

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	28 June 2022
PANEL MEMBERS	Robert Montgomery (Chair), Tina Christy, Stephen Davies, Peter Sarlos (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 28 June 2022 opened at 5:00pm and closed at 5:36pm.

MATTER DETERMINED

DA-2021/1037 – Lots 6 and 7 DP 37881, 12-14 Gipps 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, who were available to answer questions.

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 agrees that the minor variations to DCP controls and ADG for unit mix and building separation are justified in the circumstances.
- In response to the submitter’s concerns, the Panel notes that the shadow diagrams, prepared at 30-minute intervals, demonstrate that there will be no adverse impact on the submitter’s residence. It is also noted that the development provides on-site car parking in excess of the DCP requirements.
- The proposal is an appropriate response to the zoning of the land and its context within the locality. The design is well resolved and reflects a collaborative approach with Council to achieve a desirable outcome.

CONDITIONS

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

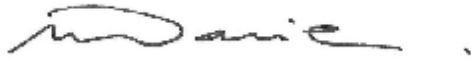
PANEL MEMBERS



Robert Montgomery
(Chair)



Tina Christy



Stephen Davies



Peter Sarlos
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2021/1037
2	PROPOSED DEVELOPMENT	Residential - demolition of existing structures, proposed apartment building comprising 11 apartments over basement parking
3	STREET ADDRESS	12-14 Gipps Street, WOLLONGONG
4	APPLICANT	ADM Architects
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 Clauses Clause 2(b) and 4(b) of Schedule 2 of the Local Planning Panels Direction of 30 June 2020, the proposal received over 10 unique submissions and 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 (Resilience & Hazards) 2021 ○ State Environmental Planning Policy 65 - Design Quality of Residential Apartment Development ○ State Environmental Planning Policy (Transport & Infrastructure) 2021 ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ State Environmental Planning Policy (Koala Habitat Protection) 2021 ○ Wollongong Local Environment Plan 2009 • Other policies: <ul style="list-style-type: none"> ○ NSW Apartment Design Guide ○ Wollongong City Wide Development Contributions Plan 2021 • 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 61 - Additional matters that consent authority must consider. In determining a development application for the demolition of a building, the consent authority must consider the Australian Standard AS 2601—2001: <i>The Demolition of Structures</i>. • 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 28 June 2022 • Written submissions during public exhibition: ten (10). • Verbal submissions at the public meeting: one (1)
8	SITE INSPECTIONS BY THE PANEL	<p>Virtual Site inspection 28 June 2022. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Tina Christy, Stephen Davies, Peter Sarlos (Community Representative)

		<ul style="list-style-type: none"> ○ <u>Council assessment staff</u>: Theresa Whittaker, Senior Development Project Officer. Pier Panozzo, Manager City Centre & Major Development.
9	COUNCIL RECOMMENDATION	Approve with conditions
10	DRAFT CONDITIONS	Attachment 6 to the Council assessment report.