

Wollongong Local Planning Panel Assessment Report | 9 April 2024

WLPP No.	Item No. 2
DA No.	DA-2024/55
Proposal	Port Kembla Festival - Live Music Event
Property	Military Lane PORT KEMBLA
Applicant	Ordinary Group Pty Ltd
Responsible Team	Development Assessment and Certification - City Centre Major Development Team (MJ)
Development cost	\$5,000
Lodgement date	17/01/2024
Prior WLPP meeting	NA

Assessment Report and Recommendation

Executive Summary

Reason for consideration by Local Planning Panel

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.

Proposal

The proposal is for a one (1) day music event to occur within Military Lane, Port Kembla.

Permissibility

The site is zoned E1 Local Centre pursuant to Wollongong Local Environmental Plan 2009. The proposal is categorised as an entertainment facility and is permissible in the zone with development consent.

Consultation

The proposal was notified in accordance with Council's Notification Policy and received one (1) submission which is discussed at section 2.8 of the assessment report.

Key Issues

The main issue is restricting access to part of Military Lane.

RECOMMENDATION

It is recommended that the application is approved.

1 APPLICATION OVERVIEW

1.1 PLANNING CONTROLS

The following planning controls apply to the proposal:

State Environmental Planning Policies:

- State Environmental Planning Policy (Industry Employment) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021

Local Environmental Plans

- Wollongong Local Environmental Plan 2009

Development Control Plans:

- Wollongong Development Control Plan 2009

Other policies

- Wollongong City Wide Development Contributions Plan
- Wollongong Community Participation Plan 2019

1.2 DETAILED DESCRIPTION OF PROPOSAL

The proposal is for a one (1) day music event to occur within Military Lane, Port Kembla.

The Laneway Stage will comprise of a small stretch of Military Lane. This requires the Military Lane to be closed from the Fitzwilliam St intersection (access point) to the stage which is situated 60 metres north-west of the intersection.

The proposed activity will see music and a patronage of up to 300 people in the laneway.

EVENT DETAILS:

- Single Event - April 20th, 2024, 4:30PM – 11:00PM
- ACTIVITIES - Key event activities include stalls & live music. One (1) food van will be parked in the south-east area of the laneway. Music will be played during the day & evening.
- STRUCTURES – Stage (open air design 1m – 1.5m height), bar, toilet block and waste bins.
- BUMP IN / OUT PROCESS - Saturday, April 20th from 7AM – 1PM. Access will be primarily via Military Ln. Bump out will occur Sunday, April 21st from 9AM – 12PM.
- WASTE MANAGEMENT - Waste and recycling bins will be placed at seven locations around the site. Private skip bins located at 'The Iron Yampi' (Part Lot 19 Sec 2 DP 5868) will be used for any excessive waste during the event. Out-of-cycle collections will be scheduled where required. All bins will be collected following the event on Monday morning.
- NOISE MANAGEMENT - Amplified music will cease at 30 minutes prior closure (11pm Saturday). Floor speakers proposed, not 'line array' style.
- AMENITIES ACCESS - Temporary toilets and washing facilities will be made available to event attendees at a ratio of 1:75 patrons, including accessible units.
- ACCESSIBILITY MEASURES - This event is wheelchair accessible, with special access provided in the rear (artist entrance) via Military Lane if required, however the main entrance is accessible.
- Emergency management plan provided.

- TRAFFIC - HP-1087-03 (Traffic Guidance Scheme) and HP-1087-04 (Traffic Management Plan) have been provided.
- SECURITY - Security personnel will be provided for the duration of the event at entry points, exit points & in the event area engaged.
- LIQUOR - This event will be licensed using an On-Premises (Catering) Licence LIQO660036576

1.3 BACKGROUND

The applicant has provided the following context for the proposal and related 'Port Kembla Festival':

"Port Kembla Festival is a free-entry community event held each April, delivered by local promoters Holy Pavlova, and supported by several partners – including BlueScope WIN and Wollongong City Council. The annual event attracts local community and visitors to the area by highlighting the many unique venue spaces, activated through specialised live music & visual arts programming. To accommodate the events growing popularity, the 2024 edition of the festival will see a laneway stage included in the entertainment offerings.

The event was raised with the Port Kembla Business Chamber meeting on Thursday 14th, 2023 and met with positive feedback. Additional consultation was undertaken with surrounding businesses (within 50m) including The Wentworth Precinct (landlord for a collective of small businesses), Sun Studio Pilates, The Iron Yampi, Black Metal Motor, Distinctive Glass & Aluminium, Port Auto Care, Creative Laminating Surfboards, Yes Smash Repairs and iStaff Australia on Friday 15th, 2023.

Holy Pavlova have event management experience suitable to facilitate this event. Most relevant is Smoke & Steel Vol 07, a Block Party successfully held at the GoodDrop parking lot adjacent to Military Lane in November 2022 for 300 patrons. Additionally, we have hosted two previous Port Kembla Festival's which attracted up to 2,000 attendees."

No pre-lodgement meeting was held for the proposal.

Customer service actions

A review of Council records indicates that there were no complaints received during the previously held Smoke & Steel event in 2022 (approved under DA-2022/816).

1.4 SITE DESCRIPTION

The site is located at Military Lane Port Kembla.

The event is to be held in the vicinity of Lane Fitzwilliam St intersection to approximately 60m northwest into the lane.

Whilst the event is concentrated in the laneway, the event will operate in collaboration with 'The Iron Yampi', located at 96-106 Wentworth Street. A Bar, Waste Bin and Fire Safety equipment is to be located in the outdoor area adjoining the laneway.

The site is zoned E1 Local Centre, and the immediate locality is characterised by a low-density commercial street (Wentworth Street) and adjoining industrial precinct. The closest residentially zoned land is approximately 110m to the southwest.

Property constraints

Council records identify the land as being impacted by the following relevant constraints:

- Notation on Planning Certificate: Business Zone- Cultural Plan and Live Music:
The Wollongong City Centre and Town Centres, play a key role in accommodation cultural, sporting and business uses.

A key to the revitalisation of these centres is to build on these aspects through greater activation and investment beyond 5pm through an evening economy.

Future residents should be aware that these uses may generate noise, odour, traffic and have longer hours of operation, which is part of living in/near a commercial centre.

There are no restrictions on titles related to the proposed event area.



