

MINUTES

ORDINARY MEETING OF COUNCIL

at 6.01 pm

Monday 12 December 2011

Present

Lord Mayor – Councillor Bradbery OAM (in the Chair), Councillors Connor, Brown, Takacs, Martin, Merrin, Blicavs, Dorahy, Colacino, Crasnich, Curran and Petty

In Attendance

General Manager (Acting) – P Kofod, Director Corporate and Community Services – G Doyle, Director Infrastructure and Works (Acting) – P Coyte, Director Planning and Environment – A Carfield, Manager Governance and Information – L Kofod, Manager Finance – B Jenkins, Manager Infrastructure – J Shepherd, Manager City Works – K Mondal, Manager Environmental Strategy and Planning – R Campbell and Manager Organisational Strategy and Improvement (Acting) – B Logue

Apology

Min No.

269

RESOLVED on the motion of Councillor Brown seconded Councillor Martin that the apology tendered on behalf of Councillor Kershaw be received and leave of absence granted.

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Petitions and Presentations

PETITION CALLING FOR CROWN STREET MALL TO BE REOPENED TO TRAFFIC

Councillor Blicavs tabled a petition submitted by Mr M Corban, which had been signed by 222 local people, including residents and business owners, calling for Crown Street Mall to be reopened to traffic.

KEEP AUSTRALIA BEAUTIFUL CLEAN BEACHES 2011 AWARDS

Deputy Lord Mayor, Councillor David Brown, presented an award from the Keep Australia Beautiful Clean Beaches 2011 Awards. The Highly Commended award was won by Brighton Beach. Brighton Beach was awarded Illawarra's best beach in the four categories of Community Partnership, Litter and Waste Management, Friendly Beach and Litter and overall Clean Beach, and then went forward to the state competition.

There is only one Highly Commended award granted state-wide so this is a significant recognition of the work of Council staff in designing and completing the Blue Mile works and also recognises the staff and community groups that help keep the area presentable and safe.

Confirmation of Minutes

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 28 NOVEMBER 2011

270

RESOLVED on the motion of Councillor Brown seconded Councillor Martin that the Minutes of the Ordinary Meeting of Council held on Monday, 28 November 2011 (a copy having been circulated to Councillors) be taken as read and confirmed.

Public Access Forum

PLANNING PROPOSAL FOR GLENIFFER BRAE

Mr A Snell from the Conservatorium of Music advised that the Conservatorium is committed to the preservation of the heritage assets at Gleniffer Brae. The assets have been allowed to deteriorate and must be preserved for the community. Gleniffer Brae needs to continue with a purpose, not as a museum exhibit and for this reason, the Conservatorium strongly supports the proposal from the University of Wollongong (UOW). It provides a much-needed upgrade of Conservatorium facilities, making Wollongong the only Conservatorium in NSW with a purpose-built home. In addition, the site remains in public ownership and the heavy burden of maintenance is transferred to UOW for at least the next 25 years. The Conservatorium has been consulted at regular intervals by the University and it is confident that the new building will meet both current and future needs.

Mr Snell said that current facilities are unsuitable, old (to the point of disrepair) and too small. Students are being turned away, not because of a lack of teachers, but because there are no spare rooms. There is no performance space, no heating in winter and no air-conditioning in summer, and as well, the unisex toilets are a significant child-protection issue. If the UOW proposal is rejected Mr Snell said the Conservatorium will have to consider relocating from Gleniffer Brae in order to ensure its survival.

Mr K Tognetti said that there is much talk about involving the public in big decisions and yet there has been no public meeting on this matter since the election of the new Council. Mr Tognetti said that although the proposal may have merit there is still public confusion regarding details such as the size of the buildings, whether they blend in with the special character of the manor house and the long-term implications of leasing to the University.

Mr Tognetti said that Councillor Martin summed it up in the 9 December Illawarra Mercury article by asking that 'there be conversation about whether this is the direction we want to go'. Mr Tognetti felt that it would be most unwise for Council to reclassify the land before making some attempt to allay the concerns of ratepayers.

DRAFT PLANNING PROPOSAL – 95 MORRISON AVENUE, WOMBARRA

Mr A Lester of NLA Architecture advised that the application to rezone the 1.2ha property from E3 to E4 began almost three years ago. Council's recommendation to rezone only the southern portion of the property to E4 and specify a minimum lot size satisfies the intent of the original proposal by limiting subdivision to three lots and giving due consideration to issues raised as well as relevant planning controls.

Mr Lester said the proposal would satisfy various planning controls by utilising an existing cleared area of the site with flexible lots, at a density up to three times less than neighbouring development, and capable of dealing with site waste water, runoff and bushfire management. The use of this area for development also allows for the more heavily vegetated portion of the site to remain as E3. Geotechnical constraints and landslip reporting indicate that development on the southern portion of the site is feasible. The character and visual amenity of the area would not be adversely affected and a precedent for rezoning would not be set by the proposal as the merits of each submission would be assessed by Council and State Departments. Also site conditions, landscaping and future development would all be assessed against the relevant controls and development application guidelines.

Mr A Sarbutt said the proposal for 95 Morrison Ave Wombarra has differing views from specialist reports, and geological reports state that further investigation is required into the feasibility of being able to reduce a moderate to high risk of landslip to a low risk, with no guarantee of success. He stated that the works can easily have detrimental effects on adjoining properties.

