

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	15 August 2018
PANEL MEMBERS	Robert Montgomery (Chair), Helena Miller, Steve Fermio, Bernard Hibbard (Community Representative)
DECLARATIONS OF INTEREST	Nil

Public meeting held at Wollongong City council function room, 41 Burelli Street, Wollongong on 15 August 2018 opened at 5:00pm and closed at 9:12pm.

MATTER DETERMINED

DA-2018/596, Lot 1 DP 197030 and Lot 2 DP 1055077, Nos 12-14 William Street Balgownie (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by a fifteen submitters who raised issues regarding:
Flooding, character, privacy, noise, parking, traffic, waste storage, heritage impact

The Panel also heard from the applicant's architect, town planner and drainage engineer.

PANEL CONSIDERATION AND DECISION

The Panel considered the matters listed at item 7, the material presented at the meeting and the matters observed at the site inspection listed at item 8 in Schedule 1.

The owner of the adjoining property to the north requested that air conditioner placement be controlled to ensure that noise impacts are minimised to the northern boundary. The applicant's representative agreed to a condition to this effect.

The Panel was of the view that the architectural expression of the building could be improved by the addition of windows to the William Street elevations of townhouses 1 and 5. This should include an additional window to each kitchen and living/dining room at the ground floors.

The panel determined to:

1. Defer the application until the architectural plans have been amended as described above to the satisfaction of Council.
2. Delegate the determination of the application to the manager of Development Assessment and Certification in accordance with Section 2.20(8) of the EP&A Act 1979. A determination to approve the application shall include a condition relating to placement of external air conditioning units to ensure minimal impact to the adjoining property to the north.

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The panel agrees with the officer's assessment report and draft conditions subject to the plans being amended as described above.
- The Panel noted the concerns raised by surrounding neighbours but considers that the proposal is permissible, of a lower height and floor space ratio than is allowed and has merit.

PANEL MEMBERS



Robert Montgomery (Chair)



Helena Miller



Steve Fermio



Bernard Hibbard (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2018/596
2	PROPOSED DEVELOPMENT	Residential - multi dwelling housing
3	STREET ADDRESS	12-14 William Street, BALGOWNIE
4	APPLICANT/OWNER	ADM Architects
5	REASON FOR REFERRAL	Pursuant to 2.19(1)(a) of the Environmental Planning and Assessment Act 1979, under Schedule 2 of the Local Planning Panels Direction of 1 March 2018, the development has received more than 10 unique submissions objecting to the proposal.
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 (Building Sustainability Index: BASIX) 2004 ○ Wollongong Local Environment Plan 2009 · 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>: N/A · 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 15 August 2018 · Written submissions during public exhibition: 19 · Verbal submissions at the public meeting: 15
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 15 August 2018. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Helena Miller, Steve Fermio, Bernard Hibbard (Community Representative) ○ <u>Council assessment staff</u>: Pier Panozzo, Brad Harris
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report