

DETERMINATION AND STATEMENT OF REASONS
WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	4 December 2019
PANEL MEMBERS	Alison McCabe (Chair), Helena Miller, Scott Lee, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 4 December 2019 opened at 5:00pm and closed at 9:00pm.

MATTER DETERMINED

DA- 2019/453, Lot 15 DP 24874, Lot 25 DP 237812 2-4 Highway Avenue, West Wollongong (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by nine submitters.

The Panel also heard from the applicant and their representatives.

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 refuse the development application as described in Schedule 1 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979* for the reasons contained in the officer's report and for the following additional reasons:

1. The development has not been designed to respond to the site constraints resulting in an unreasonable loss of vegetation and unnecessary cut and fill.
2. The resultant development is not compatible with the character of the surrounding neighbourhood given the lack of landscape setting.
3. The relationship of development to adjoining land results in unreasonable amenity impacts in terms of bulk and scale.
4. The separation between townhouses fails to support adequate landscape.
5. The proximity of buildings to existing landscape elements is unacceptable.
6. The orientation and layout of the buildings does not maximise solar access and compromises the amenity of units.

The decision was unanimous.

PANEL MEMBERS



Alison McCabe (Chair)



Helena Miller



Scott Lee



Bernard Hibbard (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2019/453
2	PROPOSED DEVELOPMENT	Residential - Construction of multi-unit housing and subdivision - strata title – eighteen (18) lots
3	STREET ADDRESS	Lot 15 DP 24874, Lot 25 DP 237812 2-4 Highway Avenue, West Wollongong
4	APPLICANT OR OWNER	Kollaras Developments Pty Ltd
5	REASON FOR REFERRAL	The proposal is captured by Clause 2(b) of Schedule 2 of the Local Planning Panels Direction of 1 March 2018, having received over 10 unique submissions by way of objection.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> · Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy No 55 – Remediation of Land ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ Wollongong Local Environment Plan 2009 · Wollongong Section 94A Development Contributions Plan · Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 · 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 4 December 2019. · Written submissions during public exhibition: 17 (first notification) 7 (re-notification) · Verbal submissions at the public meeting: nine
8	SITE INSPECTIONS BY THE PANEL	Site inspection 4 December 2019. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Alison McCabe (Chair), Helena Miller, Scott Lee, Bernard Hibbard (Community Representative). ○ <u>Council assessment staff</u>: Vanessa Davis, Pier Panozzo
9	COUNCIL RECOMMENDATION	refuse
10	DRAFT REASONS FOR REFUSAL	Attached to the Council assessment report