

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	15 November 2022
PANEL MEMBERS	Stephen Davies (Chair), Scott Lee, Tina Christy, Trish McBride (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 15 November 2022 opened at 5:00pm and closed at 6:07pm.

MATTER DETERMINED

DA-2021/1286 – Lot 18 Section 4 DP 2185, 23 Harbord Street, Thirroul (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by four submitters.

The Panel heard from the owner and 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:

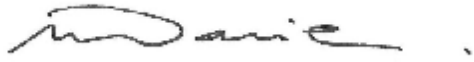
- The proposal is a permissible development, compliant with the relevant development standards.
- It represents redevelopment that is consistent with Council's planning policies and is not out of character with the locality.
- The applicant has satisfactorily considered amenity impacts on neighbouring properties.

CONDITIONS

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

- The garage floor to ceiling height of Unit 2 is to be maximum 2.4 metres in height.
- The garage parapet height of Unit 2 is to be reduced by minimum 500mm.
- Condition 19b needs to be re-worded to represent maximum RL 3.59 metres AHD.
- The western boundary fence from Unit 1 garage extending to Harbord Street boundary is to be maximum 1.2 metres in height from existing ground level.

PANEL MEMBERS



Stephen Davies
(Chair)



Scott Lee



Tina Christy



Trish McBride
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2021/1286
2	PROPOSED DEVELOPMENT	Residential - demolition of existing structures, construction of a detached dual occupancy and Subdivision - Torrens title - two (2) lots
3	STREET ADDRESS	Lot 18 Sec 4 DP 2185, 23 Harbord Street, THIRROUL NSW 2515
4	APPLICANT OR OWNER	JPC Planning
5	REASON FOR REFERRAL	The proposal has been referred to Local Planning Panel for determination pursuant to clause 2(b) Schedule 2 of the Local Planning Panels Direction for contentious development as the proposal has attracted a total of twenty four (24) unique submissions following two rounds of exhibition.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> · Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ Wollongong Local Environment Plan 2009 · Wollongong Development Contributions Plan · Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 · Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Clauses 2, 6, 61 – 64. · Coastal zone management plan · 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 15 November 2022 · Written submissions during public exhibition: 24 · Verbal submissions at the public meeting: four
8	SITE INSPECTIONS BY THE PANEL	Virtual Site inspection 15 November 2022. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Stephen Davies (Chair), Scott Lee, Tina Christy, Trish McBride (Community Representative) ○ <u>Council assessment staff</u>: Andrew Kite
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the Council assessment report