

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	5 December 2018
PANEL MEMBERS	Alison McCabe (Chair), Scott Lee, Steve Layman, Tina Christy (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 5 December 2018 opened at 5:00pm and closed at 6:50pm.

MATTER DETERMINED

DA-2018/1000, Lot 33 DP 1182831, Bulli Raceway, Princes Highway, Bulli (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by 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* subject to the conditions in the report and amendments to the deferred commencement condition and conditions 2, 30 and 45 as follows.

Deferred Commencement

- i) The Development Consent shall not operate until Council has been satisfied as to the following matters:

A Building Code of Australia Report and Fire Safety Engineering Management Strategy prepared by a building professional holding a suitable level of accreditation with the NSW Building Professionals Board that addresses and verifies compliance with Section H102 - NSW variation - of the National Construction Code Series – Building Code of Australia (and related clauses).

- ii) A revised Traffic Management Plan that includes the New Year train service timetable and the shuttle bus frequency as required by Condition 45. Each interval is to provide a minimum of 10 buses each with a 72 person capacity unless demonstrated that a lesser number is required.

Once Council is satisfied that the matters contained in condition number (i) have been complied with and the developer has been notified in writing of such compliance, the following conditions shall apply in respect of the approved development:

2 Restricted Hours of Operation

The hours of operation for the event shall be restricted to:

- Bump in to commence 8:00am Friday 28 December 2018.
- New Years Event to take place 7:00pm to 3:00am Monday 31 December 2018 to Tuesday 1 January 2019.
- Alcohol to cease at 2:00am with patrons off site by 3:00am.
- Outdoor music is to cease at 2.00am.
- Bump out to finish by 5:00pm Wednesday 2 January 2019.

30 Service of Alcohol

- Managing alcohol sales and consumption must comply with NSW Liquor and Gaming requirements. These include signage which must be displayed at every point of alcohol sales. Signage includes restricting alcohol sales to +18 years only, no secondary supply of alcohol to minors and discontinuing sales to intoxicated persons.
- All bar staff to have RSA certification that is available on request.
- Storage of alcohol is secure.
- Alcohol must be consumed on site and no takeaways are provided.
- Alcohol will cease to be available at 2am.
- Water is freely available and soft drinks and low alcohol drinks are also available at non-inflated prices.

45 Shuttle Bus Service

A free shuttle bus service to Wollongong shall be provided at 30 minute intervals between 11:30pm and 1:00am and 15 minute intervals between 1:00am and 3:30am for patrons to exit the event site.

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The proposed use is a one-off event that will impact for a discrete period of time.
- The mitigation measures will ensure a balance between providing opportunity for musical destination events and residential amenity.
- Subject to conditions, the use was considered reasonable given its temporary nature.

CONDITIONS

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

PANEL MEMBERS



Alison McCabe
(Chair)



Scott Lee



Steve Layman



Tina Christy
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2018/1000
2	PROPOSED DEVELOPMENT	Use of Bulli Showground for New Years Eve music and dance event – December 2018
3	STREET ADDRESS	Bulli Raceway, Princes Highway, Bulli
4	APPLICANT	Balunn Jones
5	REASON FOR REFERRAL	Section 1(a) and Section 2(b) of Schedule 2 of the Local Planning Panels Direction of 1 March 2018
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 Environmental Plan 2009 · Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 · Wollongong City-Wide Development Contributions Plan 2018 · Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> · Council assessment report dated 5 December 2018 · Written submissions during public exhibition: twelve (12) · Verbal submissions at the public meeting: Nil
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 5 December 2018. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Alison McCabe (Chair), Scott Lee, Steve Layman, Tina Christy (Community Representative) ○ <u>Council assessment staff</u>: John Wood, Briarna Lee
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report