



MINUTES

EXTRAORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 29 July 2013

Present

Lord Mayor – Councillor Bradbery OAM (in the Chair), Councillors Kershaw, Connor, Brown, Takacs, Martin, Merrin (from 6.01 pm), Blicavs, Dorahy, Colacino, Crasnich, Curran and Petty

In Attendance

General Manager – D Farmer, Director Planning and Environment – Nature, City and Neighbourhoods – A Carfield, Manager Governance and Information – L Kofod, Manager Environmental Strategy and Planning – R Campbell and Manager Development Assessment and Certification – M Riordan

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DISCLOSURES OF INTEREST

Councillor Martin declared a non-significant, non-pecuniary interest in all Items on the basis of her employment at the Department of Planning and Infrastructure. She advised that she does not work on Wollongong local government matters and she would remain in the Chambers during debate and voting on all Items.

Councillor Colacino advised of a possible pecuniary interest in Item 4 as his mother lives at Stanwell Tops and borders the boundary of the Gills Creek precinct. His mother's property is 100 metres from the area under consideration. He also advised that he lives at Stanwell Park.

Councillor Colacino said that in the interest of transparency and the desire for a clearer result, he would vacate the Chambers during debate and voting on the Item.

Councillor Merrin declared a non-significant, non-pecuniary conflict of interest due to the fact that she has a number of acquaintances and friends who live in the area. Councillor Merrin advised that she would remain in the Chambers during debate and voting on all Items.

Councillor Takacs declared a non-pecuniary, non-significant conflict of interest in Part 1 of the report's recommendation for Item 5 as a student enrolled in a subject which he coordinates resides in one of the affected properties, which is owned by her family.

Councillor Takacs requested that Council consider Part 1 of Item 5 separately, as he would like to be present during the debate and voting for Part 2 of the report's recommendation.

Councillor Petty advised that he owns land at 130 Walker Street, Helensburgh which is within the area affected by the draft Planning Proposal. Councillor Petty declared a non-significant, non-pecuniary interest in the matters covered by the report to Council because he lives at Helensburgh and is involved in the wider Helensburgh community. He also had a relationship with a number of persons who own land affected by the rezoning proposals. The report before Council is wide-ranging and considers a general rezoning of the former 7(d) Hacking River Environmental Protection zoned land at Helensburgh, Otford and Stanwell Tops.

Councillor Petty further advised that he did not have a particularly close relationship (as referred in the Model Code of Conduct) which would

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ordinarily disqualify him from taking part in the consideration of the items in the report (except for Items 7 and 8). In particular, his interest is the type which would not have to be disclosed under section 448(g) of the Local Government Act.

Councillor Petty said that his land at 130 Walker Street, Helensburgh is within the area to be considered under Item 7 and is in the proximity of land to be considered under Item 8. Because Items 7 and 8 are part of a much larger overall rezoning proposal for a significant part of the Council's area, he had decided to make a special disclosure of his pecuniary interest under section 451(4) of the Local Government Act. He elected to take part at the meeting to consider all of the items in the business paper; in particular Items 7 and 8, and to vote on matters relating to all Items. He disclosed that he may have an appreciable financial gain or an appreciable financial loss, depending on which position Council takes on Items 7 and 8.

(A copy of the Special Disclosure of Pecuniary Interest tabled by Councillor Petty will be appended to the official copy of the minutes, and retained in Council's records system.)



Councillor Curran advised that she had associates living in the Helensburgh area.

A PROCEDURAL MOTION was MOVED by Councillor Curran seconded Councillor Petty that in order for transparency to be preserved, any meetings held or representations made by any persons who may benefit from any amendment that alters the reports' recommendations be fully disclosed.

The PROCEDURAL MOTION on being PUT to the VOTE was LOST.

DEPARTURE OF COUNCILLOR

During discussion and prior to voting on Item 1 Councillor Crasnich departed and returned to the meeting, the time being from 6.29 pm to 6.30 pm.