Figure 1: Aerial photograph

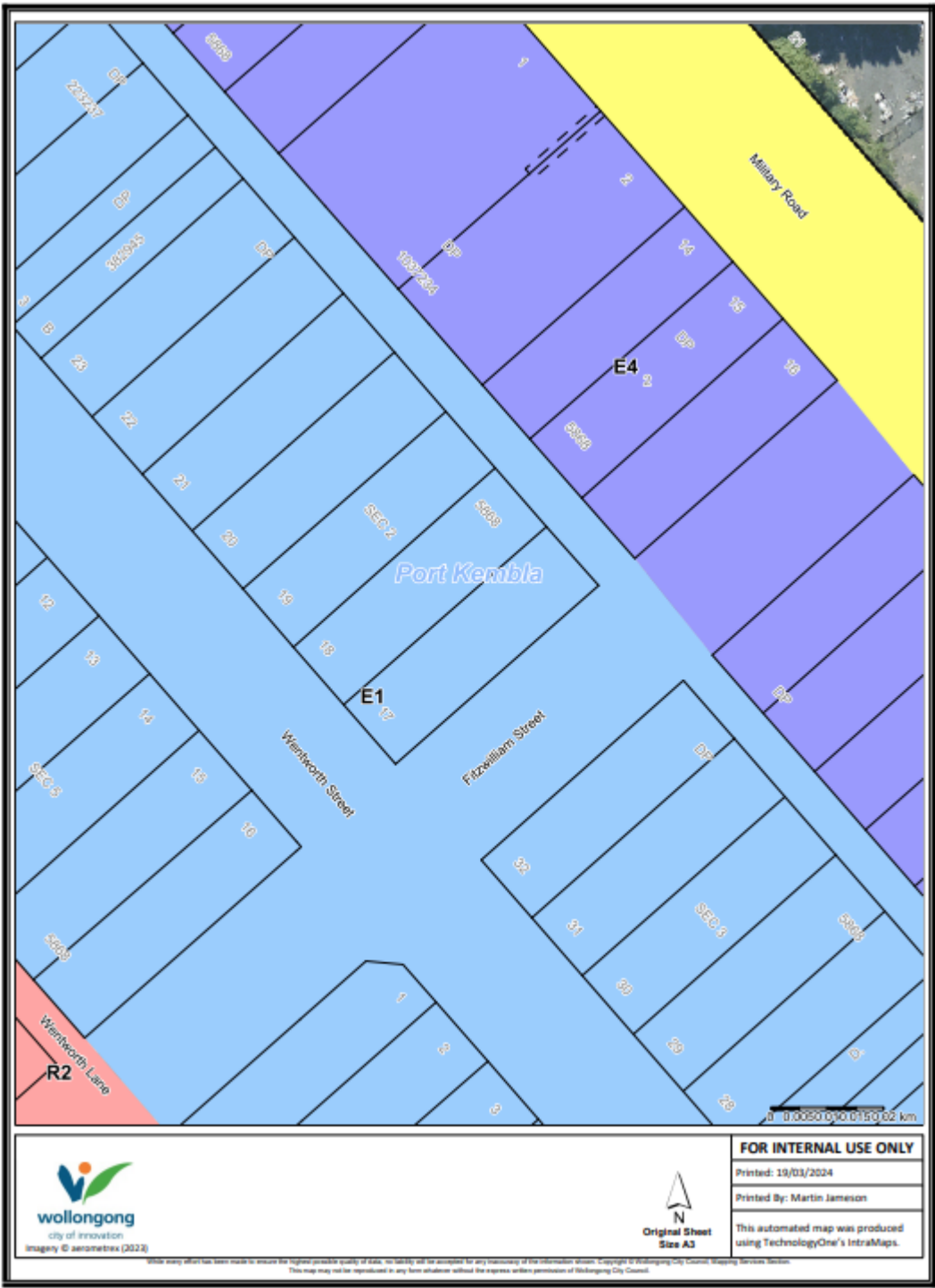


Figure 2: Zoning map



Figure 3: Proposed site plan

1.5 SUBMISSIONS

The application was notified in accordance with Council’s Community Participation Plan 2019. One (1) neutral submission was received, and the issues identified are discussed below.

Table 1: Submissions

Concern	Comment
The owner of a building adjoining the event area enquired as to whether a fence would be erected separating the building from the event.	A fence is proposed, and this requirement will be reiterated as a condition of consent.
The owner of a building adjoining the event area enquired as to emergency exits from their building would remain unimpeded by event.	All event structures (fencing etc) are to be offset from buildings adjoining the lane to maintain emergency egress. The requirement will be reiterated as a condition of consent.

1.6 CONSULTATION

1.6.1 INTERNAL CONSULTATION

Traffic Engineer

Council’s Traffic Officer has reviewed the application and given a satisfactory referral. Conditions of consent were recommended and are included in the consent.

Property Officer

Council's Property Officer has reviewed the application and given a satisfactory referral. Conditions of consent were recommended and are included in the consent.

Environment Officer

Council's Environment Officer has reviewed the application and given a satisfactory referral. Conditions of consent were recommended and are included in the consent.

Health Inspector

Council's Health Officer has reviewed the application and given a satisfactory referral. Conditions of consent were recommended and are included in the consent.

1.6.2 EXTERNAL CONSULTATION

Wollongong Police (Lake Illawarra Command)

The Police did not object to the proposed event. Conditions of consent were recommended and are included in the consent.

2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

2.1 SECTION 4.15(1)(A)(1) ANY ENVIRONMENTAL PLANNING INSTRUMENT

NSW BIODIVERSITY CONSERVATION ACT 2016

The site is not identified as being of high biodiversity value on the Biodiversity Values Map.

The development proposed would not be considered a key threatened process.

The proposal does not trigger the requirement for a biodiversity offset scheme.

The development would therefore not be considered to result in adverse impacts on biodiversity and is consistent with the provisions of the Biodiversity Conservation Act 2016.

2.1.1 STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021

Chapter 3 Advertising and signage

Whilst no signage has been proposed, a condition of consent will be imposed limiting scale and proliferation of event related signage to that which is acceptable under the assessment criteria of the SEPP.

2.1.2 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Chapter 4 Remediation of land

4.6 Contamination and remediation to be considered in determining development application.

A desktop audit via Council's land information system database for property constraints and previous uses was undertaken to understand the likelihood of contamination issues.

The audit revealed there are no constraints or past uses that give rise to concerns or the need for further investigation regarding land contamination and LPP as determining authority can be satisfied that clause 4.6 matters are thus satisfied.

2.1.3 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Clause 1.4 Definitions

entertainment facility means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club.

Part 2 Permitted or prohibited development

Clause 2.2 – zoning of land to which Plan applies.

The zoning map identifies the land as being zoned E1 Local Centre.

Clause 2.3 – Zone objectives and land use table

The objectives of the zone are as follows:

- *To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.*
- *To encourage investment in local commercial development that generates employment opportunities and economic growth.*
- *To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.*
- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*
- *To encourage development that is consistent with the centre's position in the centre's hierarchy.*
- *To encourage development that has a high level of accessibility and amenity and prioritises pedestrians.*
- *To ensure new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*

The proposed event will contribute to enabling vibrant and diverse streets and public spaces and is satisfactory with regard to the above objectives.

The land use table permits the following uses in the zone.

*Advertising structures; Amusement centres; Backpackers' accommodation; Bed and breakfast accommodation; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; **Entertainment facilities**; Exhibition homes; Function centres; Home-based child care; Home businesses; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Service stations; Serviced apartments; Sex services premises; Shop top housing; Tank-based aquaculture; Veterinary hospitals; Wholesale supplies*

The proposal is most aptly categorised as an entertainment facility as defined above and is permissible in the zone with development consent.

Part 4 Principal development standards

No change to building height or gross floor area is proposed.

Part 5 Miscellaneous provisions

Clause 5.10 Heritage conservation

(4) Effect of proposed development on heritage significance

No impact on heritage significance of nearby items is anticipated.

(5) Heritage assessment

The consent authority may, before granting consent to any development—

- (a) on land on which a heritage item is located, or
- (b) on land that is within a heritage conservation area, or
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

There is a locally item in the vicinity of the site. Item 6478 ('Bomb Shelter') located 59 Military Road. No impact is anticipated, and a heritage management document is not required.

Clause 5.20 Standards that cannot be used to refuse consent—playing and performing music.

(1) *The consent authority must not refuse consent to development in relation to licensed premises on the following grounds—*

- (a) *the playing or performance of music, including the following—*
 - (i) *the genre of music played or performed, or*
 - (ii) *whether the music played or performed is live or amplified, or*
 - (iii) *whether the music played or performed is original music, or*
 - (iv) *the number of musicians or live entertainment acts playing or performing, or*
 - (v) *the type of instruments played,*
- (b) *whether dancing occurs,*
- (c) *the presence or use of a dance floor or another area ordinarily used for dancing,*
- (d) *the direction in which a stage for players or performers faces,*
- (e) *the decorations to be used, including, for example, mirror balls, or lighting used by players or performers.*

(2) *The consent authority must not refuse consent to development in relation to licensed premises on the grounds of noise caused by the playing or performance of music, if the consent authority is satisfied the noise may be managed and minimised to an acceptable level.*

(3) *In this clause—*

licensed premises has the same meaning as in the Liquor Act 2007.

It is noted the event is to be licenced, refusal is not recommended.

Part 7 Local provisions – general

Clause 7.1 Public utility infrastructure

The development is able to be temporarily serviced by necessary electricity, water and sewerage services (as required).

Clause 7.5 Acid Sulfate Soils

The site is identified as being affected by acid sulphate soils. An acid sulphate soils management plan is not required as no excavation is proposed.

2.2 SECTION 4.15(1)(A)(II) ANY PROPOSED INSTRUMENT

NA

2.3 SECTION 4.15(1)(A)(III) ANY DEVELOPMENT CONTROL PLAN

2.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

CHAPTER A2 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Development controls to improve the sustainability of development throughout Wollongong are integrated into the relevant chapters of this DCP.

The proposal is considered to be consistent with the principles of Ecologically Sustainable Development.

CHAPTER B4 – DEVELOPMENT IN CENTRES AND PERIPHERAL SALES PRECINCTS

The development is in a business zone and as such this chapter is applicable to the development. Notwithstanding, there are no controls applicable considering the temporary land use.

