

Minute No.

**COUNCIL RESOLUTION  
EXTRACT FROM MINUTES  
27 APRIL 2010****ITEM 2 - PROPOSED RECLASSIFICATION OF SURPLUS COUNCIL SITES -  
VARIOUS LOCATIONS (SU26464) - REPORT OF LAND USE PLANNING  
MANAGER (EC) 11/03/10****43 RESOLVED UNANIMOUSLY that -**

- 1 Council **not proceed** with the reclassification of the following sites from Community Land to Operational Land under draft Local Environmental Plan 02/08 -

- a Lot 21 DP 207180, Church Street, Balgownie; and
- b Part Lot PGRS DP 38571, David Crescent, Fairy Meadow or the rezoning from RE1 Public Recreation to R2 Low Density Residential.

Council not proceed with the reclassification of the following sites from Community Land to Operational Land under draft Local Environmental Plan 03/08 -

- c Lot 6 DP 575048, Railway Parade Car Park, Thirroul;
- d Lot 10 Section L DP 2697, 31 Alfred Street, Woonona; and
- e Lot 239 DP 203414, Scott Road Park, Dapto.

- 2 Council **proceed** with the reclassification of the following sites from Community Land to Operational Land under draft Local Environmental Plan 02/08 -

- a Part of Lot 3 DP 204631, Station Street, Thirroul;
- b Part of Lot 2 DP 772593 and Part of Lot 3 DP 863277, Part of Bulli Showground, Princes Highway, Bulli;
- c Lot 2 DP 723137, Pioneer Drive, Woonona;
- d Part Lot 202 DP 716326, Bott Drive, Bellambi;
- e Part of Lot 1 DP708558, Montague Street Reserve, North Wollongong;
- f Lot 201 and Part Lot 207 DP 816857, Mercury Street, Gwynneville and increase the FSR from 0.5:1 to 0.75:1;
- g Lot 1 DP 875991, Mount Keira Summit Park, off Queen Elizabeth Drive, Mount Keira;

Minute No.

- h Part Lot 43 (Conveyance No 224 Book 2243), Keira Mine Road, Mount Keira and rezone from REI Public Recreation to R2 Low Density Residential;
- i Part Lot 192 DP 700165, Nolan Street, Berkeley and rezone from REI Public Recreation to E4 Environmental Living;
- j Lot 102 DP 1005245 and Lot 1 DP 610406, Lake Illawarra Foreshore, Windang Road, Windang;
- k Lot 1 DP 243820, Eyre Place, Warrawong and rezone REI Public Recreation to R2 Low Density Residential; and
- l Lot 1 DP 1005887, 253 Kanahooka Road, Dapto.

Council proceed with the reclassification of the following sites from Community Land to Operational Land under draft Local Environmental Plan 03/08:

- m Lot 20 DP 245050, 3 Collaery Road, Russell Vale;
  - n Lot 1 D 1132396, Sperry Street, Wollongong;
  - o Lot 4 DP 230541, Mountain View Crescent, Figtree;
  - p Lot 6 DP 91802, Five Islands Road, Spring Hill;
  - q Lot 1 DP 347045, 125 Shellharbour Road, Port Kembla;
  - r Lot 3 DP 231808, Car Park Darcy Road, Port Kembla;
  - s Lot 1 DP 723148, (85) Illawarra Street and Lot 1 DP 728015 (96A) Illawarra Street, Port Kembla;
  - t Lot 1 DP 329804, Canterbury Road, Kembla Grange; and
  - u Lot 31 DP 10422, 42 Thalassa Avenue, Corrimal (part of the proceeds of any future sale be used to embellish the adjoining area of open space).
- 3 Council forward both draft Local Environmental Plans to the Department of Planning for approval.



REF: CM40/10

**PROPOSED RECLASSIFICATION OF SURPLUS COUNCIL SITES - VARIOUS LOCATIONS**

Report of Land Use Planning Manager (EC) 11/03/10

SU26464

**PRECIS**

Council at its meetings on 28 October 2008 and 27 January 2009 resolved to exhibit two (2) draft Local Environmental Plans for the reclassification of twenty six (26) sites. The draft Local Environmental Plans were jointly exhibited from 15 September 2009 to 27 November 2009 with five (5) public hearings held during October and November. This report considers the submissions received and the report of the Independent Facilitator.

It is recommended that Council not proceed with the reclassification of five (5) sites and proceed with the reclassification of twenty-one (21) sites, including the rezoning of three (3) sites and increasing the floor space ratio on one (1) site.

**RECOMMENDATION**

- 1 Council not proceed with the reclassification of the following sites from Community Land to Operational Land under draft Local Environmental Plan 02/08:**

- a. Lot 21 DP 207180, Church Street, Balgownie; and
- b. Part Lot PGRS DP 38571, David Crescent, Fairy Meadow or the rezoning from RE1 Public Recreation to R2 Low Density Residential.

