

DETERMINATION AND STATEMENT OF REASONS
WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	20 April 2021
PANEL MEMBERS	Alison McCabe, Robert Montgomery, Helena Miller, Edger du Bois

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 20 April 2021 opened at 5:00pm and closed at 5.55pm.

MATTER DETERMINED

DA-2020/1440, Lot 1 DP 1132396, Lot 1 Sperry Street, Wollongong (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

No submitters addressed the Panel.

The Panel heard from the applicant.

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 refuse 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 proposed subdivision does not meet the minimum lot size under Clause 4.1 Wollongong Local Environmental Plan 2009 or the objectives of this Clause.
- The Clause 4.6 Exemption to Development standards does not satisfactorily address Clause 4.6(3).
- There are not sufficient environmental planning ground to support the subdivision.
- The site is not suitable for the proposed subdivision.
- The proposal does not satisfy the objectives for the R2 zone.

PANEL MEMBERS	
 Alison McCabe (Chair)	 Robert Montgomery
 Helena Miller	 Edger du Bois (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2020/1440
2	PROPOSED DEVELOPMENT	Subdivision - Torrens title - two (2) lots
3	STREET ADDRESS	Lot 1 Sperry Street, Wollongong
4	APPLICANT	Wollongong City Council
5	REASON FOR REFERRAL	Under 1(a) and 3, Schedule 2 of the Local Planning Panels Direction of 30 June 2020, Council is the applicant and landowner and the proposed development contravenes a development standard by more than 10% (minimum lot size).
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 64—Advertising and Signage ○ Wollongong Local Environment Plan 2009 · Wollongong City Wide Development Contributions Plan · Draft environmental planning instruments: Nil · Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 · Planning agreements: Nil · Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: None applicable · Coastal zone management plan: Not applicable · 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 20 April 2021 · Written submissions during public exhibition: Two (2) · Verbal submissions at the public meeting: None
8	SITE INSPECTIONS BY THE PANEL	Site inspection 20 April 2021 Attendees: <ul style="list-style-type: none"> ○ Panel members: Alison McCabe (Chair), Robert Montgomery, Helena Miller, Edger du Bois (Community Representative) ○ Council assessment staff: Pier Panozzo and Rebecca Welsh
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report