

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	29 March 2022
PANEL MEMBERS	Sue Francis (Chair), Glenn Falson, Larissa Ozog, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 29 March 2022 opened at 5:00pm and closed at 5:36pm.

MATTER DETERMINED

DA-2021/901 - Lots 1 – 3 Section 5 DP 1258, Lot A DP 347697, 2-8 Belmore 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.

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 defer 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 agreed with Council staff that the issue of flooding and stormwater management had not been resolved but agreed that since the applicant has already engaged with Council with a view to providing the necessary documentation to address this issue, that a deferral was appropriate in this particular case rather than a refusal.
- Given that it is unclear whether the solution to flooding/stormwater issues will affect the height of the building, which building already exceeds the height development standard, the Panel would like the matter returned to it for consideration once the flooding and stormwater issue has been resolved.
- In submitting the matter back to the Panel with a supplementary report, the matter will be dealt with electronic meeting unless otherwise stated by the Chair.

PANEL MEMBERS



Sue Francis
(Chair)



Glenn Falson



Larissa Ozog



Bernard Hibbard
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2021/901
2	PROPOSED DEVELOPMENT	Mixed Use development - demolition of existing structures and construction of a 15 storey building comprising ground floor commercial/retail, residential shop top housing and associated parking
3	STREET ADDRESS	2-8 Belmore Street WOLLONGONG
4	APPLICANT	ADM Architects
5	REASON FOR REFERRAL	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 by way of objection 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 (Infrastructure) 2007 ○ State Environmental Planning Policy No 55 – Remediation of Land ○ State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ Wollongong Local Environment Plan 2009 · NSW Apartment Design Guide · Wollongong Section 94A Development Contributions Plan · Draft environmental planning instruments: N/A · Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 · Planning agreements: N/A · Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Clause 92(1)(b) Demolition of a building. · Coastal zone management plan: N/A · 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 29 March 2022 · Written submissions during public exhibition: 24 · Verbal submissions at the public meeting: one (1)
8	SITE INSPECTIONS BY THE PANEL	Virtual Site inspection – 29 March 2022. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Sue Francis (Chair), Glenn Falson, Larissa Ozog, Bernard Hibbard (Community Representative) ○ <u>Council assessment staff</u>: Brad Harris
9	COUNCIL RECOMMENDATION	Refuse
10	DRAFT CONDITIONS	Attached to the council assessment report