7 Planning requirements for development in the town centres

7.6 Port Kembla Town Centre

The development is located within the Port Kembla Town Centre however there are no specific controls applicable to the proposal.

CHAPTER C1 – ADVERTISING AND SIGNAGE

It is anticipated that event signage is to be installed at throughout the site area.

Whilst minimal detail has been provided, due to the temporary nature of the signage, design detail is not imperative. Further, a condition of consent will be imposed as follows:

“This consent authorises the erection of general advertising, advisory, and directional signage within upon the event site. Any additional advertising signage will require separate Council approval.”

It is further noted that Temporary Event Signage may be undertaken as exempt development under Part 2 Division 2 Subdivision 11 - Temporary event signs of the Codes SEPP.

CHAPTER C6: EVENTS MANAGEMENT

Controls/objectives	Comment	Compliance
<u>3 Transport management plan & temporary road closure requirements for major events</u>	<p>A Traffic Guidance Scheme and Traffic Management Plan have been submitted addressing the closure of the lane.</p> <p>The road closure and diversions will be required to be approved by the Local Traffic Committee; this will be required as a condition of consent.</p> <p>Considering the temporary nature of the event and limited access implications, the road closure and related impacts are acceptable.</p> <p>Council’s Traffic Engineer has provided a satisfactory referral, recommending conditions.</p>	Y

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<u>4 Events held on council land</u>	<p>The subject Military Lane is a Council Road.</p> <p>Owner's consent from Council's Property Services team was issued to enable lodgement of the application.</p> <p>Further, Property Services have provided a satisfactory referral and recommended conditions.</p>	Y
<u>5 Other relevant legislation</u> <p>The event organiser is to operate the event in accordance with the relevant safety and environmental legislation</p>	<p>The onus is on the operator to ensure compliance with relevant legislation. This will be reiterated via condition of consent.</p>	Y
<u>6 Event management</u>	<p>Applicant is an event management company.</p>	Y

Controls/objectives	Comment	Compliance
<u>7 Car parking</u>	<p>No on-site car parking is proposed.</p> <p>Public and on-street car parking is proposed to be utilised, where patrons don't arrive via public or active transport.</p> <p>There are two (2) public car parks located within the Port Kembla town centre, one 150m (~65 spaces) and one 450m (~51 spaces) to the northwest.</p> <p>There are several bus stops located on Wentworth Street. Also, the Port Kembla Train Station is located 800m along the footpath.</p> <p>Secure bicycle parking will be required on site as a condition of consent.</p> <p>Council's Traffic Engineer found the development to be satisfactory in this respect.</p> <p>Conditions of consent were recommended.</p> <p>In summary, whilst the event will likely result in increased demand on public car parking, this will be temporary, and given the available public and active transport options, car parking impact is acceptable.</p>	Y
<u>8 Lighting</u>	<p>Adequate lighting to ensure operational and patron safety will be provided by production contractors in the event, entry and exit areas.</p> <p>A condition of consent will be imposed in this regard.</p>	Y
<u>9 Toilet facilities</u>	<p>Temporary toilets facilities will be provided at a ratio of 1:75 patrons. Wheelchair accessible units and urinals will be provided.</p> <p>This will be the subject of a condition of consent.</p>	Y

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<u>10 Security / crowd management</u>	<p>Security personnel will be provided for the duration of the event at entry points, exit points & in the event area engaged at a minimum ratio of 1:100 (see Operational conditions in draft consent)..</p> <p>Guards will be provided a security plan for the event and remain in attendance until all patrons have left.</p> <p>Further, it is noted the Police have reviewed the proposal and found it satisfactory subject to conditions (see Operational conditions in draft consent).</p>	Y
<u>11 Public liability insurance</u>	<p>The applicant holds a public liability insurance of \$20,000,000 for this event.</p> <p>This will also be the subject of a condition of consent.</p>	Y
<u>12 Incident reporting</u>	<p>The applicant has incident reporting mechanisms in place for all licensed events.</p> <p>This will also be the subject of a condition of consent.</p>	Y
<u>13 Emergency response plan</u>	<p>A written Emergency Response Plan has been provided.</p>	
<u>14 Fireworks / pyrotechnics displays</u>	<p>NA – Not proposed</p>	NA
<u>15 Amusement devices & temporary structures (including stages)</u>	<p>Production contractors are required to have adequate insurances insurance to install any structures related to the event.</p> <p>Standard conditions of consent will be imposed in this regard.</p>	Y
<u>16 Food stalls /mobile food vans</u>	<p>All food stalls or mobile food vans will notify the NSW Food Authority.</p>	Y

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<u>17 Accessibility to the event by people with a disability</u>	<p>Temporary food outlets will comply with Council requirements, including the Temporary Food Premises Code.</p> <p>Council's Health Officer has reviewed the proposal and found it satisfactory, subject to conditions.</p> <p>This event is accessible for people with a disability.</p> <p>Accessible amenities will be provided on site.</p> <p>Conditions will be imposed in this respect.</p>	Y
<u>18 Copyright issues – live or pre-recorded music</u>	<p>Onus will be on the operator to ensure compliance with Copyright and intellectual property law.</p>	Y
<u>19 Fundraising events</u>	NA	NA
<u>20 Alcohol free zones</u>	NA	NA
<u>21 Trading licence</u>	NA	NA
<u>22 Waste management / recycling</u>	<p>Garbage and recycling facilities will be provided for the anticipated capacity. Conditions of consent will be imposed in this respect</p>	Y

CHAPTER D1 – CHARACTER STATEMENTS

Port Kembla & Spring Hill

The proposal is considered to be consistent with the existing and desired future character for the locality.

CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY

Accessibility has been addressed adequately for the purposes of the event. Refer to commentary under Chapter C6, see above.

CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

<i>Control/objective</i>	<i>Comment</i>	<i>Compliance</i>
<u>3.1 Lighting</u>	Adequate lighting will be provided, to be subject of condition of consent.	Y
<u>3.2 Natural surveillance and sightlines</u>	Whilst event area is located within a laneway, on balance, considering anticipated activities and patronage, it has adequate natural surveillance and sightlines.	Y
<u>3.3 Signage</u>	Signage will identify site, event, entries/exits etc.	Y
<u>3.4 Building design</u>	NA	NA
<u>3.5 Landscaping</u>	NA	NA
<u>3.6 Public open space and parks.</u>	NA	NA
<u>3.7 Community facilities and public amenities</u>	NA	NA
<u>3.8 Bus stops and taxi ranks</u>	NA	NA

CHAPTER E3: CAR PARKING, ACCESS, SERVICING/LOADING FACILITIES AND TRAFFIC MANAGEMENT

Car Parking, access and servicing / loading has been addressed adequately for the purposes of the event. Refer to commentary under Chapter C6, see above.

CHAPTER E7: WASTE MANAGEMENT

Waste management has been addressed adequately for the purposes of the event. Refer to commentary under Chapter C6, see above.

CHAPTER E11 HERITAGE CONSERVATION

There is a locally item in the vicinity of the site. Item 6478 ('Bomb Shelter') located 59 Military Road. No impact is anticipated.

CHAPTER E18 THREATENED SPECIES

Green and Golden Bell Frog: The event does not raise any concerns regarding impacts on threatened species.

2.3.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN

Wollongong City-Wide Development Plan - City Wide

The Wollongong City-Wide Development Contributions Plan applies to the subject property. This Plan levies a contribution based on the estimated cost of development.

The proposed cost of development* is less than \$100,000 - contributions do not apply.

Note: The proposed cost of development* is calculated in accordance with clause 25J of the EP&A Regulations, however if a separate cost estimate is not provided with the DA, use the cost of works stated on the application.

2.4 SECTION 4.15(1)(A) (IIIA) ANY PLANNING AGREEMENT THAT HAS BEEN ENTERED INTO UNDER SECTION 7.4, OR ANY DRAFT PLANNING AGREEMENT THAT A DEVELOPER HAS OFFERED TO ENTER INTO UNDER SECTION 7.4

None applicable.

