

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	10 April 2019
PANEL MEMBERS	Robert Montgomery (Chair), Helena Miller, Mark Carlon, Tina Christy (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 10 April 2019 opened at 5:00pm and closed at 6:00pm.

MATTER DETERMINED

DA-2018/1071 – Lot 13 Section O DP 5418, 2 Coast Street, Thirroul (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by three submitters.

The Panel also heard from the applicants.

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 defer the development application to allow the applicant the opportunity to re-site or redesign Unit 2A to lessen the visual intrusion from the adjoining property to the east and to provide design resolutions to the matters detailed in the reasons for deferral.

The Panel considers that by reducing the size of proposed Lot 1 a better design solution could be achieved for the proposed dwellings 2A and 2B.

The decision was unanimous.

REASONS FOR THE DEFERRAL

The Panel is concerned that the following matters have not been adequately addressed by the proposal in its current form:

- The justification for the variation to single storey control within Wollongong DCP 2009 (Battle-axe allotments) is inadequate in terms of the current design.
- The visual intrusion of proposed dwelling 2A upon 16A Seafoam Avenue;
- The encroachment by dwelling 2A into the 7.2 metre tree protection zone of tree 20;
- The manoeuvring space for the rear dwellings 2A and 2B should be wholly located within the proposed rear lot.
- Protection of privacy to the rear private open space of 16A Seafoam Avenue.

The Panel considers that any amended plans submitted by the applicant should be notified in accordance with Wollongong DCP 2009. Also, that the matter is to be referred back to a future Panel for decision.

PANEL MEMBERS

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Robert Montgomery
(Chair)

A handwritten signature in blue ink, featuring a series of overlapping, rounded loops.

Helena Miller

A handwritten signature in black ink, appearing as a series of connected, rounded loops.

Mark Carlon

A handwritten signature in blue ink, with the letters 'T' and 'C' being particularly prominent and stylized.

Tina Christy
(Community Representative)

SCHEDULE 1		
1	DA NO.	2018/1071
2	PROPOSED DEVELOPMENT	Residential - demolition of garage and tree removals, Subdivision - Torrens title - two (2) lots, construction of dual occupancy on rear lot and Subdivision of dual occupancy - Torrens title - two (2) lots
3	STREET ADDRESS	2 Coast Street, THIRROUL NSW 2515
4	APPLICANT/OWNER	Mr R Brown, Mrs C Brown and Mr S Arnold
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 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 No 55 – Remediation of Land ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ Wollongong Local Environment Plan 2009 • NSW Apartment Design Guide • Wollongong Section 94A 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 2000</i>: demolition • 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 10 April 2019 • Written submissions during public exhibition: 16 • Verbal submissions at the public meeting: 3
8	SITE INSPECTIONS BY THE PANEL	Site inspection 10 April 2019. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Helena Miller, Mark Carlon, Tina Christy (Community Representative) ○ <u>Council assessment staff</u>: Jessica Saunders, Rodney Thew
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report