

## SOUTHERN JOINT REGIONAL PLANNING PANEL

Meeting held at 12:30 pm on Tuesday 21 October 2014 at Wollongong City Council

Panel Members: Pam Allan (Chair), Alison McCabe, Allen Grimwood, Michael Mantei and John Dorahy

Apologies: Vicky Curran Declarations of Interest: None

### Determination and Statement of Reasons

**2014STH012 - Wollongong - DA-2014/503 [31 Crown Street and 16 Burelli Street, Wollongong] as described in Schedule 1.**

**Date of determination:** 21 October 2014

#### **Decision:**

The panel determined to approve the development application as described in Schedule A pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

#### **Panel consideration:**

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

#### **Reasons for the panel decision:**

##### **Motion:**

*It is recommended that conditional approved be granted to DA-2014/503 subject to draft conditions contained in the JRPP Report at Attachment 4 and subject to conditions 2, 9, 20, 23, 30, 57 and 115 being amended as follows:*

2. This strip of land zoned SP2 Infrastructure must be dedicated as public road at no cost to RMS **in accordance with the written agreement by Nick Daoud dated 5 August 2014**. The strip of land must be dedicated either before or at the same time that the strata plan is finalised.

##### **9. Street Tree Removal**

The developer has consent to remove ~~the one~~ existing **Plane** street trees on ~~1 Plane Tree on~~ Crown Street and 9 Cocos Palms Burelli Street.

Tree removal costs are to be borne by developer. The removal of trees, including stumps, is to be carried out by suitably qualified tree contractor. This contractor must be appropriately insured to indemnify Council against any loss or damage incurred during the above works. They must also have appropriate OH&S policies and procedures (including traffic control) to ensure that works are carried out in a safe manner and in accordance in Council's own OH&S policies.

The developer must apply for (and be granted) permission under section 138 of the roads act to work within the road reserve. Tree removal must be carried out to the satisfaction of WCC Manager of Works.

##### **20. Site Contamination Validation Report and Site Auditor's Statement**

The submission of a site contamination validation report is required, prior to the issue of construction certificate or commencement of work for commercial and residential units. This validation report shall verify that:

- all site contamination remediation works have been satisfactorily completed;
- the site is not affected by any soil strata and/or groundwater table contamination, above NSW EPA threshold limit criteria; and
- the site is rendered suitable for the proposed development.

The submission of a site audit statement is also required from an accredited independent auditor pursuant to the provisions of Part 4 of the Contaminated Land Management Act 1997 confirming that the site has been satisfactorily remediated and is suitable for the proposed development. This statement/certificate must be obtained prior to the commencement of construction work, **other than a construction certificate for the bulk excavation of the basement**.

##### **23. Burelli Street, Corrimal Street – Detailed Civil Engineering Design**

A detailed civil engineering design shall be provided for the proposed footpath works in Burelli Street and Corrimal Street. The detailed civil engineering design shall be prepared by a suitably qualified practicing civil engineer in accordance with the relevant Council engineering standards. The design plans shall include:

a. Levels and details of existing and proposed infrastructure such as kerb and gutter, public utility, pits, poles, fencing,

stormwater drainage, adjacent road carriageway and footpath levels, and shall extend a minimum of 10 metres beyond the limit of works.

- b. Footpath longitudinal sections, and cross-sections at regular intervals including building entrance points demonstrating compliance with the latest versions of AS 1428.1, AS/NZS 2890.1, the Disability Discrimination Act and the AUSTROAD road design standards.
- c. Cross sections of the design must be from the crown of the road and continue past the property boundary with a maximum chainage of 10m per cross section.
- d. Where any adjustments to public utilities are proposed the applicant shall submit documentary evidence that they have the consent of the owner of the public utility authority.
- e. All construction must be in accordance with the requirements of Council's Subdivision Code and the Wollongong City Council Public Domain Technical Manual. Evidence that this requirement has been met must be detailed on the engineering drawings.

