DETERMINATION AND STATEMENT OF REASONS WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	6 October 2021
PANEL MEMBERS	Stephen Davies (Chair), Steven Layman, Glenn Falson, Tina Christy (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 6 October 2021 opened at 5:00pm and closed at 6:18pm.

MATTER DETERMINED

DA-2020/1255 - Lot B DP 421554, Lot C DP 421554, Lot 22 DP 535273, 63-73 Princes Highway, Dapto (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

No submitters addressed the Panel.

The Panel heard from the applicant and representative.

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*, subject to confirmation that the proposal complies with the maximum floor space ratio development standard.

The decision was unanimous

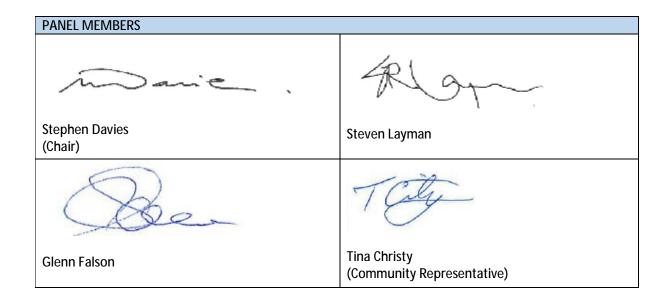
REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The proposal complies with the maximum building height and floor space ratio (subject to confirmation) development standards for the land.
- The Panel considered the proposal to be a positive design and development outcome for the Dapto Town Centre.
- Subject to consent conditions, the proposal is not likely to lead to future land use conflicts with existing adjoining development.