Council not proceed with the reclassification of the following sites from Community Land to Operational Land under draft Local Environmental Plan 03/08:

- c. Lot 6 DP 575048, Railway Parade Car Park, Thirroul;
- d. Lot 10 Section L DP 2697, 31 Alfred Street, Woonona; and
- e. Lot 239 DP 203414, Scott Road Park, Dapto.

- 2 Council proceed with the reclassification of the following sites from Community Land to Operational Land under draft Local Environmental Plan 02/08:**

- a. Part of Lot 3 DP 204631, Station Street, Thirroul;
- b. Part of Lot 2 DP 772593 and Part of Lot 3 DP 863277, Part of Bulli Showground, Princes Highway, Bulli;
- c. Lot 2 DP 723137, Pioneer Drive, Woonona;
- d. Part Lot 202 DP 716326, Bott Drive, Bellambi;
- e. Part of Lot 1 DP 708558, Montague Street Reserve, North Wollongong;
- f. Lot 201 and Part Lot 207 DP 816857, Mercury Street, Gwynneville and increase the FSR from 0.5:1 to 0.75:1;
- g. Lot 1 DP 875991, Mount Keira Summit Park, off Queen Elizabeth Drive, Mount Keira;
- h. Part Lot 43 (Conveyance No 224 Book 2243), Keira Mine Road, Mount Keira and rezone from RE1 Public Recreation to R2 Low Density Residential;
- i. Part Lot 192 DP 700165, Nolan Street, Berkeley and rezone from RE1 Public Recreation to E4 Environmental Living;
- j. Lot 102 DP 1005245 and Lot 1 DP 610406, Lake Illawarra Foreshore, Windang Road, Windang;
- k. Lot 1 DP 243820, Eyre Place, Warrawong and rezone RE1 Public Recreation to R2 Low Density Residential; and
- l. Lot 1 DP 1005887, 253 Kanahooka Road, Dapto.

Council proceed with the reclassification of the following sites from Community Land to Operational Land under draft Local Environmental Plan 03/08:

- m. Lot 20 DP 245050, 3 Collaery Road, Russell Vale;



- n. Lot 1 DP 1132396, Sperry Street, Wollongong;
- o. Lot 4 DP 230541, Mountain View Crescent, Figtree;
- p. Lot 6 DP 91802, Five Islands Road, Spring Hill.
- q. Lot 1 DP 347045, 125 Shellharbour Road, Port Kembla;
- r. Lot 3 DP 231808, Car Park Darcy Road, Port Kembla;
- s. Lot 1 DP 723148, (85) Illawarra Street and Lot 1 DP 728015 (96A) Illawarra Street, Port Kembla;
- t. Lot 1 DP 329804, Canterbury Road, Kembla Grange; and
- u. Lot 31 DP 10422, 42 Thalassa Avenue, Corrimal (part of the proceeds of any future sale be used to embellish the adjoining area of open space).

- 3 Council forward both draft Local Environmental Plans to the Department of Planning for approval.

### BACKGROUND

On 28 October 2008, Council resolved to prepare and exhibit a draft Local Environmental Plan (02/08) to reclassify the following fourteen (14) parcels of Council-owned land from Community Land to Operational Land and to remove any real or perceived trusts, caveats and interests from the land:

- 1. Lot 21 DP 207180, Church Street, Balgownie;
- 2. Part Lot 202 DP 716326, Bott Drive, Bellambi;
- 3. Part Lot 192 DP 700165, Nolan Street, Berkeley and rezone from RE1 Public Recreation to E4 Environmental Living;
- 4. Part of Lot 2 DP 772593 and Part of Lot 3 DP 863277, Part of Bulli Showground, Princes Highway, Bulli;
- 5. Lot 1 DP 1005887, 253 Kanahooka Road, Dapto;
- 6. Part Lot PGRS DP 38571, David Crescent, Fairy Meadow and rezone from RE1 Public Recreation to R2 Low Density Residential;
- 7. Lot 201 and Part Lot 207 DP 816857, Mercury Street, Gwynneville and increase the floor space ratio from 0.5:1 to 0.75:1;
- 8. Lot 1 DP 875991, Mount Keira Summit Park, off Queen Elizabeth Drive, Mount Keira;
- 9. Part Lot 43 (Conveyance No 224 Book 2243), Keira Mine Road, Mount Keira and rezone from RE1 Public Recreation to R2 Low Density Residential;
- 10. Part of Lot 3 DP 204631, Station Street, Thirroul;
- 11. Lot 1 DP 243820, Eyre Place, Warrawong and rezone from RE1 Public Recreation to R2 Low Density Residential;
- 12. Lot 102 DP 1005245 and Lot 1 DP 610406, Lake Illawarra Foreshore, Windang Road, Windang and rezone from RE2 Private Recreation to RE1 Public Recreation;
- 13. Lot 2 DP 723137, Pioneer Drive, Woonona; and
- 14. Lot 1 DP 708558, Montague Street Reserve, North Wollongong.

