

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-2020/1292, Lot 100 DP 1006976, Lot 2 DP 150574, 40-46 Crown Street, Wollongong (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

No submitters addressed the Panel

The Panel heard from the applicants and their representatives.

The Panel notes that the development does not comply with the ADG separation distance to the northern boundary. Given this development is the first building in the block it is important that boundary separation distances are met. The northern elevation of the building contains numerous window openings to living areas thereby maximising the northern solar orientation. The Panel notes that there is an opportunity to move the tower slightly closer to the Crown Street frontage to archive proper separation and to avoid any adverse privacy impacts.

The DRP required amendment to the roof and upper level to reduce the perceived mass on the top two levels of the building compared to the base of the building. The Panel is of the view that the DRP comment have not been adequately addressed and that the roof and upper levels read like floor space and add unnecessary bulk to the building.

The Panel after further investigation and review of the documentation submitted with the application notes that remediation matters could be conditioned.

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 described in Schedule 1 for amended plans that address the following:

1. Demonstrate compliance with ADG distances to the Northern boundary.
2. Address the DRP comments that require amendment to the roof and upper level to reduce the perceived mass.

That on receipt of the amended plans a further report be prepared.

The Panel delegates determination of the application to the Manager Development Assessment and Certification under Section 2.20(8) following Council's assessment of the above matters.

The decision was unanimous

PANEL MEMBERS



Alison McCabe
(Chair)



Robert Montgomery



Helena Miller



Edger du Bois
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2020/1292
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of a mixed-use development
3	STREET ADDRESS	40-46 Crown Street, Wollongong
4	APPLICANT	ADM Architects
5	REASON FOR REFERRAL	The proposal is captured by Schedule 2 (3), (4 b) of the Local Planning Panels Direction of 30 June 2020. The proposal is development to which State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development applies a contains a departure to a development standard of more than 10% being the building separation requirement of clause 8.6 of Wollongong Local Environmental Plan 2009.
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 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 (Demolition) · 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 20 April 2021 · Written submissions during public exhibition: [6 Submissions] · Verbal submissions at the public meeting: None
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 20 April 2021 Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Alison McCabe (Chair), Robert Montgomery, Helena Miller, Edger du Bois (Community Representative) ○ <u>Council assessment staff</u>: Pier Panozzo, Brad Harris, Alexandra McRobert
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report