

MINUTES OF THE SOUTHERN REGIONAL PANEL MEETING HELD AT WOLLONGONG CITY COUNCIL ON FRIDAY, 10 JUNE 2011 AT 2:00 PM

PRESENT:

Pam Allan	Chair
Alison McCabe	Panel Member
Allen Grimwood	Panel Member
David Winterbottom	Panel Member
David Farmer	Panel Member

IN ATTENDANCE

Andrew Carfield	Director Planning and Environment
Mark Riordan	Manager City Planning
John Wood	City Wide Development Manager (Acting)
Pier Panozzo	City Centre + Major Development Manager
Nigel Lamb	Development Project Officer

APOLOGY: Nil

1 Acknowledgement of Country

2 Declarations of Interest – Nil

3 Minutes of Meetings

Moved A McCabe, Seconded A Grimwood that the following Minutes be endorsed:

19 November 2009
20 November 2009
22 July 2010
4 August 2010
22 October 2010
2 December 2010

3 February 2011
15 March 2011
5 April 2011
6 April 2011
7 April 2011

4 Business Item

ITEM 1 – 2010STH034 - Wollongong DA-2010/1415 – Proposed mixed use development involign the construction of two (2) x nine (9) level buildings over one level of basement carparking and two (2) x eight (8) level buidlings over one level of basement parking. Each building consists of ground floor commercial with residential above comprising a total of 9 commercial units and 207 residential units with 316 carparking spaces. The development will be constructed in two stages but is not staged for the purpose of the Act – 22-32 Gladstone Avenue and 6 Rowland Avenue, Wollongong.

A letter from WCC Administrators advising of Council's acceptance of the application with conditions was noted.

Wollongong Development Project Officer, Nigel Lamb, gave an overview of the proposal which is permissible in the B4 zone. .

5 Public Submissions –

Tanya Emmett addressed the Panel **against** the item on behalf of her client.

Vera Kecski addressed the Panel **against** the item.

Ron Knowles addressed the Panel **against** the item

Nicholas Daoud (property owner) addressed the Panel **in favour** of the item

6 Business Item Recommendations

Moved A McCabe, seconded A Grimwood that

- a) DA 2010STH034 - Wollongong DA-2010/1415 – Proposed mixed use development at 22-32 Gladstone Avenue and 6 Rowland Avenue, Wollongong be approved subject to the recommended conditions of consent.
- b) Council review Clause 8.6 of Wollongong Local Environmental Plan 2009 regarding building separation within zones B3 Commercial Core and B4 Mixed Use.
- c) Council assess the heritage significance of the Illawarra Institute and amend either the heritage map or schedule 5 of Wollongong Local Environmental Plan 2009 accordingly.
- d) Council be requested to review the Wollongong City Centre Parking Strategy 2007 before the end of 2011, in particular the parking requirements to justify steps taken to amend the Development Control Plan.

MOTION CARRIED.

7 Business Item

ITEM 2 – 2011STH010 - Wollongong DA-2010/1707 – Construction of refractory development and boundary realignment – 34-46 Gloucester Boulevard, Port Kembla.

A letter from WCC Administrators advising of Council's acceptance of the application with conditions was noted.

Wollongong Development Project Officer, Nigel Lamb, gave an overview of the proposal for a large industrial building and attached office space which is permissible within the Heavy Industrial zone.

8 Public Submissions –

Tiziana Lucato addressed the Panel **against** the item.

Felicity Leaver addressed the Panel **against** the item.

Ruth Holbert addressed the Panel **against** the item.

Mark Peterlin addressed the Panel **against** the item.

Peter Gandon addressed the Panel **against** the item.

Shane Cridland addressed the Panel **against** the item.

Cheryl Wiffen addressed the Panel **against** the item.

Peggy Stransky addressed the Panel **against** the item.

Paul Armitage (General Manager Vesuvius Australia – the applicant) addressed the Panel **in favour** of the item.

Pam Allan (Chair) commented on the oversight of Council in not consulting with the wider community of the area, in particular the schools.

