

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

DATE OF DETERMINATION	23 March 2021
PANEL MEMBERS	Sue Francis (Chair), Steven Layman, Brendan Randles, Trish McBride (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 23 March 2021 opened at 5:00pm and closed at 6.28pm.

MATTER DETERMINED

DA-2021/89 – Lot 1 DP 347972, Lot 2 DP 347972, Thomas Dalton Park, Elliotts Road, Fairy Meadow (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 virtual site inspection 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 is aware that this festival has operated for several years in the vicinity of the site, at Stewart Park. The current location is proposed due to unique COVID requirements. The Panel understands that the traffic management, security and acoustic management is well established and that conditions of consent address these concerns.
- The applicant identified concerns with certain conditions relating to the protective surface for vehicles using the sports fields. The Panel has considered the concerns raised and accepts that, with an amendment to condition 22 to require solutions to be established for both vehicle and pedestrian movements to Council's satisfaction, ten days prior to the event 'bump', that the concerns raised can be resolved.
- Likewise, the applicant's concerns raised in relation to condition 27 and the form of seating to be provided needs to be resolved similarly to requirements of condition 22 above.
- Subject to the amended conditions, the Panel is satisfied that the proposal can satisfy the requirements for temporary use of land clause 2.8(3) of Wollongong LEP 2009.

CONDITIONS

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

- Delete condition 23, 24, 25 and 26
- Amend conditions 22 and 27 as follows: _

Amended condition 22 and 27 (now condition 23)

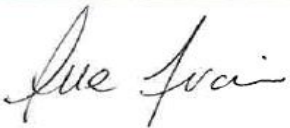



22 Detailed Vehicle and Pedestrian Movement Plan

A Detailed Vehicle and Pedestrian Movement Plan must be submitted to Council's satisfaction ten (10) days prior to the event bump in commencing. The plan must address the following requirements:

- a. Wherever possible, vehicle traffic movements should be located outside line-marked sports fields;
- b. The type of temporary built supportive road membrane (eg Trackmat and Ld.20 roadway or similar) is to be installed for key areas of high vehicle traffic;
- c. how the following pedestrian areas will be adequately protected (possibly with a protective temporary built supportive path membrane designed for turf protection such as Event Grip membrane):
 - All trafficked and pedestrian movements on sports fields identified in the plan; and
 - all congregation areas such as toilets, food and beverage areas, and the like identified in the plan; and
 - all synthetic cricket wickets throughout Thomas Dalton Park.
- d. how pedestrian foot traffic from Pioneer Road and Carters Lane will access the fenced event site area from a fenced controlled point and only along a supportive path membrane. The pedestrian paths must be located outside the line-marked sports fields wherever possible.
- e. All event grip matting identified as part of this plan is to be laid no earlier than Thursday 15 April 2021 and removed on Monday 19 April 2021 to minimise damage to sportsfields.

23 Seating Plan

Where seating is required to be provided by the event organiser to meet NSW Health requirements, as identified in the approved plan, details of the proposed seating must be submitted to Council's satisfaction, 10 days prior to the event bump in commencing. The plan must adequately demonstrate that the proposed seating and/or ground surface protection minimises damage to the sports fields as much as practicable.

PANEL MEMBERS	
 Sue Francis (Chair)	 Steven Layman
 Brendan Randles	 Trish McBride (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2021/89
2	PROPOSED DEVELOPMENT	Event - Two (2) day music festival Saturday 17th and Sunday 18th April 2021
3	STREET ADDRESS	Thomas Dalton Park, Elliots Road, FAIRY MEADOW
4	APPLICANT	Yours and Owls
5	REASON FOR REFERRAL	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 1(a) and 2(b), Schedule 2 of the Local Planning Panels Direction of 30 June 2020, the proposal is on Council land and has also received more than 10 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 (Exempt and Complying Codes) 2008 ○ State Environmental Planning Policy (Coastal Management) 2018 ○ Wollongong Local Environment Plan 2009 · Wollongong City Wide Development Contributions Plan · Draft environmental planning instruments: Nil · Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 · Planning agreements: Nil · Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil · Coastal zone management plan: 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 23 March 2021 · Written submissions during public exhibition: 16 · Verbal submissions at the public meeting: Nil
8	SITE INSPECTIONS BY THE PANEL	Virtual Site inspection 23 March 2021. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Sue Francis (Chair), Steven Layman, Brendan Randles, Trish McBride (Community Representative) ○ <u>Council assessment staff</u>: Rebecca Welsh
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report