

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	12 December 2018
PANEL MEMBERS	Robert Montgomery (Chair), Brendan Randles, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 12 December 2018 opened at 5:00pm and closed at 6:56pm.

Sue Hobley declared a less than significant non-pecuniary interest in that she was a member of the Design Review Panel which reviewed the application. Accordingly, Ms Hobley left the room during the discussion, public hearing and voting.

MATTER DETERMINED

DA-2018/68 - Pt Lot 1 DP 27990, 9 Crown Lane, Wollongong (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

No submitters addressed the Panel.

The applicant's architect answered questions from 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 notes that the proposal been through the Design Review Panel process and assessed by Council's planning staff. The Panel is satisfied that the issues raised by the Design Review Panel and Council's planning staff have been satisfactorily addressed, in particular:

- The minor departure from the building height standard has been justified as required by Clause 4.6 of WLEP 2009.
- The departure from the building separation standard has been justified as required by Clause 4.6 of WLEP 2009.
- Internal planning has been greatly improved.
- The building language has been simplified and rationalised as requested.

The Panel is concerned that the following matters have not been fully resolved:

- The forecourt at the north-west of the site lacks design quality. The interface between the proposed open space and the public domain (materials, levels, access, landscape etc.) is poorly resolved and does not indicate how an amenable and beautiful open space will result. The Panel notes that Condition 44 requires these matters to be resolved prior to Construction Certificate.
- The Panel notes that a chief façade building material is a sandwich panel that has been reported in other areas of Australia as being potentially flammable. The Panel believe that it would be prudent to investigate alternative cladding if it cannot be demonstrated that the proposed cladding is safe and compliant.
- A number of rooms are less than 12 metre squared required by WDCP 2009. It is noted that this matter is addressed by Conditions of Consent. Furthermore, the configuration of some rooms such as suite 16 may create cramped and unamenable spaces; such rooms should be reconfigured.
- The basement 1 fire stair to the east of the building should be reconfigured to align with the feature blade wall. Ideally, the stair will be housed within the wall.
- Egress from each floor appears not to have been informed by a suitably qualified fire engineer. Any fire engineered solutions must be verified by a qualified fire consultant.

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 proposal addresses the matters raised by the Design Review Panel and Council's Planning staff
- The Panel is satisfied that the departures from the building height and building separation clauses of WLEP 2009 are justified and are acceptable in the circumstances.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report and additional conditions required to address the above matters of concern.

PANEL MEMBERS	
 Robert Montgomery (Chair)	
 Brendan Randles	 Bernard Hibbard (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2018/68
2	PROPOSED DEVELOPMENT	Erection of a nine (9) storey building containing eight (8) floors of boarding house accommodation with 95 rooms, ground floor commercial premises and two (2) basement levels with parking for 25 cars
3	STREET ADDRESS	9 Crown Lane, Wollongong
4	APPLICANT/OWNER	PRD Architects (applicant) 9 Crown Lane Wollongong Pty Ltd (owner)
5	REASON FOR REFERRAL	Schedule 2(3) Local Planning Panels Direction 1 March 2018 development standard departure 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 (State and Regional Development) 2011 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy No 55 – Remediation of Land ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ Wollongong Local Environment Plan 2012 · Wollongong Development Contributions Plan 2018 · Draft environmental planning instruments: SEPP Coastal Management 2016 · 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>: Nil · 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 12 December 2018 · Written submissions during public exhibition: Three · Verbal submissions at the public meeting: Nil
8	SITE INSPECTIONS BY THE PANEL	Site inspection 12 December 2018. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Sue Hopley, Brendan Randles, Bernard Hibbard (Community Representative) ○ <u>Council assessment staff</u>: Pier Panozzo, Anne Starr
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the Council assessment report