

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	9 April 2024
PANEL MEMBERS	Julie Savet Ward (Chair), Stuart McDonald, Rachel Harrison

Public meeting held at Wollongong City Council, Level 10 Council Chambers, 41 Burelli Street, Wollongong on 9 April 2024 opened at 5:00pm and closed at 7.35pm.

MATTER DETERMINED

DA-2024/55 – Lane 106, Military Lane, Port Kembla (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

No submitters addressed the meeting.

The Applicant was available to answer questions.

PANEL CONSIDERATION AND DECISION

The Panel considered the matters listed at item 7, 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 agreed with Council’s Assessment Report and recommendation.
- The proposal provides a community benefit and forms part of the greater Port Kembla Festival held each April. That festival has been run successfully in the past with no negative feedback.
- The proposed event is of a small scale and well contained within the confines of the Military Lane. The Panel agreed that any potential impacts would be managed by the conditions of consent, as amended.
- There was one submission during the public exhibition, which has been addressed by a condition of consent. No member of the public addressed during the Panel meeting.

CONDITIONS

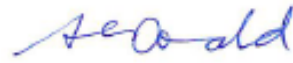
The development application was approved subject to the conditions in Council’s Assessment Report with the following amendments to further address any potential adverse environmental impact:

- Condition 12 – to be deleted.
- Condition 23 – amended to clarify that written notification of the event is required one week prior to the event commencing.
- Condition 25 – insert – “including emergency exits” after the word “egress”.
- Condition 37 – amended to clarify that written notification of the event is required one week prior to the event commencing.

PANEL MEMBERS



Julie Savet Ward
(Chair)



Stuart McDonald



Rachel Harrison

SCHEDULE 1		
1	DA NO.	DA-2024/55
2	PROPOSED DEVELOPMENT	Port Kembla Festival – Live Music Event
3	STREET ADDRESS	Military Lane, Port Kembla
4	APPLICANT/OWNER	Wollongong City Council
5	REASON FOR REFERRAL	The proposal has been referred to Local Planning Panel for determination pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Schedule 2 clause 1(a) of the Local Planning Panels Direction of 6 September 2023, the application is for development on a local road owned by Council.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy (Industry and Employment) 2021 ○ Wollongong Local Environment Plan 2009 • Wollongong Development Contributions Plan • Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 • Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: <ul style="list-style-type: none"> ○ 63 Considerations for erection of temporary structures ○ 66A Council-related development applications—the Act, s 4.16(11) • 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 9 April 2024 • Written submissions during public exhibition: 1 • Verbal submissions at the public meeting: None
8	SITE INSPECTIONS BY THE PANEL	<p>Site inspection 9 April 2024. Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Julie Savet Ward (Chair), Stuart McDonald, Rachel Harrison ○ <u>Council assessment staff</u>: Martin Jameson
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report