

JRPP No.	2014STH017
DA No.	DA-2014/956
Proposal	Seniors Housing development comprising 75 independent living units, car parking, cafe, activity spaces and partial demolition of existing building
Property	Howard Court 27A Stewart Street Wollongong Lot 300 DP 827624
Applicant	Illawarra Retirement Trust Group (IRT)
Responsible Team	City Planning City Centre Team (AS)

PURPOSE OF THIS REPORT

This supplementary report has been prepared in response to the recommendations of the JRPP at its meeting of 27 March 2015. This addendum report should be read in conjunction with Councils assessment report to the JRPP of 27 March 2015. The JRPP have resolved to determine the DA electronically upon receipt of the supplementary report unless otherwise directed by the Chair

BACKGROUND

On 27 March 2015 the JRPP resolved to defer the application pending the submission of a supplementary report in relation to an assessment of the proposal against draft SEPP65, further detail on an appropriate restriction on title to ensure access to the club house facility for the Howard Court 1 residence, and clarification of the architectural treatments to the Kembla Street and Pioneer Park elevations.

The applicant provided additional information in relation to the above matters. This report provides an assessment of that information in response to the recommendations of the JRPP.

RECOMMENDATIONS OF THE JRPP

1. *The DA be deferred for a supplementary report that considers draft SEPP 65 (Amendment No. 3) and relevant provisions of the draft Apartment Design Guide under Section 79C 1(A)(ii).*

Response

An amendment to SEPP 65 was placed on exhibition from the 23 September 2014 to 31 October 2014. The amendments to SEPP 65 are still in draft form and have not been formally adopted. Following the JRPP meeting of 27 March 2015, the applicant provided an assessment against draft SEPP65 which was considered by Council and found to be consistent with the draft policy.

2. *The report provides further detail on an appropriate restriction on title to ensure access to the club house facility for the Howard Court 1 residence.*

Response

In the original report to the JRPP meeting of 27 March 2015 and the subdivision DA-2013/1199, no restrictions on title were imposed to maintain access to the building for existing residents of Howard Court (Howard Court 1). This was to be regulated by IRT under their obligations under the NSW Retirement Villages Act 1999. Concern was raised over the impact of the Howard Court 1 residents' ongoing access to the communal lounge facility on Proposed Lot 1. Having consideration to the above recommendation, a new draft condition has been proposed which was forwarded to the applicant for review. The proposed draft condition has been included in the draft conditions of consent as follows:

“Prior to the issue of any occupation certificate, an easement for the access must be registered on proposed Lot 1 approved under DA-2013/1199 in favour of proposed Lot 2 approved under DA-2013/1199. A positive covenant on proposed Lot 1 in favour of proposed Lot 2 is to be created to maintain existing use of the area retained in the existing club house located on proposed Lot 1 for the purposes of a communal lounge. The easement is to be located so-as to

allow access to the communal lounge area to be retained in the existing club house located on proposed Lot 1.”

3. *Additional detail be provided in respect to Kembla Street and Pioneer Park elevations to ensure level of certainty in finishes*

Response

Following the JRPP meeting of 27 March 2015, the applicant provided further plans detailing the treatments to the Kembla Street and Pioneer Park elevations. The plans clearly identify the architectural treatments and their specific locations on all external walls of the building including the car park walls on both the Kembla Street and Pioneer Park elevations. The “artwork spaces” formerly identified on the Kembla Street and Pioneer Park elevations have been replaced with specific “artwork” treatments. The proposed finishes have been considered against the relevant controls within WLEP2009 and are consistent with the relevant provisions. It is considered that the proposal now provides for certainty of finishes. The draft conditions of consent have been updated to reflect the additional architectural plans.

CONCLUSION

The applicant provided responses to the recommendations of the JRPP of 27 March 2015. Those responses were assessed by Council having regard to the relevant planning controls and considered to be acceptable. The application was not required to be re-notified.

RECOMMENDATION

That the application be approved pursuant to Section 80 of the Environmental Planning & Assessment Act 1979, subject to the amended conditions at Attachment 3.

ATTACHMENTS

- 1 Amended finishes plans
- 2 Draft SEPP65 assessment report
- 3 Draft conditions of consent