EXTENSION OF TIME

A PROCEDURAL MOTION was moved by Councillor Merrin seconded Councillor Blicavs that an extension of five minutes be granted to Councillor Martin to address the meeting in relation to Item 1.

ITEM 1 - PLANNING PROPOSAL - REVIEW OF FORMER 7(D) LANDS AT HELENSBURGH, OTFORD AND STANWELL TOPS - REPORT ON EXHIBITION

142 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor Crasnich that -

- 1 The background information on the former 7(d) Hacking River Environmental Protection zoned lands, the exhibition arrangement and submissions received be noted.
- 2 A public hearing into the draft Planning Proposal for the land formerly zoned 7(d) Hacking River Environmental Protection at Helensburgh, Otford and Stanwell Tops not be held.

A PROCEDURAL MOTION was MOVED by Councillor Curran that Item 1 lay on the table and be considered as the last Item of business.

The PROCEDURAL MOTION on being PUT to the VOTE was LOST.

Councillor Colacino's motion on being PUT to the VOTE was CARRIED UNANIMOUSLY.

ITEM 2 - REVIEW OF 7(D) LANDS - LADY CARRINGTON ESTATE NORTH, GARRAWARRA AND ISOLATED LOTS IN THE ROYAL NATIONAL PARK PRECINCTS

MOVED Councillor Colacino seconded Councillor Blicavs that -

- 1 The part of the Planning Proposal for Lot 1 DP 616230 (Lady Carrington Estate North) which is now part of Garrawarra State Conservation Area, which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the land to E1 National Parks and Nature Reserves, be progressed to finalisation.
- 2 The part of the Planning Proposal for the Garrawarra precinct (excluding the Waterfall General [or Garrawarra] Cemetery) which seeks to amend the Wollongong Local Environment Plan 2009 by:
 - a Renaming the SP2 Infrastructure zone to SP2 Infrastructure "Health Service Facility and Seniors Housing";
 - b Making a minor adjustment to the SP2 Infrastructure zone boundary, on the north-east boundary, to reflect ownership;
 - c Removing the minimum lot size from the SP2 Infrastructure zoned land;

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- d Zoning the Sydney Catchment Authority land to E2 Environmental Conservation;
 - e Zoning the Crown Land to E2 Environmental Conservation, excluding Lot 1803 DP 822247 leased to the Sutherland Shire Sports Flying Association which will retain an E3 Environmental Management zone (as exhibited); and
 - f Zoning Lot 991 DP 723636 to E2 Environmental Conservation, be progressed to finalisation.
- 3
- i The part of the Planning Proposal for the isolated lots in the Royal National Park, which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the following lots from E3 Environmental Management to E2 Environmental Conservation and not permit any additional dwelling houses:
 - a Lot A DP 356469;
 - b Lot 1 DP 324239; and
 - c Lot 1 DP 434564 and part Lot 30 DP 752018, be progressed to finalisation.
 - ii Lot 1 DP 335557 remain as E3 Environmental Management.
- 4 The proposed rezoning of Lot 4 DP 840501 Waterfall General (or Garrawarra) Cemetery (owned by Council) to E2 Environmental Conservation zone not proceed, and the Cemetery retain an E3 Environmental Management zone. A further report be submitted on this site following the completion and review of the draft Conservation Management Plan.

