

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	29 May 2019
PANEL MEMBERS	Robert Montgomery (Chair), Sue Hobley, Mark Carlon, Tina Christy (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 29 May 2019 opened at 5:00pm and closed at 6:12pm.

MATTER DETERMINED

DA-2018/1071 – Lot 13 Section O DP 5418, 2 Coast Street, THIRROUL (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by two 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 agrees that the amendments made to the application satisfy the matters raised at the previous Panel meeting. In particular, it is noted that the impacts to 16A Seafoam Avenue have been reduced by the following:

- the ground floor dining room in Unit 2A has been relocated, increasing the setback from the eastern boundary and enabling substantial screen planting;
- reduction of the gross floor area of Unit 2A;
- relocation of private open space to the rear of Unit 2A;
- moving Unit 2A to the north of the site;
- retaining an additional mature tree by increasing the rear setback to Unit 2A.

The Panel had some discussion with the applicant in relation to appropriate landscaping and the changes are reflected in the amended conditions.

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*, subject to the amended conditions.

The decision was unanimous.

REASONS FOR THE DECISION





The reasons for the decision of the Panel were:

- Notwithstanding the concerns raised by the adjoining residents regarding the two storey component of the development, the Panel is of the view that the design of Unit 2A with the recent amendments made, satisfies the objectives of Chapter B1, Clause 4.1.2(1) of the Wollongong DCP 2009 and is therefore acceptable.
- The applicant has addressed the concerns of the previous Panel.
- The Panel agrees with the officer's assessment.
- The Panel is also satisfied that the side boundary setback is sufficient to accommodate satisfactory privacy treatment including tree retention, supplementary tree planting and boundary fencing.

CONDITIONS

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

- Delete Condition 12.
- Add the following to Condition 23:
 - (j) screen planting shall be established in the deep soil zone along the western perimeter of the private open space of Unit 2B and maintained at minimum height of 3 metres;
 - (k) delete the species *Ajuga reptans* from the proposed plant schedule;
- Amend condition 38a to read: a minimum of 3 metre wide with a 1 metre landscaping strip along the eastern side that is either turfed or provided with an open form fence (maximum 1.8 metre high terminating at the front building line and screened with the use of native climbers), and a 1 metre turf strip along the western side.

PANEL MEMBERS	
 Robert Montgomery (Chair)	 Sue Hobley
 Mark Carlon	 Tina Christy (Community Representative)

SCHEDULE 1		
1	DA NO.	2018/1071
2	PROPOSED DEVELOPMENT	Residential - demolition of garage and tree removals, Subdivision - Torrens title - two (2) lots, construction of dual occupancy on rear lot and Subdivision of dual occupancy - Torrens title - two (2) lots - Renotified due to amended plans
3	STREET ADDRESS	2 Coast Street, THIRROUL NSW 2515
4	APPLICANT/OWNER	Mr R Brown, Mrs C Brown and Mr S Arnold
5	REASON FOR REFERRAL	The proposal has been referred to the WLPP for determination pursuant to part 2(b) of Schedule 2 of the Local Planning Panels Direction, 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"> · 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>: Demolition · 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 29 May 2019 · Written submissions during public exhibition: 2 (notification of amended proposal). 16 for notification of original proposal. · Verbal submissions at the public meeting: two
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 29 May 2019. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Sue Hopley, Mark Carlon, Tina Christy (Community Representative) ○ <u>Council assessment staff</u>: John Wood, Rodney Thew
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report