

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	15 August 2018
PANEL MEMBERS	Robert Montgomery (Chair), Helena Miller, Steve Fermio, Bernard Hibbard (Community Representative)
DECLARATIONS OF INTEREST	Nil

Public meeting held at Wollongong City council function room, 41 Burelli Street, Wollongong on 15 August 2018 opened at 5:00pm and closed at 9:12pm.

MATTER DETERMINED

DA-2017/1064 – 39 Angel Street Corrimal (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by seven submitters, who raised concerns regarding:

Scale, incompatibility of land use, riparian corridor, flooding, privacy loss to adjoining dwellings, traffic and road safety, impact on flora and fauna, garbage bin placement, whether medium density is permissible in low density zone, FSR definition, need landscaping to screen from adjoining dwellings, headlight glare impact to 28 Angel Street.

The Panel heard from the applicant, owner and town planner.

PANEL CONSIDERATION AND DECISION

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

The Panel is concerned that the following aspects of the proposed development have not been adequately resolved:

- The size of the building footprints for Blocks A & B should be reduced to facilitate retention of the existing mature Blackbutt tree in the vicinity of Block A, to avoid the need for encroachment into the foreshore building line and to provide improved amenity for future occupants;
- Implementation of the applicant's ecological report (Biosis, April 2018) recommendation in Table 4 to avoid clearing of Illawarra Wet Gully Forest by "incorporating remnant vegetation into the design as native garden";
- A traffic safety audit under the Austroad Guidelines has not been carried out to establish the best location and geometry for the access to the development;
- Actual traffic counts have not been provided for Angel Street to properly establish and quantify the traffic impacts of the development;

The Panel determined to defer the development application as described in Schedule 1 to allow the applicant an opportunity to address the concerns raised by the Panel.





The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The development application contains insufficient information in relation to traffic and ecological matters.

- The size of the proposed building footprints of buildings A & B is not acceptable due to the adverse impacts described above.

PANEL MEMBERS	
 Robert Montgomery (Chair)	 Helena Miller
 Steve Fermio	 Bernard Hibbard (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2017/1064
2	PROPOSED DEVELOPMENT	Mixed use residential development - Phase 1. Demolition of existing dwelling, tree removals and construction of a two storey residential flat building containing 12 apartments plus basement parking, a two storey dwelling, riparian area works, driveway and bridge access. Phase 2. Construction of a two storey residential flat building containing 16 apartments plus basement parking
3	STREET ADDRESS	39 Angel Street Corrimal
4	APPLICANT/OWNER	AMD Architects
5	REASON FOR REFERRAL	Section 2(b) of Schedule 2 of the Local Planning Panels Direction of 1 March 2018 as the Development Application is the subject of 10 or more unique submissions.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> · Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No 55 – Remediation of Land ○ State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 · Wollongong City Wide Development Contributions Plan 2018 · Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 · Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: <ul style="list-style-type: none"> ○ Clause 92 What additional matters must a consent authority take into consideration in determining a development application? Compliance with Australian Standard AS 2601—1991: The Demolition of Structures. · 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 15 August 2018 · Written submissions during public exhibition: [36 submissions during first round of notification and 10 submissions during second round of notification] · Verbal submissions at the public meeting: 7
8	SITE INSPECTIONS BY THE PANEL	Site inspection 15 August 2018. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Helena Miller, Steve Fermio, 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