

# DETERMINATION AND STATEMENT OF REASONS

## WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	12 December 2018
PANEL MEMBERS	Robert Montgomery (Chair), Sue Hobley, Brendan Randles, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 12 December 2018 opened at 5:00pm and closed at 6:56pm.

### MATTER DETERMINED

DA-2017/1064 - Lot 56 DP 27796, 39 Angel Street, Corrimal (as described in detail in schedule 1).

### PUBLIC SUBMISSIONS

The Panel was addressed by seven submitters.

The Panel also heard from the applicant's architect, planner, traffic engineer and arborist.

### PANEL CONSIDERATION AND DECISION

The Panel considered the matters listed at item 7, the material presented at the meeting and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel is satisfied that the applicant has addressed the matters raised at the previous Panel meeting:

- The building footprints for blocks A and B have been reduced which has removed the encroachment of the foreshore building line and provided for the retention of tree 18.
- Two independent arborist reports have been submitted which specify measures to ensure the retention of tree 18. An amended landscape plan has been provided.
- A road safety audit including traffic survey data, has been prepared confirming that the vehicle generation is within the capacity of the existing road system and that the driveway location is suitable.
- A revised Statement of Environmental Effects has been submitted.

Although many submitters are still concerned about flooding issues and stormwater management, the Panel is satisfied that the stormwater/flooding consultant has adequately dealt with these matters.

The Panel believe that the proposal would have benefitted from a Design Review Panel process particularly given the relationship to the public land to the site adjoining to the east and the potential for a cross-site link. The Panel acknowledges that the design was not required to undergo the Design Review Panel process. However, should opportunities arise in the future for the development to be better linked to the adjoining public land, the owner/developer should be encouraged to do so.

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

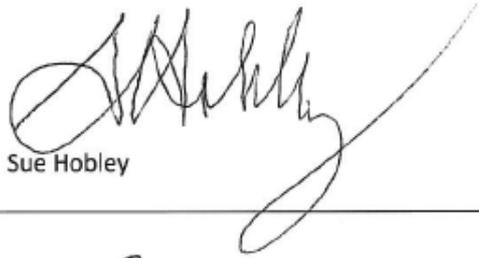
The reasons for the decision of the Panel were:

- The proposal satisfactorily addressed the concerns raised at the previous Panel meeting on 15 August 2018.
- The development is permissible and satisfies the relevant statutory controls for the site.
- The height of the built form proposed is consistent with residential development in the locality; (the Panel notes that no sections were submitted to demonstrate this consistency in height which had they been submitted, may have mitigated many of the concerns of the adjacent residents).

- The abundance of trees on the site significantly reduce the visual impact of the proposal.
- It is noted that riparian corridor will be improved through the reinstatement of native vegetation and weed control.

#### CONDITIONS

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

PANEL MEMBERS	
 Robert Montgomery (Chair)	 Sue Hobley
 Brendan Randles	 Bernard Hibbard (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2017/1064
2	PROPOSED DEVELOPMENT	Mixed Use residential development – Phase 1. Demolition of existing dwelling, tree removals and construction of a two storey residential flat building containing 12 apartments plus basement parking, a two storey dwelling, riparian area works, driveway and bridge access. Phase 2. Construction of a two storey residential flat building containing 16 apartments plus basement parking.
3	STREET ADDRESS	39 Angel Street, Corrimal
4	APPLICANT	ADM Architects
5	REASON FOR REFERRAL	Section 2(b) of Schedule 2 of the Local Planning Panels Direction of 1 March 2018 as the Development Application is the subject of 10 or more unique submissions.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>· Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy No 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development</li> <li>○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>○ Wollongong Local Environment Plan 2009</li> <li>○ Wollongong Development Control Plan 2009</li> </ul> </li> <li>· Wollongong City Wide Development Contributions Plan 2018</li> <li>· The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>· The suitability of the site for the development</li> <li>· Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>· The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>· Council assessment report dated 12 December 2018</li> <li>· Previous WLPP recommendations from meeting 15 August 2018</li> <li>· Council assessment report dated 15 August 2018</li> <li>· Written submissions during public exhibition: 36 submissions during first round of notification and 10 submissions during second round of notification.</li> <li>· Verbal submissions at the public meeting: 7</li> </ul>
8	SITE INSPECTIONS BY THE PANEL	Site inspection 12 December 2018. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Robert Montgomery (Chair), Sue Hopley, Brendan Randles, Bernard Hibbard (Community Representative)</li> <li>○ <u>Council assessment staff</u>: John Wood, Kristy Robinson</li> </ul>
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report