

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	10 April 2019
PANEL MEMBERS	Robert Montgomery (Chair), Helena Miller, Mark Carlon, Tina Christy (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 10 April 2019 opened at 5:00pm and closed at 6:00pm.

MATTER DETERMINED

DA-2017/830 – Oasis Caravan Park, 140-146 Windang Road, Windang, DP 610406 (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

No submitters addressed the Panel.

The Panel heard from the Manager of the Oasis Caravan Park on behalf of the owner.

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 refuse 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 reasons for refusal as detailed in the officer's report. The Panel acknowledges that the development application was lodged by the previous owner and operator and that the current owner and operator has not been involved in preparing the application. The current owner and operator has indicated a willingness to work closely with Council staff to resolve outstanding issues and chart a way forward.

PANEL MEMBERS



Robert Montgomery
(Chair)



Helena Miller



Mark Carlon



Tina Christy
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2017/830
2	PROPOSED DEVELOPMENT	Additional long term site and amend Community Layout Plan
3	STREET ADDRESS	Oasis Caravan Park, 140-146 Windang Road, WINDANG NSW 2528
4	APPLICANT/OWNER	Steven Fripp – I & H Investments P/L
5	REASON FOR REFERRAL	The proposal has been referred to Local Planning Panel 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 1 March 2018, the proposal involves land that is owned by Council.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 ○ State Environmental Planning Policy No. 21 - Caravan Parks ○ State Environmental Planning Policy No. 55 - Remediation of Land ○ State Environmental Planning Policy No. 71 - Coastal Protection (in force at the time of lodgement of the application but now repealed) ○ Wollongong Local Environmental Plan (WLEP) 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>: clause 93 and 94 • Coastal zone management plan: N/A • 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 10 April 2019 • Written submissions during public exhibition: 0 • Verbal submissions at the public meeting: 0
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 10 April 2019. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Helena Miller, Mark Carlon, Tina Christy (Community Representative) ○ <u>Council assessment staff</u>: Pier Panozzo, Nigel Lamb
9	COUNCIL RECOMMENDATION	Refuse
10	DRAFT CONDITIONS	Attached to the council assessment report