

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	14 September 2021
PANEL MEMBERS	Sue Francis (Chair), Sue Hobley, Glenn Falson, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 14 September 2021 opened at 5:00pm and closed at 6:13pm.

MATTER DETERMINED

DA-2021/542 - Lot A DP 392369, 195 Lawrence Hargrave Drive, Thirroul (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

No submitters addressed the Panel.

The Panel 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:

1. The plans lacked clarity, accuracy and consistency and the Panel requires the following to be documented on all the plans:
 - a. The frangipani tree to be retained.
 - b. The proposed new path and breach in the wall on the Lawrence Hargrave Drive frontage to be deleted from the landscape plan.
 - c. The steps from all units to the rear courtyards.
 - d. Coloured in blue, the elements of the building which have been constructed without consent.
 - e. The garbage storage to unit 1 to be relocated to the Jones Lane frontage and enclosed.
 - f. The door to bedroom one of unit 3 to be relocated away from the stairwell.
2. A structural engineering report to be provided which establishes the feasibility of the proposed removal of the structural post from the existing ground floor balcony adjacent to the proposed kitchen to unit 2.
3. The architectural and landscape plan to be amended and updated having regard to the above.

The above details shall be provided to Council within twenty-eight (28) days following which a supplementary report to be provided to the Panel. The Panel will determine the matter electronically.


PANEL MEMBERS



Sue Francis
(Chair)



Sue Hobley



Glenn Falson



Bernard Hibbard
(Community Representative)

SCHEDULE 1		
1	DA NO.	2021/542
2	PROPOSED DEVELOPMENT	Residential - minor demolition works and alterations to existing building and use of building as a multi dwelling development - three (3) dwellings
3	STREET ADDRESS	195 Lawrence Hargrave Drive, THIRROUL NSW 2515
4	APPLICANT	JIH Building Design Pty Ltd
5	REASON FOR REFERRAL	The proposal has been referred to the WLPP for determination pursuant to part 3 of Schedule 2 of the Local Planning Panels Direction, as the Development contravenes a development standard (Minimum site width) imposed by an environmental planning instrument by more than 10%.
6	RELEVANT MANDATORY CONSIDERATIONS	<ol style="list-style-type: none"> 4. Environmental planning instruments: <ol style="list-style-type: none"> a. State Environmental Planning Policy No 55 – Remediation of Land b. State Environmental Planning Policy (Coastal Management) 2018 c. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 d. Wollongong Local Environment Plan 2009 5. NSW Apartment Design Guide 6. Wollongong City Wide Development Contributions Plan 2020 7. Development control plans: <ol style="list-style-type: none"> a. Wollongong Development Control Plan 2009 8. Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: <ol style="list-style-type: none"> a. Clause 93 - Fire safety and other considerations; b. Clause 94 – Consent authority may require buildings to be upgraded 9. The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality 10. The suitability of the site for the development 11. Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations 12. 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 14 September 2021 · Council memo dated 14 September 2021 regarding Draft SEPPs · Written submissions during public exhibition: One (1) · Verbal submissions at the public meeting: Nil
8	SITE INSPECTIONS BY THE PANEL	<p>Virtual Site inspection 14 September 2021. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Sue Francis (Cahir), Sue Hobley, Glenn Falson, Bernard Hibbard (Community Representative) ○ <u>Council assessment staff</u>: John Wood, Rod Thew
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report