

## ADVICE

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

<b>DATE OF MEETING</b>	6 February 2024
<b>PANEL MEMBERS</b>	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.

#### MATTERS

DA-2023/526, Lot 3 DP 1239971, 54 High Street, Thirroul.

DA-2023/527, Lot 2 DP 1239971, 52 High Street, Thirroul.

#### PUBLIC SUBMISSIONS

The Panel was addressed by four submitters, two of whom made separate submissions on each of the applications.

The Panel also heard from the applicant's representative in response to both applications.

#### PANEL CONSIDERATION

The Panel acknowledges that dual occupancy development is permissible on the land and that the proposal is compliant with the development standards contained within Wollongong LEP 2009. It is also noted that subdivision of dual occupancy development is excluded from the minimum lot size for subdivision.

The Panel has carefully considered the submissions from neighbouring property owners. The Panel notes that some of the concerns raised by submitters are related to expectations of the likely future development of land (ie single dwellings) and a number of matters relating to the previous approved subdivision.

#### PANEL ADVICE

The Panel is of the view that a number of aspects of the developments require further assessment/analysis and resolution prior to determining the application. These include:

- Consideration as to whether any 88B restriction needs to be formally varied by Council to facilitate the developments.
- The applicant should provide to Council a detailed construction management plan which takes into account the physical constraints and multiple users of the private access way, and details as to how matters such as deliveries, heavy vehicles and workers' parking will be managed.
- It is noted that pruning of trees at the rear of the property is proposed to facilitate the "ground floor" cantilevered balconies. It appears that some of these balconies intrude well into the tree protection zone and it is considered that there is significant potential for tree pruning both during construction and longer term in excess of that indicated on the plans. The tree canopy at the rear of this site is essential in terms of providing privacy to properties to the north and in terms of visual impact. It is therefore considered that there should be no building intrusion into the tree protection zone at the rear (which is likely to require amendment to the balconies).

The Panel is of the view that there should be no building intrusion into the protection zone of any of the trees at the rear of the land. Amended detailed plans should be provided to Council which demonstrate that there is no intrusion into the tree protection zones at the rear of the land.

- Based on advice from Council's Engineer, the requirement for individual on-site stormwater detention (OSD) systems on each lot should be revisited. The stormwater concept plan will need to be updated to include individual OSD systems for each proposed lot.
- An accurate tree location plan should be provided to Council which uses the same numbering as that for the approved subdivision plan, to provide clarity.

- The applicant advised that an agreement has now been reached with Remondis, Council's waste contractor, to service the lots directly from within the private accessway. Given that this was a requirement of the original subdivision which has not been satisfied to date, it is considered appropriate that a condition be placed on any consent, which requires the final agreement to be in place and operational prior to issue of any construction certificate.
- The applicant requested that proposed condition 17 (requiring obscure glazing to all bathrooms) be deleted. It is suggested that Council review this condition in conjunction with the applicant.

Voting: 4/0