

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	3 November 2020
PANEL MEMBERS	Sue Francis (Chair), Larissa Ozog, Robert Montgomery, Trish McBride (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 3 November 2020 opened at 5:00pm and closed at 6:51pm.

MATTER DETERMINED

DA-2020/290 – Lot B DP 378330, 342-344 Lawrence Hargrave Drive, Thirroul (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by three submitters.

The Panel heard from the applicant and their representative.

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 accept the c14.6 variation in respect of FSR in that the variation satisfies the objectives of the control, there are sufficient environmental planning grounds to justify the variation and the variation would satisfy the objectives of the zone and be in the public interest.

The Panel therefore determined to approve 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 notes that the proposal is significantly under the maximum height allowed on the site.
- The Panel notes that the proposal exceeds the maximum FSR, however all of the GFA that exceeds the control is located in the basement where it has been determined by council that the spaces provided in the basement are greater than that allowed to be excluded from the definition of GFA. The Panel has made no assessment of this aspect but does note that the larger parking and storage areas provided are desirable in this location, allowing improved manoeuvrability and amenity. The additional GFA does not add to the bulk and scale of the proposal nor does it reduce effective deep soil.
- The reduced setbacks are minimal, do not add to the exceedance of the GFA above ground and have no detrimental impact.
- The Panel notes that it is intended to retain the front stone wall however has included a condition of consent to clarify this.


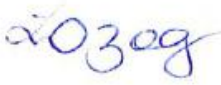


CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following additions: -

- To maintain pedestrian safety along Lawrence Hargraves Drive, a traffic management system such as a mirror/s (or similar) shall be installed at the entry of the driveway to improve sight lines for vehicles leaving the site.

Delete 10a and replace with the following as 6a:-

- The existing front dry sandstone wall shall be retained in its original height and form except where the new pedestrian and driveway openings are located.

PANEL MEMBERS	
 Sue Francis (Chair)	 Larissa Ozog
 Robert Montgomery	 Trish McBride (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2020/290
2	PROPOSED DEVELOPMENT	Residential - multi dwelling housing - demolition of existing dwelling, tree removals and construction of three (3) attached 3 storey dwellings over basement parking area.
3	STREET ADDRESS	342-344 Lawrence Hargrave Drive, THIRROUL NSW 2515
4	APPLICANT	Illawarra Property Holdings Pty Ltd
5	REASON FOR REFERRAL	Pursuant to part 2(b) of Schedule 2 of the Local Planning Panels Direction and 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 (Infrastructure) 2007 ○ State Environmental Planning Policy No 55 – Remediation of Land ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ Wollongong Local Environment Plan 2009 · Wollongong Section 94A 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 dated 3 November 2020. · Written submissions during public exhibition: 11 · Verbal submissions at the public meeting: three
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 3 November 2020. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Sue Francis (Chair), Larissa Ozog, Robert Montgomery, Trish McBride (Community Representative) ○ <u>Council assessment staff</u>: Brigit Mathai, John Wood
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report