CONDITIONS

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



1 DA NO. 2020/1255 2 PROPOSED DEVELOPMENT Demolition of existing structures and construction of mixed use development (shop top housing) 3 STREET ADDRESS 63-73 Princes Highway, DAPTO NSW 2530 4 APPLICANT MMJ Wollongong 5 REASON FOR REFERRAL The proposal has been referred to the WLPP for determination pursuant to part 4(b) of Schedule 2 of the Local Planning Palics (Infrastructure) 2007 6 RELEVANT MANDATORY CONSIDERATIONS 6 RELEVANT MANDATORY Consideration of tand 7 MANDATORY State Environmental Planning Policy (Infrastructure) 2007 6 State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development 7 MANDATORY State Environmental Planning Policy (Koala Habitat Protection) 2020 8 Vollongong Local Environmental Planning and Assessment Regulation 2009 9 COUNCIL RAMINERATIONS Council assessment Regulation 2000 10 Development Control plans: O Clause 92 - Additional matters that consent authority must consider 11 Development Control plans: O Clause 92 - Additional matters that consent authority must consider	SCHEDULE 1		
2 PROPOSED DEVELOPMENT Demolition of existing structures and construction of mixed use development (shop top housing) 3 STREET ADDRESS 63-73 Princes Highway, DAPTO NSW 2530 4 APPLICANT MMU Wollongong 5 REASON FOR REFERRAL The proposal has been referred to the WLPP for determination pursuant to part 4(b) of Schedule 2 of the Local Planning Panels Direction, as State Environmental Planning Policy No 65 - Design Quality of Residential Apartment applies to the development and the development as proposed is 8 storeys in height. 6 RELEVANT MANDATORY CONSIDERATIONS • Environmental Planning Instruments: o State Environmental Planning Policy (Infrastructure) 2007 6 RELEVANT MANDATORY CONSIDERATIONS • Environmental Planning Policy (No 65 - Design Quality of Residential Flat Development 6 RELEVANT MANDATORY CONSIDERATIONS • State Environmental Planning Policy (Koala Habitat Protection) 2020 6 NSW Apartment Design Guide • Wollongong City Wide Development Control Plan 2009 7 NSW Apartment Design Guide • Wollongong City Wide Development Control Plan 2009 8 STREE ADDRESS on the advelopment • Cauce 92 - Additional matters that consent authority must consider 7 MATERIAL CONSIDERED BY The public interest, including the principles of ecologically sustain	1	DA NO.	2020/1255
a center Address 63-73 Princes Highway, DAPTO NSW 2530 3 STREET ADDRESS 63-73 Princes Highway, DAPTO NSW 2530 4 APPLICANT MM/I Wollongong 5 REASON FOR REFERRAL The proposal has been referred to the WLPP for determination pursuant to part 4(b) of Schedule 2 of the Local Planning Panels Direction, as State Environmental Planning Policy No 65 - Design Quality of Residential Apartment applies to the development and the development as proposed is 8 storeys in height. 6 RELEVANT MANDATORY CONSIDERATIONS - Environmental Planning Instruments:	2		
4 APPLICANT MMJ Wollongong 5 REASON FOR REFERRAL The proposal has been referred to the WLPP for determination pursuant to part 4(b) of Schedule 2 of the Local Planning Panels Direction, as State Environmental Planning Policy No 65 – Design Quality of Residential Apartment applies to the development and the development as proposed is 8 storeys in height. 6 RELEVANT MANDATORY CONSIDERATIONS • Environmental planning instruments: • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No 55 - Remediation of Land • State Environmental Planning Policy (Kola Suitanability infex: BASIX) 2004 6 RELEVANT MANDATORY CONSIDERATIONS • Environmental Planning Policy (Building Sustainability infex: BASIX) 2004 6 State Environmental Planning Policy (Koala Habitat Protection) 2020 • Wollongong Local Environment Planning Policy (Koala Habitat Protection) 2020 7 NSW Apartment Design Guide • Wollongong Development Control Plan 2009 7 THE PANEL * The Rely impacts of the development 7 MATERIAL CONSIDERED BY THE PANEL * Council assessment report dated 6 October 2021 7 MATERIAL CONSIDERED BY THE PANEL * Council assessment report dated 6 October 2021 8 SITE INSPECTIONS BY THE PANEL * Council assessment report dated 6 October 2021 9 COUNC			
5 REASON FOR REFERRAL The proposal has been referred to the WLPP for determination pursuant to part 4(b) of Schedule 2 of the Local Planning Polies Direction, as State Environmental Planning Policy No 65 - Design Quality of Residential Apartment applies to the development and the development as proposed is 8 storeys in height. 6 RELEVANT MANDATORY CONSIDERATIONS • Environmental planning instruments: • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development of Land 6 State Environmental Planning Policy (No 65 - Design Quality of Residential Flat Development 6 State Environmental Planning Policy (No 65 - Design Quality of Residential Flat Development 6 State Environmental Planning Policy (Koala Habitat Protection) 2020 9 Vollongong Development Control Plan 2009 9 COUNCIL RECOMMENDATION Vortice assessment trapic found 7 MATERIAL CONSIDERED BY THE PANEL Council assessment report date 6 October 2021 9 COUNCIL RECOMMENDATION Approve	3	STREET ADDRESS	
9 Part 4(b) of Schedule 2 of the Local Planning Panels Direction, as State Environmental Planning Policy No 65 - Design Quality of Residential Planting Policy No 65 - Design Quality of Residential Planting Policy (Infrastructure) 2007 6 RELEVANT MANDATORY 6 RELEVANT MANDATORY 7 MATERIAL CONSIDERED BY THE PANEL 7 MATERIAL CONSIDERED BY THE PANEL 7 MATERIAL CONSIDERED BY THE PANEL 7 COUNCIL RECOMMENDATION 8 SITE INSPECTIONS BY THE PANEL 9 COUNCIL RECOMMENDATION		APPLICANT	
CONSIDERATIONS 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 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 State Environmental Planning Policy (Koala Habitat Protection) 2020 Wollongong Local Environment Plan 2009 NSW Apartment Design Guide Wollongong Development Contributions Plan 2020 Development control plans: Wollongong Development Control Plan 2009 Provisions of the Environmental Planning and Assessment Regulation 2000. Clause 92 - Additional matters that consent authority must consider The likely impacts of the development. Clause 92 - Additional matters that consent authority must consider The suitability of the site for the development Assessment Act 1979 or regulations The public interest, including the principles of ecologically sustainable development Council assessment report dated 6 October 2021 Written submissions during public exhibition: Two (2) Verbal submissions at the public meeting: Nil 8 STE INSPECTIONS BY THE PANEL Panel members: Stephen Davies, Steven Layman, Glenn Falson, Tina Christy (Community Representative) Council assessment staff: Jo	5	REASON FOR REFERRAL	part 4(b) of Schedule 2 of the Local Planning Panels Direction, as State Environmental Planning Policy No 65 – Design Quality of Residential Apartment applies to the development and the development as proposed
7 MATERIAL CONSIDERED BY THE PANEL · Council assessment report dated 6 October 2021 8 SITE INSPECTIONS BY THE PANEL · Virtual Site inspection 6 October 2021. Attendees: 0 Panel members: Panel members: Steven Layman, Glenn Falson, Tina Christy (Community Representative) 9 COUNCIL RECOMMENDATION Approve	6		 Environmental planning instruments: 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 State Environmental Planning Policy (Koala Habitat Protection) 2020 Wollongong Local Environment Plan 2009 NSW Apartment Design Guide Wollongong City Wide Development Contributions Plan 2020 Development control plans: Wollongong Development Control Plan 2009 Provisions of the Environmental Planning and Assessment Regulation 2000: Clause 92 – Additional matters that consent authority must consider 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 Environmental Planning and Assessment Act 1979 or regulations The public interest, including the principles of ecologically
8 SITE INSPECTIONS BY THE PANEL Virtual Site inspection 6 October 2021. Attendees: 0 Panel members: Stephen Davies, Steven Layman, Glenn Falson, Tina Christy (Community Representative) 0 COUNCIL RECOMMENDATION	7		Council assessment report dated 6 October 2021 Written submissions during public exhibition: Two (2)
RECOMMENDATION Approve		PANEL	Virtual Site inspection 6 October 2021. Attendees: o <u>Panel members</u> : Stephen Davies, Steven Layman, Glenn Falson, Tina Christy (Community Representative)
	9		Approve
Attached to the council assessment report	10	DRAFT CONDITIONS	Attached to the council assessment report