

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	16 November 2021
PANEL MEMBERS	Sue Francis (Chair), Scott Lee, Larissa Ozog, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 16 November 2021 opened at 5:00pm and closed at 5.30pm.

MATTER DETERMINED

DA-2021/809 – Lot 17 DP 263884, 3 Ralph Black Drive, North Wollongong (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

No submitters addressed the Panel.

The Panel heard from the applicant's planner.

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 considered the written clause 4.6 variation to the floor space ratio development standard. The Panel accepted that compliance was unnecessary and unreasonable in the circumstances of this case due to the internal nature of the proposed works which result in the variation. Sufficient Environmental Planning grounds have been provided to establish that the objectives of the development standard have been satisfied notwithstanding the variation sought.

The proposed variation would satisfy the objectives of the zone and would be in the public interest.

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 proposed works are minor and internal notwithstanding the increase in Floor Space Ratio.
- No detrimental environmental impact would occur as a consequence of the proposal.

CONDITIONS

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

PANEL MEMBERS



Sue Francis
(Chair)



Scott Lee



Larissa Ozog



Bernard Hibbard
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2021/809
2	PROPOSED DEVELOPMENT	Alterations and additions to building to use as self-storage units
3	STREET ADDRESS	3 Ralph Black Drive, NORTH WOLLONGONG NSW 2500
4	APPLICANT	MMJ Wollongong
5	REASON FOR REFERRAL	The proposal has been referred to the WLPP for determination pursuant to part 3 of Schedule 2 of the Local Planning Panels Direction, as the development application seeks a departure from development standards by more than 10%.
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 · Wollongong City Wide Development Contributions Plan · 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 16 November 2021 · Written submissions during public exhibition: Nil · Verbal submissions at the public meeting: Nil
8	SITE INSPECTIONS BY THE PANEL	Virtual site inspection 16 November 2021. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Sue Francis (Chair), Scott Lee, Larissa Ozog, Bernard Hibbard (Community Representative) ○ <u>Council assessment staff</u>: Vanessa Davis
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report