2.5 SECTION 4.15(A)(IV) THE REGULATIONS (TO THE EXTENT THAT THEY PRESCRIBE MATTERS FOR THE PURPOSES OF THIS PARAGRAPH)

Environmental Planning and Assessment Regulation 2021

63 Considerations for erection of temporary structures

The proposed temporary structures do not raise concerns with regard to fire protection of structural capacity, conditions of consent are recommended in this regard. The ground surface sufficiently firm and level.

66A Council-related development applications—the Act, s 4.16(11)

A Council-related development application must not be determined by the consent authority unless:

- (a) the Council has adopted a Conflict of Interest Policy, and*
- (b) the Council considers the policy in determining the application.*

A Conflict of Interest Policy means a policy that—

- (a) specifies how a council will manage conflicts of interest that may arise in connection with council-related development applications because the council is the consent authority, and*
- (b) complies with the Council-related Development Application Conflict of Interest Guidelines published by the Department and available on the NSW planning portal, as in force from time to time.*

Council adopted a Conflict of Interest Policy (CoIP) on 31 July 2023. This report considers the CoIP and guidelines.

The management control in the CoIP requires that: Council-related applications and approvals to modify development consents will be referred to the Wollongong Local Planning Panel for determination, as required by Schedule 2 of the Local Planning Panel Directions – Council is not the consent authority. The application is referred to the Wollongong Local Planning Panel for determination.

The guidelines set out that the requirements for the CoIP required under section 66A assists councils in meeting these requirements by providing a sample policy and management strategy statement that can be used as a template when developing their policies and provides general information and guidance about the policy.

Council's CoIP complies with these guidelines.

2.6 SECTION 4.15(1)(B) THE LIKELY IMPACTS OF DEVELOPMENT

Regarding the likely impacts of the development:

- The proposal is satisfactory with regard to the applicable planning controls, as detailed in the body of this report.
- The submission received during notification would not preclude the development.
- Internal and external referrals are satisfactory subject to appropriate conditions of consent.

Regarding specific anticipated impacts:

- **Traffic and Access**

The road closure and event will temporarily restrict access to part of Military Lane during the bump in / out and event period.

The subject area of the lane is not critical for access to adjoining properties. Further, the Wollongong Police and Council's Traffic Engineer did not object to closure.

The closure of the laneway will require approval from the Wollongong Traffic Committee and the related impacts will be considered further in their assessment.

The likely impacts of the closure are acceptable.

- **Acoustic Impacts**

The nature of the event will produce acoustic impacts and music will be audible beyond the site.

Whilst no formal acoustic reporting was submitted with the application, the proposed scale of event and amplification (speaker type) is that which can be managed via a noise management plan.

It is noted the event is to be held in the context of the encompassing 'Port Kembla Festival' during which a heightened level of activity and related amenity impacts are anticipated in the Port Kembla Town Centre.

It is noted no submissions were received during the exhibition period citing noise as a concern.

Council's Environment Officer has found the proposal satisfactory and provided conditions limiting hours of operation, level of amplification and noise monitoring requirements.

In summary, there are not expected to be unreasonable adverse environmental impacts on either the natural or built environments or any adverse social or economic impacts in the locality.

2.7 SECTION 4.15(1)(C) THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

Does the proposal fit in the locality?

The proposal is considered appropriate regarding the zoning of the site and likely impacts on the locality and adjoining land are acceptable.

Are the site attributes conducive to development?

The proposal suitably responds to the site attributes.

2.8 SECTION 4.15(1)(D) ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS

Refer to Section 1.5

2.9 SECTION 4.15(1)(E) THE PUBLIC INTEREST

The proposal is considered to be in the public interest as it demonstrates the following.

- The development is satisfactory with regard to the likely impacts.
- The development is permitted in the zoning, consistent with zone objectives and compliant with applicable planning controls.
- The development is consistent with the desired character of the area.
- All matters raised in submissions have been resolved.
- All referrals are satisfactory.

3 CONCLUSION

This application has been assessed as satisfactory having regard to the Heads of Consideration under Section S4.15(1) of the Environmental Planning and Assessment Act 1979, the provisions of Wollongong Local Environmental Plan 2009 and all relevant Council DCPs, Codes and Policies.

The proposed development is permissible with consent and has regard to the objectives of the zone and is acceptable given the constraints of the site. Internal and external referrals are satisfactory, and one submission has been considered.

The temporary impact related to closure of the road and acoustic output are acceptable and do not warrant refusal of the application. The proposal is considered supportable in its current form.

4 RECOMMENDATION

It is recommended that the development application be approved subject to appropriate draft conditions of consent.:

Attachments

1 Plans

2 Draft conditions of consent



PROPOSED SITE PLAN FOR THE PORT KEMBLA FESTIVAL LANEWAY ACTIVATION

GENERAL NOTES

1. This drawing is not to scale
2. This drawing is to be read in conjunction with AS 1742.3 & TCAWS V6.1 2022
3. Non applicable existing signage shall be covered
4. All signage distance shall comply with AS 1742.3 & TCAWS V6.1 2022
5. In accordance with TCAWS V6.1 2022 traffic controllers are to assist pedestrians with movement through or around the worksite as required
6. Signage shall be placed on the side of the road adjacent to the traffic flow
7. Removal of the delineation, tapers & signs should be undertaken in the reverse order of erection progressing outwards from the work area

DIMENSION "D"

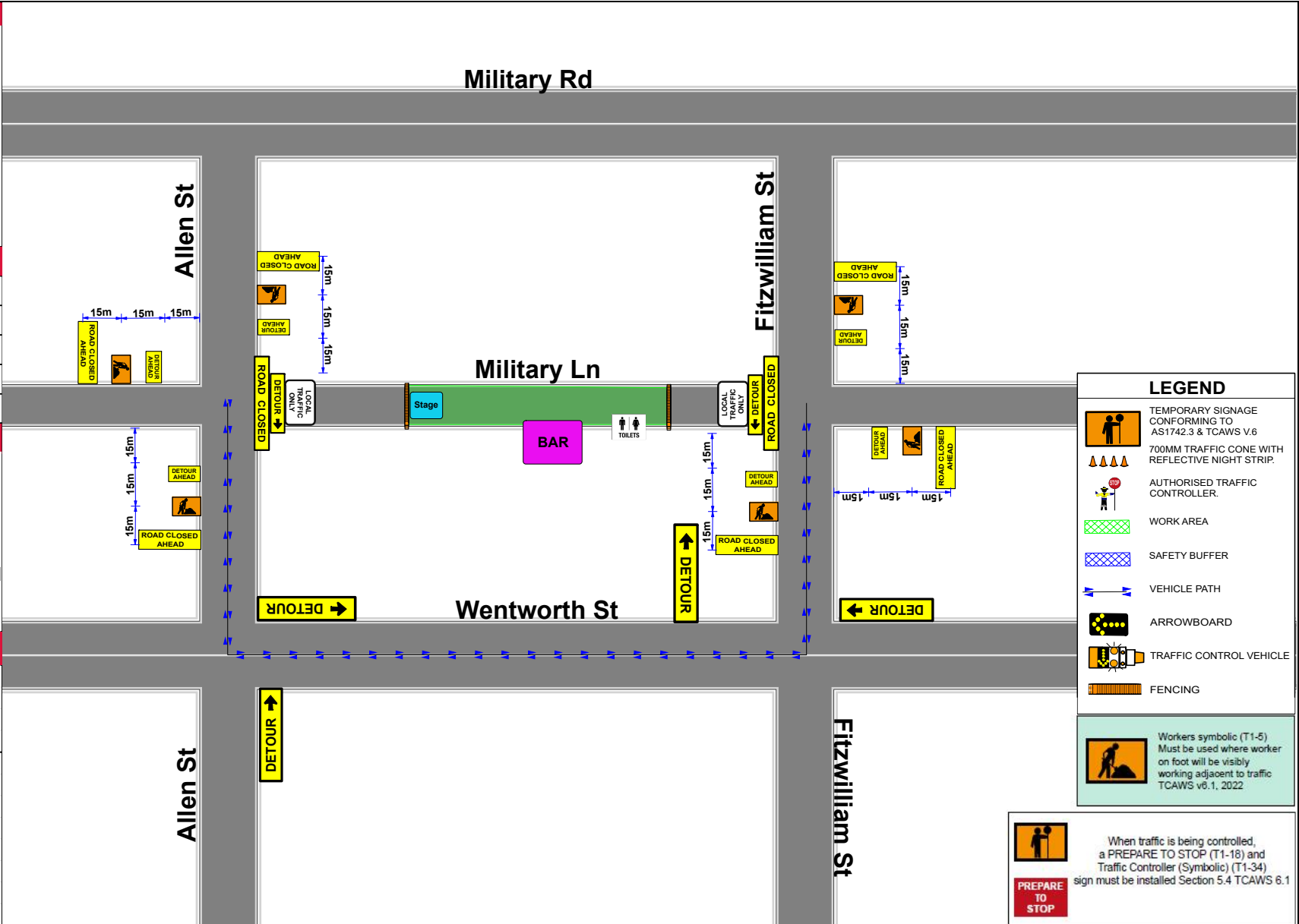
SPEED OF TRAFFIC KM/H	DIMENSION "D" M
45 OR LESS	15-40
46-55	15-60
56-65	45-70
GREATER THAN 65KM/H	EQUAL TO POSTED SPEED

