

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	6 October 2021
PANEL MEMBERS	Stephen Davies (Chair), Steven Layman, Glenn Falson, Tina Christy (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 6 October 2021 opened at 5:00pm and closed at 6.18pm.

MATTER DETERMINED

DA-2021/651 – Lot 1 DP 1154074, Lot 2 DP 1154074, Lot 3 DP 1154074, Lot 8 DP 218305, Lot 1 DP 536405, Lot 2 DP 558943, Lot 1 DP 654264, Lot 1 DP 1007487, Lot 4 DP 215273, Lot 5 DP 215273, Lot 4 DP 241845, Lot 5 DP 241845, Lot 6 DP 241845, Lot 7 DP 241845, Lot 21 DP 1031766, Lot 22 DP 1031766 – Kully Bay Park, Various Lots Northcliffe Drive, Warrawong (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

No submitters addressed the Panel.

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

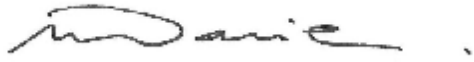
The reasons for the decision of the Panel were:

- The 4.6 variation request adequately addressed the matters required.
- The proposed light towers are consistent with those existing on the site.
- The proposal provides a demonstrable public benefit.

CONDITIONS

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

PANEL MEMBERS



Stephen Davies
(Chair)



Steven Layman



Glenn Falson



Tina Christy
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2021/651
2	PROPOSED DEVELOPMENT	Two flood lights and maintenance works to existing cycleway
3	STREET ADDRESS	Kully Bay Recreation Area, Northcliffe Drive & King Street, Warrawong
4	APPLICANT/OWNER	Mr Nathaniel Murray
5	REASON FOR REFERRAL	The proposal has been referred to Local Planning Panel for determination pursuant to clause 2.19(1)(a) of the <i>Environmental Planning and Assessment Act 1979</i> under Schedule 2 (3) of the Local Planning Panels Direction of 30 June 2020, as the development contravenes a development standard imposed by an environmental planning instrument by more than 10%.
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 (Coastal Management) 2018 ○ 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 226 Prescribed persons: section 4.32 · Wollongong Coastal zone management plan · 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 6 October 2021 · Written submissions during public exhibition: No submissions · Verbal submissions at the public meeting: Nil
8	SITE INSPECTIONS BY THE PANEL	Virtual Site inspection 6 October 2021. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Stephen Davies, Steven Layman, Glenn Falson, Tina Christy (Community Representative) ○ <u>Council assessment staff</u>: Cathryn Bell – Development Project Officer
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report