9 Business Item Recommendations

Moved A Grimwood, seconded D Winterbottom that DA 2011STH010 - Wollongong DA-2010/1707 – Construction of refractory development and boundary realignment at 34-46 Gloucester Boulevard, Port Kembla be approved subject to recommended conditions of consent and the following amendments to those conditions:

a) Condition 2 – to be amended to read as follows:

2. Noise Monitoring

No later than three months following the commencement of operations the proponent must submit a report of a noise monitoring program to confirm the findings of the Noise Impact Assessment. The assessment must be prepared by a suitably qualified and experienced person and undertaken in accordance with the NSW Industrial Noise Policy.

If the noise monitoring identifies any non-compliance with the noise predictions identified in the Noise Impact Assessment, the proponent must detail what additional measures will be implemented to ensure compliance, clearly indicating who would implement these measures, when the measures would be implemented, and how the effectiveness of these measures would be measured. The measures recommended shall be implemented.

b) Condition 9 – to be amended to read as follows:

9. Enclosure of Chemical Storage

All flammable, combustible, LPG, corrosive substances, toxic substances, including Sodium Aluminate, IBC, and the like, must be contained within an enclosed area, designed and constructed in accordance with applicable Australian Standards in relation to bunding design and site containment.

c) Condition 17 – to be amended to read as follows:

17. Environmental Safeguards

Prior to Construction of the building, the final design of the building including bunded/enclosed areas, tanker bays, and fire resistance levels adjacent to the combustible liquid tanks, should be checked by a suitably qualified person to

confirm compliance with the relevant safeguards as identified in Section 3.2.1 to 3.2.3 of the Preliminary Hazard Analysis Report dated 7 December 2010 prepared by Whamcorp Pty Ltd

d) Condition 68 –a new condition to be inserted between Conditions 67 and 69, to be the new Condition 68; as follows:

68. Aboriginal artefacts

If any relics or items of Aboriginal heritage significant are uncovered/discovered during the course of construction works, all works at the site shall cease immediately and the developer shall notify both Wollongong City Council and the NSW Office of Environment and Heritage. If required, consent to damage, destroy or deface Aboriginal objects under Section 90 of National Parks & Wildlife Act shall be obtained prior to any construction works continuing.

e) Condition 92 – a new condition to be inserted at the start of the **Operational Phases of the Development/Use of the Site** section of the conditions, to be the new Condition 92; as follows:

92. Air Quality Sampling

Due to the nature of the material used in the proposed manufacturing activity, the exhaust air streams from the various plant processes must be monitored in an ongoing manner at regular intervals to verify dust collection efficacy and levels of air impurities are within the limits identified by the Clear Air Regulations of the POEO Act 1997. Sampling must be undertaken in accordance with the *EPA Approved Methods for the Sampling and Analysis for Air pollutants in NSW, (DEC 2006)*.

After commissioning of the refractory and biannually for a period of 2 years after issue of the Occupation Certificate the owner/operator shall furnish to Wollongong City Council a copy of the air sampling/monitoring report.

f) Condition 96 – to be amended to read as follows:

96. Environmental Safeguards

The development is to operate in accordance with the environmental safeguards identified in Section 3.2.1 to 3.2.3 of the Preliminary Hazard Analysis Report dated 7 December 2010 prepared by Whamcorp Pty Ltd, including specifically all of those safeguards listed in the tables to Sections 3.2.1, 3.2.2 and 3.2.3. The specific recommendations of the Preliminary Hazard Analysis Report prepared by Whamcorp Pty Ltd to be implemented shall include the following:-

- Prior to the construction of the building, the final design of the building, including bunded areas, tanker bay(s) and fire resistance levels adjacent to the combustible liquid tanks should be checked by a suitably qualified person to confirm compliance with the relevant safeguards;
- The dangerous goods storage should be notified to WorkCover NSW and all dangerous goods requirements of the OH & S Act and Regulation should be met

g) Condition 100 – a new condition to be inserted at the end of the **Operational Phases of the Development/Use of the Site** section of the conditions, to be the new Condition 100; as follows:

100. Consultation with NSW WorkCover Authority

The owner/operator shall be responsible for consulting with the NSW WorkCover Authority in relation to the storage and use of dangerous goods at the site.

MOTION CARRIED.

The meeting concluded at 3.40pm.

Endorsed by

A handwritten signature in blue ink that reads "Pam Allan". The signature is written in a cursive, flowing style.

Pam Allan
Chair
Southern Region Joint Regional Planning Panel
24 June 2011