

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	26 September 2018
PANEL MEMBERS	Robert Montgomery (Chair), Susan Hobley, Patricia McBride (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 26 September 2018 opened at 5:00pm and closed at 6.28pm.

Mr Brendan Randles declared a conflict of interest in this item, in that he was a member of the Design Review Panel which provided comments on the proposal. Mr Randles left the room during this item and took no part in the Panel's deliberations.

MATTER DETERMINED

DA-2018/313, Lot 90 DP 654200, 2 Frederick Street, Wollongong NSW 2500 (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by one submitter who raised issues regarding the following:

- The development is too large for the short and narrow street (Frederick Street)
- There is insufficient parking in the area
- There will be loss of sunlight and privacy to dwellings to the west
- Concern about noise impacts and other nuisance issues
- Concern about how rules will be enforced

The Panel also heard from the applicant's Town Planner who provided some background into the design of the development and responded to privacy, sunlight and the relationship of the proposed building to adjoining buildings. He also stressed that design changes were made in response to the Design Review Panel comments, that the building is compliant other than minor encroachments over the height limit and the applicant is not seeking to use bonus floor space which may be available under the SEPP. In relation to the non-compliance with the height limit, the applicant's Town Planner commented that only minor parts of the building, ie. Lift and stair overruns, and no actual floor space is above the height limit.

PANEL CONSIDERATION AND DECISION

The Panel considered the matters listed at item 7, and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1. The Panel is of the opinion that the onsite Caretaker's accommodation should be enlarged to provide a reasonable sized living area, particularly given that 68 rooms are proposed. This was put to the applicant who agreed that this can be accommodated by reconfiguring and/or deleting the adjacent ground floor suites. The existing Caretaker's office is to be retained in the current location as shown on the ground floor plan.

The Panel noted that the Landscape planting schedule is inconsistent with Council's guidelines. A revised Landscape schedule shall be provided which incorporates recommended plant species for the Wollongong LGA as outlined in Chapter E6 of the WDPC2009.

The panel determined to:


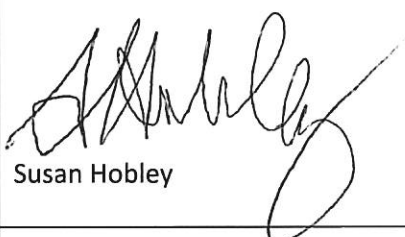

- Defer the application until the architectural plans have been amended to include the enlarged Caretaker's accommodation as described above to the satisfaction of Council.
- Delegate the determination of the application to the Manager of Development Assessment and Certification in accordance with Section 2.20(8) of the EP&A Act 1979.

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The proposal generally satisfies the relevant planning controls for the site
- The request for exemption under Clause 4.6 of WLEP2009 in relation to the building height is considered reasonable in the circumstances.
- The minor non-compliance with current carparking requirements is acceptable as the site is well located in terms of access to public transport and public carparking areas.
- Given that the onsite Manager will be responsible for a relatively large building, it is considered that additional living space would provide more appropriate amenity for the Manager’s accommodation.

PANEL MEMBERS	
 Robert Montgomery (Chair)	 Susan Hobley
	 Patricia McBride (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2018/313
2	PROPOSED DEVELOPMENT	Residential - demolition of existing structures and construction of a boarding house
3	STREET ADDRESS	Lot 90 DP 654200, 2 Frederick Street, Wollongong NSW 2500
4	APPLICANT/OWNER	Hope Wollongong Pty Ltd
5	REASON FOR REFERRAL	Determination Under Schedule 2 clause 3 of the Local Planning Panels Direction of 1 March 2018, the development exceeds the height limit by greater than 10% (11%) under Clause 4.3 of Wollongong Local Environmental Plan 2009.
6	RELEVANT MANDATORY CONSIDERATIONS	<p>Environmental planning instruments:</p> <ul style="list-style-type: none"> ○ State Environmental Planning Policy No.55 - Remediation of Land ○ State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP ARH) ○ SEPP 71 Coastal Protection (Applicable at time of lodgement, since repealed but did not apply to the city centre) ○ SEPP Coastal Management 2016 (Draft at time of lodgement) <p>Wollongong Local Environmental Plan 2009 (WLEP 2009)</p> <p>Draft environmental planning instruments: None</p> <p>Development control plans:</p> <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 <p>Other policies</p> <ul style="list-style-type: none"> ○ Wollongong City-Wide Development Contributions Plan (2018) ● 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 ● Written submissions during public exhibition: eight (8) submissions received. ● Verbal submissions at the public meeting: one (1)
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 26 September 2018 Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Susan Hopley, Patricia McBride (Community Representative) ○ <u>Council assessment staff</u>: Pier Panozzo, Vanessa Davis
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report