Mr Sarbutt asked Councillors to support Option 1 of the draft planning proposal for 95 Morrison Avenue, Wombarra and asked that there be no change to the current development standards. He felt that Council should retain the E3 Environmental Management and not permit any additional dwellings.

CROWN STREET MALL REFURBISHMENT

Mr D Laing, Chair of the Illawarra Property Council, called on Councillors to commit public funding to the City Centre. However, he said that Council must ensure that the solution to revitalisation was evidence-based, incorporating the need to create greater economic opportunities for both existing and potential businesses, including new jobs, in addition to a better public realm for the people of greater Wollongong.

In light of the current report being solely about the current Crown Street Mall development application and exclusive of relevant economic data, the \$250m plus of new commitment by the private sector and wider city planning relating to the revitalisation of Wollongong and its leadership of the region, the Property Council seeks to assist Council in gaining this information through expertise and visiting rejuvenated cities to assist Councillors in making an informed decision to lead this City to its full potential.

Mr F Bronneberg said that whilst applauding the support for the key principle of maintaining Crown Street as a pedestrian environment in the heart of the city, Neighbourhood Forum 5 reacted with extreme concern at the totally inadequate report from Council engineers recommending that the current design be built. The Forum did not believe an informed decision could be made on the basis of a report that appeared to be significantly deficient in a number of areas and the Forum considered that a further report detailing options, issues and funding was essential.

The estimated cost shown in the report as \$15 million is expected to be significantly higher, probably at least \$20 million, after taking into account that items listed in an attachment to the report were not included. Also, Mr Bronneberg stated there is an unrealistic contract contingency compared to industry experiences and there have been reported blowouts in costs of some major Council projects of late. Issues not adequately discussed include funding sources, realistic alternative designs, opportunities foregone for other investment and relative costs and benefits given the scarcity of funds, particularly Section 94, as well as the marketing and social impact of downgrading the amphitheatre.

COLEDALE BEACH RESERVE PLAN OF MANAGEMENT - AMENDMENT 2011

Mr P Armstrong advised that the report recommending that the Plan of Management for Coledale Beach Reserve to permit structures to be built at Coledale Beach in an area designated as grassed reserve, is inadequate and should be refused. The proposed structure will be within the 50 year hazard line (where building is not permitted). No independent Heritage Impact statement has been provided and the facility is within the heritage curtilage of a listed item. He said the proposed structure will breach Council's own view-sharing guidelines set down by the Land and Environment Court. The facility cannot be approved under the 2009 Local Environmental Plan. The proposed facility will be 1 to 1.25m higher than the temporary facility which itself is already higher than the boatshed (which Council is relying on as a precedent).

Mr Armstrong said the recommendation to allow structures in the grassed reserve is a cheap, ugly and convenient work-around that will permanently detract from the visual amenity of Coledale Beach. He said that he had no problem with the temporary facility remaining in place for say one more season to allow time to achieve the right result, ie that the existing surf club is extended or modified for functionality as per the 2004 Plan of Management and the area returned to grassed reserve.

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RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Martin that -

- 1 The speakers be thanked for their presentations and invited to table their notes.
- 2 The Public Access Forum policy be included for consideration with Council's deliberation of the Code of Meeting Practice.

Notice of Motion

ITEM 1 - COUNCILLOR CRASNICH - PROVISION OF INFRASTRUCTURE FOR CROCKER'S GYM, DANDALOO HOTEL SPORTING COMPLEX

272 **RESOLVED UNANIMOUSLY** on the motion of Councillor Crasnich seconded Councillor Dorahy that Council consider funding infrastructure upgrades in the 2012 - 2013 budget for Crocker's Gym located at the Dandaloo Hotel Sporting Complex, Kanahooka Road, Dapto, which runs a series of youth programs that are successful in helping adolescents in the area.

CALL OF THE AGENDA

273 **RESOLVED UNANIMOUSLY** on the motion of Councillor Brown seconded Councillor Martin that the staff recommendations for Items 2, 7, 16, 20 and 21 be adopted as a block.

Office of the General Manager

ITEM 2 - INAUGURATION OF THE BUDDHA MEMORIAL CENTRE AT FO GUANG SHAN IN KAOSHIUNG, TAIWAN

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 273).

COUNCIL'S RESOLUTION - The Lord Mayor be authorised to represent Council at the inauguration of the Buddha Memorial Centre at Fo Guang Shan Monastery in Kaoshiung Taiwan from 26 to 28 December 2011, noting that the Lord Mayor will be accompanied by the Lady Mayoress and all expenses surrounding the visit to Kaoshiung including airfares will be paid by the Fo Guang Shan Monastery.

Corporate and Community Services

ITEM 3 - YOUTH CONSULTATION OPTIONS

274

RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Martin that Council endorse the implementation of the *Wollongong City Council Engagement Strategy for Young People 2012-2013*.

DISCLOSURE OF INTEREST

Councillor Takacs declared a pecuniary conflict of interest in Item 4 due to his employment at the University of Wollongong; he and his daughter are students of the Conservatorium of Music and he also has family who own property close to the site. Councillor Takacs vacated the Council Chambers during discussion and voting on Item 4.

