

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	9 June 2020
PANEL MEMBERS	Sue Francis (Chair), Larissa Ozog, Glenn Falson, Peter Sarlos (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 9 June 2020 opened at 5:00pm and closed at 6.29pm.

MATTER DETERMINED

DA-2019/1123 – Lot 2 DP 152994, Lot 1 DP 784111, Lot 2 DP 784111, 35-37 Atchison Street, Wollongong (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

No submitters addressed the Panel.

The Panel heard from the applicant and their representatives.

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 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979* for the reasons expressed in the Council report as follows:

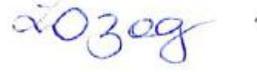
1. That an alternate treatment of the south facing podium wall be investigated to better reflect the Design Review Panel's recommendations to improve the visual amenity of the church directly adjoining the site to the South.
2. That following receipt of the above information, the Wollongong Local Planning Panel delegate to Council the authority to determine the application subject the draft conditions

In deferring the matter, the Panel had consideration of the clause 4.6 variation sought in respect of the non-compliance with the separation distances. The Panel was of a view that sufficient environmental planning reasons had been provided to justify the variation and that granting the variation would be in the public interest having regard to the objectives of the zone and standard.

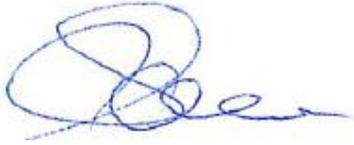
PANEL MEMBERS



Sue Francis
(Chair)



Larissa Ozog



Glenn Falson



Peter Sarlos
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2019/1123
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of a 14 storey mixed use development comprising 50 residential units, one (1) ground floor commercial tenancy and two (2) levels of basement parking.
3	STREET ADDRESS	35-37 Atchison Street, WOLLONGONG
4	APPLICANT	Design Workshop Australia
5	REASON FOR REFERRAL	The proposal is captured by clause 4(b) of Schedule 2 of the Local Planning Panels Direction of 1 March 2018, as the proposal is development to which 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 (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 City Wide Development Contributions Plan 2019 · Draft environmental planning instruments: None applicable · 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(b) with regard to demolition of a building and the provisions of AS 2601. · Coastal zone management plan: N/A · 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 9 June 2020 · Written submissions during public exhibition: four (4) · Verbal submissions at the public meeting: Nil
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 9 June 2020. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Sue Francis (Chair), Larissa Ozog, Glenn Falson, Peter Sarlos (Community Representative) ○ <u>Council assessment staff</u>: Rebecca Welsh, Pier Panozzo
9	COUNCIL RECOMMENDATION	Defer (approval subject to additional information being submitted)
10	DRAFT CONDITIONS	Attached to the council assessment report