

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	13 July 2021
PANEL MEMBERS	Sue Francis (Chair), Brendan Randles, Larissa Ozog, Trish McBride (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 13 July 2021 opened at 5:00pm and closed at 7:13pm.

MATTER DETERMINED

DA-2021/383 – Lot 15 DP 801925, 19 Russell Street, Balgownie (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

No submitters addressed the Panel.

The Panel 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.

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*.

The decision was unanimous

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:





- The Panel accepts the officer's report and assessment of the impact of the proposal.
- The Panel notes that this is a more considered design relative to other detached dual occupancy proposals it has dealt with.
- The Panel accepts the variations to the site width, side setback and garage door widths on the basis that the site is located adjacent to two wide easements which allow for spatial and visual separation within the streetscape.
- The Panel, however, would add the following conditions to address solar access, privacy, garbage and tree replacement.

CONDITIONS

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

- 1 The windows at the first-floor level to the en-suite, bathroom and staircase of Unit 1 shall be constructed of obscure glazing. Details to be approved prior to the issue of a Construction Certificate.
- 2 Garbage bins shall be stored in the garages, so they are not visible from the street. Details to be approved prior to the issue of a Construction Certificate.
- 3 The window to the study on the first-floor level of unit 2 shall be constructed of obscure glazing. Details to be approved prior to the issue of a Construction Certificate.
- 4 The tree that is proposed for removal along the north-eastern corner of the site at the rear shall be replaced with a similar canopy tree which shall be shown on the plans accompanying the construction certificate.

- 5 A minimum of two skylights to be provided on the first-floor corridor of both units 1 and 2 to provide daylight to that space. Details to be approved prior to the issue of a Construction Certificate.

PANEL MEMBERS	
 Sue Francis (Chair)	 Brendan Randles
 Larissa Ozog	 Trish McBride (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2021/383
2	PROPOSED DEVELOPMENT	Residential – demolition of existing dwelling and structures and construction of detached dual occupancy, two retaining walls and Subdivision – Torrens title -two (2) lots
3	STREET ADDRESS	19 Russell Street, Balgownie
4	APPLICANT/OWNER	Robert Gizzi – Design Workshop Australia/ Mr Giuliano & Mrs Karen Frigo
5	REASON FOR REFERRAL	The proposal was referred to the Local Planning Panel for determination pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Schedule 2 Clause 2(b) of the Local Planning Panels Direction of 1 March 2018, the proposal 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 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 • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Clause 92 • 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 13 July 2021 • Written submissions during public exhibition: 12 • Verbal submissions at the public meeting: Nil
8	SITE INSPECTIONS BY THE PANEL	Virtual site inspection 13 July 2021. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Sue Francis (Chair), Brendan Randles, Larissa Ozog, Trish McBride (Community Representative) ○ <u>Council assessment staff</u>: Cathryn Bell
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report