

SOUTHERN JOINT REGIONAL PLANNING PANEL

Meeting held at Wollongong City Council on 1 October 2015 at 12.02 pm

Panel Members: Pam Allan (Chair), Allen Grimwood, Alison McCabe, Cr Vicki Curran, Michael Mantei

Apologies: None

Declarations of Interest: None

Determination and Statement of Reasons

2015STH016 – Wollongong – DA-2015884 [19-23 Flinders Street Wollongong] as described in Schedule 1.

Date of determination: 1 October 2015.

Decision:

The panel refused the development application.




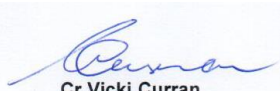

Panel consideration:

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:

1. The proposed development is defined as 'business premises' and 'residential flat building', pursuant to the provisions of Section 79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979, 'residential flat buildings' are prohibited within the B6 Enterprise Corridor zone under Wollongong Local Environmental Plan 2009.
2. Accordingly, the proposed application has failed a threshold issue, and is therefore not considered permissible.
3. Pursuant to the provisions of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development is inconsistent with the objectives of the zone in Wollongong Local Environmental Plan 2009.
4. Pursuant to the provisions of Section 79C(1)(c) of the Environmental Planning and Assessment Act 1979, it is considered that as "residential flat building" are prohibited in the zone as outlined in 1 above the site is deemed to be unsuitable for the proposed development.
5. Pursuant to the provisions of Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, it is considered that in the circumstances of the case, approval of the development application would set an precedent for similar inappropriate development and is therefore not in the public interest.

Panel members:

 Pam Allan	 Allen Grimwood	 Alison McCabe
 Cr Vicki Curran	 Michael Mantei	

SOUTHERN JOINT REGIONAL PLANNING PANEL

SCHEDULE 1

1	JRPP Reference – LGA – Council Reference: 2015STH016 – Wollongong – DA-2015884
2	Proposed development: Mixed use development being shop top housing comprising residential units, serviced apartments and business premises over basement parking.
3	Street address: 19-23 Flinders Street Wollongong
4	Applicant/Owner: PRD Architects
5	Type of Regional development: Capital Investment Value is over \$20 million
6	Relevant mandatory considerations: <ul style="list-style-type: none"> • State Environmental planning policies: <ul style="list-style-type: none"> ○ SEPP No.55 – Remediation of Land ○ SEPP No.65 – Design Quality of Residential Flat Development ○ SEPP (Infrastructure) 2007 • Local Environmental Planning Policies: <ul style="list-style-type: none"> ○ Wollongong Local Environmental Plan (WLEP) 2009 • Development Control Plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 • Wollongong Section 94A Development Contributions Plan 2014 • 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 EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council Assessment Report Dated 17 September 2015 Written submissions during public exhibition: 7 Submissions Verbal submissions at the panel meeting on behalf of the applicant: <ul style="list-style-type: none"> • Peter Rasa (Architect), and, • Terry Wetherill (Planner).
8	Meetings and site inspections by the panel: Site Inspection – 1 October 2015 Briefing – 1 October 2015
9	Council recommendation: Refusal.