



# **MINUTES OF THE DEVELOPMENT CONTROL UNIT MEETING**

**HELD AT COUNCIL CHAMBERS, BREESE PARADE, FORSTER**

**ON THURSDAY, 5 NOVEMBER 2009**

Keith O'Leary  
**GENERAL MANAGER**

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Minutes of the Development Control Unit Meeting of the Great Lakes Council held at the Council Chambers, Breese Parade, Forster on 5 November 2009 commencing at 2pm.

**PRESENT**

Clr John Stephens (Chairperson) as Mayor's delegate, Director Engineering Services - Ron Hartley, Manager Development Assessments - Wayne Burgess; Snr District Building Surveyor - Bruce Arkle.

**IN ATTENDANCE**

Admin Officer - Yvette Ellis (Minute Taker).

**APOLOGIES**

Mayor - Clr Jan McWilliams; Director Planning & Environmental Services - Glenn Handford; Manager Building Assessments - Gary Mead.

**73 RESOLUTION**

That the apologies from Mayor - Clr Jan McWilliams, Director Planning & Environmental Services - Glenn Handford; and Manager Building Assessments - Gary Mead, be accepted.

**ADOPTION OF MINUTES OF MEETING**

**74 RESOLUTION**

That the Minutes of the Development Control Unit Meeting of 29 October, 2009, copies of which were distributed among the Committee members, be taken as read and confirmed as a true record of proceedings.

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**DECLARATIONS OF PECUNIARY & NON-PECUNIARY CONFLICTS OF INTEREST**

Nil.

**PUBLIC ADDRESS**

**PUBLIC ADDRESS NO 1 - DEBBIE AND ROSS FOLEY**

**Subject:** PES - DA33/2010 - Set Up and Sell Seafood from Mobile Van - 77 Stroud Street, Bulahdelah  
**Index:** DA33/2010 & PK4168  
**Author:** Senior Development Assessment Planner – Robyn Shelley  
**DCU Meeting:** 5 November 2009

Mrs Debbie and Mr Ross Foley (applicants) addressed the committee in support of the application and requested consideration be given to allowing use of the site Thursday afternoons prior to Good Friday, and each 23rd December.

**CONSIDERATION OF OFFICERS' REPORTS:**

**DIRECTOR PLANNING AND ENVIRONMENTAL SERVICES**

**1 PES - DA33/2010 - Set Up and Sell Seafood from Mobile Van - 77 Stroud Street, Bulahdelah**

**Index: DA33/2010 & PK4168**

**Author: Senior Development Assessment Planner – Robyn Shelley**

**DCU Meeting: 5 November 2009**

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The committee sighted the inspection certificate for the vehicle.

**RECOMMENDATION:**

Development Application No. 33/2010 seeking consent to set up and sell seafood from a Mobile van on Lot 7 DP 659965, 77 Stroud Street, Bulahdelah be approved subject to the following conditions:

**The following condition/s have been applied to ensure that the development complies with the provisions of the Environmental Planning and Assessment Act and Regulations and Policies of Council:**

1. The development being carried out in accordance with the details set out in the Development Application unless otherwise amended by these conditions of consent.
2. Consent is limited to the use of the site on Friday afternoons.
3. All carparking and vehicular manoeuvring areas being sealed with concrete or equivalent and linemarked to Council's satisfaction

**75 RESOLUTION**

That the above recommendation be adopted subject to the following amendments:

Amend Condition 2 to read as follows:

2. Consent is limited to the use of the site on Friday afternoons, Thursday afternoons prior to public holidays and each 23<sup>rd</sup> December.

Delete Condition 3.

