

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	20 February 2024
PANEL MEMBERS	Robert Montgomery (Chair), Helena Miller, Brendan Randles, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 10 Council Chambers, 41 Burelli Street, Wollongong on 20 February 2024 opened at 5:00pm and closed at 5:11pm.

MATTER DETERMINED

DA-2023/434 – Lot 193 DP 32303, Lot 192 DP 700165, Nolan Street Park and 1 Nolan Steet, Berkeley (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel had no questions for 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


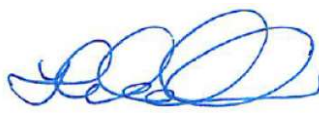


The reasons for the decision of the Panel were:

- The Panel concurs with the Officer's assessment and recommendation.
- Minor amendments to proposed conditions 2 and 6 are required to correct typographical errors, as pointed out by the assessing officer.

CONDITIONS

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

- Condition 2 is amended by deleting the heading: "Before the issue of a construction certificate", and by replacing the words: "Subdivision Works Certificate" with the words: "Construction Certificate".
- Condition 6 is amended by replacing the words: "Subdivision Works Certificate" with the words: "Occupation Certificate", and by replacing the words: "Subdivision Works Certificate" with the words: "Construction Certificate".

PANEL MEMBERS	
 Robert Montgomery (Chair)	 Helena Miller
 Brendan Randles	 Bernard Hibbard (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2023/434
2	PROPOSED DEVELOPMENT	Subdivision - boundary adjustment
3	STREET ADDRESS	Nolan Street Park and 1 Nolan Street, BERKELEY
4	APPLICANT/OWNER	MMJ Town Planning/Mr R & Ms S Arnts/Wollongong City Council
5	REASON FOR REFERRAL	Council related development
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ◦ State Environmental Planning Policy (State and Regional Development) 2011 ◦ State Environmental Planning Policy (Resilience and Hazards) 2021 ◦ Wollongong Local Environment Plan 2009 • Wollongong Development Contributions Plan • Managing Conflicts of Interest for Council Related Development • 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 2021</i>: Clause 66A Council-related development applications • 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 20 February 2024 • Written submissions during public exhibition: one • Verbal submissions at the public meeting: Nil
8	SITE INSPECTIONS BY THE PANEL	Site inspection – not required
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report