

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

DATE OF DETERMINATION	10 December 2020
PANEL MEMBERS	Sue Francis (Chair), Mark Carlon, Larissa Ozog, Peter Sarlos (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 10 December 2020 opened at 5:00pm and closed at 5.35pm

MATTER DETERMINED

DA-2020/460 – Lot 1641 D 1111189, Lot 1642 DP 1111189, 164-166 Balgownie Road and 22 Church Street, Balgownie (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

No submitters addressed the Panel.

The Panel heard from the applicant.

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 defer 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 DEFERRAL

The reasons for the deferral of the Panel were:

- The bulk and scale of the podium to the basement and its height and proximity to the northern boundary and residential properties is of concern as it relates to a lower density zone. The Panel requires this element to be reconsidered, the setback increased to be more compliant with ADG and to be reduced in height.
- The Panel requires amended plans to address the following:
 - i the height of the northern basement wall to be reduced in height and the setback increased by reconfiguring the basement arrangement and layout
 - ii increase the landscaping along the increased setback on the northern boundary by introducing larger, mature canopy trees
 - iii indicate on the plans where an electrical substation and fire hydrant will be located if required

Amended plans are to be provided within 28 days of the meeting

Subject to the receipt of amended plans which address these issues, the Panel delegates determination of the application to the Manager Development Assessment and Certification under Section 2.20(8) following Council's satisfaction of the above matters.

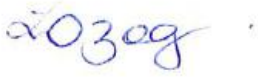
PANEL MEMBERS



Sue Francis
(Chair)



Mark Carlon



Larissa Ozog



Peter Sarlos
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2020/460
2	PROPOSED DEVELOPMENT	Construction of mixed use development consisting of a two (2) storey shop top housing building consisting of three (3) commercial tenancies and two (2) residential units and a three (3) storey residential flat building consisting of six (6) residential units and one (1) level of basement car parking
3	STREET ADDRESS	164-166 Balgownie Road, Balgownie and 22 Church Street Balgownie
4	APPLICANT	PRD Architects
5	REASON FOR REFERRAL	The proposal has been referred to 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 30 June 2020, the proposal is development to which State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development applies.
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 Apartment Development ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ Wollongong Local Environment Plan 2009 · NSW Apartment Design Guide · Wollongong City Wide Development Contributions Plan 2020 · Draft environmental planning instruments: Nil · Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 · Planning agreements: Nil · 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 December 2020 · Written submissions during public exhibition: Nil · Verbal submissions at the public meeting: None
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 10 December 2020. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Sue Francis (Chair), Mark Carlon, Larissa Ozog, Peter Sarlos (Community Representative) ○ <u>Council assessment staff</u>: Nadir Mian, Pier Panozzo
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report