

## DETERMINATION AND STATEMENT OF REASONS

### WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

|                              |   |
|------------------------------|---|
| <b>DATE OF DETERMINATION</b> | 24 March 2020   |
| <b>PANEL MEMBERS</b>         | Alison McCabe (Chair), Mark Carlon, Larissa Ozog, Peter Sarlos (Community Representative) |

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 24 March 2020 opened at 5:00pm and closed at 6.07pm.

#### **MATTER DETERMINED**

DA-2019/998, Lot A and B DP 382619, Lot 1 DP 327144, 34-36 Hewitts Avenue Thirroul (as described in detail in schedule 1).

#### **PUBLIC SUBMISSIONS**

The Panel was addressed by two (2) submitters.

The Panel also heard from 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.

1. The Panel determined that Development Application DA-2019/998 34-36 Hewitts Avenue Thirroul be deferred for the following information:
  - a) Revised Flood Study that addresses the issues raised at pages 9 and 10 of the Council Report.
  - b) Details of the form and type of encroachment adjacent unit No. 38b along the western boundary.
  - c) Consideration of how No. 34 could reasonably be utilised to address the flooding and overland flow issues.
2. The Panel notes that the solution to the flood issues raised in the report may require redesign and reduction in yield of the site.
3. That on receipt of the additional information and any amended plans that a further report be prepared and the matter be returned to the Panel.

The decision was unanimous.

PANEL MEMBERS



Alison McCabe  
(Chair)



Mark Carlon



Larissa Ozog



Peter Sarlos  
(Community Representative)

| SCHEDULE 1 |                                   |  |
|------------|-----------------------------------|--|
| 1          | DA NO.                            | DA-2019/998  |
| 2          | PROPOSED DEVELOPMENT              | Residential – demolition of structures on Lots 1 and A, site remediation works, realignment of stormwater pipe, subdivision of three existing lots to create four torrens title lots, construction of dual occupancies on three of the new lots and Subdivision - Torrens title of each dual occupancy - six (6) lots  |
| 3          | STREET ADDRESS                    | 34-36 Hewitts Avenue Thirroul  |
| 4          | APPLICANT/OWNER                   | Hewitts Land Pty Ltd   |
| 5          | REASON FOR REFERRAL               | Contentious Development receiving greater than 10 objections   |
| 6          | RELEVANT MANDATORY CONSIDERATIONS | <ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy No 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>○ Wollongong Local Environment Plan 2009</li> </ul> </li> <li>• Wollongong Section 94A Development Contributions Plan</li> <li>• Draft environmental planning instruments: N/A</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Wollongong Development Control Plan 2009</li> </ul> </li> <li>• Planning agreements: N/A</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Clause 92</li> <li>• Coastal zone management plan: N/A</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul> |
| 7          | MATERIAL CONSIDERED BY THE PANEL  | <ul style="list-style-type: none"> <li>• Council assessment report dated 24 March 2020</li> <li>• Written submissions during public exhibition: 25</li> <li>• Verbal submissions at the public meeting: 2</li> </ul>   |
| 8          | SITE INSPECTIONS BY THE PANEL     | Site inspection 24 March 2020. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Alison McCabe (Chair), Mark Carlon, Larissa Ozog, Peter Sarlos (Community Representative)</li> <li>○ <u>Council assessment staff</u>: Nicole Ashton, John Wood</li> </ul>   |
| 9          | COUNCIL RECOMMENDATION            | Refuse   |
| 10         | REASONS FOR REFUSAL               | Reasons of Refusal - attached to the council assessment report   |