DEPARTURE OF COUNCILLOR

During consideration of Item 4 and prior to voting on the item, Councillor Crasnich departed and returned to the meeting, the times being from 7.17 pm to 7.18 pm.

Planning and Environment Department

ITEM 4 - PLANNING PROPOSAL FOR GLENIFFER BRAE - LOT 3 DP 252694, CORNER MURPHYS AVENUE AND ROBSONS ROAD, KEIRAVILLE

275

MOVED Councillor Brown seconded Councillor Connor that -

- 1 A draft Planning Proposal be submitted to the NSW Department of Planning and Infrastructure for Lot 3 DP 252694 corner of Murphys Avenue and Robsons Road, Keiraville, to amend the Wollongong Local Environmental Plan 2009 by:

- a) Reclassifying part of Lot 3 DP 252694 (as shown as proposed Lots 100 and 101 in Attachment 1 of the report) from Community Land to Operational Land and removal of any real or perceived trusts, caveats and interests from the land;
- b) Rezoning part of Lot 3 DP 252694 (as shown as proposed Lot 100 in Attachment 1 of the report) from RE1 Public Recreation to SP2 Infrastructure — Education Establishment;
- c) Amending Schedule 1 (Additional Permitted Uses) to include the following additional permitted uses with consent on that part of Lot 3 DP 252694 (i.e. proposed Lot 101) which is zoned RE1 Public Recreation:
 - o Function Centre;
 - o Educational Establishment;
- d) Amending Part 7 (Local provisions-general) to include objectives and controls for the land which is proposed to be zoned SP2 Infrastructure — Education Establishment (i.e. proposed Lot 100) as follows:

Land Adjacent to Gleniffer Brae which is zoned SP2 – Education Establishment

- (1) *The objectives of this clause are as follows:*
 - (a) *to permit the establishment of an educational facility that includes facilities for staff and students and associated support services, excluding student accommodation.*
 - (b) *to ensure that the development of the site is undertaken in a manner that demonstrates design of a high quality with respect to the context of the site, scale, built form and density of the development, resources, energy and water efficiency, landscape, amenity, safety and security, social dimensions and aesthetics.*
- (2) *This clause applies to land adjacent to Gleniffer Brae which is zoned SP2 – Education Establishment and which comprises or formerly comprised part of Lot 3 DP 252694.*
- (3) *Development consent must not be granted to development for the purposes of a building or buildings on land to which this clause applies if the combined gross floor area of the buildings would be greater than 10,000 square metres; and*

- (4) *Development consent must not be granted unless a design review panel has reviewed the proposed development.*
- e) Amending the Height Map to increase the maximum permissible height from 9m to 15m on the land zoned SP2 Infrastructure — Education Establishment (ie proposed Lot 100).
- 2 The design review panel will be tasked with ensuring the application demonstrates design excellence as described in Wollongong LEP 2009, clause 8.5 – local provisions, Wollongong City Centre, to the extent they can be applied to the site.
 - 3 If endorsed, the draft Planning Proposal be exhibited in accordance with the Department's Guidelines "Local Environmental Plans and Council Land"; for a minimum period of two (2) months.
 - 4 A public hearing into the reclassification to be held during the exhibition period.
 - 5 Any sale of Lot 100 to the University be subject to a clause that requires the University, if it wishes to sell the land, to sell it only to the Council and only at a price reflecting the original sale price, plus CPI, plus the value of improvements.
 - 6 The proposed Lease of Lot 101 be for a term of 25 years and not include an option period.
 - 7 The proposed lease of Lot 101 proceed only after a Memorandum of Understanding between the University and Council is agreed that permits public access within the Manor House at suitable open days.

An AMENDMENT was MOVED by Councillor Martin seconded Councillor Merrin that –

- 1 The matter of the planning proposal for reclassification, followed by rezoning, lease and partial sale of the heritage listed Gleniffer Brae and the Sorenson Garden property not proceed.
- 2 Council fully consult with the broader community, the Writers' Centre, Conservatorium of Music, University of Wollongong, National Trust, the Historic Houses Trust and Museums and Galleries NSW and the community towards identifying other options for the future of Gleniffer Brae and the Paul Sorenson Gardens.

- 3 A report be provided to Council by the end of March 2012 that provides options for the future of Gleniffer Brae and the Sorenson Gardens that match our vision for the City.

The AMENDMENT on being PUT to the VOTE was LOST.

In favour Councillors Martin, Merrin, Curran, Petty and Bradbery

Against Councillors Connor, Brown, Blicavs, Dorahy, Colacino and Crasnich

The MOTION was PUT and CARRIED.

