

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	20 May 2022
PANEL MEMBERS	Sue Francis (Chair), Glenn Falson, Larissa Ozog, 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-2021/901 - Lots 1 – 3 Section 5 DP 1258, Lot A DP 347697, 2-8 Belmore Street, 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 application before the Panel seeks a variation in height through a written Clause 4.6 application. The variation satisfies the objectives of the height development standard and demonstrates that compliance with the standard is unnecessary and unreasonable in the circumstances of the case. Sufficient environmental planning grounds to justify the variation have been provided. The Panel is also satisfied that the development will be in the public interest as it is consistent with the objectives of the zone.

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

On 29 March 2022 the Panel determined to defer the determination of the development application to address issues of flooding and stormwater management which had not been resolved.

Details of the stormwater management have now been submitted to Council and Council engineers are satisfied with the solution as shown on amended plans and reinforced by conditions of consent.

The proposed development is consistent with the height, floor space ratio and desired future character of the area anticipated by Council's controls.

The Panel heard from an adjoining neighbour with concerns for overshadowing, traffic and bulk and scale. The Panel is satisfied that the impact is reasonable.

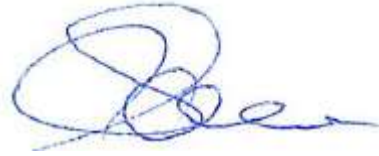
CONDITIONS

The development application was approved subject to the conditions in the Council Addendum Assessment Report dated 20 May 2022

PANEL MEMBERS



Sue Francis
(Chair)



Glenn Falson



Larissa Ozog



Bernard Hibbard
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2021/901
2	PROPOSED DEVELOPMENT	Mixed Use development - demolition of existing structures and construction of a 15-storey building comprising ground floor commercial/retail, residential shop top housing and associated parking
3	STREET ADDRESS	2-8 Belmore Street WOLLONGONG
4	APPLICANT	ADM Architects
5	REASON FOR REFERRAL	Under Clauses Clause 2(b) and 4(b) of Schedule 2 of the Local Planning Panels Direction of 30 June 2020, the proposal received over 10 unique submissions by way of objection and 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 (Infrastructure) 2007 ○ 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 Local Environment Plan 2009 • NSW Apartment Design Guide • Wollongong Section 94A Development Contributions Plan • Draft environmental planning instruments: N/A • Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 • Planning agreements: N/A • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Clause 92(1)(b) Demolition of a building. • Coastal zone management plan: N/A • 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 29 March 2022 and Addendum Report 20 May 2022 • Written submissions during public exhibition: 24 • Verbal submissions at the public meeting: one (1)
8	SITE INSPECTIONS BY THE PANEL	Virtual Site inspection – 29 March 2022. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Sue Francis (Chair), Glenn Falson, Larissa Ozog, Bernard Hibbard (Community Representative) ○ <u>Council assessment staff</u>: Brad Harris
9	COUNCIL RECOMMENDATION	Approved
10	DRAFT CONDITIONS	Attached to the Council Addendum Report dated 20 May 2022