

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	5 December 2018
PANEL MEMBERS	Alison McCabe (Chair), Scott Lee, Steve Layman, Tina Christy (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 5 December 2018 opened at 5:00pm and closed at 6:50pm.

MATTER DETERMINED

DA-2018/653, Lots 1 and 2 DP 37894, 29-31 Virginia Street, North Wollongong (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by one respondent who raised strategic planning issues which were beyond the scope of the application.

The Panel also heard from the applicant's architect, planner and landscape architect.

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 delegate the determination of the application to the Manager Development Assessment and Certification under Section 2.20(8) of the Act subject to conditions and the submission of amended plans to address the following requirements:

- 1 A minimum of a 2 metre setback of the basement to the front boundary. There is to be no change to the rear setback of the basement. This may result in a reduced number of adaptable car parking spaces and/or aisle widths strictly in accordance with Australian Standards 2890 - Parking Facilities.
- 2 The southern elevation and plan of Level 5 on the southern side of the building is to reflect drawing A106 issue A dated May 2018 being the configuration of Level 5 as originally lodged.
- 3 Shadow diagrams being prepared that demonstrate that the setback of the southern elevation at 4.6 metres at Levels 1 to 4 and 8.28 metres at Level 5 does not result in additional shadow when compared against a development that would strictly comply with ADG setbacks of 6 meters and 9 metres respectively. Should the shadow diagram demonstrate that the reduced setbacks result in additional overshadowing then the plans shall be amended to provide 6 metre setback at Levels 1 to 4 and 9 metres for Level 5.
- 4 Delete the angled blade walls on the southern elevation to bedrooms at Levels 2 to 4.
- 5 An amended landscape plan that provides for canopy tree planting in the front setback.
- 6 The setback of Unit 305 and the units above is to be at a minimum 6 metres from the southern boundary as opposed to 5.920 metres.
- 7 Amendments to recommended conditions included in the Council's assessment report are to reflect the above changes.

The decision was unanimous.

PANEL MEMBERS



Alison McCabe
(Chair)



Scott Lee



Steve Layman



Tina Christy
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2018/653
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of residential flat building comprising 22 units over five (5) storeys and one (1) level of basement parking
3	STREET ADDRESS	29 and 31 Virginia Street, North Wollongong
4	APPLICANT	Applicant: ADM Architects
5	REASON FOR REFERRAL	Pursuant to part 4(b) of Schedule 2 of the Local Planning Panels Direction, the development is identified as sensitive development as 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 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 City Wide Development Contributions Plan 2018 · Draft environmental planning instruments: Nil · 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>: Clause 92 – Demolition works in accordance with AS 2601 · 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 5 December 2018 · Written submissions during public exhibition: seven (7) · Verbal submissions at the public meeting: One
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 5 December 2018. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Alison McCabe (Chair), Scott Lee, Steve Layman, Tina Christy (Community Representative) ○ <u>Council assessment staff</u>: Pier Panozzo, Rebecca Welsh
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report