

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	13 March 2019
PANEL MEMBERS	Robert Montgomery (Chair), Scott Lee, Larissa Ozog, Edger du Bois (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 13 March 2019 opened at 5:00pm and closed at 7:12pm.

MATTER DETERMINED

DA-2018/1531 – Lot 2 DP 329046 and Lot A DP 392508, 178-180 Lawrence Hargrave Drive, Thirroul (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by six submitters and was also provided with a written submission from another submitter.

The Panel also heard from the applicant's representatives who addressed a number of issues raised by the submitters and answered questions from the Panel.

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 bulk, scale and form of the development is a substantial improvement on the development which was previously refused by the Panel.
- The potential impacts on neighbouring properties have been properly dealt with through window placement, orientation of buildings and overall design.
- The parking is compliant with the DCP and provides a better outcome in terms of access to Lawrence Hargrave Drive compared to the previous application and the existing situation.
- Overall it is considered that the proposal is an appropriate design response to the site which satisfies the relevant statutory provisions.

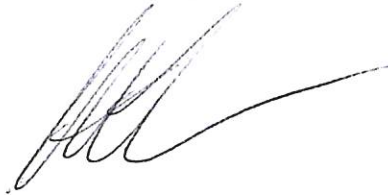
CONDITIONS

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

PANEL MEMBERS



Robert Montgomery
(Chair)



Scott Lee



Larissa Ozog



Edger du Bois
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2018/1531
2	PROPOSED DEVELOPMENT	Residential - demolition of existing structures, remediation works, tree removals and Subdivision boundary adjustment, construction of a dual occupancy on each new lot and subsequent Torrens title two (2) lots Subdivision of each dual occupancy
3	STREET ADDRESS	178-180 Lawrence Hargrave Drive, Thirroul
4	APPLICANT	Illawarra Property Holdings Pty Limited
5	REASON FOR REFERRAL	Part 2 of Schedule 2 of the Local Planning Panels Direction, as the Development Application is considered contentious development, having received more than 10 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 (Infrastructure) 2007 ○ State Environmental Planning Policy No 55 – Remediation of Land ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 ○ State Environmental Planning Policy (Coastal Protection) 2018 ○ Wollongong Local Environment Plan 2009 · Wollongong Section 94A Development Contributions Plan · Draft environmental planning instruments: Nil · 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>: N/A · Coastal zone management plan: Nil · 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 13 March 2019 · Written submissions during public exhibition: 12 · Verbal submissions at the public meeting: six
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 13 March 2019. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Scott Lee, Larissa Ozog, Edger du Bois (Community Representative) ○ <u>Council assessment staff</u>: John Wood, Jessica Saunders
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report