

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

DATE OF DETERMINATION	14 August 2019
PANEL MEMBERS	Robert Montgomery (Chair), Helena Miller, Scott Lee, Trish McBride (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 14 August 2019 opened at 5:05pm and closed at 6:33pm.

MATTER DETERMINED

DA-2019/506 – Lot 112 DP 234188, 12 Dallas Street, Keiraville (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by one submitter. The applicant was not represented at the meeting.

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 refuse the development application as described in Schedule 1 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979* for the reasons listed in Attachment 5 of Council’s report.

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The Panel agrees with the officer’s assessment report and recommendations.
- The development as proposed is not permissible under the provisions of Affordable Renting Housing SEPP 2009.
- The size and the scale of the development is not in character with the surrounding low density residential zone.

PANEL MEMBERS	
 Robert Montgomery (Chair)	 Helena Miller
 Scott Lee	 Trish McBride (Community Representative)

SCHEDULE 1		
1	DA NO.	2019/506
2	PROPOSED DEVELOPMENT	Demolition of existing structures, tree removals and construction of a 19 room boarding house with basement parking and on site manager's room
3	STREET ADDRESS	12 Dallas Street, KEIRAVILLE NSW 2500
4	APPLICANT	D Studio Architects
5	REASON FOR REFERRAL	The proposal has been referred to the WLPP for determination pursuant to part 3 of Schedule 2 of the Local Planning Panels Direction, as the Development contravenes a development standard [State Environmental Planning Policy (Affordable Rental Housing) 2009 Clause 30AA - Boarding Houses in Zone R2 Low Density Residential] imposed by an environmental planning instrument by more than 10% and part 2(b) of Schedule 2 of the Local Planning Panels Direction, as the application is the subject of 10 or more unique submissions by way of objection.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> · Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No 55 – Remediation of Land ○ State Environmental Planning Policy – Affordable Rental Housing 2009 ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ Wollongong Local Environment Plan 2009 · Wollongong Section 94A Development Contributions Plan · Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 · Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Demolition · 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 14 August 2019 · Written submissions during public exhibition: 27 · Verbal submissions at the public meeting: one
8	SITE INSPECTIONS BY THE PANEL	Site inspection 14 August 2019. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Helena Miller, Scott Lee, Trish McBride (Community Representative) ○ <u>Council assessment staff</u>: John Wood, Rodney Thew
9	COUNCIL RECOMMENDATION	Refuse
10	DRAFT CONDITIONS	Attached to the council assessment report