DETERMINATION AND STATEMENT OF REASONS
WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	19 November 2020
PANEL MEMBERS	Alison McCabe (Chair), Helena Miller, Robert Montgomery, Edger du Bois (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 19 November 2020 opened at 5:00pm and closed at 6.24pm.

MATTER DETERMINED
DA-2020/1033 - Lot 101 DP 737118, Lot 101 Lawrence Hargrave Drive (as described in detail in schedule 1).

PUBLIC SUBMISSIONS
The Panel was addressed by one submitter.

The Panel 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 refuse the development application as described in Schedule 1 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

REASONS FOR THE DECISION
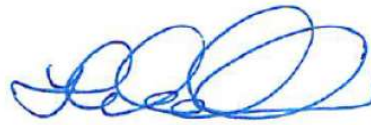The reasons for the decision of the Panel were:
1. That the development application be refused for the following reasons:
   (a) Compliance with the NSW Rural Fire Service advice would fundamentally change the proposed storage structure;
   (b) Insufficient information has been provided by the applicant with respect to:
      (i) Type of goods to be stored and whether it is considered an intensification of use.
      (ii) Treatment and collection of roof water runoff.
      (iii) Surface treatment and drainage details of the carpark.
   (c) The applicant has not demonstrated that the current use is operating in accordance with the existing approval and conditions.
   (d) There is insufficient information to understand the environmental impacts of the proposal.
2. The panel notes that Council's Regulation and Enforcement Team are investigating the alleged unlawful storage of buses on the property.

The decision was unanimous

PANEL MEMBERS	
Alison McCabe (Chair)	Helena Miller
Robert Montgomery	Edger du Bois (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2020/1033
2	PROPOSED DEVELOPMENT	Industrial - installation of a container dome storage and Signage - advertisement - one (1)
3	STREET ADDRESS	Lot 101 Lawrence Hargrave Drive, HELENSBURGH NSW 2508
4	APPLICANT/OWNER	Plannex Environmental Planning / Baines Transport Pty Ltd
5	REASON FOR REFERRAL	Under 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	- Environmental planning instruments: - State Environmental Planning Policy No 55 – Remediation of Land - State Environmental Planning Policy No 64—Advertising and Signage - State Environmental Planning Policy (Koala Habitat Protection) 2019 - Wollongong Local Environment Plan 2009 - Wollongong Contributions Plan - Development control plans: - Wollongong Development Control Plan 2009 - Provisions of the *Environmental Planning and Assessment Regulation 2000*: 'existing use rights' - 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 *Environmental Planning and Assessment Act 1979* or regulations - The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	- Council assessment report dated 19 November 2020 - Written submissions during public exhibition: 20 unique submissions - Verbal submissions at the public meeting: One
8	SITE INSPECTIONS BY THE PANEL	Site inspection 19 November 2020. Attendees: - Panel members: Alison McCabe **(Chair),** Helena Miller, Robert Montgomery**,** Edger du Bois **(community representative)** - Council assessment staff: Nicole Ashton; Jim Ponton
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report