

MINUTES

ORDINARY MEETING OF COUNCIL

at 6:00 PM

Monday 5 May 2025

Present

Lord Mayor – Councillor Tania Brown (in the Chair)
Deputy Lord Mayor – Councillor Linda Campbell
Councillor Andrew Anthony
Councillor David Brown
Councillor Kit Docker
Councillor Dan Hayes
Councillor Ann Martin

Councillor Richard Martin
Councillor Ryan Morris
Councillor Tiana Myers
Councillor Deidre Stuart
Councillor Jess Whittaker

In Attendance

General Manager
Director Infrastructure + Works, Connectivity Assets + Liveable City
Director Planning + Environment, Future City + Neighbourhoods
Director Corporate Services, Connected + Engaged City
Director Community Services, Creative + Innovative City
Chief Financial Officer
Manager Customer + Business Integrity
Manager Development Assessment and Certification
Manager Commercial Operations + Property (Acting)
Manager Sport + Recreation
Manager City Strategy
Manager Project Delivery (Acting)
Manager Infrastructure Strategy + Planning
Manager Community Culture + Engagement
Manager Libraries + Community Facilities

Greg Doyle
Joanne Page
Linda Davis
Renee Campbell
Kerry Hunt
Brian Jenkins
Todd Hopwood
Mark Adamson
Roisin OSullivan
Mark Berriman
Chris Stewart
Jeremy Morgan
Nathan McBriarty
Sue Savage
Sarah Taylor

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

Apologies

Min No.

40 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Campbell that the apology tendered on behalf of Councillor Thomas Quinn be accepted and a leave of absence be granted.

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CLOSED SESSION

ITEM C1 CONFIDENTIAL: CONFIDENTIAL - Commonwealth Funded Programs

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)(a) and 10A(2)(d(i)) of the Local Government Act, 1993, as the report contains personnel matters concerning particular individuals; 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 Ann Martin declared a non-significant, non-pecuniary interest in Item 2 - Public Exhibition – Draft Wollongong Development Control Plan (DCP) 2009 – Appendix 4 Definitions and Item 3 – Post Exhibition – Review of Wollongong Development Control Plan 2009 – Chapter A2 Ecologically Sustainable Development, due to her employment at the Department of Planning and Environment. As she is not involved in planning matters related to the Wollongong LGA, Councillor A Martin advised she would remain in the meeting during debate and voting on the items.

Councillor Linda Campbell declared a non-significant, non-pecuniary interest in Item 17 – Notice of Motion – Councillor Linda Campbell – Screen Friendly Council Accreditation as she has appeared in some locally made films as a non-paid extra. Councillor Linda Campbell advised she would remain in the meeting during debate and voting on the item.

Councillor Whittaker declared a non-significant, non-pecuniary interest in Item B – Lord Mayoral Minute – 2025 Federal Election due to running as a candidate in the federal election. Councillor Whittaker advised she would remain in the meeting during the debate.

PETITIONS

Councillor Anthony tabled a petition from 310 residents seeking the extension of the Continental Pool's winter opening hours, and keeping other Council pools open during public holidays.

The Lord Mayor, Councillor Tania Brown, tabled a petition from approximately 130 users and members of Beaton Park opposing any takeover of Ted Tobin Hall.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 7 APRIL 2025

- 41 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Docker that the Minutes of the Ordinary Meeting of Council held on Monday, 7 April 2025 (a copy having been circulated to Councillors) be taken as read and confirmed.

PUBLIC ACCESS FORUM

ITEM NO	TITLE	NAME OF SPEAKER
3	POST EXHIBITION – REVIEW OF WOLLONGONG DEVELOPMENT CONTROL PLAN 2009 – CHAPTER A2 ECOLOGICALLY SUSTAINABLE DEVELOPMENT	RACHEL WHITE – ELECTRIFY ILLAWARRA FOR RECOMMENDATION
3	POST EXHIBITION – REVIEW OF WOLLONGONG DEVELOPMENT CONTROL PLAN 2009 – CHAPTER A2 ECOLOGICALLY SUSTAINABLE DEVELOPMENT	ALEXANDER BROWN – HEALTHY CITIES AUSTRALIA FOR RECOMMENDATION

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

CALL OF THE AGENDA

- 43 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Stuart that the staff recommendations for Items 2, 5, 8, 9 and then 11 to 15 inclusive be adopted as a block.

ITEM A - LORD MAYORAL MINUTE - DRUG COURT - WOLLONGONG

- 44 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Tania Brown that Council -

- 1 Write to the NSW Attorney General expressing support for establishing the Drug Court to Wollongong.
- 2 Ask the Illawarra Shoalhaven Joint Organisation to advocate for establishing the Drug Court for the region.

