

## DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

<b>DATE OF DETERMINATION</b>	20 March 2019
<b>PANEL MEMBERS</b>	Sue Francis (Chair), Helena Miller, Robert Montgomery, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 20 March 2019 opened at 5:00pm and closed at 7:10pm.

### MATTER DETERMINED

DA-2018/973 - Lot A DP 358466, Lot B DP 358466, Lot 38 Sec 5 DP 1258 and Lot 39 Sec 5 DP 1258, 28-32 Young Street and 29-31 Belmore Street, Wollongong (as described in detail in schedule 1).

### PUBLIC SUBMISSIONS

The Panel was addressed by one resident.

The Panel also heard from the applicant/architect and town planner.

### 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*.

The decision was unanimous.

### REASONS FOR THE DECISION

The Panel appreciates and accepts the amendments made following the deferral on 9 October 2018. The Panel accepts the assessment of staff and the draft conditions of consent generally, but has concerns as to the location and future function of the residential storage spaces on the lower ground floor. The Panel also notes that the proposal exceeds the parking requirement by eight (8) spaces. Accordingly, the Panel, by condition, will seek to utilise the excess parking and locate the storage units on level 1, 2 and 3 in the excess parking on those levels.

### CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following additional condition:

#### Residential Storage

Storage for residential units is to be provided in accordance with Part 4G of the ADG within the car park areas on levels 1, 2 and 3, relocated from the lower ground floor ramp area. The redistribution of the storage areas must not result in the maximum floor space ratio permitted being exceeded. Details demonstrating compliance with this requirement are to be provided prior to the issue of a Construction Certificate.

PANEL MEMBERS



Sue Francis  
(Chair)



Helena Miller



Robert Montgomery



Bernard Hibbard  
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2018/973
2	PROPOSED DEVELOPMENT	Residential - demolition of existing structures and construction of a 15 storey mixed use development comprising seven (7) commercial tenancies, 64 residential apartments and car parking for 90 vehicles
3	STREET ADDRESS	28-32 Young Street and 29-31 Belmore Street, WOLLONGONG
4	APPLICANT/OWNER	ADM Architects / John Issa Level Up Projects P/L
5	REASON FOR REFERRAL	The proposal has been referred to Local Planning Panel pursuant to clause 3 and clause 4 of Schedule 2 of the Local Planning Panels Direction of 1 March 2018. The proposal is development to which State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development applies. A variation is also sought to building separation under clause 8.6 of WLEP in excess of 10%.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy No 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development</li> <li>○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>○ Wollongong Local Environment Plan 2009</li> </ul> </li> <li>• NSW Apartment Design Guide</li> <li>• Wollongong Section 94A Development Contributions Plan</li> <li>• Draft environmental planning instruments: N/A</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Wollongong Development Control Plan 2009</li> </ul> </li> <li>• Planning agreements: N/A</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: N/A</li> <li>• Coastal zone management plan: N/A</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report dated 20 March 2019</li> <li>• Written submissions during public exhibition: One</li> <li>• Verbal submissions at the public meeting: 1</li> </ul>
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 20 March 2019. Attendees:</p> <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Sue Francis (Chair), Helena Miller, Robert Montgomery, Bernard Hibbard (Community Representative)</li> <li>○ <u>Council assessment staff</u>: Rebecca Welsh, Nigel Lamb</li> </ul>
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report