

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	4 September 2019
PANEL MEMBERS	Alison McCabe (Chair), Larissa Ozog, Mark Carlon, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 4 September 2019 opened at 5:00pm and closed at 6:30pm.

MATTER DETERMINED

DA-2019/151 – Lot B DP 356881, 44 Balfour Road, Austinmer (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by two submitters, one who represented five property owners.

The Panel also heard from the owner and applicant's representative.

PANEL CONSIDERATION AND DECISION

The Panel considered the matters listed at item 7, and the material presented at the meeting and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel is of the view that the development, subject to some further detailed information, is an appropriate development for the site.

The Panel determined to defer the development application as described in Schedule 1 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979* for the following additional information:

- Full boundary survey.
- Consideration of the covenant and its impact on the proposal.
- More specific details of the proposed new stairs including full details of the tree species, locations and levels to determine whether the works have any impact on their viability, construction methods and proposed materials. If the proposed stairs are considered to be acceptable, the existing access stairs are to be removed and the area revegetated.
- Details to be provided of the revegetation of the creek line and how it will be protected during construction.
- Provide details of location of the private waste bins which are to be stored on-site.
- Consideration of how existing vegetation within the road reserve will be managed during demolition and construction.

On receipt of the further information, Council prepare a supplementary report incorporating appropriate conditions.

The Panel delegates determination of the application to the Manager Development Assessment and Certification under Section 2.20(8) following Council's satisfaction of the above matters.

The decision was unanimous.

PANEL MEMBERS



Alison McCabe
(Chair)



Larissa Ozog



Mark Carlon



Bernard Hibbard
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2019/151
2	PROPOSED DEVELOPMENT	Residential – demolition of existing dwelling house and outbuilding and construction of a dwelling house and associated minor works
3	STREET ADDRESS	44 Balfour Road, Austinmer NSW 2515
4	APPLICANT	TCG Planning
5	REASON FOR REFERRAL	The proposal has been referred to the Wollongong Local Planning Panel (WLPP) for determination pursuant to Section 2(b) of Schedule 2 of the Local Planning Panels Direction of 1 March 2018, as the Integrated Development Application is the subject of 10 or more unique submissions by way of objection.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> · Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No 55 – Remediation of Land ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ Wollongong Local Environment Plan 2009 · Wollongong City Wide Development Contributions Plan (2018) · Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 · 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations · The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> · Council assessment report dated 4 September 2019 · Written submissions during public exhibition: Thirteen (13) · Verbal submissions at the public meeting: Two (2)
8	SITE INSPECTIONS BY THE PANEL	Site inspection 4 September 2019. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Alison McCabe (Chair), Larissa Ozog, Mark Carlon Bernard Hibbard (Community Representative) ○ <u>Council assessment staff</u>: Darren Burke, Evan Fitzsimmons
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report