143 COUNCIL'S RESOLUTION - An AMENDMENT was MOVED by Councillor Petty seconded Councillor Curran that -

- 1 The part of the Planning Proposal for Lot 1 DP 616230 (Lady Carrington Estate North) which is now part of Garrawarra State Conservation Area, which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the land to E1 National Parks and Nature Reserves, be progressed to finalisation.
- 2 The part of the Planning Proposal for the Garrawarra precinct (excluding the Waterfall General [or Garrawarra] Cemetery) which seeks to amend the Wollongong Local Environment Plan 2009 by:
 - a Renaming the SP2 Infrastructure zone to SP2 Infrastructure "Health Service Facility and Seniors Housing";
 - b Making a minor adjustment to the SP2 Infrastructure zone

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- boundary, on the north-east boundary, to reflect ownership;
 - c Removing the minimum lot size from the SP2 Infrastructure zoned land;
 - d Zoning the Sydney Catchment Authority land to E2 Environmental Conservation;
 - e Zoning the Crown Land to E2 Environmental Conservation, excluding Lot 1803 DP 822247 leased to the Sutherland Shire Sports Flying Association which will retain an E3 Environmental Management zone (as exhibited); and
 - f Zoning Lot 991 DP 723636 to E2 Environmental Conservation, be progressed to finalisation.
- 3 The part of the Planning Proposal for the isolated lots in the Royal National Park, which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the following lots from E3 Environmental Management to E2 Environmental Conservation and not permit any additional dwelling houses:
- a Lot A DP 356469;
 - b Lot 1 DP 335557;
 - c Lot 1 DP 324239; and
 - d Lot 1 DP 434564 and part Lot 30 DP 752018, be progressed to finalisation.
- 4 The proposed rezoning of Lot 4 DP 840501 Waterfall General (or Garrawarra) Cemetery (owned by Council) to E2 Environmental Conservation zone not proceed, and the Cemetery retain an E3 Environmental Management zone. A further report be submitted on this site following the completion and review of the draft Conservation Management Plan.

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

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

Councillor Petty's AMENDMENT then BECAME the MOTION.

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

ITEM 3 - REVIEW OF 7(D) LANDS - OTFORD NORTH, OTFORD CENTRAL, OTFORD SOUTH AND GOVINDA PRECINCTS

144 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor Crasnich that -

- 1 The part of the Planning Proposal for the Otford North precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the precinct to the E2 Environmental Conservation zone be progressed to finalisation, except for the following properties (or part lots) which are to retain an E3 Environmental Management zone:
 - a The driveway handles of Lots 23 to 25 DP 789745 (Nos. 63, 65 and 67) Station Road, Otford (the balance of the lots are to retain the E4 Environmental Living zone);
 - b The front part of Lot 26 DP 789745 (No. 69) Station Road, Otford (the balance of the lot is to retain the E4 Environmental Living zone);
 - c The front part of Lot 52 DP 749935 (No. 76-78) Station Road, Otford (the balance of the lot is to retain the E4 Environmental Living zone);
 - d Lots 100 and 101 DP 1038431 and Lot 11 Section 6 DP 4591 (No. 77) Station Road, Otford;
 - e Lot 14 Section 5 DP 4591 (No. 36) Lady Wakehurst Drive, Otford;
 - f Lots 18 to 20 Section 3 DP 4591 Rawson Street, Otford; and
 - g Lots 8 to 11 Section 3 DP 4591 Lady Carrington Road, Otford.
- 2 The part of the Planning Proposal for the Otford Central precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by:
 - a Rezoning the majority of the precinct to E4 Environmental Living and permit and allow a dwelling house on six vacant lots, with a floor space ratio of 0.5:1; and
 - b Rezoning Lots 14, 15 and 16 Section 8 DP 4591 and Lots 6 and 7 Section 9 DP 4591 Station Road and Lots 1 and 2 DP 1037008 (2A Domville Road and 24 Lady Wakehurst Drive) to E2 Environmental Conservation and not permit any dwelling houses.

not be progressed to finalisation; instead the precinct retain an E3 Environmental Management zone.

