

# DETERMINATION AND STATEMENT OF REASONS

## WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

<b>DATE OF DETERMINATION</b>	24 September 2020
<b>PANEL MEMBERS</b>	Robert Montgomery (Chair), Steven Layman, Helena Miller, Tina Christy (Community Representative)

Public meeting held at Wollongong City Council, Level 10 Council Chambers, 41 Burelli Street, Wollongong on 24 September 2020 opened at 5:00pm and closed at 7:30pm.

### MATTER DETERMINED

DA-2019/1462 – Lot 1 DP 745653 and Lot 1 DP 564523, 98-100 and 102-110 Princes Highway, Dapto (as described in detail in Schedule 1).

### PUBLIC SUBMISSIONS

No submitters addressed the Panel.

The Panel heard from the applicant's representatives.

### PANEL CONSIDERATION AND DECISION

The Panel considered the matters listed at item 7, the material presented at the meeting and the matters observed at the site inspection listed at item 8 in Schedule 1.

The Panel determined to defer the development application as described in Schedule 1.

The decision was unanimous.





### REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The Panel acknowledges that the development of this land in accordance with the statutory controls can coexist with the heritage-listed Dapto Hotel building. An appropriate development would respect the curtilage of the heritage item and would include detailed works to ensure ongoing conservation of the item.
- It is considered that the proposed development application and supporting documentation requires design changes and additional detailed information to demonstrate that an appropriate relationship is achieved between the new development and the heritage item. In particular, the following matters should be addressed:
  - A detailed conservation management plan for the heritage item should be provided, which includes a detailed schedule of works (internal and external), staging and timing, to ensure the ongoing conservation and continued viable use as a hotel;
  - Consider the relationship of the "public walkway" to both the new development and the heritage item. In this regard, it is expected that the development would achieve activation of this area both from the existing and proposed building, with consideration given to direct access to the hotel from the public walkway and appropriate commercial/retail activities fronting the walkway, thereby also achieving a high level of safety and security for users;
  - Consideration should be given to providing a second basement level for parking, which would further assist in activating the walkway, reducing the perceived bulk and height of the building and thereby improving the compatibility of the proposed development with the existing character of the area.

**DEFERRAL**

The development application is deferred for a period of 28 days to provide the applicant with an opportunity to address the matters detailed above in consultation with Council staff. The amended application should be submitted to a future Panel for determination.

PANEL MEMBERS	
 Robert Montgomery (Chair)	 Steven Layman
 Helena Miller	 Tina Christy (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2019/1462
2	PROPOSED DEVELOPMENT	Demolition of existing structures, retention of heritage hotel and construction of a mixed use (Commercial / Residential) development
3	STREET ADDRESS	Lot 1 DP 745653 and Lot 1 DP 564523, 98-100 and 102-110 Princes Highway, Dapto
4	APPLICANT/OWNER	ADM Architects
5	REASON FOR REFERRAL	Under Schedule 2 of the Local Planning Panels Direction of 1 March 2018, the proposal is classified as sensitive development in accordance with Part 4 (b) as it is development to which SEPP 65 Design Quality of Residential Flat Buildings applies and is 4 or more storeys in height.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy No 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development</li> <li>○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>○ State</li> <li>○ Wollongong Local Environment Plan 2009</li> <li>○ Wollongong Development Control Plan 2009</li> </ul> </li> <li>• Other policies: <ul style="list-style-type: none"> <li>○ Wollongong City Wide Development Contributions Plan 2019</li> <li>○ Wollongong Community Participation Plan 2019</li> <li>○ Apartment Design Guide</li> <li>○ Dapto Town Centre Plan</li> </ul> </li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the Environmental Planning and Assessment Act 1979 or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report dated 24 September 2020.</li> <li>• Written submissions during public exhibition: 4</li> <li>• Verbal submissions at the public meeting: Nil</li> </ul>
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 24 September 2020. Attendees:</p> <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Robert Montgomery (Chair), Steven Layman, Helena Miller, Tina Christy (Community Representative)</li> <li>○ <u>Council assessment staff</u>: John Wood, Kristy Robinson</li> </ul>
9	COUNCIL RECOMMENDATION	Refuse
10	DRAFT CONDITIONS	Reasons for refusal included in the council assessment report