications relating to the compulsory acquisition, if required, including compensation determination be made to the Minister for Local Government and the Governor.
- 6 Upon acquisition, Council dedicate Proposed Lot 1 as road, pursuant to Section 10 of the *Roads Act 1993*.
- 7 Council be responsible for all costs including valuation, transfer and legal costs associated with the acquisition of the subject land, in accordance with its obligations under the *Land Acquisition (Just Terms Compensation) Act 1991*.
- 8 The General Manager be granted authority to sign any documentation to give effect to this resolution.

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

Council resumed into Open Session at 10:37 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 Minute Number 613).

## **THE MEETING CONCLUDED AT 10:41 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 31 January 2022.

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Chairperson