TOLERANCES

POSITIONING OF SIGNS. MIN 10% LESS THAN THE DISTANCE OR LENGTHS GIVEN. MAXIMUM 25% MORE THAN THE DISTANCE OR LENGTHS GIVEN. SPACING OF DELINEATING DEVICES MAXIMUM 10% MORE THAN THE SPACING GIVEN. NO MINIMUM

RECOMMENDED TAPER LENGTH

APPROXIMATE SPEED OF TRAFFIC KM/H	TRAFFIC CONTROL AT BEGINNING OF TAPER	LATERAL SHIFT TAPER	MERGE TAPER
45 OR LESS	15	0	15
46-55	15	15	30
56-65	30	30	60
66-75	N/A	70	115
76-85	N/A	80	130
86-95	N/A	90	145
96-105	N/A	100	160
>105	N/A	110	180



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Email: mohamad@ttcnsw.com.au

Approved by: Mohamad Hassoun
 PWZTMP No: TCT0052292
 mohamad@ttcnsw.com.au

Client:	Holy Pavlova
Location	Military Lane, Port Kembla
Cross Street	Allen St
Authority	Wollongong City Council
Working Hours:	Dayworks
ROL Req'd	No
Road Speed:	50km
Road Type	Laneway
Plan Number:	CJS2590
Date:	8/12/23
Plan Expiry:	8/12/24

Revision 1:	
Signed:	
PWZ:	
Revision 2:	
Signed:	
PWZ:	
Revision 3:	
Signed:	
PWZ:	

This site specific TGS is based on TNSW TCAWS Ver 6.1 (2022) & must be installed & packed up by qualified traffic controllers with current Traffic Controller & Implement Traffic Control Plans accreditation.
 Modifications to this plans must be approved by a person holding the PWZTMP qualification, and must be supported by a TMP or risk assessment. TCAWS 7.204.
 The ITCP person may vary the positioning of signs and devices provided the requirements of Section 7.10.3 TCAWS, regarding Tolerance on Positioning, are met.
 Traffic controller's to identify and make note of escape routes prior to commencement of works
 Local constraints may not allow sign and devices to be placed exactly in accordance with the TGS judgement, therefore it is permissible for a ITC to position signs 10% less and up to 25% greater than the TGS indicated distance.
 Signs spacing measurements may extend across some intersections, therefore warning signs may need to be placed in the side streets.
 Signs are to be Class 1 retro-reflective, positioned adjacent to the footpath or where vehicle parking occurs place signs in the parking lane or elevated on posts. They must be positioned so that they are in clear view of passing motorists.
 The drafter takes no responsibility for unauthorized and unapproved implementation of this TGS.

NOT TO SCALE

TGS BEST VIEWED WHEN PRINTED IN A3

EMERGENCY MANAGEMENT PLAN
*Port Kembla Festival Laneway Stage
Military Ln*

Table of Contents

INTRODUCTION2

EVENT DETAILS.....2

ORGANISER DETAILS.....2

SITE MANAGEMENT DETAILS.....2

CHAIN OF COMMAND3

MAIN EMERGENCY RESPONSE AREA.....3

PROPOSED MEANS OF ACCESS4

Introduction

For the attention of NSW Police, NSW Fire Brigade, NSW Ambulance Service, NSW WorkCover, Wollongong City Council all event staff and event volunteers.

Port Kembla Festival is a free-entry community event held each April, delivered by local promoters Holy Pavlova, and supported by several partners – including BlueScope WIN and Wollongong City Council. The annual event attracts up to 2,000 people to the area and highlights the many unique venue spaces, activated through specialised live music & visual arts programming. To accommodate the events growing popularity, the 2024 edition of the festival will see a laneway stage included in the entertainment offerings.

The Laneway Stage will comprise of a small stretch of Military Lane, situated directly behind The Iron Yampi (one of our partner venues for Port Kembla Festival). The proposed activity will see music and a patronage of up to 300 people in the laneway. This requires the Military Lane to be closed from the Fitzwilliam St intersection (access point) to the stage which is situated just 60 metres north-west of the intersection.

Event Details

Event: Port Kembla Festival Laneway Stage
Location: Military Ln (between Allan St and Fitzwilliam St)
Dates: April 20th, 2024

Organiser Details

Company: Ordinary Group Pty Ltd (t/a Holy Pavlova)
Key Contact: Harrison Hall
Number: 0459 430 345
Address: 228 Keira St, Wollongong NSW 2500

Site Management Details

Company: Ordinary Group Pty Ltd (t/a Holy Pavlova)
Key Contact: Harrison Hall
Number: 0459 430 345
Address: 134 Wentworth St, Port Kembla, NSW 2500

Chain of Command

Event Management: Harrison Hall (0459 430 345)

- Head of Production: Brendon Comber (0421 467 313)
- Head of Food & Beverage: Ben Abraham (0421 718 872)
- Head of Security: Simon Auston (0404 008 297)
- Head of Road Safety: Annie McLoughlin (0468 612 977)

Event Management is responsible for all elements of the event, including licensing, ticketing, contractor management, patron welfare & emergency coordination.

Head of Production is responsible for staging and sound management, including noise monitoring (where required) and artist safety.

Head of Food & Beverage is responsible for stallholder management, including food trucks, bars and associated staffing.

Head of Security is responsible for security, RSA and safety, including those operatives who have control over access and exit points.

Head of Road Safety liaises with traffic controllers, monitors signage, and reports any safety concerns up to Event Management.

Main Emergency Response Area

The main emergency response area is by the entry/exit point at the intersection of Fitzwilliam's St & Military Lane. Should the primary emergency response area not be accessible, the secondary emergency response area is by the artists entry/exit point. If required, patrons will be directed south to gather at the Allan St carpark.

Proposed Means of Access

Proposed means of access for all emergency vehicles including fire brigade truck access to the event is via the Fitzwilliam or Allen St access points to Military Lane. As there is no traffic allowed through, access is available either way (usually a one-way street).



TRAFFIC MANAGEMENT PLAN
Port Kembla Festival Laneway Stage
Military Ln

Table of Contents

DOCUMENT CONTROL2

INTRODUCTION2

TRAFFIC CONTROL MEASURES2

RESOURCING, IMPLEMENTATION & EVALUATION:3

KEY CONTACTS.....3

MAP4

Document Control

Version 1.0 – Original

Version 2.0 – Map update

Introduction

Port Kembla Festival is a free-entry community event held each April, delivered by local promoters Holy Pavlova, and supported by several partners – including BlueScope WIN and Wollongong City Council. The annual event attracts up to many people to the area and highlights the many unique venue spaces, activated through specialised live music & visual arts programming. To accommodate the events growing popularity, the 2024 edition of the festival will see a laneway stage included in the entertainment offerings.

The Laneway Stage will comprise of a small stretch of Military Lane, situated directly behind The Iron Yampi (one of our partner venues for Port Kembla Festival). The proposed activity will see music and a patronage of up to 300 people in the laneway. This requires the Military Lane to be closed from the Fitzwilliam St intersection (access point) to the stage which is situated just 60 metres north-west of the intersection. This stretch has been selected as there is no disruption or prevention of access to businesses or residents.

Traffic Control Measures

Strategically Selected Location

Port Kembla Festival has considered a range of locations for this stage, including Wentworth St. Given the small patronage for the event, a low impact area has been selected to minimise any disruptions, develop a straightforward management plan, and provide a safe environment.