In favour Councillors Connor, Brown, Blicavs, Dorahy, Colacino and Crasnich

Against Councillors Martin, Merrin, Curran, Petty and Bradbery

ITEM 5 - DRAFT PLANNING PROPOSAL - HUNTLEY AND AVONDALE MINE COLLIERY SITE - POST EXHIBITION REPORT

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MOVED by Councillor Connor seconded Councillor Martin that -

- 1 A finalised Planning Proposal for part of the former Huntley and Avondale Colliery site be submitted to the NSW Department of Planning and Infrastructure for approval that:
 - a Rezones Lot 1 DP 549152 from 1 Non Urban under the Wollongong Local Environmental Plan 1990 to RE2 Private Recreation and R2 Low Density Residential;
 - b Rezones Lot 2 DP 549152 from 7(b) Environmental Protection Conservation and 1 Non Urban under the Wollongong Local Environmental Plan 1990 to RE2 Private Recreation, R2 Low Density Residential, E4 Environmental Living and E2 Environmental Conservation;
 - c Rezones Lot 1 DP 382339 from 1 Non Urban under the Wollongong Local Environmental Plan 1990 to RE2 Private Recreation;
 - d Rezones Lot 1 DP 229358 from 1 Non Urban under the Wollongong Local Environmental Plan 1990 to RE2 Private Recreation, R2 Low Density Residential, E4 Environmental Living and E2 Environmental Conservation;
 - e Rezones Lot 2 DP 229358 from RU2 Rural Landscape and E2 Environmental Conservation to RE2 Private Recreation,

- R2 Low Density Residential, and E2 Environmental Conservation;
- f Rezones Lot 14 DP 3083 from E2 Environmental Conservation and RU2 Rural Landscape to RE2 Private Recreation, R2 Low Density Residential, E4 Environmental Living and E2 Environmental Conservation;
 - g The R2 Low Density Residential zones have a floor space ratio of 0.5:1, minimum lot size of 450m² and maximum height limit of 9m (two (2) storey);
 - h The small R2 Low Density Residential zone area, located on the northern side of Avondale Road, have a floor space ratio of 0.75:1, minimum lot size of 300m² and maximum height limit of 9m (two (2) storey);
 - i The E4 Environmental Living zone have a floor space ratio of 0.3:1, minimum lot size of 1,500m² and maximum height limit of 9m (two (2) storey); and
 - j The Urban Release Area Map in the Wollongong Local Environmental Plan 2009 be amended to include the site, which will trigger the need for a Neighbourhood Plan and satisfactory arrangements for infrastructure provision.
- 2 A draft Neighbourhood Plan be prepared for inclusion in the Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area.
 - 3 The West Dapto Release Area Section 94 Development Contributions Plan be updated to include the subject site.
 - 4 A Vegetation Management Plan be developed as part of any future development application for residential development on the site.

An AMENDMENT was MOVED by Councillor Takacs seconded Councillor Brown that -

- 1 A finalised Planning Proposal for part of the former Huntley and Avondale Colliery site be submitted to the NSW Department of Planning and Infrastructure for approval that:
 - a Rezones Lot 1 DP 549152 from 1 Non Urban under the Wollongong Local Environmental Plan 1990 to RE2 Private Recreation and R2 Low Density Residential;
 - b Rezones Lot 2 DP 549152 from 7(b) Environmental Protection Conservation and 1 Non Urban under the Wollongong Local Environmental Plan 1990 to RE2 Private

- Recreation, R2 Low Density Residential and E2 Environmental Conservation;
- c Rezones Lot 1 DP 382339 from 1 Non Urban under the Wollongong Local Environmental Plan 1990 to RE2 Private Recreation;
 - d Rezones Lot 1 DP 229358 from 1 Non Urban under the Wollongong Local Environmental Plan 1990 to RE2 Private Recreation, R2 Low Density Residential and E2 Environmental Conservation;
 - e Rezones Lot 2 DP 229358 from RU2 Rural Landscape and E2 Environmental Conservation to RE2 Private Recreation, R2 Low Density Residential and E2 Environmental Conservation and that development not endanger ecological communities;
 - f Rezones Lot 14 DP 3083 from E2 Environmental Conservation and RU2 Rural Landscape to RE2 Private Recreation, R2 Low Density Residential, E4 Environmental Living and E2 Environmental Conservation;
 - g The R2 Low Density Residential zones have a floor space ratio of 0.5:1, minimum lot size of 450m² and maximum height limit of 9m (two (2) storey);
 - h The small R2 Low Density Residential zone area, located on the northern side of Avondale Road, have a floor space ratio of 0.75:1, minimum lot size of 300m² and maximum height limit of 9m (two (2) storey);
 - i The E4 Environmental Living zone have a floor space ratio of 0.3:1, minimum lot size of 1,500m² and maximum height limit of 9m (two (2) storey); and
 - j The Urban Release Area Map in the Wollongong Local Environmental Plan 2009 be amended to include the site, which will trigger the need for a Neighbourhood Plan and satisfactory arrangements for infrastructure provision.
 - k The E2 zones that already exist remain E2 and in addition, anything that is an Endangered Ecological Community also be rezoned E2.
- 2 A draft Neighbourhood Plan be prepared for inclusion in the Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area.
- 3 The West Dapto Release Area Section 94 Development Contributions Plan be updated to include the subject site.

- 4 A Vegetation Management Plan be developed as part of any future development application for residential development on the site.

The AMENDMENT on being PUT to the VOTE was LOST.

In favour Councillors Brown, Takacs, Merrin, Curran and Petty

Against Councillors Connor, Martin, Blicavs, Dorahy, Colacino, Crasnich and Bradbery

The MOTION was PUT and CARRIED.

In favour Councillors Brown, Connor, Martin, Blicavs, Dorahy, Colacino, Crasnich and Bradbery

Against Councillors Takacs, Merrin, Curran and Petty

ADJOURNMENT OF MEETING

277 **RESOLVED** on the motion of Councillor Petty seconded Councillor Brown that the meeting adjourn for five minutes.

