

**ITEM 25 LATE REPORT: PUBLIC EXHIBITION - PLANNING PROPOSAL - RECLASSIFICATION OF 135 CORRIMAL STREET AND 13 STEWART STREET, WOLLONGONG**

Between 1996 and 2013 Council has acquired four properties which form the Stewart Street East car park. The lots have been mapped as Operational Land, however recent investigations have found no evidence that Council formally resolved to classify two of the lots as Operational Land. Consequently, they are classified as Community Land and a Planning Proposal is required to be processed to reclassify the land.

It is recommended that Council resolve to prepare and progress a Planning Proposal to reclassify 135 Corrimal Street and 13 Stewart Street, Wollongong as Operational Land.

**RECOMMENDATION**

- 1 A Planning Proposal be prepared to reclassify 135 Corrimal Street and 13 Stewart Street, Wollongong as Operational Land.
- 2 The Planning Proposal be referred to the NSW Department of Planning, Housing and Infrastructure for a Gateway Determination.
- 3 Following the issuing of a Gateway Determination, the Planning Proposal be exhibited for a minimum period of 28 days, and a public hearing be held.
- 4 The NSW Department of Planning, Housing and Infrastructure be advised that as Council is the landowner, it does not seek to use its delegation to progress the finalisation of the Planning Proposal, following exhibition.

**REPORT AUTHORISATIONS**

Report of: Luke Musgrave, Manager City Strategy  
 Authorised by: Linda Davis, Director Planning + Environment - Future City + Neighbourhoods

**ATTACHMENTS**

There are no attachments for this report.

**ACRONYMS USED IN REPORT**

Abbreviation	Meaning
LEP	Wollongong Local Environmental Plan 2009

**BACKGROUND**

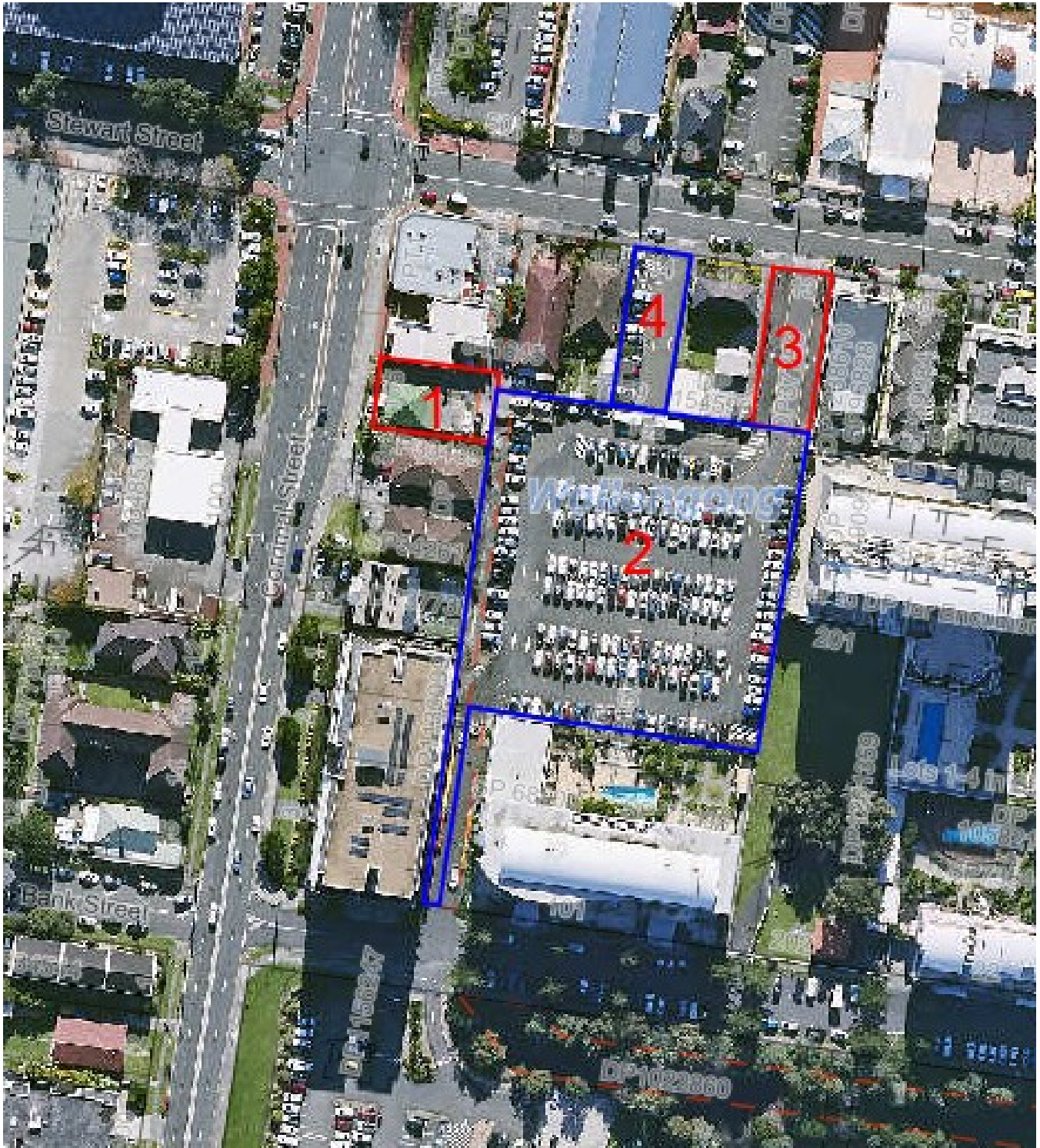
The Stewart Street East / Bank Street car park consists of four lots, as shown in Figure 1 and Table 1, and has a total area of 7,200.1m<sup>2</sup>. The site contains 203 parking spaces and a building leased to a community organisation (labelled site “1” in Figure 1). All lots are zoned MU1 Mixed Use and have a base floor space ratio of 1.5:1, a maximum floor space ratio of 2.5:1 for residential development and 3.5:1 for commercial development, and Height of Building Limit of 48m.

