

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	17 May 2022
PANEL MEMBERS	Stephen Davies (Chair), Steve Fermio, Sue Hobley, Trish McBride (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 17 May 2022 opened at 5:00pm and closed at 5.56pm.

MATTER DETERMINED

RD-2006/1376/A, Lot 11 DP 285763, 13 Weaver Terrace, Bulli (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by one (1) submitter.

The Panel heard from the owner.

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* and require the applicant to submit amended plans addressing the following matters:

- A Landscape Plan prepared by a qualified landscape designer to a scale of 1:100 shall be submitted to Council's satisfaction. The plan shall show plantings of a minimum of three (3) locally indigenous trees in the southern portion of the site. The trees are to be of species that will achieve minimum heights of 8 metres at maturity and be maintained at a height of 9.25metres. The plantings shall be carried out within six (6) months of the date of this decision. The tree stock shall be in containers at a minimum of 25 litres.

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The current built form with the exception of the windows on the roof terrace, are the subject of an Occupation Certificate.
- The windows on the roof terrace are not considered to be further detrimental to view sharing and not dissimilar to bulk and scale of the original approval.
- The height of the roof terrace exceeds the Development Standard by 2.7% or 245mm which the Panel considers is negligible in the context of the dwelling.
- The bulk and scale of the southern elevation was originally approved on the basis of substantial landscaping, including trees, which would screen the building, but which was not carried out.

PANEL MEMBERS



Stephen Davies
(Chair)



Steve Fermio



Sue Hobley



Trish McBride
(Community Representative)

SCHEDULE 1		
1	DA NO.	RD-2006/1376/A
2	PROPOSED DEVELOPMENT	Review of Determination – Modification of consent to allow for retrospective approval of works already undertaken, including an increase in the FFL of all floor levels of the dwelling, increase in overall building height, installation of an internal lift, enclosure of roof top terrace with windows, increase in floor area of garage/basement level and addition of storage room in garage/basement level
3	STREET ADDRESS	13 Weaver Terrace, Bulli
4	APPLICANT	Plannex Environmental Planning
5	REASON FOR REFERRAL	The proposal has been referred to the Wollongong Local Planning Panel (WLPP) for determination pursuant to Section 3 of Schedule 2 of the Local Planning Panels Direction of 30 June 2020, as the proposed development contravenes a development standard imposed by an environmental planning instrument by more than 10% or non-numerical development standards.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • Wollongong Development Contributions Plan • Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 • 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 • Written submissions during public exhibition: Three (3) • Verbal submissions at the public meeting: One (1)
8	SITE INSPECTIONS BY THE PANEL	Virtual Site inspection 17 May 2022: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Stephen Davies (Chair), Steve Fermio, Sue Hobley, Trish McBride (Community Representative) ○ <u>Council assessment staff</u>: Evan Fitzsimmons
9	COUNCIL RECOMMENDATION	Refuse
10	DRAFT CONDITIONS	Attached to the council assessment report