ITEM B - LORD MAYORAL MINUTE - 2025 FEDERAL ELECTION

- 45 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Tania Brown that Wollongong City Council acknowledges the outcome of the 2025 Federal election and the return of the Albanese Government by extending our congratulations to –

- a Alison Byrnes MP on retaining the seat of Cunningham and gratefully acknowledge the \$10 million election commitment from the Albanese Government toward the delivery of the Southern Suburbs Community Centre and Library
- b Carol Berry on her entry into Federal Parliament following her win in the seat of Whitlam; and
- c Fiona Phillips MP on retaining the seat of Gilmore, noting the important connection and shared interest that Wollongong City Council has with the Gilmore electorate, particularly through the Illawarra Shoalhaven Joint Organisation.

ITEM 1 - PUBLIC EXHIBITION - DRAFT ASSET MANAGEMENT PLAN - OUR ASSET PLAN 2025-2035

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

- 1 Council endorse the Draft Asset Management Plan – Our Asset Plan 2025-2035 to be placed on public exhibition from 7 May to 4 June 2025.
- 2 Following the public exhibition period, the post-exhibition Asset Management Plan – Our Asset Plan 2025-2035 be included with the suite of documents including Our Wollongong Our Future 2035 Community Strategic Plan, Resourcing Strategy 2025-2035, Asset Management Policy, Delivery Program 2025-2029 and Operational Plan 2025-2026, including the Budget 2025-2026, Infrastructure Delivery Program 2025-2026 to 2028-2029 and Revenue Policy, Rates, Annual Charges and Fees 2025-2026 for presentation to Council for adoption.

ITEM 2 - PUBLIC EXHIBITION - DRAFT WOLLONGONG DEVELOPMENT CONTROL PLAN (DCP) 2009 - APPENDIX 4 DEFINITIONS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer minute number 43)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Stuart that the draft Wollongong Development Control Plan 2009 – Appendix 4 be exhibited for minimum of 28 days.

A PROCEDURAL MOTION was MOVED by Councillor Docker seconded Councillor A Martin that Councillor Stuart be granted an additional 2 minutes to address the meeting in relation to Item 3.

ITEM 3 - POST EXHIBITION – REVIEW OF WOLLONGONG DEVELOPMENT CONTROL PLAN 2009 - CHAPTER A2 ECOLOGICALLY SUSTAINABLE DEVELOPMENT

- 47 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Hayes that the amended Wollongong Development Control Plan 2009 Chapter A2 Ecologically Sustainable Development (Attachment 1) be adopted with an alteration to include the sentence “Making buildings all-electric” as a point viii) at the end of Objective 3.1, and a notice be placed on Council’s Website.

Variation The variation moved by Councillor Stuart (the addition of “with an alteration to include the sentence “Making buildings all-electric” as a point viii) at the end of Objective 3.1)” was accepted by the mover and seconder.

ITEM 4 - DISPOSAL OF LOT 331 DP 16051, 28 LAKE AVENUE, CRINGILA

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

- 1 Council authorise the sale of Lot 331 DP 16051 being 28 Lake Avenue, Cringila, on the open market.
- 2 The General Manager be authorised to approve the sale strategy and finalise the sale price and the terms of the sale.
- 3 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 5 - GRANT OF EASEMENTS AND RESTRICTIONS ON THE USE OF LAND OVER COUNCIL OPERATIONAL LAND BEING LOT 3 DP 1313641 AS PART OF CLEVELAND ROAD UPGRADE PROJECT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer minute number 43)

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

- 1 Council resolves to the grant of easements for Padmount substation, underground cables and associated restrictions of the use of land (subject to final survey) over Council operational land currently known as part Lot 3 DP 1313641 Cleveland Road, Cleveland in favour of Epsilon Distribution Ministerial Holding Corporation (Endeavour Energy) (EDMHC), as shown on Attachment 2 to this report.
- 2 Council will be responsible for all costs relating to the easement creation including survey, plan registration and legal costs, and any other incidental costs incurred in this matter.
- 3 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.
- 4 The General Manager be authorised to execute any documents to give effect to this resolution.

ITEM 6 - POLICY REVIEW - PUBLIC ART COUNCIL POLICY

- 49 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor A Martin seconded Councillor Hayes that Council endorse the recategorisation of the Public Art Council Policy as a Public Art Management Policy.

ITEM 7 - APPOINTMENT OF COUNCILLOR DELEGATE TO THE ILLAWARRA BUSHFIRE MANAGEMENT COMMITTEE

- 50 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Campbell that Councillor Ryan Morris be appointed to the Illawarra Bushfire Management Committee for the term of the Council.

