

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	3 November 2020
PANEL MEMBERS	Sue Francis (Chair), Larissa Ozog, Robert Montgomery, Trish McBride (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 3 November 2020 opened at 5:00pm and closed at 6:51pm.

MATTER DETERMINED

DA-2020/572 – Lot 1 DP 86796, 481-485 Princes Highway, Woonona (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by two submitters.

The Panel heard from the applicant and their 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 Panel considered that there are several matters that required resolution before any favourable determination could be made. These are as follows:

- The Panel must be satisfied that the proposal is suitable for its use having regard to SEPP 55. At present it is not. Further assessment is required together with a Remediation Action Plan and verification from a site auditor is to be provided.
- The visitors' vehicles, both passenger and service vehicles, cannot turn within the site. A turning head/facility is to be provided to minimise vehicles reversing out of the site.
- The visitors' spaces appear too narrow and are positioned in locations which prevent manoeuvring of vehicles in a forward gear. These need to be enlarged and relocated and dimensioned. It may need reduction in GFA. The Panel also considers that locating visitors' spaces and turning facilities in direct proximity to the front door of dwellings is undesirable from an amenity and safety perspective and so these spaces should be redesigned and relocated.
- The waste garbage collection is unresolved. Garbage bins must not be required to be taken through the living areas of the dwellings. This needs to be redesigned.
- Any recommendation for approval shall include a condition requiring a construction management plan and dilapidation reports for all adjoining properties both public and private

The Panel requires the above information to be provided to Council within twenty-eight (28) days following which a supplementary report will be provided to the Panel for determination. The matter will be determined electronically unless otherwise stated by the Chair.

PANEL MEMBERS



Sue Francis
(Chair)



Larissa Ozog



Robert Montgomery



Trish McBride
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2020/572
2	PROPOSED DEVELOPMENT	Residential - multi dwelling housing - demolition of existing warehouse storage facility and construction of 12 x two storey dwellings.
3	STREET ADDRESS	481-485 Princes Highway, Woonona.
4	APPLICANT	MMJ Wollongong
5	REASON FOR REFERRAL	Under Schedule 2 of the Local Planning Panels Direction of 30 June 2020, the proposal is categorised as contentious development under 2(b) of the Schedule as over 10 unique submissions were received
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 ○ State Environmental Planning Policy – (Building Sustainability Index: BASIX) 2004 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (Koala Habitat Protection) 2019 ○ Wollongong Local Environment Plan 2009 · Wollongong City Wide Development Contributions Plan 2019 · Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 · Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: <ul style="list-style-type: none"> ○ Clause 92 – demolition and provisions of AS2601 · 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 3 November 2020. · Written submissions during public exhibition: 21 · Verbal submissions at the public meeting: two
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 3 November 2020. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Sue Francis (Chair), Larissa Ozog, Robert Montgomery, Trish McBride (Community Representative) ○ <u>Council assessment staff</u>: Sharyn Grant, John Wood
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report