At this stage, the time 8.01 pm the meeting was adjourned. The meeting resumed at 8.06 pm.

ITEM 6 - PLANNING PROPOSALS TO AMEND THE WOLLONGONG LOCAL ENVIRONMENTAL PLAN (WEST DAPTO) 2010 - REPORT ON SUBMISSIONS

278 **RESOLVED UNANIMOUSLY** on the motion of Councillor Martin seconded Councillor Connor that the Planning Proposal be submitted to the NSW Department of Planning and Infrastructure to amend the Wollongong Local Environmental Plan (West Dapto) 2010 in the following manner:

- a The Land Zoning Map be amended by:
- i Rezoning Part Lot 1 DP 657171 and Part Lot 1 DP 1118463 to RE1 Public Recreation to reflect the proposed Darkes Road recreation area; and
 - ii Part of Lot 11 DP 229044 Hamilton Street be zoned IN2 Light Industrial and consequential amendments be made to the Floor Space Ratio Map and the Minimum Lot Size Map to

show 0.5:1 and 4 hectares, respectively.

- b The Lot Size Map be amended by:
 - i Reducing the minimum lot size for the R2 Low Density Residential zone and R3 Medium Density Residential zone from 450m² to 300m² within 300 metres of the Darkes Road and Bong Bong Town Centres; and
 - ii Increasing the minimum lot size for part Lot 14 DP 255284 from 450m² to 40 hectares.
- c Schedule 5 Environmental Heritage be amended by:
 - i Deleting the listing for houses at 10 and 13 Marshall Street, Dapto;
 - ii Deleting the listing for “Glen Avon” House and Dairy;
 - iii Deleting the listing for Wongawilli Mine Railway behind Wongawilli Village on Lot 14 DP 255284;
 - iv Amending the significance of Dapto Railway Station and Dapto Station Master’s Residence from State to Local;
 - v Correcting the wording of “Morton Bay” Fig to “Moreton Bay” Fig for heritage items 6326, 6329 and 61020; and
 - vi Correcting the reference number for Wongawilli Community Hall.
- d The Heritage Maps be amended by:
 - i Deleting 10 and 13 Marshall Street, Dapto;
 - ii Deleting “Glen Avon” House and Dairy;
 - iii Including the Dapto Station Master’s Residence and Dapto Railway Station;
 - iv Correcting the reference number for Wongawilli Mine Managers’ Cottage;
 - v Correcting the reference number for Coral Vale Kitchen; and
 - vi Correcting the reference number for Wongawilli Community Hall.
- e The Land Acquisition Reservation Map be amended to indicate Council’s proposed acquisition of the following sites;
 - i Part Lot 562 DP 82327 between Wylie Road and Reddalls Road for a local road;
 - ii Various lots adjoining Darkes Road for local road widening;
 - iii Various lots adjoining West Dapto Road for local road

widening;

- iv Part Lot 2 DP 658275 and part Lots 7, 8 and 9 DP 33650 for local road widening of Iredell Road; and
- iv Part Lot 1 DP 1118463 for local open space.
- f Lots 1 and 2 DP 747729 Wongawilli Road, Wongawilli be rezoned to R2 Low Density Residential with a Floor Space Ratio of 0.5:1, height of 9m and a minimum lot size of 450m² (in accordance with NSW Department of Planning and Infrastructure direction).
- g Clause 4.1 Minimum Subdivision Size be amended to enable residual land resulting from the subdivision of lots with a split zone to be excluded from the lot size calculations.

ITEM 7 - WEST DAPTO RELEASE AREA - SECTION 94 DEVELOPMENT CONTRIBUTIONS PLAN - 2011 MINOR UPDATE - REPORT ON SUBMISSIONS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 273).

COUNCIL'S RESOLUTION -

- 1 The West Dapto Release Area - Section 94 Development Contributions Plan (2011) (Attachment 2 of the report) be adopted with the minor amendments as outlined in the report.
- 2 The adoption of the Plan be notified in the local newspapers in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

ITEM 8 - PLANNING PROPOSAL FOR LOT 202 DP 1017684 (60 SMITHS LANE, WONGAWILLI) AND LOT 203 DP 1017684 (40 WONGAWILLI ROAD, WONGAWILLI)

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RESOLVED UNANIMOUSLY on the motion of Councillor Martin seconded Councillor Curran that –

- 1 A draft Planning Proposal be submitted to the NSW Department of Planning and Infrastructure for Lot 202 DP 1017684 (60 Smiths Lane, Wongawilli) and Lot 203 DP 1017684 (40 Wongawilli Road,

Wongawilli), to amend the Wollongong Local Environmental Plan (West Dapto) 2010 by amending the Minimum Subdivision Lot Size Map from 39.99ha to:

- i 0.99ha on land zoned E2 Environmental Conservation and part of E3 Environmental Management; and
 - ii 1,999m² on part of the land zoned E3 Environmental Management (shown at attachment 4 of the report).
- 2 If endorsed, the draft Planning Proposal be exhibited in accordance with the NSW Department of Planning and Infrastructure's guidelines for a minimum period of twenty-eight (28) days.

DISCLOSURE OF INTEREST

Manager Environmental Strategy and Planning, Ms R Campbell, declared a pecuniary conflict of interest in relation to Item 9 due to residing within 200 metres of the site. Ms Campbell advised that she has had no involvement in the assessment of the proposal and she vacated the Council Chambers during discussion of Item 9.