On 27 January 2009, Council resolved to prepare and exhibit a draft Local Environmental Plan (03/08) to reclassify the following twelve (12) parcels of Council-owned land from Community Land to Operational Land and to remove any real or perceived trusts, caveats and interests from the land:

- 1. Lot 239 DP 203414, Scott Road Park, Dapto;
- 2. Lot 1 DP 347045, 125 Shellharbour Road, Port Kembla;
- 3. Lot 20 DP 245050, 3 Collaery Road, Russell Vale;
- 4. Lot 1 DP 1132396, Sperry Street, Wollongong;
- 5. Lot 10 Section L DP 2697, 31 Alfred Street, Woonona;
- 6. Lot 4 DP 230541, Mountain View Crescent, Figtree;



7. Lot 1 DP 329804, Canterbury Road, Kembla Grange;
8. Lot 3 DP 231808, Car Park Darcy Road, Port Kembla;
9. Lot 6 DP 575048, Railway Parade Car Park, Thirroul;
10. Lot 31 DP 10422, 42 Thalassa Avenue, Corrimal;
11. Lot 1 DP 723148, 85 Illawarra Street, Port Kembla and Lot 1 DP 728015 96A Illawarra Street, Port Kembla; and
12. Lot 6 DP 91802, Five Islands Road, Spring Hill.

#### PROPOSAL

Both draft Local Environmental Plans were exhibited from 15 September 2009 to 27 November 2009. During the exhibition period, five (5) public hearings were held at Council's Administration Building. The public hearings were arranged according to the Neighbourhood Forum areas.

| Public Hearing Date      | Sites                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Attendance<br>(excl. staff) |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| Tuesday 27 October 2009  | <ul style="list-style-type: none"> <li>• Part of Lot 3 DP 204631, Station Street, Thirroul;</li> <li>• Part of Lot 2 DP 772593 and Part of Lot 3 DP 863277, Part of Bulli Showground, Princes Highway, Bulli;</li> <li>• Lot 2 DP 723137, Pioneer Drive, Woonona;</li> <li>• Lot 6 DP 575048, Railway Parade Car Park, Thirroul; and</li> <li>• Lot 10 Section L DP 2697, 31 Alfred Street, Woonona.</li> </ul>                                                                                       | 16                          |
| Thursday 29 October 2009 | <ul style="list-style-type: none"> <li>• Lot 21 DP 207180, Church Street, Balgownie;</li> <li>• Part Lot 202 DP 716326, Bott Drive, Bellambi;</li> <li>• Part Lot PGRS DP 38571, David Crescent, Fairy Meadow;</li> <li>• Lot 20 DP 245050, 3 Collaery Road, Russell Vale; and</li> <li>• Lot 31 DP 10422, 42 Thalassa Avenue, Corrimal.</li> </ul>                                                                                                                                                   | 10                          |
| Tuesday 3 November 2009  | <ul style="list-style-type: none"> <li>• Lot 1 DP 708558, Montague Street Reserve, North Wollongong;</li> <li>• Lot 201 and Part Lot 207 DP 816857, Mercury Street, Gwynneville;</li> <li>• Lot 1 DP 875991, Mount Keira Summit Park, off Queen Elizabeth Drive, Mount Keira;</li> <li>• Part Lot 43 (Conveyance No 224 Book 2243), Keira Mine Road, Mount Keira;</li> <li>• Lot 1 DP 1132396, Sperry Street, Wollongong; and</li> <li>• Lot 4 DP 230541, Mountain View Crescent, Figtree.</li> </ul> | 5                           |



## ITEM 2

| Public Hearing Date      | Sites                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Attendance (excl. staff) |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Thursday 5 November 2009 | <ul style="list-style-type: none"> <li>Part Lot 192 DP 700165, Nolan Street, Berkeley;</li> <li>Lot 1 DP 243820, Eyre Place, Warrawong;</li> <li>Lot 102 DP 1005245 and Lot 1 DP 610406, Lake Illawarra Foreshore, Windang Road;</li> <li>Lot 6 DP 91802, Five Island Road, Spring Hill;</li> <li>Lot 1 DP 347045, 125 Shellharbour Road, Port Kembla;</li> <li>Lot 3 DP 231808, Car Park Darcy Road, Port Kembla; and</li> <li>Lot 1 DP 723148, 85 Illawarra Street, Port Kembla and Lot 1 DP 728015 96A Illawarra Street, Port Kembla.</li> </ul> | 6                        |
| Tuesday 10 November 2009 | <ul style="list-style-type: none"> <li>1 DP 329804, Canterbury Road, Kembla Grange;</li> <li>Lot 239 DP 203414, Scott Road Park, Dapto; and</li> <li>Lot 1 DP 1005887, 253 Kanahooka Road, Dapto.</li> </ul>                                                                                                                                                                                                                                                                                                                                        | 1                        |

The public hearings were independently facilitated by Stuart Waters of Twyford Consulting. A report was prepared on the five (5) public hearings (**Attachment 3**). The report was subsequently placed on Council's website. The issues raised during the public hearings are outlined in the attached summary of issues (**Attachments 1 and 2**).