Road Impact

There is minimal road impact, Military Lane is a one-way street used as a passthrough route and no access is required from general road users. Navigating the closure is a detour (less than 100 metres) with two options via Wentworth St or Military Road for both vehicles and cyclists.

Event-Specific Detour & Safety Signs

Strategically placed safety signs will alert drivers to detours, hazards, and pedestrian crossings where applicable and as per the Traffic Guidance Scheme, enhancing road safety awareness. Signage aims to educated road users who may be unfamiliar with road closures.

Trained Staff

A team of trained staff will oversee traffic management, assist pedestrians in crossing if required, and ensure adherence to traffic guidelines. They will also issue maps, provide verbals instructions and directions to inbound and outbound traffic.

Resourcing, Implementation & Evaluation:

Resourcing

Our experienced event manage, staff and security will be present throughout the festival to manage guide attendees and ensure road safety.

Implementation

The traffic management plan will be executed based on a comprehensive event timeline encompassing the installation of road signs, the deployment of event staff, and detailed emergency access planning.

Evaluation

Our team will continuously monitor traffic flow and assess the effectiveness of traffic control measures during the entire festival duration. Feedback from attendees, residents and businesses will be actively collected and analysed to identify areas for improvement and address any concerns.

Key Contacts

Event Management: Harrison Hall (0459 430 345)

- Head of Production: Brendon Comber (0421 467 313)
- Head of Food & Beverage: Ben Abraham (0421 718 872)
- Head of Security: Simon Auston (0404 008 297)
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Head of Production is responsible for staging and sound management, including noise monitoring (where required) and artist safety.

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Head of Security is responsible for security, RSA and safety, including those operatives who have control over access and exit points.

Head of Road Safety liaises with traffic controllers, monitors signage and reports any safety concerns up to Event Management.

Map

www.invarion.com

GENERAL NOTES

- This drawing is not to scale
- This drawing is to be read in conjunction with AS 1742.3 & TCAWS V6.1 2022
- Non applicable existing signage shall be covered
- All signage distance shall comply with AS 1742.3 & TCAWS V6.1 2022
- In accordance with TCAWS V6.1 2022 traffic controllers are to assist pedestrians with movement through or around the worksite as required
- Signage shall be placed on the side of the road adjacent to the traffic flow
- Removal of the delineation, tapers & signs should be undertaken in the reverse order of erection progressing outwards from the work area

DIMENSION "D"

SPEED OF TRAFFIC (KM/H)	DIMENSION "D" (M)
45 OR LESS	15-40
46-55	15-60
56-65	15-70
GREATER THAN 65KM/H	EQUAL TO POSTED SPEED

TOLERANCES

POSITIONING OF SIGNS, MIN 10% LESS THAN THE DISTANCE OR LENGTHS GIVEN, MAXIMUM 25% MORE THAN THE DISTANCE OR LENGTHS GIVEN. SPACING OF DELINEATING DEVICES MAXIMUM 10% MORE THAN THE SPACING GIVEN, NO MINIMUM

RECOMMENDED TAPER LENGTH

APPROXIMATE SPEED OF TRAFFIC (KM/H)	TRAFFIC CONTROL AT BEGINNING OF TAPER	LATERAL SHIFT	MERGE TAPER
45 OR LESS	15	0	15
46-55	15	15	30
56-65	30	30	60
66-75	N/A	70	115
76-85	N/A	80	130
86-95	N/A	90	145
96-105	N/A	100	160
> 105	N/A	110	180

LEGEND

- TEMPORARY SIGNAGE CONFORMING TO AS1742.3 & TCAWS V6
- 700MM TRAFFIC CONE WITH REFLECTIVE NIGHT STRIP
- AUTHORISED TRAFFIC CONTROLLER
- WORK AREA
- SAFETY BUFFER
- VEHICLE PATH
- ARROWBOARD
- TRAFFIC CONTROL VEHICLE
- FENCING

Workers symbolic (T1-5) Must be used where worker on foot will be visibly working adjacent to traffic TCAWS v6.1, 2022

When traffic is being controlled a PREPARE TO STOP (T1-18) and Traffic Controller (Symbolic) (T1-34) sign must be installed Section 5.4 TCAWS 6.1

Approved by: Mohamed Hassanou
PWZTMP No: TCT0062292
mohamad@ttnsw.com.au

Client: Holy Pavlova
Location: Military Lane, Port Kembla
Cross Street: Allen St
Authority: Wollongong City Council
Working Hours: Dayworks
ROL Req'd: No
Road Speed: 50km
Road Type: Laneway
Plan Number: CJS2590
Date: 8/12/23
Plan Expiry: 8/12/24

Revision 1: Signed: PWZ:
Revision 2: Signed: PWZ:
Revision 3: Signed: PWZ:

This site specific TOS is based on TNSW TCAWS V6.1 (2022) & must be installed & packed up by qualified traffic controllers with current Traffic Controller & Implement Traffic Control Plans accreditation.
Modifications to this plan must be approved by a person holding the PWZTMP qualification, and must be supported by a TMR or risk assessment, TCAWS 7.20.4.
The TPC person may vary the positioning of signs and devices provided the requirements of Section 7.10.3 TCAWS, regarding Tolerance on Positioning, are met.
Traffic controller to identify and make note of escape routes prior to commencement of works. Local constraints may not allow sign and devices to be placed exactly in accordance with the TOS judgement, therefore it is permissible for a TTC to position signs 10% less and up to 20% greater than the TOS indicated distance.
Sign spacing measurements may extend across some intersections, therefore warning signs may need to be placed in the side streets.
Signs are to be Class 1 retro-reflective, positioned adjacent to the length of where vehicle parking occurs place signs in the parking lane or elevated on posts. They must be positioned so that they are in clear view of passing motorist.
The drafter takes no responsibility for unauthorized and unapproved implementation of this TOS.

NOT TO SCALE

TOS BEST VIEWED WHEN PRINTED IN A3

Attachment 2 - Draft Conditions

DA-2024/55

For Office Use Only – Do Not Mail

GENERAL CONDITIONS

Conditions				
1. Approved Plans and Supporting Documentation				
Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.				
Plan No	Revision No	Plan Title	Drawn By	Dated
		Proposed Site Plan		
		Traffic Management Plan	TTC Australia	8/12/2023
Document Title.		Version No.	Prepared By.	Dated
Traffic Management Plan		HP-1087-04	Holy Pavlova	
Emergency Management Plan		HP-1087-06	Holy Pavlova	
In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.				
Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.				
<u>Reason:</u> To ensure all parties are aware of the approved plans and supporting documentation.				
2. Endorsement of Event				
This consent authorises the proposed event to operate 20 April 2024 between 4:30pm – 11:00pm.				
Bump In / Set up is permitted Saturday 20 April from 7am – 1pm. Bump out / Pack up is permitted to occur 21 April 2024 from 9am – 12pm.				
The site must be returned to its condition prior to this use being carried out within 24 hours of the cessation of the event.				

Reason:
To clarify extent of approval.

3. Traffic Committee Approval Required for Road Closures

For the regulation of traffic or closure of local roads for events, the applicant is required to obtain approval from City of Wollongong Traffic Committee and Wollongong City Council.

Note: It may take up to eight weeks for approval. An application for approval must include a Traffic Guidance Scheme prepared by a suitably qualified person which is to include the date and times of closure and any other relevant information. The Traffic Guidance Scheme shall satisfy the requirements of the latest versions of Australian Standard AS1742-Traffic Control Devices for Works on Roads and the RTA Traffic Control at Worksites Manual.

Reason:
To comply with the Roads Act.

4. Insurance

The applicant needs to submit public liability insurance of \$20mn noting Wollongong City Council's (WCC) interest as land owner and is 100% responsible and liable for the event, WCC will assume no responsibility. It is essential that the person organising the event ensure other organisations, sub-contractors and businesses have suitable insurance cover including:

- Public liability
- Volunteers insurance
- Workers compensation
- Professional indemnity

Reason:
To comply with the Development Control Plan.

5. Temporary Events - Registration

All food businesses are required to be registered with Council. A Food Business Notification Form must be submitted prior to business operations commencing. The appropriate form can be completed on Councils' web page by visiting:

<https://wollongong.nsw.gov.au/business-in-wollongong/business-permits-and-regulations/food-businesses>

Alternatively, contact Council's Regulation and Enforcement Division on (02) 4227 7737 to obtain a registration form.

