

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	21 May 2020
PANEL MEMBERS	Alison McCabe (Chair), Mark Carlon, Steve Layman, Trish McBride (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 21 May 2020 opened at 5:00pm and closed at 7:06pm.

MATTER DETERMINED

DA-2019/1206, Lot 27 DP 26939, 23 Guest Avenue, Fairy Meadow (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

No submitters addressed the Panel.

The Panel also heard from the applicant's representatives

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 grant a deferred commencement consent to the development application as described in Schedule 1 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*. Subject to the conditions contained in the report and the addition of the following condition:

1. Amended plans being provided with the construction certificate that:
 - a) Delete the 2m x 2m projection of the ground floor deck on the southern side of the bathroom of dwelling two (2). The deck for dwelling two (2) is to be setback a minimum of 3m from the western boundary.
 - b) Reduce the deck from the master bedroom to a maximum projection of 1m with a width of 2m. A privacy screen of 1.6m in height is to be installed on the western elevation.
 - c) Shows the eaves to the existing dwelling remaining.

The decision was unanimous

REASONS FOR THE DECISION

1. The proposal is generally consistent with the policy framework and as amended will be compatible with the surrounding development.
2. The proposed development as amended does not result in any unreasonable impacts on adjoining properties.

CONDITIONS

As per the report as amended above.

PANEL MEMBERS



Alison McCabe
(Chair)



Mark Carlon



Steve Layman



Trish Mc Bride
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2019/1206
2	PROPOSED DEVELOPMENT	Residential - alterations and additions to existing dwelling house and construction of new dwelling house to create dual occupancy and Subdivision - Torrens title - two (2) lots
3	STREET ADDRESS	23 Guest Avenue, FAIRY MEADOW
4	APPLICANT	Applicant - Illawarra Design Company
5	REASON FOR REFERRAL	The proposal has been referred to Local Planning Panel pursuant to Clause 2.19(1)(a) of the Environmental Planning & Assessment Act 1979. The application is captured by Clause 1(a) of Schedule 2 of the Local Planning Panels Direction of 1 March 2018 as the application proposes works on Council owned land including an easement for drainage
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No 55 – Remediation of Land ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ Wollongong Local Environment Plan 2009 • Wollongong City Wide Development Contributions Plan 2019 • Draft environmental planning instruments: Nil applicable • Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Clauses 92 and 94 • Coastal zone management plan: Not applicable • 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 May 2020 • Written submissions during public exhibition: two (2) • Verbal submissions at the public meeting: None
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 21 May 2020. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Alison McCabe (Chair), Steven Layman, Mark Carlon, Trish McBride (Community Representative) ○ <u>Council assessment staff</u>: Pier Panozzo, Hayden Knobel, Theresa Whittaker
9	COUNCIL RECOMMENDATION	Deferred commencement consent
10	DRAFT CONDITIONS	Attached to the Council assessment report, Attachment 3