

## DETERMINATION AND STATEMENT OF REASONS

### WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

<b>DATE OF DETERMINATION</b>	23 February 2024
<b>PANEL MEMBERS</b>	Robert Montgomery (Chair), Tina Christy, Seve Fermio.

Transaction of business outside of meetings pursuant to Clause 26 of Schedule 2 of the *Environmental Planning and Assessment Act, 1979*.

#### MATTER DETERMINED

DA-2023/358 – Lot 18 and Lot 19 DP220627, 11 and 13 St Johns Avenue, Mangerton (as described in detail in schedule 1).

#### 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 delegate the final determination of the application to Council subject to the receipt of the final landscape and stormwater plans.

The decision was unanimous.




#### REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The Panel concurs with the Officer's assessment and recommendation.
- The Panel is satisfied that the outstanding matters from the previous Panel meeting have been addressed and resolved.
- The Panel delegates the final determination of the development application to Council as the required final landscape and stormwater plans have not been received as yet.

#### CONDITIONS

Draft consent conditions are contained at **Attachment 1**. Conditions that will require updating to include specific reference to the final landscape and stormwater plans are A.(i), 20 and 25. Plan references at condition 1 have been updated to reflect the changes.

PANEL MEMBERS	
 Robert Montgomery (Chair)	 Tina Christy
 Steve Fermio	

SCHEDULE 1		
1	DA NO.	DA-2023/358
2	PROPOSED DEVELOPMENT	Residential - demolition of existing dwellings and associated outbuildings, remove six (6) trees, construction of multi-dwelling housing - six (6) units and Subdivision - Strata title - six (6) lots
3	STREET ADDRESS	11 and 13 St Johns Avenue, MANGERTON
4	APPLICANT/OWNER	Infinite Designs / Optop Pty Ltd
5	REASON FOR REFERRAL	The proposal has been referred to Local Planning Panel for determination pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Clause 4(b) of Schedule 2 of the Local Planning Panels Direction of 6 September 2023, the proposal has received greater than 10 submissions and is required to be determined by the Panel under Schedule 2(2b) of the Local Planning Panels Direction
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>Wollongong Local Environment Plan 2009</li> </ul> </li> <li>Wollongong Development Contributions Plan</li> <li>Draft environmental planning instruments: N/A</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Wollongong Development Control Plan 2009</li> </ul> </li> <li>Planning agreements: N/A</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: 61 and 66A</li> <li>Coastal zone management plan: N/A</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>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council addendum assessment report dated 23 February 2024</li> </ul>
8	SITE INSPECTIONS BY THE PANEL	Site inspection 5 December 2023 Attendees: <ul style="list-style-type: none"> <li>Panel members: Robert Montgomery (Chair), Tina Christy, Steve Fermio, Peter Sarlos (Community Representative)</li> <li>Council assessment staff: Mark Adamson, Pier Panozzo, Nigel Lamb</li> </ul>
9	COUNCIL RECOMMENDATION	Defer determination to Council subject to receipt of updated landscape and stormwater plans.
10	DRAFT CONDITIONS	Attached to the council assessment report