

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	20 October 2020
PANEL MEMBERS	Robert Montgomery (Chair), Helena Miller, Larissa Ozog, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 20 October 2020 opened at 5:00pm and closed at 7:04pm.

MATTER DETERMINED

DA-2020/80 – Lot 1 DP 799059, 290-294 Keira Street, Wollongong (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

No submitters addressed the Panel.

The Panel heard from the applicant's architect, town planner and owner.

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 to allow the applicant the opportunity to provide additional information/design amendment in relation to the overland flow path and pedestrian entry into the building. In particular, concerns were raised as to whether the use of the main entry to the building is compatible with the proposed overland flow path.

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- Overall, the Panel considers the proposal to be a reasonable response to the statutory controls applying to the land. This is subject to the Panel's consideration of the Clause 4.6 Request for Exceptions to Building Separation Requirements under Clause 8.6 of WLEP 2009.
- The Panel is concerned about the main entry to the commercial and residential areas, in particular:
 - The location of the proposed overland flow path during the PMF event is not considered to be an optimal solution and may not be compatible with pedestrian access.
 - The poor quality of the main entry from Keira Street, with security fencing and lack of activation, does not provide a pleasant arrival for residents and visitors.

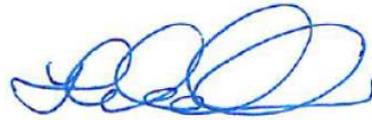
DEFERRAL

The development application was deferred to allow the applicant to address the matters detailed above in consultation with Council staff. The additional information/amended design should be submitted to Council within twenty-one (21) days. The application can be determined following receipt of additional information and a supplementary report by way of Schedule 2 Clause 26 of the Environmental Planning and Assessment Act 1979 – Transaction of Business Outside Meetings.

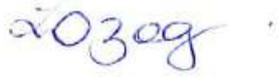
PANEL MEMBERS



Robert Montgomery
(Chair)



Helena Miller



Larisa Ozog



Bernard Hibbard
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2020/80
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of a seven (7) storey mixed use development comprising 34 residential units and two (2) commercial tenancies with 50 parking spaces
3	STREET ADDRESS	290-294 Keira Street, WOLLONGONG NSW 2500
4	APPLICANT	290 Keira Street Pty Ltd
5	REASON FOR REFERRAL	Pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. The proposal is captured by clause 4(b) of Schedule 2 of the Local Planning Panels Direction of 30 June 2020, as the proposal is development to which State Environmental Planning Policy No. 65 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 • 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 20 October 2020 • Written submissions during public exhibition: 1 • Verbal submissions at the public meeting: None
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 20 October 2020. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Helena Miller, Larissa Ozog, Bernard Hibbard (Community Representative) ○ <u>Council assessment staff</u>: Pier Panozzo, Vanessa Davis
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report