

## DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

<b>DATE OF DETERMINATION</b>	13 October 2020
<b>PANEL MEMBERS</b>	Alison McCabe (Chair), Brendan Randles, Trish McBride (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 13 October 2020 opened at 5:00pm and closed at 6.51pm.

### Declaration of Interest

Mark Carlon declared a conflict of interest and did not participate in the determination of this matter.

### MATTER DETERMINED

DA-2020/265, Lot 1 DP 1188983, Lot 1 Cater Street, Wollongong (as described in detail in schedule 1).

### PUBLIC SUBMISSIONS

No one addressed the Panel for this matter.

The Panel also heard from the applicant's representative.

### 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 Council's report.

The decision was unanimous.

### REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The site is suitable for the proposed development.
- The separation of the proposal from sensitive uses is considered appropriate.
- The proposal provides additional essential communications infrastructure.

### CONDITIONS

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

PANEL MEMBERS



Alison McCabe  
(Chair)



Brendan Randles



Trish McBride  
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2020/265
2	PROPOSED DEVELOPMENT	Telecommunications facility and associated equipment including shelter at ground level
3	STREET ADDRESS	Lot 1 Cater Street Coledale
4	APPLICANT/OWNER	Kordia Solutions
5	REASON FOR REFERRAL	Part 2(b) of Schedule 2 of the Local Planning Panels Direction as the application is the subject of 10 or more unique submissions by way of objection.
6	RELEVANT MANDATORY CONSIDERATIONS	<p><u>Environmental planning instruments:</u></p> <p><u>Commonwealth Legislation:</u></p> <ul style="list-style-type: none"> <li>• Telecommunications Act 1997</li> </ul> <p><u>State Environmental Planning Policies:</u></p> <ul style="list-style-type: none"> <li>• SEPP No. 55 – Remediation of Land</li> <li>• SEPP (Infrastructure) 2007</li> <li>• SEPP (Coastal Management) 2018</li> <li>• SEPP (Koala Habitat Protection) 2019</li> </ul> <p><u>Local Environmental Planning Policies:</u></p> <ul style="list-style-type: none"> <li>• Wollongong Local Environmental Plan (WLEP) 2009</li> </ul> <p><u>Development Control Plans:</u></p> <ul style="list-style-type: none"> <li>• Wollongong Development Control Plan 2009 Other policies</li> <li>• Wollongong City Wide Development Contributions Plan 2019</li> <li>• Community Participation Plan 2019</li> <li>• Planning for Bushfire Protection 2019</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report dated 13 October 2020</li> <li>• Written submissions during public exhibition: eleven (11)</li> <li>• Verbal submissions at the public meeting: None</li> </ul>
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 13 October 2020</p> <p>Attendees:</p> <ul style="list-style-type: none"> <li>○ <u>Panel members:</u> Alison McCabe (Chair), Brendan Randles, Trish McBride (Community Representative)</li> <li>○ <u>Council assessment staff:</u> John Wood</li> </ul>
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report