

## DETERMINATION AND STATEMENT OF REASONS

### SOUTHERN JOINT REGIONAL PLANNING PANEL

<b>DATE OF DETERMINATION</b>	12 May 2017
<b>PANEL MEMBERS</b>	Pam Allan (Chair), Alison McCabe, Renata Brooks, Vicki Curran, Michael Mantei
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Wollongong City Council on Friday, 12 May 2017, opened at 1.00pm and closed at 1.55pm.

#### MATTER DETERMINED

2016STH021 – Wollongong – DA-2016/1073 AT 31 and 33 Atchison Street, Wollongong (AS DESCRIBED IN SCHEDULE 1)






#### PANEL CONSIDERATION AND DECISION

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.

The Panel determined to refuse the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*. The decision was unanimous.

#### REASONS FOR THE DECISION

The Panel refused the application in accordance with the recommendation in the Council Assessment Report.

PANEL MEMBERS	
 Pam Allan (Chair)	 Alison McCabe
 Renata Brooks	 Vicki Curran
 Michael Mantei	

**SCHEDULE 1**

<b>1</b>	<b>PANEL REF – LGA – DA NO.</b>	2016STH021 – Wollongong – DA-2016/1073
<b>2</b>	<b>PROPOSED DEVELOPMENT</b>	Demolition of an existing dwelling and structures and the construction of a “shop top housing” development comprising a fourteen storey building containing 2 retail/business premises, a 60 place child care centre and 50 residential apartments over two levels of basement car parking
<b>3</b>	<b>STREET ADDRESS</b>	31 and 33 Atchison Street, Wollongong (Lot 1 DP 782358, Lot 1 DP 152994)
<b>4</b>	<b>APPLICANT/OWNER</b>	Affinity Property Investment Pty Ltd
<b>5</b>	<b>TYPE OF REGIONAL DEVELOPMENT</b>	General development over \$20 million
<b>6</b>	<b>RELEVANT MANDATORY CONSIDERATIONS</b>	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ SEPP No. 55 – Remediation of Land</li> <li>○ SEPP 64 – Advertising and Signage</li> <li>○ SEPP 65—Design Quality of Residential Apartment Development</li> <li>○ SEPP (Infrastructure) 2007</li> <li>○ SEPP (Building Sustainability Index: BASIX) 2004</li> <li>○ SEPP (State and Regional Development) 2011</li> <li>○ Wollongong Local Environmental Plan 2009</li> </ul> </li> <li>• Draft environmental planning instruments: <ul style="list-style-type: none"> <li>○ Draft SEPP (Coastal Management) 2016</li> </ul> </li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Wollongong Development Control Plan 2009</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: <ul style="list-style-type: none"> <li>○ Clause 92</li> </ul> </li> <li>• Coastal zone management plan: Nil</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 <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
<b>7</b>	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Council assessment report: 2 May 2017</li> <li>• Written submissions during public exhibition: Nil</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ Support – Nil</li> <li>○ Object – Ron Knowles</li> <li>○ On behalf of the applicant – Mark Pigram, Brian Hollis</li> </ul> </li> </ul>

<b>8</b>	<b>MEETINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Site inspection and briefing meeting 15 March 2017</li> <li>• Final briefing meeting to discuss council's recommendation, 12 May 2017, 10.50am. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Pam Allan (Chair), Alison McCabe, Renata Brooks, Vicki Curran, Michael Mantei</li> <li>○ <u>Council assessment staff</u>: Pier Panozzo, Mark Riordan, Andrew Carfield, Charlie Bevan, Andrew Heaver, Lucretia Liu</li> </ul> </li> </ul>
<b>9</b>	<b>COUNCIL RECOMMENDATION</b>	Refusal
<b>10</b>	<b>DRAFT CONDITIONS</b>	n/a