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- 3 The part of the Planning Proposal for the Crown land, Council land, RailCorp land and Roads and Maritime Services (RMS) land within the Otford South precinct, which seeks to rezone the sites to E2 Environmental Conservation, be progressed to finalisation.
- 4 The part of the Planning Proposal for the privately owned Otford Road lots and Bald Hill lots, within the Otford South precinct, which seeks to rezone the precinct to E2 Environmental Conservation not be progressed, instead the sites following retain an E3 Environmental Management zone:
 - a Lot 218 DP 5858 and Lot A DP 389582 (No.204) Lawrence Hargrave Drive, Stanwell Tops;
 - b To Lot 104 DP 552216, (No. 129) Otford Road, Otford;
 - c Lot 102 DP 533462, (No. 149) Otford Road, Otford;
 - d Lot 2 DP 512180, (No. 152) Otford Road, Otford;
 - e Lot 3 DP 512180, (No. 158) Otford Road, Otford;
 - f Lot 101 DP 533462, (No. 169) Otford Road, Otford;
 - g Lots 28 and 32 DP 752018, (No. 200) Otford Road, Stanwell Tops; and
 - h Lot B DP 389582, (No. 222) Otford Road, Stanwell Tops.
- 5 The part of the Planning Proposal for Lot 2 DP 512270 Otford Road within the Otford South precinct, which seeks to retain an E3 Environmental Management zone and amend the Minimum Lot Size Map to permit a dwelling house, be progressed to finalisation.
- 6 The part of the Planning Proposal for Otford Farm, within the Otford South precinct, which seeks to rezone the steep bushland to E2 Environmental Conservation be progressed, and the land containing the dwelling house, equestrian centre, recreation facility and cleared land retain an E3 Environmental Management zone.
- 7 The part of the Planning Proposal for part of Lot 1 DP 190250 (Govinda precinct) which seeks to rezone the north and western parts of the property to E2 Environmental Conservation and retain an E3 Environmental Management zone on the eastern part, be progressed to finalisation.

DEPARTURE OF COUNCILLOR

Due to a prior Disclosure of Interest, Councillor Colacino departed the Council Chambers and was not present during the debate and voting on Item 4.

ITEM 4 - REVIEW OF 7(D) LANDS - GILLS CREEK AND F6 WEST PRECINCTS

145 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Kershaw seconded Councillor Curran that -

- 1 The part of the Planning Proposal for the Gills Creek precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by:
 - a Zoning Nos. 237-261 Princes Highway to RU2 Rural Landscapes;
 - b Zoning the Crown Land to E2 Environmental Conservation;
 - c Zoning the Kellys Creek corridor E2 Environmental Conservation;
 - d Zoning the Baines Place to Stanwell Tops properties part E3 Environmental Management and part E2 Environmental Conservation; and
 - e Zoning part of Lot 4 DP 259401 (corner of Baines Place and Lawrence Hargrave Drive) to RE2 Private Recreation and the watercourse and riparian area to E2 Environmental Conservation,be progressed to finalisation.
- 2 The part of the Planning Proposal for the F6 West precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by:
 - a Zoning the Sydney Catchment Authority land to E2 Environmental Conservation;
 - b Zoning the Crown Land to E2 Environmental Conservation, except for Lot 99 DP 752054 and Lot 7320 DP 1168914 which are to retain the E3 Environmental Management zone; and
 - c Zoning the remaining private land part RU2 Rural Landscapes and part E2 Environmental Conservation,be progressed to finalisation.

DEPARTURE OF COUNCILLOR

Due to a prior Disclosure of Interest, Councillor Takacs was absent from the meeting during debate and voting for Item 5 (Part 1 of the report's recommendation).

ITEM 5 - REVIEW OF 7(D) LANDS - WILSONS CREEK PRECINCT

146 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Connor that Item 5 be considered in two parts.

147 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Connor that -

- 1 The part of the Planning Proposal for the Wilsons Creek precinct be amended to retain an E3 Environmental Management zone (excluding the Wilsons Creek riparian corridor which is proposed to be zoned E2 Environmental Conservation) over the following properties which contain existing development, namely 43-49 (2 lots), 70 (2 lots), 87, 95, 100 (2 lots), 104, 133 (approved dwelling) and 137 Princes Highway, 194-198 Parkes Street (2 lots), 74 Rajani Road, 16 and 17 (2 lots) Sawan Street, Helensburgh.

