

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	21 November 2023
PANEL MEMBERS	Stephen Davies (Chair), Alison McCabe, Mark Carlon, Trish McBride (Community Representative)

Public meeting held at Wollongong City Council, Level 10 Council Chambers, 41 Burelli Street, Wollongong on 21 November 2023 opened at 5:00pm and closed at 6:49pm.

MATTER DETERMINED

DA-2023/635 - Lot 81 DP 26747, 37 Balfour Street, Fairy Meadow (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by two (2) submitters.

The Panel heard from the applicant's representative.

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 density of the development is consistent with the planning framework applying to the area.
- The development is compatible with the evolving character of the area.
- The development has been designed to mitigate impacts on adjoining properties.

CONDITIONS

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

PANEL MEMBERS	
 Stephen Davies (Chair)	 Alison McCabe
 Mark Carlon	 Trish McBride (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2023/635
2	PROPOSED DEVELOPMENT	Residential - demolition of existing structures, construction of attached dual occupancy and Subdivision - Torrens title - two (2) lots
3	STREET ADDRESS	37 Balfour Street FAIRY MEADOW
4	APPLICANT	Marksman Homes PL
5	REASON FOR REFERRAL	The proposal has been referred to the WLPP for determination pursuant to part 2(b) of Schedule 2 of the Local Planning Panels Direction, as the application is the subject of ten (10) or more unique submissions by way of objection.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (State and Regional Development) 2011 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 Draft environmental planning instruments: N/A Development control plans: <ul style="list-style-type: none"> Wollongong Development Control Plan 2009 Planning agreements: N/A Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: <ul style="list-style-type: none"> Clause 6 BASIX Clause 61 (1) Demolition Coastal zone management plan: N/A 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 21 November 2023 Written submissions during public exhibition: 15 Verbal submissions at the public meeting: two (2)
8	SITE INSPECTIONS BY THE PANEL	Site inspection 21 November 2023. Attendees: <ul style="list-style-type: none"> Panel members: Stephen Davies (Chair), Alison McCabe, Mark Carlon, Trish McBride (Community Representative) Council assessment staff: Brad Harris
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report