

## DETERMINATION AND STATEMENT OF REASONS

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

DATE OF DETERMINATION	6 February 2024
PANEL MEMBERS	Robert Montgomery (Chair), Alison McCabe, Brendan Randles, Edger Du Bois (Community Representative)

Public meeting held at Wollongong City Council, Level 10 Council Chambers, 41 Burelli Street, Wollongong on 6 February 2024 opened at 5:00pm and closed at 7:10pm.

#### MATTER DETERMINED

DA-2023/813, Lot 1 DP 1224873, 8 Hyde Street, Coledale (as described in detail in schedule 1).

#### PUBLIC SUBMISSIONS

No submissions were made at the Meeting

#### 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 has considered the applicant's written request to justify the contravention of the maximum floor space ratio standard within Clause 4.4 of Wollongong local Environmental Plan 2009. The Panel is satisfied that the request demonstrates that compliance with the development standard is unreasonable and unnecessary in the circumstances of this case and that there are sufficient environmental planning grounds to justify contravening the development standard.

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.




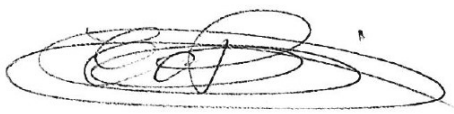
#### REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The Panel notes that the FSR exceedance relates to works within the existing building footprint only and there is no change to the existing building height, site coverage or boundary setbacks.
- The Panel concurs with the Officer's assessment and recommendation.

#### CONDITIONS

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

PANEL MEMBERS	
 Robert Montgomery (Chair)	 Alison McCabe
 Brendan Randles	 Edger Du Bois (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2023/813
2	PROPOSED DEVELOPMENT	Residential - alterations and additions to dwelling-house, minor demolition works and infill of existing basement and convert to a guest bedroom with ensuite
3	STREET ADDRESS	8 Hyde Street Coledale
4	APPLICANT/OWNER	Ray Gillis
5	REASON FOR REFERRAL	Clause 4.4 FSR exception – more than 10% departure
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 &amp; Hazards) 2021</li> <li>State Environmental Planning Policy (Biodiversity &amp; Conservation) 2021</li> <li>Wollongong Local Environment Plan 2009</li> </ul> </li> <li>Development control plans: <ul style="list-style-type: none"> <li>Wollongong Development Control Plan 2009</li> </ul> </li> <li>Coastal zone management plan: <ul style="list-style-type: none"> <li>Coastal Environment Area</li> <li>Coastal use area</li> <li>Coastal hazards</li> </ul> </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 assessment report dated 6 February 2024</li> <li>Written submissions during public exhibition: Nil</li> <li>Verbal submissions at the public meeting: Nil</li> </ul>
8	SITE INSPECTIONS BY THE PANEL	Site inspection 6 February 2024. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Alison McCabe. (other Panel members did not inspect the site due to the minor nature of the proposal)</li> </ul>
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report