

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	21 May 2020
PANEL MEMBERS	Alison McCabe (Chair), Mark Carlon, Steve Layman, Trish McBride (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 21 May 2020 opened at 5:00pm and closed at 7:06pm.

MATTER DETERMINED

DA-2019/1375, Lot 2 DP 1105419, 2 Market Place, Wollongong (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by 3 submitters.

The Panel also 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.

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* for the following information:
 - a. A comprehensive engineering report that addresses geotechnical requirements and which includes details of the extent of shoring and construction methodology and measures to be taken to protect adjoining properties having regard to the soil conditions of the site. The report is to address but is not limited to, bulk excavation strategy, de-watering arrangements, sub-surface drainage, size and type of rock drilling/cutting equipment, maintenance of neighbour access during construction, and use of heavy equipment in proximity to boundaries.
 - b. A minimum of 1.5m wide deep soil landscape strip at grade/existing levels is to be provided along the western boundary. A minimum of 1m wide deep soil landscape strip at grade/existing levels is to be provided along the eastern boundary.
 - c. Amended plans that:
 - i. Redesign the basement to accommodate the requirements of the engineering/geotechnical report, the minimum landscaping setback and minimum requirements of AS2890, six (6) car parking spaces and one (1) visitor space. This may require a re-configuration of spaces and re-allocation of storage areas. The amended basement is not to result in a reduction in setbacks to the southern and northern boundaries.
 - ii. Delete all references to the east and west roof terraces and replace them with non-trafficable roofs. This will require a re-configuration of the roof gardens and elevations.
 - iii. Include a manufacturers specification of the wheel chair access that demonstrates that it can be operated by a single individual without assistance.
2. That the geotechnical report and construction methodology be the subject of an independent review by a suitably qualified and experienced engineer at the applicant s expense.
3. That on receipt of amended plans addressing the above matters, a supplementary report be prepared for the Manager Development Assessment and Certification.

4. The determination of the matter be delegated pursuant to Section 2.20(8) of the Act to the Manager Development Assessment and Certification.

The decision was unanimous

PANEL MEMBERS



Alison McCabe
(Chair)



Mark Carlon



Steve Laymen



Trish McBride
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2019/1375
2	PROPOSED DEVELOPMENT	Residential - Demolition of existing structures and construction of multi dwelling housing
3	STREET ADDRESS	2 Market Place, WOLLONGONG
4	APPLICANT/OWNER	ADM Architects
5	REASON FOR REFERRAL	The proposal involves a departure from the minimum site width required by clause 7.14 of WLEP 2009
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 ○ State Environmental Planning Policy (Coastal Management) 2018 ○ Wollongong Local Environment Plan 2009 · Wollongong Section 94A Development Contributions Plan · Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 · Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Clause 92 – demolition · 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 21 May 2020 · Written submissions during public exhibition: 6 · Verbal submissions at the public meeting: three
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 21 May 2020. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Alison McCabe (Chair), Steve Layman, Mark Carlon, Trish McBride (Community Representative) ○ <u>Council assessment staff</u>: Nigel Lamb, Pier Panozzo
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report