DEPARTURE OF COUNCILLOR

During consideration of Item 9 and prior to voting on the item, Councillor Colacino departed and returned to the meeting, the times being from 8.10 pm to 8.12 pm.

ITEM 9 - DRAFT PLANNING PROPOSAL FOR WARRIGAL CARE AT 208-212 CORRIMAL STREET AND 25 BEACH STREET, WOLLONGONG

MOVED Councillor Brown seconded Councillor Takacs that –

- 1 A draft Planning Proposal not be prepared for the Warrigal Care site at 208-212 Corrimal Street and 25 Beach Street Wollongong (Lots 35, 36 and 37 DP19969; Lots A, B and C DP401196 and Lot 38 DP19969).
- 2 A vision for the Wollongong south precinct bound by Ellen, Glebe,

Corrimal, Swan and Auburn Streets be prepared in line with the Wollongong CBD Action Plan 2010 timeframe of 2013 -2014.

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An **AMENDMENT** was MOVED by Councillor Blicavs seconded Councillor Curran that –

- 1 A draft Planning Proposal be submitted to the NSW Department of Planning and Infrastructure for the Warrigal Care site at 208-212 Corrimal Street and 25 Beach Street, Wollongong (Lots 35, 36, 37 and 38 DP19969; Lots A, B and C DP401196) to amend the Wollongong Local Environmental Plan 2009 by –
 - a increasing the maximum building height limit from 9 metres to 32 metres; and
 - b increasing the floor space ratio from 0.5:1 to 1.5:1.
- 2 If endorsed, the draft Planning Proposal be exhibited for a minimum period of 28 days.

A FORESHADOWED AMENDMENT was MOVED by Councillor Dorahy seconded Councillor Crasnich that –

- 1 A draft Planning Proposal be submitted to the NSW Department of Planning and Infrastructure for the Warrigal Care site at 208-212 Corrimal Street and 25 Beach Street, Wollongong (Lots 35, 36, 37 and 38 DP19969; Lots A, B and C DP401196) to amend the Wollongong Local Environmental Plan 2009 by –
 - a increasing the maximum building height limit to 21 metres; and
 - b increasing the floor space ratio from 0.5:1 to 1.5:1.
- 2 If endorsed, the draft Planning Proposal be exhibited for a minimum period of 28 days.

The AMENDMENT on being PUT to the VOTE was CARRIED.

In favour Councillors Blicavs, Dorahy, Colacino, Crasnich, Curran and Bradbery.
The Lord Mayor used his Casting Vote in support of the Amendment.

Against Councillors Connor, Brown, Martin, Takacs, Merrin and Petty

The AMENDMENT then BECAME the MOTION.

The FORESHADOWED AMENDMENT then BECAME the AMENDMENT.

The AMENDMENT on being PUT to the VOTE was LOST.

In favour Councillors Dorahy, Crasnich and Curran

Against Councillors Connor, Brown, Martin, Takacs, Merrin, Blicavs, Colacino, Petty and Bradbery

The MOTION was PUT and CARRIED.

In favour Councillors Curran, Crasnich, Colacino, Dorahy, Blicavs and Bradbery
The Lord Mayor used his Casting Vote in support of the Motion.

Against Councillors Connor, Brown, Martin, Takacs, Merrin and Petty

DECLARATION OF INTEREST

Director Planning and Environment, Mr A Carfield, declared a pecuniary conflict of interest in relation to Item 10 as he has a relative living in close proximity to the site. Mr Carfield advised that he has had no involvement in the assessment of the proposal and absented himself from the meeting during discussion and voting on the matter.

ITEM 10 - DRAFT PLANNING PROPOSAL - 95 MORRISON AVENUE, WOMBARRA - REPORT ON SUBMISSIONS

MOVED Councillor Brown seconded Councillor Martin that a finalised Planning Proposal for part of 95 Morrison Avenue, Wombarra (Lot 1 DP 14039) be submitted to the NSW Department of Planning and Infrastructure for approval seeking amendment to the Wollongong Local Environmental Plan 2009 by:

- 1 Rezoning the southern portion of Lot 1 DP 14039 from E3 Environmental Management to E4 Environmental Living with a floor space ratio of 0.3:1, a minimum lot size of 3,000m² and a

maximum height limit of 9 metres (two (2) storeys); and

- 2 Amending the Natural Resource Sensitivity – Biodiversity Map to reflect the cleared nature of the southern portion of the site.

The MOTION on being PUT to the VOTE was LOST.

In favour Councillors Brown, Martin, Takacs and Blicavs

Against Councillors Connor, Merrin, Dorahy, Colacino, Crasnich, Curran, Petty and Bradbery

DECLARATION OF INTEREST

The Lord Mayor advised that he was previously the Minister at the Church on the Mall, Crown Street, Wollongong. He occasionally conducts pastoral services retaining his membership and recognition as an ordained Minister of the Uniting Church in Australia. There is no stated position of “the Church on the Mall” and the Uniting Church in Australia (NSW Synod) Property Trust concerning the future of the Mall and lower Crown Street, configuration and planning proposals.

The Lord Mayor declared a non pecuniary conflict of interest that is less than significant and he remained in the Chambers during discussion and voting on Item 11. (Code of Conduct – Councillors (Clauses 7.11-7.17).

