

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	10 October 2023
PANEL MEMBERS	Robert Montgomery (Chair), Helena Miller, Tina Christy, Edger du Bois (Community Representative)

Transaction of business outside of meetings pursuant to Clause 26 of Schedule 2 of the *Environmental Planning and Assessment Act, 1979*.

Electronic meeting held at Wollongong City Council, 41 Burelli Street, Wollongong on 10 October 2023 opened at 3:00pm and closed at 3:10pm.

MATTER DETERMINED

DA-2023/669 - Lot 1 DP 881087, 1 Marine Drive, Wollongong (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The application was determined electronically in accordance with clause 26 of the EPA Act which stipulates where no public submissions were received, the Panel can transact any of its business by the circulation of papers among all the members. A resolution approved under this clause will be recorded in the minutes of the meetings of the planning body and made publicly available on Council's website.

PANEL CONSIDERATION AND DECISION

The Panel considered the matters listed at item 7, and the material presented at the meeting and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The Panel agrees with the Council Officer's assessment and recommendation.
- The Panel notes that continuous accessible paths of travel are provided from the front entrance of the premises to the disability car parking spaces in each of the public car parks which adjoin the north and south of the building. The proposed stairs will not impact on this access.


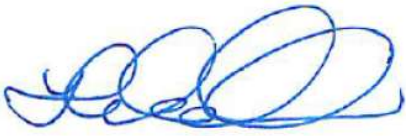

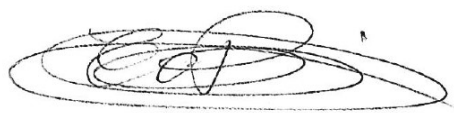
CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report, with the following amendments:

- Condition 5 is amended to read:

Prior to the issue of the Construction Certificate, and at least 50 days prior to the proposed completion of the works, the applicant must submit an application for a licence to Council's Property Division in accordance with the provisions of the Local Government act, 1993. The licence must be in place prior to the issue of an occupation certificate.
- Add the following words to Condition 10:

"Safe pedestrian access shall be provided around the work site during construction."

PANEL MEMBERS	
 Robert Montgomery (Chair)	 Helena Miller
 Tina Christy	 Edger du Bois (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2023/669
2	PROPOSED DEVELOPMENT	Commercial - partial demolition to existing entrance and construction of stairway entry
3	STREET ADDRESS	1 Marine Drive WOLLONGONG
4	APPLICANT/OWNER	Johnny Lam / Wollongong City Council
5	REASON FOR REFERRAL	The proposal has been referred to Local Planning Panel pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under 1(a) of Schedule 2 of the Local Planning Panels Direction of 30 June 2020, the application involves Council land.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Resilience and Hazards) 2021 Wollongong Local Environment Plan 2009 NSW Apartment Design Guide Wollongong Development Contributions Plan Draft environmental planning instruments: N/A Development control plans: <ul style="list-style-type: none"> Wollongong Development Control Plan 2009 Planning agreements: N/A Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Coastal zone management plan: clause 61 The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report dated 10 October 2023 Written submissions during public exhibition: 0
8	SITE INSPECTIONS BY THE PANEL	Virtual Site inspection 10 October 2023. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Robert Montgomery (Chair, Helena Miller, Tina Christy, Edger du Bois (Community Representative) <u>Council assessment staff</u>: Nigel Lamb, Pier Panozzo
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the Council assessment report