

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	20 October 2020
PANEL MEMBERS	Robert Montgomery (Chair), Helena Miller, Larissa Ozog, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 20 October 2020 opened at 5:00pm and closed at 7:04pm.

MATTER DETERMINED

DA-2020/241 – Lot 52 DP 5127, Lot 55 DP 5127, Lot 54 DP 5127, Lot 53 DP 5127, 93-99 Kembla Street, Wollongong (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by one submitter.

The Panel also heard from the applicant's 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* subject to additional conditions relating to:

- Flooding;
- Relocation of the bicycle parking currently located in the communal open space to the basement and inclusion of electric charging facilities to the satisfaction of Council.
- The lift over-run shall not exceed RL27.7.

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The Panel concurs with the officer's assessment and recommendation for approval.
- The additional conditions will provide for better amenity for residents (location of bicycle parking) and ensure that building satisfies flooding requirements and maximum building height.

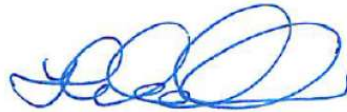
CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report and the additional conditions detailed above.

PANEL MEMBERS



Robert Montgomery
(Chair)



Helena Miller



Larisa Ozog



Bernard Hibbard
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2020/241c
2	PROPOSED DEVELOPMENT	Residential - Demolition of existing structures and construction of a seven (7) storey residential flat building comprising of forty (40) units and one (1) level basement car parking
3	STREET ADDRESS	93 - 99 Kembla Street, WOLLONGONG NSW 2500
4	APPLICANT	ADM Architects
5	REASON FOR REFERRAL	The proposal has been referred to Local Planning Panel for determination pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Schedule 2, 4 (b) of the Local Planning Panels Direction of 30 June 2020, the proposal is development to which SEPP 65 applies.
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 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 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>: Clause 92(1)(b) • 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 20 October 2020 • Written submissions during public exhibition: Three (3) • Verbal submissions at the public meeting: one (1)
8	SITE INSPECTIONS BY THE PANEL	Site inspection 20 October 2020. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Helena Miller, Larissa Ozog, Bernard Hibbard (Community Representative) ○ <u>Council assessment staff</u>: Pier Panozzo, Nigel Lamb
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report