

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	13 August 2020
PANEL MEMBERS	Robert Montgomery (Chair), Larissa Ozog, Scott Lee, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 13 August 2020 opened at 5:00pm and closed at 5.28pm.

MATTER DETERMINED

DA-2019/998 – Lot B DP 382619, Lot 1 DP 327144, Lot A DP 382619, 34-36 Hewitts Avenue, Thirroul (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by two (2) submitters.

The Panel also heard from the applicant.

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 determined to approve the development application as described in Schedule 1 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The Panel considers that the amended application and stormwater/flooding report addresses all of the matters raised by the previous Panel.
- The Panel concurs with the officer's assessment and recommendation.
- The Panel considers that the proposal as amended provides a better relationship to the adjoining property to the west by removing one dwelling from this location.
- Based on the information from the applicant and Council's stormwater engineers, it is apparent that the proposal now makes adequate arrangement for stormwater overland flows through the site and provides additional protection for adjoining properties.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report.

PANEL MEMBERS



Robert Montgomery
(Chair)



Larissa Ozog



Scott Lee



Bernard Hibbard
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2019/998
2	PROPOSED DEVELOPMENT	Residential – demolition of structures on Lots 1 and A, site remediation works, realignment of stormwater pipe, Subdivision of three (3) existing lots to create four (4) Torrens title lots, construction of single dwelling on one (1) lot and dual occupancies on two (2) of the new lots and Subdivision - Torrens title of each dual occupancy into two (2) lots
3	STREET ADDRESS	34-36 Hewitts Avenue Thirroul
4	APPLICANT/OWNER	Hewitts Land Pty Ltd
5	REASON FOR REFERRAL	Contentious development, having received greater than 10 unique submissions to the original submission
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 Section 94A Development Contributions Plan • Draft environmental planning instruments: N/A • Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 • Planning agreements: N/A • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Clause 92 • Coastal zone management plan: N/A • 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 13 August 2020 • Written submissions during public exhibition: 25 to original submission, 10 to revised proposal • Verbal submissions at the public meeting: Two (2)
8	SITE INSPECTIONS BY THE PANEL	Site inspection 13 August 2020. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Larissa Ozog, Scott Lee, Bernard Hibbard (Community Representative) ○ <u>Council assessment staff</u>: Nicole Ashton, John Wood, Mathew Carden, Nathan McBriarty, Suri Mora
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report