

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	29 May 2019
PANEL MEMBERS	Robert Montgomery (Chair), Sue Hobley, Mark Carlon, Tina Christy (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 29 May 2019 opened at 5:00pm and closed at 6:12pm.

MATTER DETERMINED

DA-2018/1484 - Lot C DP 421126, Lot 2 DP 420963 and Lot B DP 363316, 21-23 Mercury Street and 57 Bligh Street, WOLLONGONG (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by one submitter.

The Panel also heard from the applicant and the planner.

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 the following matters are not satisfactorily resolved in the plans and documents submitted with the application, in particular:

- The lack of integration between the final resolution to the public domain and the ground floor levels of the building and the court yards. The applicant should submit details of the proposed public domain treatment including footpath, grass verge and the like including concept design, levels and cross sections.
- The entry as it currently stands is unacceptable given its reliance on a chair lift for universal access and the poorly resolved entry sequence (conflicts between the visitor bike parking, fire stairs to the basement, changes in level, and lack of landscaping amenity).
- The communal open space needs to be better resolved to maximise amenity, accessibility and solar access. The Panel notes that the existing site levels and shape of the lot are serious constraints in relation achieving ADG compliance but is of the opinion that a better outcome should be explored. In resolving this issue, the Panel accepts that the amount of accessible communal open space may fall short of the ADG requirements.
- The landscape plan should be revised to delete the vegetable gardens which are in shade, and specify large, locally indigenous canopy tree plantings (minimum five trees) within the deep soil zone.

The Panel delegates determination of the application to the Manager Development Assessment and Certification following Council's satisfaction of the above matters.

The decision was unanimous

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The matters as detailed above have not been satisfactorily addressed.
- The Panel is of the opinion that provided these matters are satisfactorily addressed, the application has merit and is worthy of support.

PANEL MEMBERS



Robert Montgomery
(Chair)



Sue Hobley



Mark Carlon



Tina Christy
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2018/1484
2	PROPOSED DEVELOPMENT	Residential – demolition of three (3) existing dwelling houses and construction of a residential flat building
3	STREET ADDRESS	21-23 Mercury Street and 57 Bligh Street WOLLONGONG
4	APPLICANT	MMJ Wollongong
5	REASON FOR REFERRAL	The proposal has been referred to Local Planning Panel for determination pursuant to clause 4 of Schedule 2 of the Local Planning Panels Direction of 1 March 2018.
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 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 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>: Clause 92(1)(b) – Demolition of a building · 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 29 May 2019 · Written submissions during public exhibition: 12 · Verbal submissions at the public meeting: One
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 29 May 2019. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Sue Hobley, Mark Carlon, Tina Christy (Community Representative) ○ <u>Council assessment staff</u>: Pier Panozzo (Manager), Brad Harris (Officer)
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report