ITEM 8 - ILLAWARRA ESCARPMENT MOUNTAIN BIKE SUPPORTING INFRASTRUCTURE - CONSTRUCTION OF INFORMAL CAR PARKING FACILITY - PRIVATE WORKS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer minute number 43)

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

- 1 That in accordance with Section 67(2)(b) of the *Local Government Act 1993*, Council undertake Private Works at Nil cost to the owner of the land including general reshaping and placement of gravel materials on Part Lot 3 in DP 1103666 to support public parking as permitted under a Licence Agreement, subject to relevant statutory planning approvals.
- 2 That a summary of the resolution be included in the annual report in accordance with Section 67(3) of the *Local Government Act 1993*.
- 3 That a report be provided to a meeting of Council following the completion of the works pursuant to Section 67(4) of the *Local Government Act 1993*.

ITEM 9 - TENDER T1000181 - AMENITIES BUILDING CONSTRUCTION - THOMAS GIBSON PARK, THIRROUL

The following staff recommendation was adopted as part of the Block Adoption of Items (refer minute number 43)

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

- 1 In accordance with Section 178(1)(a) of the *Local Government (General) Regulation 2021*, Council accept the tender of Batmac Constructions Pty Ltd for T1000181 Amenities Building Construction – Thomas Gibson Park, Thirroul, in the sum of \$2,082,626.19, including 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.

DEPARTURE OF GENERAL MANAGER

During debate and prior to voting on Item 10, the General Manager departed and returned to the meeting, the time being from 7.11 pm to 7.13 pm.

ITEM 10 - TENDER T1000183 - HIBISCUS STREET BRIDGE REPAIR - WOLLONGONG SURF LEISURE RESORT

- 51 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Hayes seconded Councillor R Martin that -

- 1 In accordance with Section 178(1)(a) of the *Local Government (General) Regulation 2021*, Council accept the tender of Cadifern Pty Ltd for repair and remediation works of the Wollongong Surf Leisure Resort Bridge, in the sum of \$639,225.40, including GST.

- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

ITEM 11 - TENDER T1000188 - LEASE TO OPERATE STANWELL PARK BEACH CAFE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer minute number 43)

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

- 1 a In accordance with Section 178(1)(b) of the *Local Government (General) Regulation 2021*, Council decline to accept any of the tenders received for the lease to operate the Stanwell Park Beach Café and resolve to enter into negotiations with the tenderer or any other party with a view to entering into a Lease agreement in relation to the subject matter of the tender.
b In accordance with Section 178(4) of the *Local Government (General) Regulation 2021*, the reason for Council hereby resolving to enter into negotiations with the tenderer or any other party and not inviting fresh tenders is that it is anticipated that a satisfactory outcome can be achieved with a party who demonstrate a capacity and ability to undertake the terms and conditions of the Lease agreement.
- 2 Council delegate to the General Manager the authority to undertake and finalise the negotiations, firstly with the tenderer and in the event of failure of negotiations with those tenderers, any other party, with a view to entering into a Lease Agreement in relation to the subject matter of the tender.
- 3 Council grant authority for the use of the Common seal of Council on the Lease Agreement and any other documentation, should it be required, to give effect to this resolution.

ITEM 12 - TENDER T1000195 - EMBANKMENT STABILISATION WORKS - 65 CORDEAUX ROAD, KEMBLA HEIGHTS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer minute number 43)

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

- 1 In accordance with Section 178(1)(a) of the *Local Government (General) Regulation 2021*, Council accept the tender of Cadifern Pty Ltd for Embankment Stabilisation Works – 65 Cordeaux Road, Kempl Heights, in the sum of \$1,093,468.20, including 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 - MARCH 2025 FINANCIALS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer minute number 43)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Stuart that the financials be received and noted.

ITEM 14 - STATEMENT OF INVESTMENT - MARCH 2025

The following staff recommendation was adopted as part of the Block Adoption of Items (refer minute number 43)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Stuart that Council receive the Statement of Investment for March 2025.

ITEM 15 - RETURNS OF DISCLOSURES OF PECUNIARY INTERESTS - MAY 2025

The following staff recommendation was adopted as part of the Block Adoption of Items (refer minute number 43)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Stuart that Council notes the tabling of the Returns of Disclosures of Interest as required by Part 4 of the Model Code of Conduct.

ITEM 16 - NOTICE OF MOTION - COUNCILLOR RYAN MORRIS - INCREASED RATE RELIEF FOR AGED PENSIONERS

52 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Morris seconded Councillor Docker that -

- 1 That a councillor briefing be held to provide councillors with background information on, and options for policy responses to, pensioner rates relief schemes.
- 2 That the briefing include data on current rate relief and hardship provisions and options to lobby other levels of government to assist pensioners in this area.

