

## DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

|                              |  |
|------------------------------|--|
| <b>DATE OF DETERMINATION</b> | 3 December 2021  |
| <b>PANEL MEMBERS</b>         | Stephen Davies (Chair), Helena Miller, Steven Layman, Bernard Hibbard (Community Representative) |

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

### MATTER DETERMINED

DA-2021/69 – Lot 15 DP 24874, Lot 25 DP 237812, 2-8 Highway Avenue, West Wollongong (as described in detail in schedule 1).

### 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 was satisfied that the amended proposal has addressed concerns raised by the previous Panel which included the need for:

1. A detailed Construction Management Plan that includes, amongst other matters, general construction management measures, truck movements associated with construction and site remediation works, proposed staging of construction and the capacity of the site to accommodate construction parking and loading/unloading within the site.
2. Details of the final remediation strategy.
3. A landscape plan that is consistent with the architectural plans and that includes plantings of local species suited to location and intent.
4. Amended architectural plans that:
  - Relocate the bin storage enclosures away from side boundaries and delete the bin enclosure in front of unit Y4
  - Relocate the rainwater tanks against a side boundary or underground i.e. remove from the current location central to the principal private open space of units
  - Detail privacy mitigation measures between units
  - Redesign units X1 to X4 and Y1 to Y4 to achieve:
    - additional landscape area on the southern edge of the central unit block (adjacent to the entry driveway) and at the northern end of each driveway;
    - provide for improved amenity and an increased size of the rear yards of central block units with improved landscaping which provides for a high level of privacy and amenity; and
    - a revised landscape strategy that addresses significant use of local species, their size and location in rear yards.

It is noted that the proponent has not reduced the number of central units from 8 to 6 as recommended by the Panel, however the Panel is satisfied that the revised configuration provides acceptable amenity and separation between the Private Open Space of units.

**CONDITIONS**

The development application was approved subject to the conditions in the Council Assessment Report.

| PANEL MEMBERS  |   |
|--|---|
| <br>Stephen Davies<br>(Chair) | <br>Helena Miller                                 |
| <br>Steven Layman             | <br>Bernard Hibbard<br>(Community Representative) |

| SCHEDULE 1 |   |  |
|------------|---|--|
| 1          | DA NO.  | DA-2021/69   |
| 2          | PROPOSED DEVELOPMENT                          | Residential - construction of multi-unit housing and Subdivision - Strata title - 17 lots  |
| 3          | STREET ADDRESS                                | Lot 15 DP 24874, Lot 25 DP 237812, 2-8 Highway Avenue, West Wollongong   |
| 4          | APPLICANT                                     | Kollaras Developments Pty Ltd  |
| 5          | REASON FOR REFERRAL                           | The proposal has been referred to WLPP for determination pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. The proposal is captured by Clause 2(b) of Schedule 2 of the Local Planning Panels Direction of 30 June 2020, having received over 10 unique submissions by way of objection.  |
| 6          | RELEVANT MANDATORY CONSIDERATIONS             | <ul style="list-style-type: none"> <li>• Environmental planning instruments: <ol style="list-style-type: none"> <li>1. State Environmental Planning Policy (Infrastructure) 2007</li> <li>2. State Environmental Planning Policy No 55 – Remediation of Land</li> <li>3. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>4. Wollongong Local Environment Plan 2009</li> </ol> </li> <li>• Wollongong Section 94A Development Contributions Plan</li> <li>• Draft environmental planning instruments: N/A</li> <li>• Development control plans: <ol style="list-style-type: none"> <li>1. Wollongong Development Control Plan 2009</li> </ol> </li> <li>• Planning agreements: N/A</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul> |
| 7          | MATERIAL CONSIDERED BY THE PANEL              | <ul style="list-style-type: none"> <li>• Council assessment report dated 22 June 2021 and Addendum Report dated 3 December 2021</li> <li>• Written submissions during public exhibition: twelve (12) submissions</li> <li>• Verbal submissions at the public meeting: four (4)</li> </ul>  |
| 8          | SITE INSPECTIONS BY THE PANEL ON 22 June 2021 | <p>Site inspection 22 June 2021. Attendees:</p> <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Alison McCabe (Chair), Helena Miller, Steven Layman, Bernard Hibbard (Community Representative) 22 June 2021</li> <li>○ <u>Panel members</u>: Stephen Davies (Chair), Helena Miller, Steven Layman, Bernard Hibbard (Community Representative) 3 December 2021</li> <li>○ <u>Council assessment staff</u>: Vanessa Davis</li> </ul>   |
| 9          | COUNCIL RECOMMENDATION                        | Approve  |
| 10         | DRAFT CONDITIONS                              | Attached to the Council assessment report  |