

## DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

<b>DATE OF DETERMINATION</b>	7 May 2024
<b>PANEL MEMBERS</b>	Jan Murrell (Chair), Grant Christmas and John Brunton

Public meeting held at Wollongong City Council, Level 10 Council Chambers, 41 Burelli Street, Wollongong on 7 May 2024 opened at 5:00pm and closed at 6.04pm.

### MATTER DETERMINED

DA-2023/761 - Lot 1 DP 1088105 and Lot 2 DP 1088105, 151-161 Corrimal Street, Wollongong (as described in detail in schedule 1).

### PUBLIC SUBMISSIONS

The Panel heard from the applicant and their representatives.

### PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 7; the material presented at the meeting; and the matters listed at item 8 in Schedule 1; and observations made at the joint site inspection.

The Panel has considered the applicant's written request to justify the contravention of the Height of Buildings (Clause 4.3 of WLEP) development standard and is satisfied it demonstrates that compliance with the development standard is unreasonable and unnecessary in the circumstances of this case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

The Panel has determined the Section 4.6 request be granted as the development is in the public interest and it meets the objectives of both the development standard and the zone under Wollongong Local Environmental Plan 2009.

The Panel concurs with the Council Officer's assessment report and recommendations and has 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 are:

- The Panel acknowledges that the serviced apartment component is an ancillary use of the building being a registered club which is permissible under the current LEP. In the event of doubt, the Panel also acknowledges that the use is permissible as per the 'Existing Use' provisions in the Environmental Planning & Assessment Act 1979.
- The proposed development does not result in any unreasonable impacts on adjoining properties.

### CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following additional condition for the reason to ensure the serviced apartments remain a function of the club.

#### Use of Serviced Apartments

*"The serviced apartments must only be used and managed in conjunction with, and as part of the registered club. In this regard, strata subdivision of the serviced apartments is not permitted."*

PANEL MEMBERS



Jan Murrell  
(Chair)



Grant Christmas



John Brunton

SCHEDULE 1		
1	DA NO.	DA-2023/761
2	PROPOSED DEVELOPMENT	Alterations and additions to serviced apartments and 7 additional parking spaces
3	STREET ADDRESS	Wollongong Golf Course 151-161 Corrimal Street Wollongong NSW 2500
4	APPLICANT/OWNER	Wollongong Golf Course / Wollongong Golf Club Ltd
5	REASON FOR REFERRAL	Clause 2.19(1)(a) of the Environmental Planning Assessment Act. Under Schedule 2 of the Local Planning Panels Direction of 6 September 2023, the proposal involves departures from the Height of Building Development Standard (Clause 4.3 of WLEP) exceeding 10%.
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 (Transport and Infrastructure) 2021</li> <li>○ State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>○ Wollongong Local Environment Plan 2009</li> </ul> </li> <li>• Wollongong Development Contributions Plan</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Wollongong Development Control Plan 2009</li> </ul> </li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: <ul style="list-style-type: none"> <li>○ Clause 62: Consideration of fire safety</li> <li>○ Clause 64: Consent authority may require upgrade of buildings</li> </ul> </li> <li>• Wollongong Coastal Zone Management Plan</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 7 May 2024</li> <li>• Written submissions during public exhibition: None</li> <li>• Verbal submissions at the public meeting: Nil</li> </ul>
8	SITE INSPECTIONS BY THE PANEL	Site inspection 7 May 2024. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Jan Murrell (Chair), Grant Christmas and John Brunton</li> <li>○ <u>Council assessment staff</u>: Nadir Mian, Pier Panozzo</li> </ul>
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report