Reason:
To comply with Council's *Guidelines for Food Handling at Temporary Events*.

6. Temporary Events - Food Outlets

Food outlets shall comply with Council's *Guidelines for Food Handling at Temporary Events*. This document can be found at:

<https://wollongong.nsw.gov.au/business-in-wollongong/business-permits-and-regulations/food-businesses>

Alternatively, contact Council's Regulation and Enforcement Division on (02) 4227 7737 to obtain a copy.

Reason:
To comply with Council's *Guidelines for Food Handling at Temporary Events*.

7. Disability Discrimination Act 1992

This consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992.

It is the responsibility of the applicant to guarantee compliance with the requirements of the Disability Discrimination Act 1992. The current Australian Standard AS 1428.1:2009: Design for Access and Mobility is recommended to be referred for specific design and construction requirements, in order to provide appropriate access to all persons within the building.

Reason:

To satisfy the requirements of the legislation.

8. Advertising Signage

This consent authorises the erection of general advertising, advisory, and directional signage within upon the event site. Any additional advertising signage will require separate Council approval.

Reason:

To satisfy the requirements of the legislation.

9. Smoke-Free Environment

This consent does not imply or confer compliance with the requirements of the Smoke-Free Environment Act 2000. It is the responsibility of the applicant to guarantee compliance with this Act.

Reason:

To satisfy the requirements of the legislation.

10. Maximum Capacity

The maximum capacity for the event area is 350 patrons.

Reason:

To mitigate potential for public safety & amenity impacts.

11. Compliance with Statutory Authorities/Government Departments

Compliance with the requirements of any Statutory Authorities or Government Departments such as, but not limited to:

- Safework NSW Authority;
- NSW Roads & Maritime Services Authority;
- Traffic for NSW;
- NSW Environment Protection Authority;
- NSW Police Service; and
- NSW Fire Brigades.

Reason:

To satisfy the requirements of the legislation.

12. Bicycle Parking

Secure bicycle parking is to be provided on site for the duration of the event, commensurate with ticket sales and anticipated patronage.

Reason:

To reduce car parking impacts.

13. Legislative Compliance

The developer must comply fully with the provisions of the Work Health and Safety Act 2011 and the Protection of the Environment Operations Act 1997 at all times.

Reason:

To satisfy the requirements of the legislation.

14. National Construction Code Series (BCA)

Building Work – Compliance with Building Code of Australia - All building work, including the erection of temporary structures used as an entertainment venue (within the meaning of the Environmental Planning and Assessment Regulation 2000 being a cinema, theatre or concert hall or an indoor sports stadium), must be carried out in accordance with the provisions of the National Construction Code - Building Code of Australia.

Reason:

To satisfy the requirements of the legislation.

15. Temporary Structures – General Considerations

Temporary structures not used as an entertainment venue should generally comply with the Australian Building Codes Board “Temporary Structures” Standard 2015.

Reason:

To satisfy the requirements of the legislation.

16. Temporary Toilet/Closet Facilities

Toilet facilities with hand washing facilities must be provided onsite at a rate of 1 per 75 patrons when workers and patrons occupy the site.

Each toilet provided must be:

- capable of flushing and connected to either:
- the Sydney Water Corporation Ltd sewerage system or
- an accredited sewage management facility or
- an approved chemical closet.

Reason:

To satisfy the requirements of the legislation.

17. Safety Hazards

When setting up marquees and equipment, all pegs, ropes and structures should be secured appropriately and not present a safety hazard to the public. The applicant should ensure they undertake the appropriate Dial Before Dig process prior to installing any pegs into the ground.

Reason:

To mitigate public safety impacts.

18. Ground Surface to Sustain Structure or Device

The ground or other surface on which any structure, vehicle, or device is to be erected or placed, must be sufficiently firm as to sustain the structure/vehicle/device while it is in operation and is not dangerous because of its slope or irregularity or for any other reason.

Reason:

To mitigate public safety impacts.

19. Promotion of Public Transport to Reduce Traffic and Parking Impacts

All ticket sales and promotional information must confirm to guests that due to on-street parking limitations - carpooling, the use of public transport, active transport is the preferred method of travel for ease of travel, reduction in delays and minimising traffic and parking impacts within the local area.

Reason:

To reduce car parking impacts.

20. Crime Prevention through Environmental Design (CPTED) - Public Spaces

The area of the subject site which can be accessed by the public must have lighting provided in accordance with AS 1158:1999 or AS 4360:1999.

Reason:
To mitigate public safety impacts.

21. Lighting

The lighting of the site must be directed so as not to cause nuisance to the owners or occupiers of adjoining premises or to motorists on adjoining or nearby roads.

Reason:
To satisfy the requirements of the legislation.

22. Emergency Services and Police

The local Police and Emergency Services shall be notified of the event details at least two (2) weeks in advance of the commencement of the event.

Reason:
To satisfy the requirements of the legislation.

23. Written Notice

The applicant/operator must provide written notice of the event to surrounding businesses two (2) weeks prior to the event.

Reason:
To satisfy the requirements of the legislation.

24. Consultation with NSW WorkCover Authority

Prior to any work commencing on the site it is the responsibility of the owner to contact NSW WorkCover Authority in writing in respect to any demolition or use of any crane, hoist, plant or scaffolding.

Reason:
To satisfy the requirements of the legislation.

25. Fence

A minimum 1.8m high temporary fence is to be erected to contain the event area and prevent incursion into adjoining properties, with exception of that shown on the stamped site plan.

The fence is to be positioned as to permit egress from any buildings located on adjoining properties. The fence is to be setback a minimum of 1m from all building exits.

Reason:
To protect nearby buildings and ensure egress is retained.

26. Nuisance

The developer must carry out work at all times in a manner which will not cause a nuisance, by the generation of unreasonable noise, dust or other activity, to the owners and/or occupiers of adjoining and adjacent land.

Reason:
To reduce local environmental impacts.

27. Restoration Works

The applicant should be made responsible for the reimbursement to Council for the costs of restoration works should damage to the ground surface occur as a result of the proposed activity. Please arrange for a pre and post site inspections to be undertaken.

Reason:
To satisfy the requirements of the legislation.

28. Waste Management

During set up and pack down, the developer must provide an adequate receptacle/s to store all waste generated by the development pending disposal. The receptacle must be regularly emptied and waste must not be allowed to lie or accumulate on the property other than in the

receptacle/s. Consideration should be given to the source separation of recyclable and reusable materials.

Reason:

To protect neighbourhood amenity.

29. Works in Road Reserve - Minor Works

Approval, under Section 138 of the Roads Act must be obtained from Wollongong City Council's Development Engineering Team prior to any works commencing or any proposed interruption to pedestrian and/or vehicular traffic within the road reserve caused by the construction of this development.

The application form for Works within the Road Reserve – Section 138 Roads Act can be found on Council's website. The form outlines the requirements to be submitted with the application, to give approval to commence works under the Roads Act. It is advised that all applications are submitted and fees paid, five (5) days prior to the works within the road reserve are intended to commence. The Applicant is responsible for the restoration of all Council assets within the road reserve which are impacted by the works/occupation. Restoration must be in accordance with the following requirements:

- All restorations are at the cost of the Applicant and must be undertaken in accordance with Council's standard document, "Specification for work within Council's road reserve".
- Any existing damage within the immediate work area or caused as a result of the work/occupation, must also be restored with the final works.

Reason:

To satisfy the requirements of the legislation.

30. Occupation Certificate (if applicable)

Regarding temporary Structures used as Entertainment Venue Pursuant to clauses 156(1)(b) and 268(A) of the Environmental Planning and Assessment Regulation, 2000.

Only if applicable, appoint and obtain from a Registered Certifier an Occupation Certificate prior to the occupation of temporary structures, being a booth, tent or other temporary enclosure (whether or not part of the booth, tent or enclosure is permanent); or a mobile structure that is used as an entertainment venue, as defined by the Environmental Planning and Assessment Regulation 2000 being a cinema, theatre or concert hall or an indoor sports stadium.

Reason:

To satisfy the requirements of the legislation.