At this stage, the time being 7.20 pm, Councillor Takacs returned to the meeting and was present during debate and voting for Item 5 – Part 2 of the report's recommendation.

148 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Kershaw that -

- 2 The part of the Planning Proposal for the Wilsons Creek precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by:
 - a Zoning the Wilsons Creek riparian corridor to the E2 Environmental Conservation zone;
 - b Zoning the Crown Land to the E2 Environmental Conservation zone; and
 - c Zoning the lots which do not contain an existing development to the E2 Environmental Conservation zone,be progressed to finalisation.

DEPARTURE OF COUNCILLOR

During the debate on Item 6, Councillor Blicavs departed the meeting, the time being 7.31 pm. Councillor Blicavs was not present during the vote taken for Item 6.

ITEM 6 - REVIEW OF 7(D) LANDS - GATEWAY PRECINCT

149 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor Blicavs that the part of the Planning Proposal for the Gateway precinct which seeks to amend the Wollongong Local Environmental Plan 2009 (LEP) by:

- 1 Zoning 151 and 177 Princes Highway, and 200-206, 208-216 and 218-222 Parkes Street, to the B6 Enterprise Corridor zone, with a floor space ratio of 0.5:1, maximum building height of 11m and minimum lot size of 2,000m²;
- 2 Zoning the Nos. 187-193 Princes Highway to the RU2 Rural Landscape zone;
- 3 Zoning 2 Lawrence Hargrave Drive to the RE2 Private Recreation zone;
- 4 Zoning 1-5 Lawrence Hargrave Drive and 227 Princes Highway to the RU2 Rural Landscape zone; and
- 5 Zoning Symbio Wildlife Gardens to the SP3 Tourist zone, including the dwelling houses in the same ownership – Nos. 7-15 Lawrence Hargrave Drive,

be progressed to finalisation.

ATTENDANCE OF COUNCILLOR

During the debate and prior to the voting for Item 7, Councillor Blicavs returned to the meeting the time being 7.33 pm.

ITEM 7 - REVIEW OF 7(D) LANDS - WALKER STREET AND FREW AVENUE PRECINCTS

MOVED by Councillor Colacino seconded Councillor Crasnich that -

- 1 The part of the Planning Proposal for the Walker Street precinct (excluding 159-169 Walker Street) which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the majority of the precinct to the RU2 Rural Landscape zone, and part of Lot 2 DP 1127083 (Knowslay Park) to E2 Environmental Conservation, be progressed to finalisation.
- 2 The part of the Planning Proposal for the Frew Avenue precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by retaining an E3 Environmental Management zone, and allowing a dwelling house on the three vacant lots, through an amendment to the Minimum Lot Size Maps; be progressed to finalisation.
- 3 The part of the Planning Proposal for Lot 672 DP 752033 (Crown Land located on the corner of Walker Street and Cemetery Road) not proceed and the lot retain an SP1 Cemetery zoning, by deleting the site from the Planning Proposal.
- 4 The new rezoning proposals for:
 - a Lot 1 DP 606870 (No. 338) Cemetery Road, requesting a rezoning to IN2 Light Industrial;
 - b Lot 1 DP 319310 Lawrence Hargrave Drive, seeking a place of worship, education facility; and
 - c Lot 1 DP 584467 221 Parkes Street, requesting a rezoning to B6 Enterprise Corridor,

not be supported as amendments to the current Planning Proposal.

