

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	22 June 2021
PANEL MEMBERS	Alison McCabe (Chair), Helena Miller, Steven Layman, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 22 June 2021 opened at 5:00pm and closed at 7:23pm.

MATTER DETERMINED

DA-2020/1458 – Lots 9 and 10 Sec A DP 15742, 6-8 Dudley Street, Wollongong (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by one submitter.

The Panel 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 acknowledges that this application will result in significant change to the street and will establish the future character of the area.

The Panel is supportive of the application except for the setback of level 5 to the rear boundary. This aspect requires amendment.

The Panel is satisfied that the variation to the building height standard does not result in unreasonable impacts.

The Panel has considered the applicant's written request to justify the contravention of the height development standard and is satisfied that it demonstrates that compliance with the standard is unreasonable and unnecessary in the circumstances of this case. The Panel also considered that there are sufficient environmental planning grounds to justify contravening the development standard.

The Panel is also satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the relevant development standard and the objectives of the relevant zone.

The Panel determined to defer the development application as described in Schedule 1 for amended plans that address the following:





1. Setback the western alignment of Unit 304 a minimum of 12 metres from the western boundary. This may result in a reconfiguration of units 302 and 305.
2. Identify all landscape areas along the street frontage and side and rear boundaries as common property.
3. Rectify inconsistencies between the architectural plans and landscape plan and the structures in the landscape setback to the street in the south-east corner of the site adjacent to unit G01.

The applicant be requested to provide amended plans within twenty-one (21) days from the date of this decision.

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)	 Helena Miller
 Steven Layman	 Bernard Hibbard (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2020/1458
2	PROPOSED DEVELOPMENT	Residential - demolition of existing structures and construction of a six (6) storey residential flat building comprising of 27 units with basement level car parking and lot consolidation
3	STREET ADDRESS	Lots 9 and 10 Sec A DP 15742, 6-8 Dudley Street, Wollongong
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. Under Schedule 2, 4 (b) and 3 of the Local Planning Panels Direction of 30 June 2020, the proposal is development to which SEPP 65 applies and the development proposes a departure from the height standards of 12.25%.
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 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 · 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 22 June 2021 · Written submissions during public exhibition: six (6) · Verbal submissions at the public meeting: one (1)
8	SITE INSPECTIONS BY THE PANEL	Site inspection 22 June 2021. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Alison McCabe (Chair), Helena Miller, Steven Layman, Bernard Hibbard (Community Representative) ○ <u>Council assessment staff</u>: Vanessa Davis
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report