As a consequence of the exhibition, Council received one hundred and nine (109) submissions in response to the draft Local Environmental Plans. The following table outlines the number of submissions that either objected or supported the specific reclassifications. In addition to the site specific submissions below Council received four (4) submissions objecting to all of the reclassifications with no exceptions.

| Site                                      | No. of Objections | No. of Support                        |
|-------------------------------------------|-------------------|---------------------------------------|
| Object to all reclassifications           | 4                 | Nil                                   |
| Church Street, Balgownie                  | 8                 | Nil                                   |
| Nolan Street, Berkeley                    | 1                 | 4                                     |
| Montague Street Reserve, North Wollongong | 1                 | 1                                     |
| Mercury Street, Wollongong                | Nil               | 2                                     |
| Keira Mine Road, Mount Keira              | 2                 | 1                                     |
| Eyre Place, Warrawong                     | 1                 | 1                                     |
| Mount Keira Summit Park, Mount Keira      | 1                 | 1                                     |
| David Crescent, Fairy Meadow              | 2                 | Nil                                   |
| Ralph Black Drive, North Wollongong       | 1                 | 1<br>1 comment                        |
| Lake Illawarra Foreshore, Windang         | 2                 | Nil<br>1 supporting the rezoning only |
| Station Street, Thirroul                  | 1                 | 1                                     |
| Part of Bulli Showground, Bulli           | 2                 | 1                                     |
| Pioneer Drive, Woonona                    | Nil               | Nil                                   |
| Bott Drive, Bellambi                      | Nil               | Nil                                   |
| Alfred Street, Woonona                    | 73                | Nil                                   |
| Railway Parade, Thirroul                  | 8                 | Nil                                   |



| Site                                                                      | No. of Objections                                                                    | No. of Support |
|---------------------------------------------------------------------------|--------------------------------------------------------------------------------------|----------------|
| Thalassa Avenue, East Corrimal                                            | 6<br>(including 2 petitions one with 18 signatures and the other with 19 signatures) | Nil            |
| Scott Road Park, Dapto                                                    | 3                                                                                    | Nil            |
| Shellharbour Road, Port Kembla                                            | 1                                                                                    | Nil            |
| Sperry Street, Wollongong                                                 | Nil                                                                                  | 2              |
| Mountain View Crescent, Figtree                                           | Nil                                                                                  | 1              |
| 3 Collaery Road, Russell Vale                                             | Nil                                                                                  | Nil            |
| Canterbury Road, Kembla Grange                                            | Nil                                                                                  | Nil            |
| Car Park Darcy Road, Port Kembla                                          | Nil                                                                                  | Nil            |
| 85 Illawarra Street, Port Kembla and<br>96A Illawarra Street, Port Kembla | Nil                                                                                  | Nil            |
| Five Islands Road, Spring Hill                                            | Nil                                                                                  | Nil            |

Attachments 1 and 2 provide a plan of the location of each site and a summary of issues raised in the written submissions and the public hearing, together with the recommendations.

A large number of the sites are identified as surplus to Council requirements and are proposed to be reclassified and sold, however other sites require reclassification for the purposes of renewing ongoing leases for existing signage and public infrastructure. It is important that these sites are progressed as part of the Local Environmental Plan to ensure that the land and its uses are managed appropriately under the Local Government Act 1993.

The following sites are recommended to be progressed for the purpose of rectifying existing encroachments and fulfilling existing sales contracts. These sites have minimal impacts on the public land and will not impact on the continued use of the adjoining open space. It is considered appropriate that these sites be reclassified:

1. Part of Lot 3 DP 204631, Station Street, Thirroul,
2. Lot 102 DP 1005245 and Lot 1 DP 610406, Lake Illawarra Foreshore, Windang Road, Windang,
3. Part Lot 43 (Conveyance No 224 Book 2243), Keira Mine Road, Mount Keira, also proposed to be rezoned from RE1 Public Recreation to R2 Low Density Residential, and
4. Lot 31 DP 10422, 42 Thalassa Avenue, Corrimal.

