

## DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

<b>DATE OF DETERMINATION</b>	16 October 2019
<b>PANEL MEMBERS</b>	Sue Francis (Chair), Steve Fermio, Larissa Ozog and Peter Sarlos (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 16 October 2019 opened at 5:00pm and closed at 6.45pm.

### MATTER DETERMINED

DA-2019/595, Lot 28 DP 1099628, 28 George Street, Thirroul NSW 2515 (as described in detail in schedule 1).

### PUBLIC SUBMISSIONS

The Panel was addressed by 11 submitters.

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 defer 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 Panel was of the view that the design was unresolved in detail and that further design modification was required and thus agreed with the Council's recommendation to defer the determination of the application for the reasons identified in Attachment 3 of their report.
- The Panel considers the following additional amendments are required:-
  - That the whole building be reduced in height so that the finished ground line of the development equates as much as possible to the existing ground level of the site, ensuring that access to the courtyards of dwellings 1 and 3 are level with the adjacent finished ground level, so as to minimise the elevated terraces and the consequential privacy impacts (both visual and aural). This can be achieved by reducing the floor to ceiling height of the basement and by lowering the building generally.
  - The first floor south elevation windows be redesigned to be more sympathetic to the character of fenestration in the street.
  - Consider increasing the width of the eaves from 300mm to 600mm at ground and first floor.
  - All privacy screens and the screening to the visitor space along the southern side should be constructed of timber and not aluminium.
  - The first floor eastern windows to bedroom 1 in all units shall be reduced in size to minimise privacy impacts. This can be achieved by removing the lower panel, obscuring it or adopting an alternate window design which achieves this intent etc.
  - The privacy screen above the visitor car space (along the western side of Unit 1) shall be removed and the privacy screen along this side shall commence from where the alfresco

dining area starts (in line with the living area wall to the north where the rainwater tank is located). This will reduce the visual dominance of the screen.

**That the amended plans be submitted and considered by Council staff and the determination be delegated to the Manager of Development Assessment and Certification.**

PANEL MEMBERS	
 Sue Francis (Chair)	 Steve Fermio
 Larissa Ozog	 Peter Sarlos (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2019/595
2	PROPOSED DEVELOPMENT	Residential - demolition of existing building and tree removals. Construction of multi unit housing comprising of four (4) dwellings with one (1) level of basement carparking
3	STREET ADDRESS	Lot 28 DP 1099628, 28 George Street, Thirroul NSW 2515
4	APPLICANT	10 Star Pty Ltd
5	REASON FOR REFERRAL	The proposal has been referred to the Wollongong Local Planning Panel for determination pursuant to Section 2(b) of Schedule 2 of the Local Planning Panels Direction of 1 March 2018, 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"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy No 55 – Remediation of Land</li> <li>○ Wollongong Local Environment Plan 2009</li> </ul> </li> <li>• Wollongong Section 94A Development Contributions Plan</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Wollongong Development Control Plan 2009</li> </ul> </li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>:</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 16 October 2019</li> <li>• Written submissions during public exhibition: 47</li> <li>• Verbal submissions at the public meeting: 11</li> </ul>
8	SITE INSPECTIONS BY THE PANEL	Site inspection 16 October 2019 Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Sue Francis (Chair), Steve Fermio, Larissa Ozog, Peter Sarlos (community representative)</li> <li>○ <u>Council assessment staff</u>: Maria Byrne, Jessica Saunders</li> </ul>
9	COUNCIL RECOMMENDATION	Defer
10	DRAFT CONDITIONS	Attached to the council assessment report