

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	13 August 2020
PANEL MEMBERS	Robert Montgomery (Chair), Larissa Ozog, Scott Lee, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 13 August 2020 opened at 5:00pm and closed at 5.28pm.

MATTER DETERMINED

DA-2020/605 – Lot 45 DP 1080717, 17 Kembla Street, Wollongong (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

No submitters addressed the Panel.

The Panel did not hear from the applicant.

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 was satisfied that the requirements of Clause 4.6(3) have been adequately addressed and that the Panel is satisfied that Clause 4.6(4)(a)(ii) are met in respect to the development standard relating to the building height.
- The Panel concurs with the officer's assessment and recommendation.
- The proposed roof top pergola/awning will provide additional amenity for the residents of the building.

CONDITIONS

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

PANEL MEMBERS



Robert Montgomery
(Chair)



Larissa Ozog



Scott Lee



Bernard Hibbard
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2020/605
2	PROPOSED DEVELOPMENT	Residential – new roof top pergola/awning to existing roof terrace
3	STREET ADDRESS	17 Kembla Street Wollongong
4	APPLICANT	ADM Architects
5	REASON FOR REFERRAL	Referred for determination pursuant to Schedule 2, 3 of the Local Planning Panels Direction of 30 June 2020 as the Development Application contravenes a development standard imposed by an environmental planning instrument 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 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 • Wollongong City Wide Development Contributions Plan 2019 • Wollongong Community Participation Plan 2019 • Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 • 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 13 August 2020 • Written submissions during public exhibition: Nil • Verbal submissions at the public meeting: Nil
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 13 August 2020. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Larissa Ozog, Scott Lee, Bernard Hibbard (Community Representative) ○ <u>Council assessment staff</u>: Nadir Mian, Pier Panozzo
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report