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**2 PES - DA32/2010 - Music Festival - Lot 33 DP 800610, 311 Upper Monkerai Road, Monkerai**

**Index: DA 32/2010, PK 34235 & PK 31947**

**Author: Development Assessment Planner - David Koppers**

**DCU Meeting: 5 November 2009**

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**RECOMMENDATION:**

**It is recommended that Development Application No. 32/2010 for Music Festival at 311 Upper Monkerai Road, MONKERAI, NSW, 2415 (Lot 33 DP 800610) is approved subject to the following conditions of consent:**

The following condition/s have been applied to ensure that the development complies with the provisions of the Environmental Planning and Assessment Act and Regulations and Policies of Council:

1. The development must be in accordance with the **STAMPED PLANS**, the application form and on any supporting information received with the application, except as may be amended by the following conditions.
2. This development consent is restricted to a single event only. The date of the event is restricted to 4 - 6 December 2009.
3. The applicant shall provide portable toilet facilities at the following rate:

Male Closets	1/100 patrons
Male Urinals	1/100 patrons
Female Closets	2/100 patrons
Unisex	2/100 patrons

The toilets must be cleaned every 3 hours, or as required and toilet paper, soap and handtowels must be provided at all times. Additional toilets shall be brought in as required to satisfy additional demands.

4. Promotional/advertising signage is not to be displayed upon any site other than the site approved for the event.
5. Work on any building shall not commence until a Construction Certificate, complying in all respects with the provisions of the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the Building Code of Australia, has been issued.
6. It is a condition of approval that all building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA).
7. Structural drawings prepared by a suitably qualified and experienced Structural Engineer being submitted to and approved by the principal certifying authority prior to the issue of a construction certificate.
8. Noise associated with the use of the music festival must not be a source of offensive noise at the nearest affected residence:  
offensive noise" means noise:
  - a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
    - i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or
    - ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or
  - b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulation.

9. The applicant shall notify all adjoining property owners in writing of a contact telephone number for any complaints regarding the development which may include but not limited to offensive noise and trespassing issues.
10. Food stalls and food handlers associated with the development shall at all times comply with the requirements of the Food Act 2003, the Food Standards Code and Council's Guidelines for Commercial Operators/Charity Organisations at Temporary Events. Copies of these Guidelines are available at Council.
11. A 'Notification to Council for Temporary Food Stall' form must be completed by the proprietor of each food stall and be submitted to, and approved by Council's Environmental Health Officer prior to the event.
12. No permanent structures are to be erected or installed.
13. The site is to be free of obstacles and trip hazards, such as power leads.
14. No fires are permitted within the site unless within existing barbeque facilities. Any "ceremonial" fires must be approved by the NSW Rural Fire Service and strict compliance with any fire bans are to be complied with.
15. The applicant shall comply with any requirements of the NSW Police Force.
16. The applicant shall erect security fencing around any plant equipment (including generators) to prevent patron access.
17. The applicant shall erect signage (including maps) which will indicate which areas patrons are permitted to enter. Signage shall also be erected to ensuring patrons are informed where adjoining properties boundaries are, and that trespassing is prohibited.
18. The Waste Management Plan as submitted with the Development Application is to be adhered to with aspects of the development and ongoing waste services.
19. A first aid station/tent shall be provided. First aid personnel must be appropriately qualified. St John's Ambulance recommends 4 first aiders per 1000 people.
20. Overnight guests shall not exceed 1287 people. The applicant is to take all reasonable measures (including but not limited too ticketing of patrons) to ensure compliance with this requirement is met.
21. The erection of any temporary structures shall be in accordance with the provisions of State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment).
22. At least four weeks prior to the race meeting, the applicant shall submit to and have approved by Council a traffic management plan prepared for the music festival that will take place on the site. The plan/report should be prepared for all vehicular traffic and pedestrian management and include the following details:
  - Parking for people with a disability, an ambulance to access the St Johns ambulance tent and any required official vehicle.
  - Set down area for buses/taxis (this area should have a compacted gravel or sealed surface for the vehicles using this area).
  - Car park layout for the projected vehicular spaces.
  - An overflow/informal car park area for excess vehicles.
  - Details of the entry fee point.

**76 RESOLUTION**

That the above recommendation be adopted subject to the following amendment to Condition 22:

Delete the words race meeting and replace with music festival.

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**MEETING CLOSURE**

The meeting closed at 2.10pm.

**CHAIRPERSON**