The following sites are recommended to be progressed for the purpose of providing a lease and or license to existing and future public infrastructure:

| Site                                                                                                  | Purpose                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| Part of Lot 2 DP 772593 and Part of Lot 3 DP 863277, Part of Bulli Showground, Princes Highway, Bulli | Enable future road widening of the access to the Bulli Showground and Bulli Bricks site.                                                     |
| Part Lot 202 DP 716326, Bott Drive, Bellambi                                                          | Enable the continuation of leases for existing telecommunications towers.                                                                    |
| Lot 1 DP 875991, Mt Keira Summit Park, off Queen Elizabeth Drive, Mt Keira                            | Enable the continuation of leases for existing telecommunications towers.                                                                    |
| Lot 1 DP 1005887, 253 Kanahooka Road, Dapto                                                           | Renewal of a lease for an existing advertising structure adjacent to the F6 Freeway.                                                         |
| Lot 1 DP 723148, (85) Illawarra Street and Lot 1 DP 728015 (96A) Illawarra Street, Port Kembla        | Enable Council to sell its share of the site (7/47 <sup>th</sup> ) to the Department of Housing to enable the site's appropriate management. |



## ITEM 2

The following sites are recommended to be progressed as each site is unsuitable for public recreation purposes due to their size (allotments range between 0.71m<sup>2</sup> to 301m<sup>2</sup>). The sites received minimal to no objections from the public. The Canterbury Road site is 538m<sup>2</sup> however it is the shape (approximately 100m x 5m) of this site that renders the site unsuitable for public recreation:

1. Lot 1 DP 329804, Canterbury Road, Kembla Grange (538m<sup>2</sup>),
2. Lot 6 DP 91802, Five Islands Road, Spring Hill (62m<sup>2</sup>),
3. Lot 20 DP 245050, 3 Collaery Road, Russell Vale (180m<sup>2</sup>),
4. Lot 1 DP 1132396, Sperry Street, Wollongong (301m<sup>2</sup>),
5. Lot 4 DP 230541, Mountain View Crescent, Figtree (0.71m<sup>2</sup>), and
6. Lot 2 DP 723137, Pioneer Drive, Woonona (74m<sup>2</sup>).

The following sites are recommended to be progressed as a result of an application by adjoining land owners to acquire the land or they were identified as surplus to Council's requirements:

| Site                                                                                          | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Lot 1 DP 708558, Montague Street Reserve, North Wollongong                                    | This site was originally exhibited as a reclassification for the entire site for the purpose of car parking and recreation space for the workers of the adjoining Greenacres facility. However the site was identified by the community as an important parcel of open space bushland within an industrial area. The extent of the reclassification has been reduced to enable Council to retain the bushland as well as meet the needs of the community and Greenacres. |
| Part Lot 192 DP 700165, Nolan Street, Berkeley rezone from RE1 to E4                          | Adjoining owners of the site requested Council consider the site for reclassification for the purpose of horse agistment and to create legal access to their property. The site is surrounded by extensive areas of open space and the reclassification is considered by Council to have minimal impact on the supply of open space within the area.                                                                                                                     |
| Lot 1 DP 243820, Eyre Place, Warrawong rezone RE1 to R2                                       | The Illawarra Multicultural Village Group requested Council consider the reclassification and sale of Eyre Place, Warrawong. The site is unsuitable for recreational purposes because of its location on a major road.                                                                                                                                                                                                                                                   |
| Part Lot 207 DP 816857, Mercury Street, Gwynneville and increase the FSR from 0.5:1 to 0.75:1 | This site is proposed to be used by Headway Illawarra and Spinal Cord Industries Australia for the purpose of disabled residential housing. The community has requested that Council retain the pedestrian access along the southern boundary.                                                                                                                                                                                                                           |
| Lot 1 DP 347045, 125 Shellharbour Road, Port Kembla                                           | This site was identified as surplus and is considered unsuitable for open space given its location on a major intersection in Port Kembla.                                                                                                                                                                                                                                                                                                                               |
| Lot 3 DP 231808, Car Park Darcy Road, Port Kembla                                             | This site was identified as having potential for development on part of the site. The reclassification will also enable a lease to the Port Kembla Leagues Club for parking.                                                                                                                                                                                                                                                                                             |

The following six (6) sites are not recommended to be progressed because of the value that the community has placed on the sites as open space for the purpose of recreation:



| Site                                                 | Reasons for Not Progressing Reclassification                                                                                                                                                                                                                                                                       |
|------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Lot 10 Section L DP 2697, 31 Alfred Street, Woonona  | This site is located in an area that is lacking in safe, accessible locations that are large enough to provide areas for active recreation purposes.                                                                                                                                                               |
| Lot 21 DP 207180, Church Street, Balgownie           | This site is located in an area that is lacking in safe, accessible locations that are large enough to provide areas for active recreation purposes.                                                                                                                                                               |
| Lot 239 DP 203414, Scott Road Park, Dapto            | This site is located in an area that is lacking in safe, accessible locations that are large enough to provide areas for active recreation purposes.                                                                                                                                                               |
| Lot 6 DP 575048, Railway Parade Car Park, Thirroul   | Because of the value of the site as a car park for the businesses and community members of Thirroul. Parking is lacking within the community and the loss of further parking has the potential to impact on the businesses, service providers and residents of Thirroul. Businesses paid for one-half of the site. |
| Part Lot PGRS DP 38571, David Crescent, Fairy Meadow | Because of impacts on the use of the park.                                                                                                                                                                                                                                                                         |

In summary it is proposed that Council not proceed with the following reclassifications:

1. Lot 21 DP 207180, Church Street, Balgownie;
2. Part Lot PGRS DP 38571, David Crescent, Fairy Meadow;
3. Lot 10 Section L DP 2697, 31 Alfred Street, Woonona;
4. Lot 239 DP 203414, Scott Road Park, Dapto; and
5. Lot 6 DP 575048, Railway Parade Car Park, Thirroul.

