

## DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

|                              |  |
|------------------------------|--|
| <b>DATE OF DETERMINATION</b> | 23 February 2023   |
| <b>PANEL MEMBERS</b>         | Robert Montgomery (Chair), Steve Layman, Mark Carlon, Trish McBride (Community Representative) |

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 23 February 2023 opened at 5:00pm and closed at 6:04pm.

### MATTER DETERMINED

DA-2022/1093 – Lot 19 DP 6793, Lot 20 DP 6793, Lot 21 DP 6793, Part Lot 22 DP 6793, Lot 1 DP 83742, Lot 1 DP 326181, Lot 1 DP 595930, 27-29 Hospital Road, Bulli (as described in detail in schedule 1).

### PUBLIC SUBMISSIONS

The Panel was addressed by three (3) submitters.

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 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 Panel concurs with the Officer's assessment and recommendation.
- The Panel heard from three nearby residents, who raised a number of matters including lack of parking at the new Bulli Hospital, possible heritage value of buildings on the site and the potential for community use. While the Panel acknowledges these genuine concerns, they are not matters for consideration in determining the development application. It is also noted that the site is not listed as an item of heritage value.
- It is clear that the demolition works have the potential for creating adverse impacts in relation to surrounding properties and traffic in Hospital Road. The Panel considers that the additional conditions proposed will assist in the management of those impacts.

### CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following additional conditions as agreed by the applicant's representatives:

- The developer is to establish a community liaison committee, consisting of Developer representatives as necessary and three community representatives, to facilitate information flow to the community regarding the development progress, issues and complaints that arise and solutions and remedies initiated. A newsletter should be produced and circulated to adjoining residents and occupants on a monthly or as agreed basis. Meetings are to be chaired by Developer representatives. The Committee shall be established prior to commencement of works and shall operate during demolition works.

- A complaints management system shall be established prior to commencement of works, which includes the following components:
  - Signs located in prominent locations on Hospital Road and Dumbrell Road providing a telephone contact number for complaints and issues to be reported.
  - An appropriate person nominated to be responsible for dealing with complaints.
  - A register of complaints to be kept and made available to Council upon request. The register shall include details of how each complaint has been acted on/resolved.

| PANEL MEMBERS  |  |
|--|--|
|  <p>Robert Montgomery<br/>(Chair)</p> |  <p>Steve Layman</p>                                   |
|  <p>Mark Carlon</p>                 |  <p>Trish McBride<br/>(Community Representative)</p> |

| SCHEDULE 1 |                                   |  |
|------------|-----------------------------------|--|
| 1          | DA NO.                            | DA-2022/1093   |
| 2          | PROPOSED DEVELOPMENT              | Demolition works – decommissions Bulli Hospital  |
| 3          | STREET ADDRESS                    | 27-29 Hospital Road BULLI NSW 2516   |
| 4          | APPLICANT/OWNER                   | Landcom  |
| 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 is deemed to be of significant community interest by written submissions having been received from thirteen (13) objectors.   |
| 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 (Resilience and Hazards) 2021</li> <li>○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>○ Wollongong Local Environment Plan 2009</li> </ul> </li> <li>• Wollongong Development Contributions Plan</li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Wollongong Development Control Plan 2009</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Clause 61</li> <li>• Coastal zone management plan: N/A</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 23 February 2023</li> <li>• Written submissions during public exhibition: thirteen (13)</li> <li>• Verbal submissions at the public meeting: three (3)</li> </ul>   |
| 8          | SITE INSPECTIONS BY THE PANEL     | <p>Site inspection 23 February 2023. Attendees:</p> <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Robert Montgomery (Chair), Steve Layman, Mark Carlon, Trish McBride (Community Representative)</li> <li>○ <u>Council assessment staff</u>: Sarah Goodman, John Wood, Gaby Kirwood, Carly Boag</li> </ul>  |
| 9          | COUNCIL RECOMMENDATION            | Approve  |
| 10         | DRAFT CONDITIONS                  | Attached to the council assessment report  |