OCCUPATION AND ONGOING USE

Conditions

31. Structures Adjacent to the Roadway

Any proposed structures adjacent to the roadway shall comply with the requirements of AS2890.1 to provide for adequate sight distance.

Reason:

To comply with Australian Standards for sight distance.

32. Sufficient Signage to be Provided

Sufficient signage and supervision shall be provided by the operator/proprietor to ensure that parking is carried out in an orderly and safe manner.

Reason:

To maintain road safety.

33. Traffic Control to be Provided by the Applicant

All traffic control within the road reserve is to be at the applicant's cost.

Reason:

To comply with Council's policies.

34. Restricted Hours of Operation

The hours of operation for the event shall be restricted to 4:30pm until 11:00pm. Any extension to the approved hours of operation will require separate Council approval.

Reason:

To ensure protection of the environment and neighbourhood amenity.

35. Waste Management

An adequate number of wheelie bins for both general rubbish and recyclable material shall be positioned strategically around the site, and collected the next day after the event.

Waste shall not be allowed to accumulate on the site and the site shall be left clear of waste material and litter upon completion of the event.

The applicant must ensure all waste generated by the operations is lawfully disposed of. This can include the provision of a waste receptacle or ensure their clients are aware of existing waste receptacles available on the site. Consideration should be given to the source separation of recyclable and reusable materials.

Reason:

To mitigate environmental & amenity impacts.

36. Electrical Management

Power and lighting are to be managed by a qualified and licensed technician.

Reason:

To mitigate public safety impacts.

37. Noise Management Plan

The event shall operate in accordance with a Noise Management Plan. The plan shall outline the predicted maximum sound levels, how monitoring of sound will be undertaken, controlled and safeguards to protect affected residents.

In addition the applicant shall inform affected residents at least two (2) weeks before with letter drop. The letter should contain duration (dates and time) of the event and contact name and phone number in case residents would like to contact regarding noise issue.

In addition to the above, the noise management plan shall include the following:

- Line array speakers are not permitted
- Orienting stages and speakers away from residential areas
- Minimising bass levels, where possible
- Sound Monitoring (LAeq 5 minute noise logger data at (i) FOH and (ii) nearest affected residential boundary for duration of the event)

Reason:

To ensure protection of the environment and neighbourhood amenity.

38. Noise Levels

The applicant shall ensure noise from the event is not to create a nuisance to other park/public space users or adjoining and nearby residents. The use of public address systems, megaphones or other sound reproducing devices shall be restricted so as not to cause offensive noise as defined by the Protection of the Environment Operations Act, 1997.

All sound systems and amplifiers sound must comply with the following limits:

- LAeq (5 minutes) of 98dBA at the Front of House (FOH) at 20 metres from stage/speakers; and

- LA Max must not exceed 65 dB(A) during a single 5 minute period when measured at nearest affected residential boundary.

Reason:

To ensure protection of the environment and neighbourhood amenity.

39. Public Access

The event organisers are to ensure that an appropriate level public access be maintained to areas surrounding the event area at all times over the duration of the event and are to ensure public safety is not endangered by the event proceedings or loading/unloading activities.

Reason:

To mitigate public safety impacts.

40. Greywater

All greywater must be contained and disposed of appropriately.

Reason:

To mitigate environmental impacts.

41. Lighting

Temporary lighting on the site must not cast glare on nearby dwellings residents.

Reason:

To mitigate amenity impacts.

42. Site Kept Neat and Tidy

During the operation of the event the site shall be kept in neat and tidy condition at all times.

Reason:

To mitigate public safety, environmental & amenity impacts.

43. Incident Reporting

A systematic method reporting incidents that have occurred at an event is required. This should include a written incident reporting manual whereby staff are required to provide written details on the exact nature of the incident and what procedures were implemented to deal with the incident.

Reason:

To mitigate public safety impacts.

44. Security

Licensed security guards are to be provided at a ratio of 1:100 patrons for the event. Security is to ensure patrons do not loiter in the vicinity of the premises.

Duties to include monitoring entry and exit points, general surveillance to ensure safety and good behaviour of crowd, assist in co-ordination of emergency procedures, and ensure quiet and efficient movement of people from the site at the conclusion of the event.

Reason:

To mitigate public safety impacts.

45. After the Event – Site Condition

The site must be cleaned up and returned to its condition prior to this use being carried out within 24 hours of the conclusion of the event. Should further cleaning be required by Council, the organisers shall contact Council's Works Division to determine the applicable fee. The applicant is responsible for reimbursement to Council for the cost of restoration works, should damage to the ground surface occur as a result of the proposed activity.

Reason:

To mitigate public safety & environmental impacts.

46. Keep Footpaths Clear of Obstructions

Footpaths shall not be obstructed by temporary structures, staging, equipment, speakers or signage.

<p><u>Reason:</u> To mitigate public safety impacts.</p>
<p>47. Alcohol</p> <p>The licensee is to ensure that alcohol does not enter or leave the event.</p> <p><u>Reason:</u> To mitigate potential for public safety & amenity impacts.</p>
<p>48. Alcohol Sales</p> <p>The sale of alcohol is to cease 30 minutes prior to the completion of the event.</p> <p><u>Reason:</u> To mitigate potential for public safety & amenity impacts.</p>
<p>49. Occupation of the Site</p> <p>The premises must not be occupied by staff or security contractors beyond one (1) hour after the cessation of the event, this does not apply to bump out processes.</p> <p><u>Reason:</u> To mitigate potential for public safety & amenity impacts.</p>
<p>50. Copies of Consents and Management Plans to be Kept On-Site</p> <p>A full and current copy of all current development consents for the operation of the licensed premises must be kept on-site and made available to Police, Council Officers or Special Investigator upon request.</p> <p><u>Reason:</u> To mitigate potential for public safety & amenity impacts.</p>
<p>51. Neighbourhood Amenity</p> <p>Signs must be placed in clearly visible positions within the event requesting patrons, upon leaving the premises, to do so quickly and quietly, having regard to maintaining the amenity of the area.</p> <p>The licensee must ensure that the behaviour of patrons entering and leaving the event does not detrimentally affect the amenity of the neighbourhood. In this regard, the operator is responsible for the control of noise and litter generated by patrons of the premises and must ensure that patrons leave the vicinity of the premises in an orderly manner.</p> <p><u>Reason:</u> To mitigate public safety & amenity impacts.</p>
<p>52. Sale and Consumption of Liquor</p> <p>The sale and supply of liquor in the licensed premises must be in accordance with the terms and conditions of an approved liquor licence issued by the Office of Liquor and Gaming NSW.</p> <p><u>Reason:</u> To mitigate public safety & amenity impacts.</p>
<p>53. Glass</p> <p>No food or beverages are to be sold and/or supplied in glass containers. Council's glass free policy and single use plastics policy is to be adhered to.</p> <p><u>Reason:</u> To mitigate public safety, environmental & amenity impacts.</p>
<p>54. Crime Scene Preservation</p> <p>Crime scene preservation Immediately after the person in charge of the licensed premises or a staff member becomes aware of any incident involving an act of violence causing injury to a person on the premises, the person in charge of the licensed premises and/or staff member must:</p> <ul style="list-style-type: none"> take all practical steps to preserve and keep intact the area where the act of violence occurred,

- retain all material and implements associated with the act of violence in accordance with the crime scene preservation guidelines issued by NSW Police, as published from time to time on the Liquor and Gaming NSW website,
- make direct and personal contact with NSW Police to advise it of the incident, and
- comply with any directions given by NSW Police to preserve or keep intact the area where the violence occurred. In this condition, 'staff member' means any person employed by, or acting on behalf of, the licensee of the premises, and includes any person who is employed to carry on security activities (eg. crowd controller or bouncer) on or about the premises.

Reason:

To mitigate public safety & amenity impacts.

55. Loading/Unloading Operations/Activities

All loading/unloading operations are to take place at all times wholly within the confines of the site or within the road reserve under an approved traffic control plan.

Reason:

To mitigate public safety & amenity impacts.

56. Fire Safety Measures

All new and existing fire safety measures shall be maintained in working condition at all times.

Reason:

To mitigate public safety impacts.

57. Cleaning of Toilet Facilities

The event organiser is required to ensure toilet facilities are cleaned and maintained in a suitable hygienic condition for use.

Reason:

To ensure patron amenity.