

## DETERMINATION AND STATEMENT OF REASONS

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

DATE OF DETERMINATION	10 December 2020
PANEL MEMBERS	Sue Francis (Chair), Mark Carlon, Larissa Ozog, Peter Sarlos (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 10 December 2020 opened at 5:00pm and closed at 5.35pm

#### MATTER DETERMINED

DA-2020/708 – Lot 1 SP 53064, 1/3 Hill Street, Bulli (as described in detail in schedule 1).

#### PUBLIC SUBMISSIONS

The Panel was addressed by two 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*.

Voting on the matter was 3:1

The community representative on the Panel (Mr Peter Sarlos) did not support the recommendation based on the design of the first-floor roof of the addition and the encroachment into the 900 mm side boundary setback. He also did not believe there was value in retaining the curved balcony encroachment when the application presented an opportunity to eliminate the encroachment.

#### REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The Panel concurred with the officer's recommendation and agreed that no further extension to the northern balcony should be permitted due to its current breach of the setback and its relationship to the adjacent public open space.
- The amended design of the master bedroom was considered acceptable as it complies with Council's controls in relation to side setback, height and floor space.
- The proposed development is considered to be an acceptable planning and design outcome for the site.

#### CONDITIONS

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

PANEL MEMBERS



Sue Francis  
(Chair)



Mark Carlon



Larissa Ozog



Peter Sarlos  
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2020/708
2	PROPOSED DEVELOPMENT	Residential - alterations and additions to existing dual occupancy
3	STREET ADDRESS	1/3 Hill Street, Bulli NSW 2516
4	APPLICANT	Illawarra Design Company
5	REASON FOR REFERRAL	Schedule 2 - Section 2 (b) – The application is subject to 10 or more unique submission by way of objection.
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 No 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>○ State Environmental Planning Policy (Coastal Management) 2018</li> <li>○ State Environmental Planning Policy (Koala Habitat Protection) 2019</li> <li>○ Wollongong Local Environment Plan 2009</li> </ul> </li> <li>· Wollongong Section 94A Development Contributions Plan</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: Wollongong Coastal Zone Management Plan</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 10 December 2020</li> <li>· Written submissions during public exhibition: 13</li> <li>· Verbal submissions at the public meeting: 2</li> </ul>
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 10 December 2020. Attendees:</p> <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Sue Francis (Chair), Mark Carlon, Larissa Ozog, Peter Sarlos (Community Representative)</li> <li>○ <u>Council assessment staff</u>: Hayden Nobel, Pier Panozzo</li> </ul>
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report