

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	30 November 2021
PANEL MEMBERS	Stephen Davies (Chair), Mark Carlon, Larissa Ozog, Tina Christy (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 30 November 2021 opened at 5:00pm and closed at 7:22pm.

MATTER DETERMINED

DA-2021/890 - Lot 80 DP 13047, Lot 43 DP 10704, Lot 44 DP 10704, Lot 45 DP 10704, Lot 81 DP 13047, 7-15 Gladstone Avenue, Wollongong (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

No submitters or the applicant addressed the Panel.

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 concurred with the officer's assessment report and recommendation and 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.

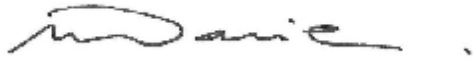
REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- Compliance with the Apartment Design Guide is considered a minimum requirement for development of this nature. The proposal fails to satisfy a number of design criteria and the internal layout, circulation and amenity of units is sub-standard.
- It's been demonstrated by the Design Review Panel advice and the officer's assessment that the design simply fails to adequately address the constraints of the site and achieve design excellence.
- The proposed built form outcome is considered inappropriate given the site's constraints and the opportunities it offers.
- The Panel concurs with the officer's report and the reasons for refusal.

Should the decision be legally appealed, the Panel delegates any function of the Panel to defend the matter in accordance with S2.20(8) of the Act to Council.

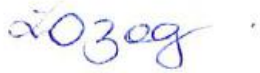
PANEL MEMBERS



Stephen Davies
(Chair)



Mark Carlon



Larissa Ozog



Tina Christy
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2021/890
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of mixed use development
3	STREET ADDRESS	7-13 and 15 Gladstone Avenue, WOLLONGONG
4	APPLICANT/OWNER	Kingdom Developments 5 Pty Ltd C/- The Planning Hub
5	REASON FOR REFERRAL	Under Schedule 2 (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.
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 – Affordable Rental Housing 2009 ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ Wollongong Local Environment Plan 2009 · NSW Apartment Design Guide · Wollongong City Wide Development Contributions Plan · Draft environmental planning instruments: Draft Remediation of Land SEPP, Draft Housing SEPP · 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>: 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 30 November 2021 · Written submissions during public exhibition: Three (3) including one(1) letter of support · Verbal submissions at the public meeting: Nil
8	SITE INSPECTIONS BY THE PANEL	<p>Virtual site inspection 30 November 2021. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Stephen Davies (Chair), Mark Carlon, Larissa Ozog, Tina Christy (Community Representative) ○ <u>Council assessment staff</u>: Rebecca Welsh
9	COUNCIL RECOMMENDATION	Refuse
10	DRAFT CONDITIONS	Attached to the council assessment report