It is proposed that Council proceed with the following reclassifications:

1. Part of Lot 3 DP 204631, Station Street, Thirroul;
2. Part of Lot 2 DP 772593 and Part of Lot 3 DP 863277, Part of Bulli Showground, Princes Highway, Bulli;
3. Lot 2 DP 723137, Pioneer Drive, Woonona;
4. Part Lot 202 DP 716326, Bott Drive, Bellambi;
5. Lot 1 DP 708558, Montague Street Reserve, North Wollongong;
6. Lot 201 and Part Lot 207 DP 816857, Mercury Street, Gwynneville;
7. Lot 1 DP 875991, Mount Keira Summit Park, off Queen Elizabeth Drive, Mount Keira;
8. Part Lot 43 (Conveyance No 224 Book 2243), Keira Mine Road, Mount Keira and rezone from RE1 Public Recreation to R2 Low Density Residential;
9. Part Lot 192 DP 700165, Nolan Street, Berkeley and rezone from RE1 Public Recreation to E4 Environmental Living;
10. Lot 102 DP 1005245 and Lot 1 DP 610406, Lake Illawarra Foreshore, Windang Road, Windang;
11. Lot 1 DP 243820, Eyre Place, Warrawong and rezone from RE1 Public Recreation to R2 Low Density Residential;
12. Lot 1 DP 1005887, 253 Kanahooka Road, Dapto;
13. Lot 20 DP 245050, 3 Collaery Road, Russell Vale;
14. Lot 1 DP 1132396, Sperry Street, Wollongong;
15. Lot 4 DP 230541, Mountain View Crescent, Figtree;
16. Lot 6 DP 91802, Five Islands Road, Spring Hill;
17. Lot 1 DP 347045, 125 Shellharbour Road, Port Kembla;
18. Lot 3 DP 231808, Car Park Darcy Road, Port Kembla;



19. Lot 1 DP 723148, 85 Illawarra Street, Port Kembla and Lot 1 DP 728015 96A Illawarra Street, Port Kembla;
20. Lot 1 DP 329804, Canterbury Road, Kembla Grange; and
21. Lot 31 DP 10422, 42 Thalassa Avenue, Corrimal.

## PLANNING AND POLICY IMPACT

On 30 April 2010, Council resolved to endorse the draft Land Acquisition and Disposal Policy which sets out Council's obligations under a range of legislation and provides a framework for the process of land sales.

This policy has impacts upon all sale of Council owned land and therefore any sale must comply with the policy. The policy generally requires that land capable of being sold on the open market and able to be developed independently of any property, shall be by a competitive sale process involving public auction, tender or expression of interest.

The policy provides for exemptions under "Circumstances for an Alternative Process" where Council may undertake an alternative process for the disposal of land where in the opinion of Council an alternative approach will achieve greater benefits.

The sites considered exempt from the policy and recommended for sale to a specified individual or company or organisation are listed below:

| Site                                                                    | Exemption                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Lot 1 DP 243820, Eyre Place, Warrawong                                  | 3. <i>Where Council is bound by a contractual obligation</i><br>Council is under a binding contract to dispose of the land to the Illawarra Multicultural Village Group.                                                                                                                                                                                                    |
| Part Lot 192 DP 700165, Nolan Street, Berkeley                          | 2. <i>Where there is only one identifiable purchaser</i><br>The site is not suitable for development in its own right due to an electricity transmission easement that affects the site and the reclassification is for part of the site only with no other adjoining owner.                                                                                                |
| Part of Lot 3 DP 204631, Station Street, Thirroul                       | 2. <i>Where there is only one identifiable purchaser</i><br>The portion of land is land locked, currently occupied as part of a larger car park, is currently used by the bowling club with no other adjoining owners.                                                                                                                                                      |
| Lot 2 DP 723137, Pioneer Drive, Woonona                                 | 2. <i>Where there is only one identifiable purchaser</i><br>The portion of land is not large enough for development in its own right, it is bound by public roads with only one adjoining owner.                                                                                                                                                                            |
| Part Lot 43 (Conveyance No 224 Book 2243), Keira Mine Road, Mount Keira | 2. <i>Where there is only one identifiable purchaser</i><br>The portion of land is not large enough for development in its own right, currently forms part of the existing driveway and with only one adjoining owner.                                                                                                                                                      |
| Lot 201 and Part Lot 207 DP 816857, Mercury Street, Gwynneville         | 6. <i>In response to a proposal which achieves specific policy goals of Council.</i><br>This exclusion allows Council to respond to a community need for disabled residential housing adjoining an appropriate service provider (Headway Illawarra and Spinal Cord Australia). No plans are available at this stage as it is dependant on the reclassification progressing. |