Variation The variation moved by Councillor D Brown (the MOTION to read:

- 1 *That a councillor briefing be held to provide councillors with background information on, and options for policy responses to, pensioner rates relief schemes.*
- 2 *That the briefing include data on current rate relief and hardship provisions and options to lobby other levels of government to assist pensioners in this area)*

Was accepted by the mover and seconder.

Original motion (varied) prior to variation:

That –

- 1 Council receive a report detailing options for implementing a cost neutral Voluntary Rebate for eligible pensioners, in addition to the \$250 pensioner rates discount currently available. The report should include, but not be limited to –
 - a Detail of eligibility criteria for the Voluntary Rebate, such as the requirement that eligible pensioners must have been a rate payer in the Wollongong LGA for a minimum of 15 years.
 - b A review of the Voluntary Rebate be undertaken every term of council.
- 2 The report be delivered within 3 months to allow due consideration prior to implementation of the report recommendations.
- 3 The report include existing council policies that assist residents experiencing hardship, including our Hardship and ways in which renters may be included.

Variation The variation moved by Councillor Campbell (the addition of Point 3) was accepted by the mover and seconder.

ITEM 17 - NOTICE OF MOTION - COUNCILLOR LINDA CAMPBELL - SCREEN FRIENDLY COUNCIL ACCREDITATION

- 53 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Campbell seconded Councillor Hayes that Council -

- 1 Actively seeks early accreditation as a screen friendly Council.
- 2 Looks for opportunities to contribute to the development of the guidelines and processes surrounding accreditation.

ITEM 18 - NOTICE OF MOTION - COUNCILLOR DAN HAYES - DEVELOPMENT PROGRESS AGAINST STRATEGIC PLANS

- 54 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Hayes seconded Councillor R Martin that Council receives a report in 2025 outlining the best approach to a public facing document that is reported to council that achieves the following –

- a Lists the development targets stated in our relevant strategic plans and other documents.
- b Shows the progress made against those targets including applications, approvals, and refusals of development applications.
- c Updates the report when new targets are approved, or changes made to existing documents.

ITEM 19 - QUESTION WITH NOTICE - RECOGNITION OF FEDERATION

- 55 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Morris seconded Councillor Hayes that Council note the staff answer to the Question with Notice.

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 Commonwealth Funded Programs.

Prior to putting the Motion to the vote, the Lord Mayor advised the meeting that Item C1 relates to a report to Council regarding the Commonwealth Funded Programs and that it is classified as Confidential for the following reasons –

Section 10A(2)(a) and 10A(2)(d(i)) of the *Local Government Act 1993*, as the report contains personnel matters concerning particular individuals; AND commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

- 56 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Hayes seconded Councillor Stuart that -

- 1 This item be considered in Closed Session under Section 10A2(a) and 10A(2)(d(i)) of the *Local Government Act 1993* as the report contains personnel matters concerning particular individuals; 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 matter in open meeting.

The MOTION on being PUT to the VOTE was CARRIED UNANIMOUSLY.

The meeting moved into Closed Session, the time being 7.54 pm.

ITEM C1 - CONFIDENTIAL – COMMONWEALTH FUNDED PROGRAMS

57 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Campbell that –

- 1 Council acknowledge and thank those staff and volunteers who have delivered Commonwealth Home Support Program (CHSP) and Community Transport Program - disadvantage (CTP) funded services to the community.
- 2 Due to changes proposed to the Commonwealth funded CHSP program following the introduction of the *Aged Care Act 2024*, Council advise the Australian Government Department of Health and Aged Care (DHAC) it will not be seeking renewal of funding for the provision of Community Transport, 1 July 2025 – 30 June 2027.
- 3 Due to changes proposed from the introduction of the *Aged Care Act 2024*, Council advise Transport for NSW (TfNSW) it will not be seeking renewal of CTP funding for 1 July 2025 – 30 June 2027.
- 4 Council work with staff, volunteers, casuals, and clients to prepare for the conclusion of Wollongong Shellharbour Community Transport services as per the current contract on 30 June 2025 and commence transition with identified alternate provider on 1 July 2025.
- 5 Note, Council has received an extension of CHSP funding for the Social Support service 1 July 2025 to 30 June 2027, at which time CHSP will cease as a funding program.
- 6 Council prepare a transition plan to exit Social Support services prior to 30 June 2027 to ensure effective and appropriate transition of service users to new services.

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

Council resumed into Open Session at 8.18 pm

OPEN COUNCIL SESSION

RESOLUTIONS FROM THE CLOSED SESSION OF COUNCIL

The Lord Mayor advised the meeting of the Council's Resolutions whilst in Closed Session (refer Minute Number 57).

THE MEETING CONCLUDED AT 8.21 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 26 May 2025.

Chairperson