

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, Brendan Randles, 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.

MATTER DETERMINED

DA-2018/848, Lot 10 DP 1107164, 11 Catherine Street, Gwynneville NSW 2500 (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by one (1) submitter who raised concern about possible damage to the boundary fence and possible damage to his driveway during the process of tree root removal.

The Panel also heard from the applicant's Architect, Town Planner and the Owner of the land. The Panel asked a number of questions and made comments in respect of concerns about the following matters:

- Whether the driveway could be relocated to the eastern boundary, so as to align with stormwater easement and to minimise impact on the significant tree located near the front western boundary
- The need for unit 1 to properly address the street in terms of streetscape character, address and passive surveillance.
- The unacceptable internal amenity resulting from the failure to take advantage of the northern aspect available to unit 1.
- The amenity and streetscape impacts arising from providing the visitor space within the front setback. Also the main entry to unit 1 conflicts with the reversing manoeuvre required for the visitors space raising safety concerns.
- The gradient of the driveway in the vicinity of units 2 and 3 which directly impacts on the pedestrian access to their front entries.

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 determined to defer the development application as described in Schedule 1 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*. The purpose of the deferral is to allow the applicant to respond to the matters raised in the commentary above by way of amended design plans which address the matters detailed in the commentary above. The matter will need to be reported to a subsequent Panel meeting.

The decision was unanimous.

REASONS FOR THE DECISION

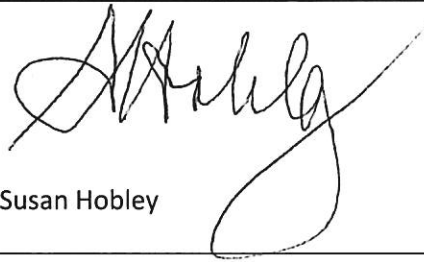
The reasons for the decision of the Panel were:

- The design as presented does not optimise its streetscape, address, internal amenity and environmental performance.
- The applicant should be afforded the opportunity to amend the design to improve its internal and external amenity and to comply with Part 5.7.2 (1) of the WDCP2009.

PANEL MEMBERS



Robert Montgomery
(Chair)



Susan Holey



Brendan Randles



Patricia McBride
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2018/848
2	PROPOSED DEVELOPMENT	Residential - demolition of existing structures and construction of multi dwelling housing - four (4) townhouses
3	STREET ADDRESS	Lot 10 DP 1107164, 11 Catherine Street, Gwynneville NSW 2500
4	APPLICANT	ADM Architects
5	REASON FOR REFERRAL	Under Clause 1(a) of Schedule 2 clause 1 (a) of the Local Planning Panels Direction of 1 March 2018, the development involves the creation of an easement over the downstream property which is Council owned land (Seniors Citizen Centre at 192 Gipps Road, Gwynneville).
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 (Building Sustainability Index: BASIX) 2004 ○ Wollongong Local Environment Plan 2009 • Wollongong City-Wide Development Contributions Plan (2018) • Draft environmental planning instruments: Nil • 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 – Provisions of AS 2601 relating to demolition works. • Coastal zone management plan: Not applicable – site is outside coastal zone • 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 26 September 2018 • Written submissions during public exhibition: Two (2) including One (1) letter of support • 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 Hobley, Brendan Randles, Patricia McBride (Community Representative) ○ <u>Council assessment staff</u>: Pier Panozzo, Rebecca Welsh
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report