

ADVICE

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF MEETING	13 March 2019
PANEL MEMBERS	Robert Montgomery (Chair), Larissa Ozog, Edger du Bois (Community Representative)

Scott Lee declared a potential and perceived Conflict of Interest and did not take part in the site inspection, public meeting, deliberation and advice in relation to the matter.

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 13 March 2019 opened at 5:00pm and closed at 7:12pm.

MATTER

DA-2018/1047 – Lot 318 DP 1203219, 57 Smiths Lane, Wongawilli (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by three submitters, and the applicant's representatives.

PANEL CONSIDERATION AND ADVICE

Having considered all relevant matters, the Panel agrees with the officer's assessment and recommendation for approval. In particular, the Panel makes the following observations:

- it is considered that the conversion of the dairy to a café is an appropriate adaptive re-use of heritage item;
- it is acknowledged that the Wollongong DCP 2009 provides for a maximum size of 49 places for centres located within a R2 Residential zone. However, the Panel agrees that the location and size of the site and relationship to existing and future residential development provides justification for the proposed capacity of 75 places. It is noted that as provided by the Environmental Planning and Assessment Act 1979, development control plans requirements are to be applied as guidelines and in this case, it is considered that the objectives have been satisfied;
- it is noted that State Environmental Planning Policy (Educational Establishment and Child Care Facilities) 2017 applies to this development. The application complies with all provisions of the SEPP and the Child Care Planning Guidelines;
- it is noted from public submissions that the car parking area for the child care centre is deficient by three spaces. The applicant is prepared to increase the number of spaces to comply with the DCP requirement. In this regard it is suggested that proposed Condition 25 be suitably amended;
- the Panel notes that this development is linked to a conservation management plan for the heritage items, which will be enabled by a positive covenant on the title of the land;

The Panel notes that the statutory requirements of SEPP 55 – Remediation of Land, specify specific requirements to Category 1 – Remediation Work. The Panel recommends that Council satisfies itself in relation to advertising and compliance in respect of the Remediation Action Plan (RAP).

Voting: 3/0