

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	11 May 2021
PANEL MEMBERS	Sue Francis (Chair), Larissa Ozog, Mark Carlon, Trish McBride (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 11 May 2021 opened at 5:00pm and closed at 6.04pm.

MATTER DETERMINED

DA-2020/620 – Lot 59 DP 18874, Lot 101 DP 847615, J.J. Kelly Park, Keira Street and 33 Swan Street, Wollongong (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by two (2) submitters.

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 accepted the recommendation of staff to approve the temporary use of the site for Major Events up to a maximum of 52 days in any 12-month period. The Panel acknowledged that the 52 days includes the 'bump in' and 'bump out' days for relative to each unique event.
- The Panel considers the proposed conditions to address any potential adverse environmental impact raised by the submissions.
- Lastly, the Panel notes that the proposal is consistent with the generic Plans of Management adopted by Council for its parks.

CONDITIONS

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

PANEL MEMBERS



Sue Francis
(Chair)



Larissa Ozog



Mark Carlon



Trish McBride
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2020/620
2	PROPOSED DEVELOPMENT	Major event application for temporary events to a maximum of 52 days in any 12-month period
3	STREET ADDRESS	J.J. Kelly Park Wollongong
4	APPLICANT/OWNER	Wollongong City Council
5	REASON FOR REFERRAL	Pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Schedule 2 of the Local Planning Panels Direction of 30 June 2020, as the applicant and landowner is Council.
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 ○ Wollongong Local Environment Plan 2009 · Wollongong Section 94A Development Contributions Plan · Draft environmental planning instruments: N/A · Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 · Planning agreements: N/A · Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: N/A · 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 11 May 2021 · Written submissions during public exhibition: three · Verbal submissions at the public meeting: 2
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 11 May 2021. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Sue Francis (Chair, Larissa Ozog, Mark Carlon, Trish McBride (Community Representative) ○ <u>Council assessment staff</u>: Brad Harris
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report