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150 COUNCIL'S RESOLUTION – An AMENDMENT was moved by Councillor Merrin seconded Councillor Curran that -

- 1 The part of the Planning Proposal for the Walker Street precinct (excluding 159-169 Walker Street) which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the majority of the precinct to the RU2 Rural Landscape zone, and part of Lot 2 DP 1127083 (Knowslay Park) to E2 Environmental Conservation, be progressed to finalisation.
- 2 The part of the Planning Proposal for the Frew Avenue precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by retaining an E3 Environmental Management zone, be progressed to finalisation.
- 3 The part of the Planning Proposal for Lot 672 DP 752033 (Crown Land located on the corner of Walker Street and Cemetery Road) not proceed and the lot retain a SP1 Cemetery zoning, by deleting the site from the Planning Proposal.
- 4 The new rezoning proposals for:
 - a Lot 1 DP 606870 (No. 338) Cemetery Road, requesting a rezoning to IN2 Light Industrial;
 - b Lot 1 DP 319310 Lawrence Hargrave Drive, seeking a place of worship, education facility; and
 - c Lot 1 DP 584467 221 Parkes Street, requesting a rezoning to B6 Enterprise Corridor,not be supported as amendments to the current Planning Proposal.

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

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

Councillor Merrin's AMENDMENT then BECAME the MOTION.

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

EXTENSION OF TIME

A PROCEDURAL MOTION was moved by Councillor Petty seconded Councillor Merrin that an extension of five minutes be granted to Councillor Curran to address the meeting in relation to Item 8.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 8, the following Councillors departed and returned to the meeting –

Councillor Crasnich from 7.51 pm to 7.53 pm; Councillor Curran from 7.52 pm to 7.54 pm and Councillor Petty from 8.05 pm to 8.06 pm.

ITEM 8 - REVIEW OF 7(D) LANDS - 159 TO 169 WALKER STREET, HELENSBURGH - "BLACKWELL'S"

151 **COUNCIL'S RESOLUTION** - RESOLVED on the motion of Councillor Colacino seconded Councillor Kershaw that Council proceed with the rezoning of the precinct to IN2 Light Industrial and E2 Environmental Conservation, as exhibited in the draft Planning Proposal.

Councillor Colacino's motion on being PUT to the VOTE was CARRIED.

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

ADJOURNMENT OF MEETING

A PROCEDURAL MOTION was moved by Councillor Crasnich seconded Councillor Merrin that the meeting adjourn for a five minute recess.

The PROCEDURAL MOTION on being PUT to the VOTE was LOST.

DEPARTURE OF COUNCILLOR

During the debate on Item 9, Councillor Colacino departed the meeting, the time being 8.37 pm. Councillor Colacino was not present for the vote taken on Items 9, 10 and 11.

ITEM 9 - REVIEW OF 7(D) LANDS - LUKIN STREET, OLD FARM ROAD AND METROPOLITAN COLLIERY PRECINCTS

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

- 1 The part of the Planning Proposal for the Lukin Street precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by:
 - a Rezoning 48-54 Parkes Street, the three privately owned lots, to E4 Environmental Living, with a floor space ratio of 0.5:1, maximum building height of 9m and minimum lot size of 1,000m²; and
 - b Rezoning the Crown land (three lots) to E2 Environmental Conservation,be progressed to finalisation.
- 2 The part of the Planning Proposal for the Old Farm Road precinct, which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the precinct to E2 Environmental Conservation not proceed, and the lots retain their existing E3 Environmental Management and R2 Low Density Residential (access way) zones, by removing the precinct from the Planning Proposal.
- 3 The part of the Planning Proposal for the Metropolitan Colliery precinct, to rezone the bushland areas surrounding the Colliery (zoned RU1 Primary Production) to E2 Environmental Conservation be progressed to finalisation.