| Site                                                                                                    | Exemption                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Lot 1 DP 708558, Montague Street Reserve, North Wollongong                                              | 2. <i>Where there is only one identifiable purchaser</i><br>The portion of land is land locked and only has one adjoining owner.                                                                                                                                                                                          |
| Lot 4 DP230541, Mountain View Crescent, Figtree                                                         | 2. <i>Where there is only one identifiable purchaser</i><br>The portion of land is not large enough for development in its own right, currently forms part of the existing driveway and with only one adjoining owner.                                                                                                    |
| Lot 1 DP 329804, Canterbury Road, Kembla Grange                                                         | 2. <i>Where there is only one identifiable purchaser</i><br>The portion of land is not large enough for development in its own right with only one adjoining owner.                                                                                                                                                       |
| Lot 20 DP 245050, 3 Collaery Road, Russell Vale                                                         | 2. <i>Where there is only one identifiable purchaser</i><br>The portion of land is not large enough for development in its own right with only one adjoining owner.                                                                                                                                                       |
| Lot 1 DP 723148, 85 Illawarra Street, Port Kembla and Lot 1 DP 728015 96A Illawarra Street, Port Kembla | 2. <i>Disposal of land to a government or utility authority for the purpose of infrastructure provision.</i><br>The site is currently developed for social housing managed by the Department of Housing. Council will therefore sell its share back to the Department of Housing for the continued operation of the site. |
| Lot 31 DP 10422, 42 Thalassa Avenue, Corrimal                                                           | 3. <i>Where Council is bound by a contractual obligation.</i><br>Council is under a binding contract to dispose of the land.                                                                                                                                                                                              |

#### FINANCIAL IMPLICATIONS

The following table provides a summary of the estimated value of sites proposed to be sold or leased, where estimates have been obtained and reported to Council.

| Site                                                                                                  | Value        | Resolution | Purpose        |
|-------------------------------------------------------------------------------------------------------|--------------|------------|----------------|
| Lot 1 DP 243820, Eyre Place, Warrawong                                                                | \$410,000    | 2005/2006  | Sale           |
| Part Lot 192 DP 700165, Nolan Street, Berkeley                                                        | \$60,000     | 2005/2006  | Sale           |
| Part Lot 202 DP 716326, Bott Drive, Bellambi                                                          | \$127,087    | 2007       | Lease          |
| Lot 1 DP 1005887, 253 Kanahooka Road, Dapto                                                           | To be valued | 2000       | Lease          |
| Lot 1 DP 875991, Mount Keira Summit Park, off Queen Elizabeth Drive, Mount Keira                      | To be valued | 2005/2006  | Lease          |
| Lot 2 DP 723137, Pioneer Drive, Woonona                                                               | To be valued | 2007       | Sale           |
| Part of Lot 3 DP 204631, Station Street, Thirroul                                                     | To be valued | 2007       | Sale           |
| Part of Lot 2 DP 772593 and Part of Lot 3 DP 863277, Part of Bulli Showground, Princes Highway, Bulli | To be valued | 2006       | Sale           |
| Part Lot 43 (Conveyance No 224 Book 2243), Keira Mine Road, Mount Keira                               | To be valued | 2007       | Sale           |
| Lot 201 and Part Lot 207 DP 816857, Mercury Street, Gwynneville                                       | To be valued | 2004/2006  | Sale           |
| Lot 102 DP 1005245 and Lot 1 DP 610406, Lake Illawarra Foreshore, Windang Road, Windang               | To be valued | 2007       | Lease /License |
| Lot 1 DP 708558, Montague Street Reserve, North Wollongong                                            | To be valued | 2007       | Sale           |
| Lot 20 DP 245050, 3 Collaery Road, Russell Vale                                                       | To be valued | N/A        | Sale           |
| Lot 1 DP 1132396, Sperry Street, Wollongong                                                           | To be valued | N/A        | Sale           |
| Lot 4 DP230541, Mountain View Crescent, Figtree                                                       | To be valued | N/A        | Sale           |
| Lot 1 DP 329804, Canterbury Road, Kembla Grange                                                       | To be valued | N/A        | Sale           |



## ITEM 2

| Site                                                                                                       | Value        | Resolution | Purpose          |
|------------------------------------------------------------------------------------------------------------|--------------|------------|------------------|
| Lot 1 DP 723148, 85 Illawarra Street, Port Kembla and<br>Lot 1 DP 728015 96A Illawarra Street, Port Kembla | To be valued | N/A        | Sale             |
| Lot 1 DP 347045, 125 Shellharbour Road, Port Kembla                                                        | To be valued | N/A        | Sale             |
| Lot 6 DP 91802, Five Islands Road, Spring Hill                                                             | To be valued | N/A        | Sale             |
| Lot 3 DP 231808, Car Park Darcy Road, Port Kembla                                                          | To be valued | N/A        | Sale<br>/License |
| Lot 31 DP 10422, 42 Thalassa Avenue, Corrimal                                                              | \$850,000    | N/A        | Sale             |