The detailed civil engineering design and supporting documentation shall be submitted to Wollongong City Council's Development Engineering Manager for approval prior to the issue of the construction certificate, **other than a construction certificate for remediation or bulk excavation.**

### 30. Corrimal Street – Detailed Civil Engineering Design

A detailed civil engineering design shall be provided for the proposed works within the Corrimal Street road reserve. The detailed civil engineering design shall be prepared by a suitably qualified practicing civil engineer in accordance with the relevant Council **and RMS** engineering standards. The design plans shall include:

- a. Levels and details of existing and proposed infrastructure such as kerb and gutter, public utility, pits, poles, fencing, stormwater drainage, adjacent road carriageway and footpath levels, and shall extend a minimum of 10 metres beyond the limit of works.
- b. Footpath longitudinal sections, and cross-sections at regular intervals including building entrance points demonstrating compliance with the latest versions of AS 1428.1, AS/NZS 2890.1, the Disability Discrimination Act and the AUSTROAD road design standards.
- c. Cross sections of the design must be from the crown of the road and continue past the property boundary with a maximum chainage of 10m per cross section.
- d. Where any adjustments to public utilities are proposed the applicant shall submit documentary evidence that they have the consent of the owner of the public utility authority.
- e. All construction must be in accordance with the requirements of Council's Subdivision Code and the Wollongong City Council Public Domain Technical Manual. Evidence that this requirement has been met must be detailed on the engineering drawings.

The detailed civil engineering design and supporting documentation shall be submitted to Wollongong City Council's Development Engineering Manager **and the RMS** for approval prior to the issue of the construction certificate, **other than a construction certificate for remediation or bulk excavation**

### 57. Crime Prevention through Environmental Design (CPTED) – Basement Ceiling

In order to maximise visibility in the basement carpark, the ceiling **in the commercial portion** shall be painted white. This requirement shall be reflected on the Construction Certificate plans.

### 115. Acoustic Compliance Report

The developer shall submit a noise compliance report prepared by an acoustic consultant who is a member of the Australian Acoustic Society (AAS) or the Association of Australian Acoustic Consultants (AAAC) in relation to noise and vibration requirements stated in Conditions **81, 82, 83**. A copy of the acoustic and vibration compliance report must be submitted to PCA and a copy forwarded to council.






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**Moved** Alison McCabe **Seconded** Allen Grimwood

**MOTION CARRIED: UNANIMOUSLY**

**Conditions:** The development application was approved subject to the conditions in Appendix A of the Council Assessment Report as amended at the meeting. The panel adopts the Council Assessment Report, and the notes in the recommended Conditions of Approval, as the reasons for imposition of the conditions.

**Panel members:**

 <b>Pam Allan (Chair)</b>	 <b>Allen Grimwood</b>	 <b>Alison McCabe</b>
 <b>Michael Mantei</b>	 <b>John Dorahy</b>	

## SOUTHERN JOINT REGIONAL PLANNING PANEL

### SCHEDULE 1

1	<b>JRPP Reference – LGA- Council Reference:</b> 2014STH012 - Wollongong - DA-2014/503
2	<b>Proposed development:</b> Demolition of the existing building and structures and construction of mixed use development comprising of 317 residential units within 4 towers over ground floor retail and 4 levels of parking for 621 vehicles
3	<b>Street address:</b> 31 Crown Street and 16 Burelli Street, Wollongong
4	<b>Applicant/Owner:</b> ADM Architects
5	<b>Type of Regional development:</b> Capital investment value > \$20M
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>• SEPP No. 55 – Remediation of Land</li> <li>• SEPP No. 65 – Design Quality of Residential Flat Development</li> <li>• State Environmental Planning Policy (Building Sustainability Index : BASIX) 2004</li> <li>• SEPP (Infrastructure) 2007</li> <li>• SEPP (State and Regional Development ) 2011</li> <li>• Wollongong Local Environmental Plan (WLEP) 2009</li> <li>• Wollongong Development Control Plan 2009</li> <li>• Wollongong Section 94A Development Contributions Plan 2013</li> <li>• Section 92 of the Regs – Demolition</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 EPA Act or EPA Regulation.</li> <li>• The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> Council Assessment Report dated 10 October 2014 Written submissions during public exhibition: 6 Submissions Verbal submissions at the panel meeting: Mr Nicolas Daoud proponent
8	<b>Meetings and site inspections by the panel:</b> Site visit on 26 June 2014;
9	<b>Council recommendation:</b> Conditional Approval
10	<b>Draft conditions:</b> as attached to assessment report and as amended by the panel.