

ADDENDUM REPORT	
Panel Reference	PPSSTH-253
DA No.	DA-2022/714
Property	37-39 Burelli Street Wollongong Lot 402 DP 715513
Proposal	Mixed Use Development - demolition of existing structures and construction of 14 storey building, two (2) commercial spaces, 71 residential apartments, basement and podium sleeved parking, associated communal open space and landscaping
Applicant	Applicant: ADM Projects Australia Pty Ltd
Date of SRPP meeting	25 September 2024

BACKGROUND

The proposal was referred to Southern Regional Planning Panel at its meeting held on 8 May 2024 for **determination** pursuant to State Environmental Planning Policy (Planning Systems) 2021 Schedule 6 Clause 2 estimated development cost of more than \$30 million.

Under Schedule 6, general development with an estimated development cost (EDC) of more than \$30 million is identified as regionally significant development. The EDC values the proposed development at \$31,102,500.00.

OUTCOME OF SRPP MEETING 8 MAY 2024

The Panel's Record of Deferral is detailed in **Attachment 1**.

At the meeting, the Panel requested that an addendum report be prepared addressing the following:

- Waste servicing
 - Council to assess applicant's waste information submitted 7 May 2024
 - Applicant to submit a comparative analysis of waste collection within the building by MRV vis a vis SRV
- Cross ventilation
 - Applicant to provide analysis of ADG compliance in particular for dwellings on first and second floors
- Flooding impact and stormwater disposal
 - Council to complete assessment of flooding impacts and stormwater disposal
- Public art strategy
 - Council to assess applicant's public art information submitted 12 April 2024

Waste Servicing

1. As noted by the Panel, the applicant provided waste serving information on 7 May 2024 which did not allow sufficient time for Council's review and reporting prior to the 8 May 2024 meeting.
2. Council's report to the 8 May 2024 SRPP meeting advised that the applicant's proposal to place residential waste and recycling bins on Burelli Street for collection was not supported. The applicant's reason for bin collection on Burelli street was that their ground floor design prevented Council's standard residential waste truck (a 10.24m metre long medium rigid vehicle (MRV)) from accessing the ground floor and exiting in a forward direction.

3. Following the meeting, the applicant sent an email to Council dated 9 May 2024 which discussed the design implications of an MRV servicing the site. This email forms **Attachment 2**.
4. On 5 June 2024 the applicant's engineering consultant JN Engineering advised Council's traffic engineer that Council's waste contractor Remondis could provide an alternative waste truck which is shorter than a 10.24m MRV in dimensions. The proposed truck is a 6.72m long rear-loading MRV with a 14m turning circle. Details of this truck forms **Attachment 3**.
5. Council's traffic engineer and waste officer have advised that this alternative vehicle is acceptable in the circumstances of this location and specific site constraints, namely prohibition by Transport for NSW on vehicle entry via Corrimal Street.
6. Following advice from Council that the alternative truck was acceptable, the applicant provided revised ground floor plans on 26 June 2024 demonstrating turning movements of the 6.72m truck and identifying the number and location of 240L bins within the ground floor residential bin room. One recycling and one FOGO bin is proposed adjacent to the garbage chute on 'upper level'. It is unclear whether all residential floors will be serviced with this recycling and FOGO bin. These revised plans are shown in **Attachment 4**.
7. However, whilst the 6.72m residential waste truck has removed the unacceptable scenario of residential bins on Burelli Street, the size of the residential waste room remains an issue. As noted in Council's report to the SRPP meeting 8 May 2024, the proposed 25m² residential bin room on the ground floor is too small to accommodate the number of 240L bins required for the building (5 general waste/red bins, 36 recycling/yellow bins and 2 FOGO/green waste/green bins). The applicant's revised plans have not enlarged the bin room dimensions and therefore this issue remains unresolved.
8. The applicant's 'Statement of Reply' by MMJ dated 5 September 2024 (**Attachment 5**) does not respond to the outstanding issue of the size of the bin room.

Cross Ventilation

9. As noted by the Panel, the applicant provided a 'Natural Ventilation Assessment' by SLR Consulting Australia Pty Ltd on 12 April 2024, which did not allow sufficient time for Council's review and reporting prior to the SRPP meeting.
10. Council's architect has reviewed the report and advised that the recommendations within the report would satisfy Apartment Design Guide (ADG) design criteria, namely:
 - a) The SLR report states that units 101-106 and units 108-115 do not sufficiently ventilate. This demonstrates that the original design as proposed did not meet the ADG objectives.
 - b) An alternative method of achieving ADG cross ventilation has been proposed, with 60.9% of units being cross ventilated. This alternative design includes adding new highlight windows to Units 303-803 inclusive, and adding windows to stairs of Unit 101 and 115.
11. This arrangement is considered to be acceptable, and satisfies the minimum requirement for ADG Objective 4B-3.

Flooding Impact and Stormwater Disposal

12. The applicant provided a revised flood study and ground level plan on 5 September 2024 (**Attachment 6**).
13. Council's stormwater engineer has reviewed the documentation and advised it is satisfactory and adequately addresses requirements of WLEP 2009 clause 5.21.

Public Art Strategy

14. As noted by the Panel, the applicant provided a 'Public Art Statement' information on 12 April 2024, which did not allow sufficient time for Council's review and reporting prior to the SRPP meeting.
15. Council's 'Animating Wollongong Public Art Strategy 2022-2032' contains provisions for integrating public art with development applications.
16. Council's Community Cultural Development Worker Public Art has reviewed the applicant's Statement and proposed plans and inspected the site. It is recommended that public art is required on the southern elevation. Council has previously advised the applicant that art on the southern elevation is required and this approach is consistent with the hotel development approved by the Panel (DA-2020/1490).

During the preparation of this addendum report the applicant provided a response dated 5 September 2024 to the SEPP 65/ADG concerns raised in Council's assessment (**Attachment 5**).

The applicant's report provides some clarification of the applicant's position on these matters and is generally presented as an alternative view to the issues raised by Council.

Individually, each of the points may not in and of themselves warrant refusal of the application, however Council maintains that when viewed holistically the position raised in the initial Council assessment would result in an improved outcome for this site.

The applicant's response to the concerns raised by Council has been provided for the Panel's consideration.

CONCLUSION

The matters raised by the SRPP have been adequately resolved via the documentation provided or can be resolved by conditions of consent. Councils' concerns regarding SEPP 65 / ADG remain largely unaltered and Council relies on the commentary prepared in its initial assessment report in relation to these matters.

RECOMMENDATION

Previous reasons for refusal detailed in Council's report to the 8 May 2024 SRPP meeting be amended via removal of reasons 1 and 4 and replaced with the reasons shown in **Attachment 7**.