

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	11 February 2020
PANEL MEMBERS	Robert Montgomery (Chair), Steve Layman, Scott Lee and Tina Christy (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 11 February 2020 opened at 5:00pm and closed at 5.22pm.

MATTER DETERMINED

DA-2019/779, Lot 21 DP 609226 & Lot 31 DP 558349, 80 - 82 Market Street, Wollongong NSW 2500 (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

No submitters addressed the Panel.

The Panel heard from the applicant's architect and town planner, who answered questions from the Panel.

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 acknowledges that the design is the product of voluntary consultation with the Design Review Panel and subsequent discussions with Council planning staff. The design also acknowledges its location relative to the heritage listed Illawarra Hotel adjoining the laneway to the east and the Catholic Education Building adjoining to the west.

The Panels concerns are two fold, firstly for a comprehensive urban design rationale for the proposed building form within its immediate context and the broader context of Market Street; and secondly, a more focused rationale for the variation to the development standard contained within Clause 8.6 (building setback) of WLEP2009. It was noted in discussions with the applicant's representatives that the rationale for variation to development standard should be clearly focused on the environmental planning grounds for the variation to the standard rather than the benefits of the development as a whole. The Clause 4.6 request should also consider the development standard as it applies to east and west sides of the building.

The Panel determined to defer the development application to allow the applicant an opportunity to provide additional documentation in response to the comments above. The Panel also determined to determine the matter by electronic meeting when the additional information is received.

The decision was unanimous.

PANEL MEMBERS	
 Robert Montgomery (Chair)	 Steve Layman
 Scott Lee	 Tina Christy (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2019/779
2	PROPOSED DEVELOPMENT	Commercial - demolition of existing structures and construction of a six (6) storey development
3	STREET ADDRESS	80 - 82 Market Street, Wollongong NSW 2500
4	APPLICANT	Design Workshop Australia
5	REASON FOR REFERRAL	Departure to building separation under Clause 8.6 of the 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 No 55 – Remediation of Land ○ Wollongong Local Environment Plan 2009 • NSW Apartment Design Guide • Wollongong Section 94A 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>: Clause 92 • Coastal zone management plan: Nil • 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 11 February 2020 • Written submissions during public exhibition: Two (2) • Verbal submissions at the public meeting: Nil
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 11 February 2020 Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Steve Layman, Scott Lee, Tina Christy (community representative) ○ <u>Council assessment staff</u>: Brad Harris, Pier Panozzo
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report