

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	4 March 2020
PANEL MEMBERS	Sue Francis (Chair), Steven Layman, Steve Fermio and Trish McBride (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on Wednesday 4 March opened at 5:00pm and closed at 5.48pm.

MATTER DETERMINED

DA-2019/1122, Lot 42 - 45 Sec 5 DP 1258, 20 – 26 Young Street, Wollongong NSW 2500 (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by two 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.

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 Panel heard from one objector who raised concerns regarding loss of daylight, privacy and excavation. Another objector raised objection to the zoning of the site to allow high rise development, a lack of public open space and parking. He also raised the Council's draft framework plan relating to the city centre.

The Panel considered these matters but concluded that the proposal exceeded the relevant amenity provisions of the Apartment Design Guide relating to building separation, solar access and privacy. Matters relating to excavation were addressed in the geotechnical report and satisfactorily addressed in the conditions of consent.

As to the issues of the purported inappropriate zoning of the land, this is a matter for consideration by Council in their future strategic planning of the LGA and is not a matter for consideration in the application. Nor is the draft framework plan a matter for consideration under the Act. The car parking complies with Council's DCP. Public open space is provided through Council's contribution plan, in respect of which this DA will contribute.

In determining this application, the Panel also had regard to the adjoining approved building and the likely future development in the area. The proposal is significantly under the height development standard and FSR development standard and exceeds many of the minimum ADG guidelines and is satisfactory.

CONDITIONS

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

PANEL MEMBERS



Sue Francis
(Chair)



Steve Layman



Steve Fermio



Trish McBride
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2019/1122
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of a 15 storey mixed use development comprising 60 residential units, six (6) commercial tenancies and parking for 89 vehicles
3	STREET ADDRESS	Lot 42 - 45 Sec 5 DP 1258, 20 – 26 Young Street, Wollongong NSW 2500
4	APPLICANT	Design Workshop Australia
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 proposal is captured by clause 4(b) of Schedule 2 of the Local Planning Panels Direction of 1 March 2018, as the proposal is development to which State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development applies and is 4 or more storeys in height.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Infrastructure) 2007 ○ 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 City-Wide Development Contributions Plan 2019 • Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 • 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 4 March 2020 • Written submissions during public exhibition: five • Verbal submissions at the public meeting: two
8	SITE INSPECTIONS BY THE PANEL	Site inspection 4 March 2020 Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Sue Francis (Chair), Steve Layman, Steve Fermio and 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