Council has no current plans for the future of the sites, apart from a continuation of the current uses.

The precinct was acquired between 1996 and 2013 through four property transactions.

Under the *Local Government Act 1993*, all Council owned land is required to be classified as either Community Land or Operational Land. Under the Act, as part of the acquisition resolution Council can resolve that the land be classified as Operational Land, or following acquisition Council has a three month period to resolve that an acquired property can be classified as Operational Land. In the absence of a resolution, the land is deemed to be Community Land.

**Figure 1: Stewart Street East Car Park**



Until recently, it had been assumed that all properties were classified as Operational Land. A recent review of the Council resolutions to acquire the properties revealed that for two of the sites Council did not resolve that the land be classified as Operational land, under the requirements of the *Local Government Act 1993*. Council officers also searched Council meeting minutes for the three-month period following the acquisition, and did not find a subsequent resolution to classify the land as Operational Land.

As a consequence, Council officers now consider that the two properties (Figure 1 – sites 1 and 3 – outlined in red) are classified as Community Land. The Community Land classification restricts commercial dealings and development proposals and prevents the sale or long-term lease of the land.

Council officers have confirmed that the other two sites (outlined in blue) are classified as Operational Land.

**Table 1: Stewart Street East Car Park**

	Address / Lot DP	Council resolution	Reason for purchase	Area (m <sup>2</sup> )	Current use	Classification
1	135 Corrimal Street Lot 105 DP 814045	28/10/1996	Pedestrian access to future car park	462.7	Building and parking leased	Community
2	Stewart Street East Car Park 18 Bank Street Lot 102 DP 1013057	10/2/1997	Car park	5,694	Car park 191 spaces plus 2 fenced leased spaces	Operational (by resolution and Wollongong LEP 1990 (Amendment No. 235))
3	13 Stewart Street Lot 13 DP 37759	8/5/2000	Car park	537.5	Car park accessway	Community
4	17 Stewart Street Lot 14 DP 37759	9/12/2013	Car parking	505.9	Car park 11 spaces plus 2 electric vehicle charging spaces	Operational
	<b>Total</b>			<b>7,200.1</b>	<b>203 spaces</b>	

## PROPOSAL

A Planning Proposal is proposed to be prepared to reclassify 135 Corrimal Street and 13 Stewart Street, Wollongong to Operational Land. No other changes to planning controls are proposed.

This report addresses the need to reclassify the property. Any future development or tenure options are separately managed by Council's Property Team and will be subject to separate Council reports.

## CONSULTATION AND COMMUNICATION

Council's Property and Recreation Division identified the classification error and requested the preparation of a Planning Proposal to reclassify the land.

Should Council resolve to prepare and exhibit a Planning Proposal, adjacent landowners, neighbours, and the public will be notified during the exhibition period. The exhibition period will be a minimum 28 days.

A public hearing is required to be held after the exhibition period.

On 9 December 2025 the Wollongong Local Planning Panel considered the proposed reclassification and resolved to advise Council that:

- *For consistency of classification, the Panel agrees with Council's report that the sites be all classified as Operational Land.*
- *The Panel considers that the current classification is probably an administrative oversight.*
- *The planning proposal has both strategic and site-specific merit.*

## PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong Our Future 2035 Goal 2 ‘We have well planned, connected, and liveable places’. It specifically delivers on the following:

Community Strategic Plan 2035	Delivery Program 2025-2029
Strategy	Service
2.1 Urban areas are planned and well maintained to provide a healthy and safe environment for our community to live, work and play	Land Use Planning

## FINANCIAL IMPLICATIONS

The preparation and exhibition of the Planning Proposal can be managed within existing operational budget allocations.

The current Community Land classification of the property restricts any commercial dealings on the land. The reclassification to Operational Land will enable Council to consider any future commercial and development opportunities for the property.

## CONCLUSION

A recent review of the Council resolutions to acquire the properties within the Stewart Street East car park precinct revealed that for two of the sites Council did not resolve that the land be classified as Operational Land, and accordingly they are classified as Community Land. A Planning Proposal is required to be prepared to reclassify the two sites from Community Land to Operational Land.