

# DETERMINATION AND STATEMENT OF REASONS

## WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	16 November 2021
PANEL MEMBERS	Sue Francis (Chair), Scott Lee, Larissa Ozog, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 16 November 2021 opened at 5:00pm and closed at 5:30pm.

### MATTER DETERMINED

DA-2021/321 – Lot 1 DP 830398, 429-431 Princes Highway, Woonona (as described in detail in schedule 1).

### PUBLIC SUBMISSIONS

No submitters addressed the Panel.

The Panel heard from the applicant's representatives.

### 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 DECISION

The reasons for the decision of the Panel were:

- The Panel was generally supportive of the proposal, the proposed uses and the architectural treatment and resolution for this site.
- However, the Panel was concerned with the lack of detail provided in relation to the acoustic and safety barriers that are required on the roof top outdoor play areas to the child-care centre and the proposed landscaping shown on the landscaping plans.
- There was no detail as to how the acoustic barrier of 1.4 metres in height would work with the proposed planters which abut the parapet wall and are 600mm high.
- The Panel discussed this with the applicant's representatives and the applicant agreed that amended plans would be provided to clarify these issues.
  - a The Panel would prefer an increase to the height of the brick parapet wall to 1.4 metres to address the issue of acoustic attenuation. Details of this are to be provided in amended plans and elevations.
  - b An updated landscape plan to be provided to reduce any conflict and ability to climb from the proposed planters by children using the open space. No child should be able to climb from the landscape planters and gain access to the perimeter wall.
  - c The proposed parking spaces are to be specifically allocated to each use and the child care spaces to be marked staff/parent as appropriate.
  - d Signage shall be included on plans which indicates that outside of the hours of operation of the child-care centre, the parking spaces may be used by the gym members and other users of the centre.
- Accordingly, the Panel determined to defer determination of the matter until receipt of amended plans addressing the above. Following which, the Panel will consider the matter electronically unless otherwise determined by the Chair.

PANEL MEMBERS



Sue Francis  
(Chair)



Scott Lee



Larissa Ozog



Bernard Hibbard  
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2021/321
2	PROPOSED DEVELOPMENT	Mixed Use Development comprising retail shops, gymnasium, childcare centre, basement parking and six (6) awning signs
3	STREET ADDRESS	429-431 Princes Highway, WOONONA
4	APPLICANT	Mr Michael Trinh
5	REASON FOR REFERRAL	The proposal has been referred to the WLPP for determination pursuant to part 2(b) of Schedule 2 of the Local Planning Panels Direction, as the application is the subject of 10 or more unique submissions by way of objection
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>· Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy No 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy No 64—Advertising and Signage</li> <li>○ State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</li> <li>○ Wollongong Local Environment Plan 2009</li> </ul> </li> <li>· Wollongong City Wide Development Contributions Plan</li> <li>· Development control plans: <ul style="list-style-type: none"> <li>○ Wollongong Development Control Plan 2009</li> </ul> </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 16 November 2021</li> <li>· Written submissions during public exhibition: 23</li> <li>· Verbal submissions at the public meeting: Nil</li> </ul>
8	SITE INSPECTIONS BY THE PANEL	Virtual site inspection 16 November 2021. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Sue Francis (Chair), Scott Lee, Larissa Ozog, Bernard Hibbard (Community Representative)</li> <li>○ <u>Council assessment staff</u>: Rodney Thew, John Wood</li> </ul>
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report