The following table provides detail of the sites that are not recommended to be progressed and where Council will forgo the income generated from the potential value of the site.

| Site                                                 | Value      | Resolution       | Purpose |
|------------------------------------------------------|------------|------------------|---------|
| Lot 21 DP 207180, Church Street, Balgownie;          | \$200,000  | 2004 and<br>2006 | Sale    |
| Part Lot PGRS DP 38571, David Crescent, Fairy Meadow | Not valued | N/A              | Sale    |
| Lot 239 DP 203414, Scott Road Park, Dapto            | Not valued | N/A              | Sale    |
| Lot 10 Section L DP 2697, 31 Alfred Street, Woonona  | Not valued | N/A              | Sale    |
| Lot 6 DP 575048, Railway Parade Car Park, Thirroul   | Not valued | N/A              | Sale    |

### CONCLUSION

It is recommended that Council proceed with the reclassification of twenty-one (21) sites including three (3) sites proposed for rezoning and one (1) site proposed for an increase in floor space ratio as well as the removal of any real or perceived trusts, caveats or interests. **Attachments 4 and 5** are updated copies of the Local Environmental Plans. It is recommended that Council not proceed with the reclassification of the other five (5) sites.

| Name                  | Position Title                              |
|-----------------------|---------------------------------------------|
| <b>Author:</b>        |                                             |
| Edith Castro          | Strategic Project Officer                   |
| <b>Authorised by:</b> |                                             |
| David Green           | Land Use Planning Manager                   |
| Renee Campbell        | Manager Environmental Strategy and Planning |
| Andrew Carfield       | Director Planning and Environment           |
| David Farmer          | General Manager                             |

### ATTACHMENTS

1. Background Paper 02/08
2. Background Paper 03/08
3. Public Hearing Report
4. Draft Local Environmental Plan 02/08
5. Draft Local Environmental Plan 03/08



Lot 102 DP 1005245 and Lot 1 DP 610406, Lake Illawarra Foreshore Land in front of Oasis and South Pacific Caravan Parks, Windang



**Area:** 1534m<sup>2</sup>

**Current Zone:** RE1 Public Recreation

#### **Proposal**

Reclassification only to enable the land to be leased to Oasis and South Pacific Caravan Park Windang for existing encroachments. It should be noted that the site was originally proposed for rezoning from RE2 Private Recreation to RE1 Public Recreation however the site was rezoned in the recently adopted Wollongong Local Environmental Plan 2009.

#### **Written Submissions**

Two submissions were received in relation to the above site. One (1) submission objected to the reclassification and rezoning and one (1) submission objected to the reclassification but supported the rezoning. The issues raised in the submissions include:

- The reclassification rewards illegal development.
- Public access to the foreshore should be reinstated.

#### **Public Hearing**

- Community believe that the private recreation zone was possibly a mistake by Council,
- Rezoning to RE2 Public Recreation is a good thing,
- Need to establish a timeframe for when the land will be available to the public again, and
- Concern that the owners are collecting rent from public land which should not be allowed.

#### **Recommendation**

Although opposition to the reclassification has been expressed in relation to the above site the rezoning to RE1 was supported.

The reclassification is the most appropriate manner for Council to resolve the issue of encroachments. It enables Council to appropriately manage the land under Local Government Act via a lease or license arrangement until such time as the buildings are replaced and relocated off Council land.

It is recommended that the proposed reclassification of Lot 102 DP1005245 and Lot 1 DP610406, Lake Illawarra Foreshore land, Windang proceed.



**Lot 1 DP 243820 Eyre Place, Warrawong**

**Area:** 1720m<sup>2</sup>

**Current Zone:** RE1 Public Recreation

**Proposal**

Reclassification and rezoning from RE1 Public Recreation to R2 Low Density Residential to enable the land to be sold to Illawarra Multicultural Village Group.

**Written Submissions**

Two (2) submissions were received in relation to the above site. One (1) objected to the reclassification and rezoning of the site and one (1) supported the reclassification and rezoning. The issues raised in the submissions included:

- Support the sale to Multicultural Village.
- The site is inappropriate for recreational use due to the high traffic volumes.
- The money from the sale should be reinvested into the area.
- The area has been neglected and should be better maintained by Council.

**Public Hearing**

- Aged care facilities are valuable and they need the space,
- Opposition to privatisation of the land, and
- Funds should be reinvested in the local public space.

**Recommendation**

Generally the rationale for the reclassification of the site was understood by residents. Aged care is considered a valuable community service. Council recognises that the site is unsuitable for public recreation given its location on the intersection of a main road being Cowper Road.

It is recommended that the proposed reclassification and rezoning of Lot 1 DP243820, Eyre Place, Warrawong proceed.