

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

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| DATE OF DETERMINATION | 17 December 2020 |
| PANEL MEMBERS | Robert Montgomery (Chair), Helena Miller, Glenn Falson, Bernard Hibbard (Community Representative) |

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 17 December 2020 opened at 5:00pm and closed at 7.34pm.

MATTER DETERMINED

DA-2019/1462 – 98-110 Princes Highway, Dapto (Dapto Hotel), Lot 1 DP 745653 & Lot 1 DP 564523 (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel heard from the applicants and their representatives.

PANEL CONSIDERATION AND DECISION

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

The Panel determined to:





1. Defer the application until the applicant has submitted the following information to the satisfaction of Council:
 - 1.1 A full set of architectural plans showing required works to the historic Dapto Hotel building and site to implement the works identified in the Conservation Management Plan prepared by Austral Archaeology dated 3 November 2020
 - 1.2 A demolition plan and elevation showing required works to the historic Dapto Hotel building and site to implement the works identified in the Conservation Management Plan prepared by Austral Archaeology dated 3 November.
 - 1.3 Further detail of the methodology proposed to reinstate and conserve the façade of the historic Dapto Hotel building including further investigations into the use of false brick facing which was identifies as requiring additional investigation in the Conservation Management Plan prepared by Austral Archaeology dated 3 November 2020.. In this regard the existing render is to be removed and the condition of the brickwork investigated. The final methodology for the treatment of the Hotel Façade is to be provided following these investigations and clearly detailed on the building elevations.
 - 1.4 A detailed Schedule of Conservation Works outlining works to significant elements of the Hotel building, including internal works to both the ground floor and level 1, as well as any works intended to be undertaken on the exterior of the building, and
 - 1.5 An updated BCA Report which assesses the likely impacts of the proposed heritage works and the implementation of items 1.1 – 1.4 above on the significant historic building fabric.
 - 1.6 Updated plans showing the inclusion of windows (at a minimum) in the southern wall of bedrooms 1 and 2 in the proposed two units on Level 2 – 7 (inclusive) in the proposed western tower.
2. Following receipt of satisfactory information as outlined above, delegate determination of the application to the Manager of Development Assessment and Certification in accordance with Section 2.20(8) of the EP&A Act 1979.

The decision was unanimous

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The Panel is satisfied that the design changes to the proposal address the concerns raised by the Panel on 24 September 2020
- It is considered that the amended design provides a more appropriate relationship between the new development and the heritage listed hotel and creates a better overall development.
- The Panel agrees with Council's Heritage Officer that the information contained within the submitted Conservation Management Plan in respect of works proposed to the historic Dapto Hotel building requires further detail and documentation. Accordingly, the Panel considers that supplementary information is required to confirm that the environmental impacts of works to the heritage item pursuant to Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979* are positive and acceptable
- It is considered that development consent cannot be issued until a Detailed Schedule of Conservation Works and associated documents are submitted to and determined to be acceptable by Council, and
- The Panel considers that inclusion of windows in the southern wall of the proposed western tower will improve the amenity of units and the presentation of the building.

| PANEL MEMBERS | |
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|  Robert Montgomery (Chair) |  Helena Miller |
|  Glenn Falson |  Bernard Hibbard (Community Representative) |

| SCHEDULE 1 | | |
|------------|-----------------------------------|---|
| 1 | DA NO. | DA-2019/1462 |
| 2 | PROPOSED DEVELOPMENT | Demolition of existing structures, retention of heritage hotel and construction of a mixed use (Commercial/Residential) development |
| 3 | STREET ADDRESS | 98-110 Princes Highway, Dapto (Dapto Hotel), Lot 1 DP 745653 & Lot 1 DP 564523 |
| 4 | APPLICANT | ADM Architects |
| 5 | REASON FOR REFERRAL | The proposal has been referred to the Local Planning Panel for determination pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Schedule 2 of the Local Planning Panels Direction of 1 March 2018, the proposal classified as sensitive development in accordance with Part 4 (b) as it is development to which SEPP 65 Design Quality of Residential Flat Buildings applies and is 4 or more storeys in height. |
| 6 | RELEVANT MANDATORY CONSIDERATIONS | <p>State Environmental Planning Policies:</p> <ul style="list-style-type: none"> · SEPP No. 55 – Remediation of Land · SEPP 65 Design Quality of Residential Apartment Development · SEPP (Infrastructure) 2007 · SEPP (Building Sustainability Index: BASIX) 2004 · SEPP (Koala Habitat Protection) 2019 <p>Local Environmental Planning Policies:</p> <ul style="list-style-type: none"> · Wollongong Local Environmental Plan (WLEP) 2009 <p>Development Control Plans:</p> <ul style="list-style-type: none"> · Wollongong Development Control Plan 2009 <p>Other policies:</p> <ul style="list-style-type: none"> · Wollongong City Wide Development Contributions Plan 2019 · Wollongong Community Participation Plan 2019 · Apartment Design Guide · Dapto Town Centre Plan · NSW Apartment Design Guide <ul style="list-style-type: none"> · 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 17 December 2020 · Written submissions during public exhibition: 4 (original proposal) · Verbal submissions at the public meeting: Nil |
| 8 | SITE INSPECTIONS BY THE PANEL | <p>Site inspection 17 December 2020. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Helena Miller, Glenn Falson, Bernard Hibbard (Community Representative) ○ <u>Council assessment staff</u>: John Wood, Kristy Robinson |
| 9 | COUNCIL RECOMMENDATION | Approve |
| 10 | DRAFT CONDITIONS | Attached to the council assessment report |