

**DETERMINATION AND STATEMENT OF REASONS**  
**WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)**

<b>DATE OF DETERMINATION</b>	2 July 2020
<b>PANEL MEMBERS</b>	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 2 July 2020 opened at 5:00pm and closed at 6:44pm.

**MATTER DETERMINED**

DA-2020/273, Lot 27 DP 270554, 77 Excelsior Drive, Austinmer (as described in detail in schedule 1).

**PUBLIC SUBMISSIONS**

No one addressed the Panel for this matter.

**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 agrees with the officer’s assessment and recommendation.
- The siting of the proposed swimming pool, although within the mapped littoral rainforest, is within a cleared area and will therefore have no impact.

**CONDITIONS**

The development application was approved subject to the conditions in the Council Assessment Report.

<b>PANEL MEMBERS</b>	
 Robert Montgomery (Chair)	 Sue Hobley
 Mark Carlon	 Tina Christy (Community Representative)

SCHEDULE 1		
1	DA NO.	2020/273
2	PROPOSED DEVELOPMENT	Residential - swimming pool
3	STREET ADDRESS	77 Excelsior Drive, AUSTINMER NSW 2515
4	APPLICANT	Narellan Pools South Coast
5	REASON FOR REFERRAL	<p>The proposal has been referred to Local Planning Panel for determination pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Schedule 2 Clause 4 (a) of the Local Planning Panels Direction of 1 March 2018, the proposal is Designated Development.</p> <p>The pool is located within the mapped Littoral Rainforest Area pursuant to the SEPP (Coastal Management) 2018.</p>
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>· Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (State and Regional Development) 2011</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy No 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy (Coastal Management) 2018</li> <li>○ State Environmental Planning Policy (Koala habitat) 2019</li> <li>○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>○ Wollongong Local Environment Plan 2009</li> </ul> </li> <li>· Wollongong City Wide Development Contributions Plan 2019</li> <li>· Development control plans: <ul style="list-style-type: none"> <li>○ Wollongong Development Control Plan 2009</li> </ul> </li> <li>· The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>· The suitability of the site for the development</li> <li>· Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>· The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>· Council assessment report dated 2 July 2020.</li> <li>· Written submissions during public exhibition: none</li> <li>· Verbal submissions at the public meeting: none</li> </ul>
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 2 July 2020. Attendees:</p> <ul style="list-style-type: none"> <li>○ <u>Panel members</u> Robert Montgomery (Chair), Sue Hobley, Mark Carlon, Tina Christy (Community Representative)</li> <li>○ <u>Council assessment staff</u>: John Wood, Jessica Saunders, Eliza Metcalfe</li> </ul>
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report