ITEM 10 - REVIEW OF 7(D) LANDS - CAMP GULLY PRECINCT, INCLUDING UNDOLA ROAD AND WALKER LANE SUB-PRECINCTS

153 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Kershaw seconded Councillor Connor that -

- 1 The part of the Planning Proposal the Undola Road sub-precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by:
 - a Rezoning 3 Undola Road to E2 Environmental Conservation;
 - b Rezoning Lot 1 Section E DP 2205 (Council owned) to E2 Environmental Conservation; and
 - c Rezoning Whitty Road reserve and Undola Road reserve to R2 Low Density Residential to be consistent with the adjoining zone,be progressed to finalisation.
- 2 The part of the Planning Proposal for the Undola Road sub-precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning 5, 7, 9 and 11 Undola Road to the E4 Environmental Living zone, with a floor space ratio of 0.5:1, maximum building height of 9m and minimum lot size of 1,000m²; not proceed and the land retain the current E3 Environmental Management zone.
- 3 The part of the Planning Proposal for the Walker Lane sub-precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning Lots 28-31 Section B DP 2644 Walker Lane, to E2 Environmental Conservation, be progressed to finalisation.
- 4 The part of the Planning Proposal for the balance of the Camp Gully precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the land to E2 Environmental Conservation, be progressed to finalisation.
- 5 A new draft Planning Proposal be prepared to identify 3 Undola Road, Helensburgh for acquisition, by identifying the lots on the Land Reservation Acquisition Map as being required for Local Open Space purposes. The draft Planning Proposal be submitted to the NSW Department of Planning and Infrastructure for a Gateway determination and requesting authorisation for the General Manager to exercise plan making delegations in accordance with Council's resolution of 26 November 2012. If approved, the draft Planning Proposal be placed on public exhibition for a minimum period of 28 days.
- 6 As part of the draft Annual Plan / Budget process for 2014-15, consideration be given to a land purchase scheme for 3 Undola Road, Helensburgh.

ITEM 11 - REVIEW OF 7(D) LANDS - LADY CARRINGTON ESTATE, LILYVALE, CENTRAL BUSHLAND AND OTFORD VALLEY FARM PRECINCTS

154 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Kershaw seconded Councillor Crasnich that -

- 1 The part of the Planning Proposal for Lot 1 DP 616229 (Lady Carrington Estate precinct) which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the precinct to the E2 Environmental Conservation zone be progressed to finalisation;
- 2 The part of the Planning Proposal for the Lilyvale precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the precinct to the E2 Environmental Conservation zone be progressed to finalisation;
- 3 The part of the Planning Proposal for the Central Bushland precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the precinct to the E2 Environmental Conservation zone be progressed to finalisation;
- 4 The part of the Planning Proposal for the Otford Valley Farm precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the part of the precinct to E2 Environmental Conservation and retaining part of the site as E3 Environmental Management zones, as exhibited, be progressed to finalisation; and
- 5 The preparation of a new draft Planning Proposal to rezone the Land Pooling and Lady Carrington Estate South precincts to permit residential development, in exchange for the transfer of the Ensile Pty Ltd holdings within Lady Carrington Estate, Lilyvale, Central Bushland and Otford Valley Farm precincts to Council or the State, via a draft Planning Agreement, as requested by Smyth Planning on 21 June 2013, not be supported.

ATTENDANCE OF COUNCILLOR

During debate on Item 12, Councillor Colacino returned to the meeting, the time being 8.39 pm.

ITEM 12 - REVIEW OF 7(D) LANDS - LLOYD PLACE PRECINCT

155 **COUNCIL'S RESOLUTION** – MOVED by Councillor Kershaw seconded Councillor Takacs that -

- 1 The part of the Planning Proposal for the Lloyd Place precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the precinct (excluding part of Lot 500 DP788539) to the E2 Environmental Conservation zone, be progressed to finalisation;
- 2 The part of the Planning Proposal for part of Lot 500 DP 788539 Otford Road, not proceed and the E3 Environmental Management zone be retained around the existing dwelling house and buffer area. The rezoning of the remainder of the property to the E2 Environmental Conservation zone, be progressed to finalisation;
- 3 A new draft Planning Proposal be prepared to identify the 21 lots within the Lloyd Place precinct which do not contain a dwelling house for acquisition, by identifying the lots on the Land Reservation Acquisition Map as being required for Local Open Space purposes (Attachment 2 of the report). The draft Planning Proposal be submitted to the NSW Department of Planning and Infrastructure for a Gateway determination and requesting authorisation for the General Manager to exercise plan making delegations in accordance with Council's resolution of 26 November 2012. If approved, the draft Planning Proposal be placed on public exhibition for a minimum period of 28 days; and
- 4 As part of the draft Annual Plan / Budget process for 2014-15, consideration be given to a land purchase scheme for the 21 lots in the Lloyd Place precinct, including the consideration of a rates refund.