DEPARTURE OF COUNCILLORS

During consideration of Item 11 and prior to voting on the item, Councillor Crasnich departed at 9.30 pm and returned to the meeting at 9.32 pm and Councillor Petty departed at 9.44 pm and returned to the meeting at 9.46 pm.

EXTENSION OF MEETING TIME

- 281** **RESOLVED** on the motion of Councillor Petty seconded Councillor Dorahy that the meeting time be extended by 30 minutes.

EXTENSION OF TIME TO ADDRESS MEETING - ITEM 11

- 282** **RESOLVED** on the motion of Councillor Martin seconded Councillor Curran that Councillor Brown be granted an extension of time to address the meeting.
- 283** **RESOLVED** on the motion of Councillor Brown seconded Councillor Martin that Councillor Blicavs be granted an extension of time to address the meeting.
- 284** **RESOLVED** on the motion of Councillor Brown seconded Councillor Blicavs that Councillor Dorahy be granted an extension of time to address the meeting.
- 285** **RESOLVED** on the motion of Councillor Brown seconded Councillor Connor that Councillor Merrin be granted an extension of time to address the meeting.

Infrastructure and Works Department

ITEM 11 - CROWN STREET MALL REFURBISHMENT

- 286** **MOVED** Councillor Brown seconded Councillor Martin that -
- 1 The design for the Crown Street Mall refurbishment, prepared by the Government Architect's Office, be adopted
 - 2 The Joint Regional Planning Panel be requested to determine the current development application.
 - 3 A briefing be held for Councillors that gives options, via either an amendment to the development application, a new development application or condition variations that do not delay progress of the adopted design, to review: the type of seating, the children's water-

- play area, additional children's play areas, tree species, lighting configuration, options for public art (including film and performance art), options for rain protection for pedestrians.
- 4 A report come back to Council that identifies options to fast-track de-cluttering parts of the mall by removal of structures, such as plant boxes, that can occur at reasonable cost and without delaying progress of the adopted design.
 - 5 A report be presented to Councillors for options to provide public toilets and water bubblers in the CBD.
 - 6 An annual program of events to be held in the revamped Mall be presented to Councillors for review in conjunction with annual budget deliberations.
 - 7 A report come back to Council on the feasibility of creating a true Town Square by considering a future extension one block to the east.
 - 8 A report be submitted on including a cycleway through the centre of the Mall as part of a 'station to the sea' active transport link.

An AMENDMENT was MOVED by Councillor Blicavs seconded Councillor Crasnich that -

- 1 Council commit to the redevelopment of Crown Street Mall as part of the Revitalisation of the City Centre with works commencing in February 2013.
- 2 The current plans for the western end of the Mall, between Keira Street and Church Street become Stage 1 of works.
- 3 A Committee be formed of Councillors and relevant Council Officers to review the plans for Stage 2, the eastern end of the Mall from Church Street to Kembla Street, with a view to workshoping and investigating options not previously considered.
- 4 Further research be undertaken into how the Mall can better complement the operations of the CBD and the economic impacts of the GPT development proceeding and UOW students residing in the City Centre.
- 5 This Committee report back on workshop results and research findings in the first quarter of 2012 with a plan for Stage 2 of the Mall redevelopment.
- 6 After some minor design adjustments, to be determined by the Committee, Stage 1 be submitted to the Joint Regional Planning Panel in early 2012.

A FORESHADOWED AMENDMENT was MOVED by Councillor Curran seconded Councillor Crasnich that –

- 1 The item be deferred until the February 2012 Council meeting.
- 2 Interested people meet at a suitable time and venue, such as the Mall.

The AMENDMENT on being PUT to the VOTE was LOST.

In favour Councillors Blicavs, Dorahy, Colacino, Crasnich and Curran
Against Councillors Connor, Brown, Martin, Takacs, Merrin, Petty and Bradbery

The FORESHADOWED AMENDMENT then BECAME the AMENDMENT.

The AMENDMENT on being PUT to the VOTE was LOST.

In favour Councillors Curran and Crasnich
Against Councillors Connor, Brown, Martin, Takacs, Merrin, Blicavs, Dorahy, Colacino, Petty and Bradbery

The MOTION was PUT and CARRIED.

In favour Councillors Connor, Brown, Martin, Takacs, Merrin, Blicavs, Dorahy, Colacino, Crasnich and Bradbery
Against Councillors Curran and Petty

SUSPENSION OF STANDING ORDERS

287 **RESOLVED** on the motion of Councillor Brown seconded Councillor Connor that Item 15 be considered as the next item of business under Suspension of Standing Orders.

ITEM 15 - COLEDALE BEACH RESERVE PLAN OF MANAGEMENT - AMENDMENT 2011

288 **RESOLVED UNANIMOUSLY** on the motion of Councillor Connor seconded Councillor Blicavs that Council defer this matter until a report is received that addresses options for the refurbishment of the Coledale Surf Clubhouse to meet public safety and WorkCover requirements.

