

## DETERMINATION AND STATEMENT OF REASONS

### WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	14 September 2021
PANEL MEMBERS	Sue Francis (Chair), Sue Hopley, Glenn Falson, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 14 September 2021 opened at 5:00pm and closed at 6.13pm.

#### MATTER DETERMINED

DA-2020/616 - Lot 7306 Crown DP 1142241, Reserve D500345, Lot 517 DP 752033, Reserve D500345, Lot 940 DP 752033, Reserve D500345, Lot 7066 Crown DP 1031042, Reserve D500345, Lot 7065 Crown DP 1031042, Reserve D500345, Lot 982 DP 704554, Rex Jackson Park and Helensburgh Park, Robertson St, Helensburgh - Charles Harper Park, 4 Walker St, Lot 982 Boomerang St, Helensburgh (as described in detail in schedule 1).

#### PUBLIC SUBMISSIONS

No submitters addressed the Panel.

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:

1. The proposal establishes a commendable framework for community events.
2. The proposed conditions of consent, as amended by the Panel, will mitigate any potential adverse environmental impacts.

#### CONDITIONS





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

1. Amend condition 18 to delete the final dot point. Include a final sentence to require *"The applicant to consult with Council in respect to any Tier 1 and 2 events to ensure that the exclusion areas are appropriately protected."*
2. Amend condition 21 - to include the words *"In the case of Tier 1 and 2 events, the applicant is required to consult with Council to develop a site management plan to ensure the protection of all inground pop up irrigation systems."*
3. Amend condition 62 to add the following sentence *"Any bump-in outside of these hours may only occur with prior written approval of Council."*
4. Amend condition 32 to include a sentence - *"The Noise Management Plan shall address the concerns of NPWS with regard to potential impacts on local wildlife."*
5. Re-draft condition 59 to address all severe weather events.

**Weather Conditions and Cancellation of Event**

*The event should not be held where there is a current extreme weather forecast or likely fire danger. The organiser must monitor relevant websites and liaise with the Bureau of Meteorology (BOM), the designated Captain in Charge of the Rural Fire Service (RFS) and the local branch of the State Emergency Service (SES) in the days prior to each scheduled event date regarding weather forecasts and weather warnings affecting the site to determine the potential severity and estimated duration. Information obtained shall be used to determine if the event can continue or should be cancelled. This determination shall be made by Council or the State Emergency Service.*

*The requirements of this condition shall be reflected in each and every event approval issued under this development consent.*

PANEL MEMBERS	
 Sue Francis (Chair)	 Sue Hobley
 Glenn Falson	 Bernard Hibbard (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2020/616
2	PROPOSED DEVELOPMENT	Generic event application for temporary events to a maximum of 52 days in any 12 month period
3	STREET ADDRESS	Rex Jackson Park, Charles Harper Park and Helensburgh Park, Helensburgh
4	APPLICANT	Susan Wardle, Wollongong City Council
5	REASON FOR REFERRAL	Under Schedule 2 of the Local Planning Panels Direction of 1 March 2018, as Council is the applicant and the proposal is located on Council owned land and Stated owned land under the control of Council
6	RELEVANT MANDATORY CONSIDERATIONS	<p><u>Relevant Acts of Legislation:</u></p> <ol style="list-style-type: none"> <li>6. Crown Land Management Act (CLM) 2016</li> <li>7. NSW Biodiversity Conservation Act 2016</li> </ol> <p><u>State Environmental Planning Policies:</u></p> <ol style="list-style-type: none"> <li>8. SEPP No. 55 – Remediation of Land</li> <li>9. SEPP (Coastal Management) 2018</li> <li>10. SEPP (Koala Habitat Protection) 2019</li> <li>11. SEPP (Infrastructure) 2007</li> </ol> <p><u>Local Environmental Planning Policies:</u></p> <ol style="list-style-type: none"> <li>12. Wollongong Local Environmental Plan (WLEP) 2009</li> </ol> <p><u>Development Control Plans:</u></p> <ol style="list-style-type: none"> <li>13. Wollongong Development Control Plan (WDCP) 2009</li> </ol> <p><u>Other policies</u></p> <ol style="list-style-type: none"> <li>14. Wollongong City-Wide Development Contributions Plan 2020</li> <li>15. Wollongong Community Participation Plan 2019</li> <li>16. 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>17. The suitability of the site for the development</li> <li>18. Any submissions made in accordance with the Environmental Planning and Assessment Act 1979 or regulations</li> <li>19. The public interest, including the principles of ecologically sustainable development</li> </ol>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>· Council assessment report dated 14 September 2021</li> <li>· Council memo dated 14 September 2021 regarding Draft SEPPs</li> <li>· Written submissions during public exhibition: Nil</li> <li>· Verbal submissions at the public meeting: Nil</li> </ul>
8	SITE INSPECTIONS BY THE PANEL	<p>Virtual Site inspection 14 September 2021. Attendees:</p> <ul style="list-style-type: none"> <li>○ <u>Panel members:</u> Sue Francis (Cahir), Sue Hobley, Glenn Falson, Bernard Hibbard (Community Representative)</li> <li>○ <u>Council assessment staff:</u> Kristy Robinson</li> </ul>
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report