

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	18 July 2023
PANEL MEMBERS	Robert Montgomery (Chair), Steve Fermio, Helena Miller, Trish McBride (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 18 July 2023 opened at 5:00pm and closed at 5:54pm.

MATTER DETERMINED

DA-2022/1278 - Lot 25 Sec 4 DP 1258, Lot 26 Sec 4 DP 1258 29 -31 Denison Street, Wollongong (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel heard from the applicant's representative.

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 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 were:

- The Panel agrees with the Officer's assessment and recommendation.
- The applicant has taken on board the comments of the Design Review Panel and the design as presented is an appropriate response to the site and the development controls.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report.

PANEL MEMBERS	
 Robert Montgomery (Chair)	 Steve Fermio
 Helena Miller	 Trish McBride (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2022/1278
2	PROPOSED DEVELOPMENT	Residential - demolition of existing buildings, removal of vegetation and construction of a mixed-use development
3	STREET ADDRESS	29 -31 Denison Street WOLLONGONG
4	APPLICANT/OWNER	Design Workshop Australia / LBC Project Pty Ltd, Bayard 888 Pty Ltd, Waves (Aust) Pty Ltd
5	REASON FOR REFERRAL	The proposal has been referred to Local Planning Panel for Determination pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. The application is development to which SEPP 65 applies and is required to be determined by the Panel under Schedule 2(4)(b) of the Local Planning Panels Direction.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ 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 Development Contributions Plan • Draft environmental planning instruments: • 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 2021</i>: Clause 61 • 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 18 July 2023 • Written submissions during public exhibition: one • Verbal submissions at the public meeting: Nil
8	SITE INSPECTIONS BY THE PANEL	Site inspection 18 July 2023. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Steve Fermio, Helena Miller, Trish McBride (Community Representative) ○ <u>Council assessment staff</u>: Nigel Lamb
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report