Standing Orders were resumed

ITEM 12 - T11-17 TENDER FOR REPAIRS AND INSTALLATION OF CATHODIC PROTECTION TO BLUE DIVERS BRIDGE OVER TOWRADGI CREEK, PIONEER ROAD, TOWRADGI

289 **RESOLVED UNANIMOUSLY** on the motion of Councillor Brown seconded Councillor Martin that –

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Marine & Civil Maintenance Pty Ltd for the provision of repair of structural defects and the design, installation and commissioning of an Impressed Current Cathodic Protection system to concrete bridge over Towradgi Creek, Pioneer Road, Towradgi in the sum of \$427,685 excluding 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 - T11-19 TENDER FOR GENERATOR CONTINGENCY UPGRADES - ADMINISTRATION BUILDING

290 **RESOLVED UNANIMOUSLY** on the motion of Councillor Brown seconded Councillor Dorahy that –

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Stowe Australia for Generator Contingency Upgrades Administration Building, in the sum of \$171,990 excluding 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 14 - WEST DAPTO INITIAL ACCESS STRATEGY - PROJECT UPDATE

291 **RESOLVED UNANIMOUSLY** on the motion of Councillor Connor seconded Councillor Crasnich that –

- 1 The update on implementation of the Initial Access Strategy be noted.
- 2 A reassessment be undertaken of key locations along the South Coast railway line in West Dapto to determine the optimum transport access points and their sequencing.
- 3 A Committee of the Lord Mayor and all Ward 3 Councillors be established to oversee the development of a preferred access strategy south of Bong Bong Road.
- 4 A taskforce be established of State Government Agencies and Council to finalise and coordinate the infrastructure delivery for the West Dapto Release.

ITEM 15 - COLEDALE BEACH RESERVE PLAN OF MANAGEMENT - AMENDMENT 2011

This Item was considered under Suspension of Standing Orders (refer Minute numbers 287 and 288).

ITEM 16 - WAPLES ROAD, UNANDERRA - PROPOSED ACQUISITION OF PORTION OF LOT 36 DP 1075053 FROM CEDARS CHRISTIAN COLLEGE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 273).

COUNCIL'S RESOLUTION -

- 1 Council authorise the acquisition of the portion of Lot 36 DP 1075053 Waples Road, Unanderra, as shown shaded on Attachment 1 of the report, for an amount of \$1,500 (GST exc) and upon acquisition, the land be dedicated as public road.
- 2 Authority be granted to affix the Common Seal of Council to the transfer document and to any other documents required to give effect to this resolution.

ITEM 17 - CORDEAUX ROAD, KEMBLA HEIGHTS - PROPOSED PERMANENT CLOSURE OF PORTION

- 292** **RESOLVED UNANIMOUSLY** on the motion of Councillor Blicavs seconded Councillor Brown that this matter be deferred to the Council meeting on 30 January 2012 so that further discussions can be undertaken with Fire Services.

DEPARTURE OF COUNCILLOR

During consideration of Item 18, the time being 10.08 pm, Councillor Colacino departed the meeting.

ITEM 18 - MT KEIRA SUMMIT PARK KIOSK / RESTAURANT - PROPOSED AMENDMENT TO THE 2011 GENERIC PLAN OF MANAGEMENT FOR COMMUNITY LAND

- 293** **RESOLVED UNANIMOUSLY** on the motion of Councillor Brown seconded Councillor Blicavs that –

- 1 Council authorise the public exhibition of the proposed amendment to the 2011 Generic Plan of Management (Attachment 1 of the report) under the Local Government Act 1993 Community Land Provisions.
- 2 After the required 42 day exhibition/submission period and after the holding of a public hearing chaired by an independent chairperson, a further report be submitted to Council.

RETURN OF COUNCILLOR

Following voting on Item 18, the time being 10.13 pm, Councillor Colacino returned to the meeting.

ITEM 19 - KEIRA STREET, WOLLONGONG - PROPOSED ACQUISITION OF PROPERTY AT LOT 1 DP 152048

294 **RESOLVED UNANIMOUSLY** on the motion of Councillor Brown seconded Councillor Curran that –

- 1 Council acquire Lot 1 DP 152048, located at 275 Keira Street, Wollongong, for the amount of \$880,000 (GST exclusive).
- 2 Upon acquisition, the land be classified Community Land under the Local Government Act 1993
- 3 Council be responsible for the vendor's reasonable legal and valuation fees.
- 4 Authority be granted to affix the Common Seal of Council to the contract for sale associated with this transfer.

ITEM 20 - MINUTES OF THE CITY OF WOLLONGONG TRAFFIC COMMITTEE MEETING HELD 23 NOVEMBER 2011

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 273).

COUNCIL'S RESOLUTION - In accordance with the powers delegated to Council, the minutes and recommendations of the City of Wollongong Traffic Committee held 23 November 2011 in relation to Regulation of Traffic, be adopted.

ITEM 21 - MINUTES OF THE CITY OF WOLLONGONG TRAFFIC COMMITTEE MEETING HELD 7 DECEMBER 2011

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 273).

COUNCIL'S RESOLUTION - In accordance with the powers delegated to Council, the minutes and recommendations of the special electronic meeting of the City of Wollongong Traffic Committee held 7 December 2011 in relation to Regulation of Traffic, be adopted.

SEASONS GREETINGS

The Lord Mayor extended his best wishes for a great Christmas and he hoped that the day was both meaningful and happy.

THE MEETING CONCLUDED AT 10.15 PM.

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 30 January 2012.

Chairperson