An AMENDMENT was MOVED by Councillor Merrin seconded Councillor Curran that -

- 1 The part of the Planning Proposal for the Lloyd Place precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the precinct (excluding part of Lot 500 DP788539) to the E2 Environmental Conservation zone, be progressed to finalisation;
- 2 The part of the Planning Proposal for part of Lot 500 DP 788539 Otford Road not proceed. The rezoning of the remainder of the property to the E2 Environmental Conservation zone, be progressed to finalisation;
- 3 A new draft Planning Proposal be prepared to identify the 21 lots within the Lloyd Place precinct which do not contain a dwelling house

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for acquisition, by identifying the lots on the Land Reservation Acquisition Map as being required for Local Open Space purposes (Attachment 2 of the report). The draft Planning Proposal be submitted to the NSW Department of Planning and Infrastructure for a Gateway determination and requesting authorisation for the General Manager to exercise plan making delegations in accordance with Council's resolution of 26 November 2012. If approved, the draft Planning Proposal be placed on public exhibition for a minimum period of 28 days; and

- 4 As part of the draft Annual Plan / Budget process for 2014-15, consideration be given to a land purchase scheme for the 21 lots in the Lloyd Place precinct, including the consideration of a rates refund.

Councillor Merrin's AMENDMENT on being PUT to the VOTE was LOST.

In favour
Against

Councillors Merrin and Curran

Councillors Kershaw, Connor, Brown, Martin, Takacs, Blicavs, Dorahy, Colacino, Crasnich, Petty and Bradbery

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

ITEM 13 - REVIEW OF 7(D) LANDS - LAND POOLING, LADY CARRINGTON ESTATE SOUTH PRECINCTS

156 **COUNCIL'S RESOLUTION** - RESOLVED on the motion of Councillor Curran seconded Councillor Kershaw that -

- 1 The majority of the Planning Proposal for the Land Pooling precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the precinct to the E2 Environmental Conservation zone, be progressed to finalisation, except for Lots 12-13 Section 5 DP 2644 which contain the dwelling house, Lots 1-2 Section 4 DP 2644 which contain the bus depot and Lot 42 Section 4 DP 2644 which contains the landscaping business, which are to retain an E3 Environmental Management zone.
- 2 The part of the Planning Proposal for the Lady Carrington Estate South precinct which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the precinct to the E2 Environmental Conservation zone be progressed to finalisation.

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- 3 The preparation of a new draft Planning Proposal to rezone the Land Pooling and Lady Carrington Estate South precincts to permit residential development, in exchange for the transfer of the Ensile Pty Ltd holdings within Lady Carrington Estate, Lilyvale, Central Bushland and Otford Valley Farm precincts to Council or the State, via a draft Planning agreement, as requested by Smyth Planning on 21 June 2013, not be supported.

Variation The variation put forward by Councillor Merrin (the deletion of the words 'and retaining the E3 Environmental Management zone on the cleared lands' and the addition of the words 'be progressed to finalisation' to Part 2 of the above motion) was accepted by the mover and seconder.

Councillor Curran's MOTION on being PUT to the VOTE was CARRIED.

In favour Councillors Kershaw, Connor, Brown, Martin, Takacs, Merrin, Colacino, Curran and Bradbery

Against Councillors Blicavs, Dorahy, Crasnich and Petty

THE MEETING CONCLUDED AT 9.15 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 12 August 2013.

Chairperson