



northern
beaches
council

MINUTES

NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

Electronic determination on

FRIDAY 6 MARCH 2020

Minutes of a Meeting of the Northern Beaches Local Planning Panel

Electronic determination on Friday 6 March 2020

Panel Members

Peter Biscoe	Chair
Steve Kennedy	Urban Design Expert
Marcus Sainsbury	Environmental Expert
Nick Lawther	Community Representative

3.0 DEVELOPMENT APPLICATIONS

3.4 DA2019/1195 - KEIRLE PARK, PITTWATER ROAD, MANLY - USE OF LAND FOR A MUSIC EVENT INCLUDING TEMPORARY INSTALLATION OF A STAGE, FENCING, TOILETS, BAR AND MARKETS - DROP FEST 2020

PROCEEDINGS IN BRIEF

The Development Application was deferred at the Local Planning Panel meeting on Wednesday 4 March because revised versions of a number of reports and documents referenced in condition 1 had been provided and the Panel wished Council's external consultant to review the most recent versions.

A review has now been concluded and the revised versions are acceptable.

DECISION ON DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2019/1195 for Use of land for a music event including temporary installation of a stage, fencing, toilets, bar and markets (Drop Fest 2020) at Lot 1 DP 535058 and Lots 8-20 DP 1177, Keirle Park, Pittwater Road, Manly for the reasons set out in the Assessment Report and subject to the following conditions:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

1. Approved Plans and Supporting Documentation

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Site Plan (Revision 4)	05.02.2019	J Stones
Licensed Area Plan (Revision 4)	05.02.2019	J Stones
Emergency Evac. Plan (Revision 4)	05.02.2019	J Stones
Aeromedical Retrieval Plan (Revision 1)	06.01.2020	J Stones
SS-STDDDET-FOH-01 (Revision B)	14.8.2016	Stageset
SS-DROP18-01-1 (Revision A)	21.3.2018	Stageset
SS-DROP18-01-2 (Revision A)	21.3.2018	Stageset
SS-DROP18-01-3 (Revision A)	21.3.2018	Stageset
SS-DROP18-01-4 (Revision A)	21.3.2018	Stageset
SS-DROP18-01-5 (Revision A)	21.3.2018	Stageset

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Adverse Weather Plan (Version 2)	14.12.2019	Jeremy Stones
Safety Management Plan (Version 2)	27.02.2020	Jeremy Stones
Event Management Plan (Version 4)	27.02.2020	Jeremy Stones

Grass Protection Plan	23.9.2019	Jeremy Stones
Statement of Environmental Effects (Version 3)	27.02.2020	Jeremy Stones
Traffic Management Plan (Version 4)	28.02.2020	Assure Safety
Transport Management Plan	Undated	The Drop
Event Risk Assessment Plan (Version 2)	27.02.2020	Sheridan Consulting Group Pty Ltd
Emergency Response Plan (Version 3)	27.02.2020	Jeremy Stones
Health Management Plan (Version 3)	27.02.2020	Jeremy Stones
Medical Plan (Version 1.1)	26.02.2020	St John Ambulance Australia (NSW)
Operations Plan	September 2019	Dancewize NSW
Alcohol Plan of Management (Version 3)	13.2.2020	Justin Tynan
Security Deployment Plan	14.02.2020	ISEC
Noise Management Plan	27.02.2020	Noise Consulting and Management Pty Ltd
Flood Risk Management Plan (Revision D)	04.12.2019	NB Consulting
Waste Management Plan (Version 3)	27.02.2020	Clean Vibes

- b) Any plans and / or documentation submitted to satisfy the Conditions of this consent.
- c) No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans.

2. Compliance with Other Department, Authority or Service Requirements

The development must be carried out in compliance with the following:

Other Department, Authority or Service	eServices Reference	Dated
NSW Police	Referral Response – NSW Police	24/02/2020 & 26/02/2020
Transport for NSW	Referral Response – Transport for NSW	27/02/2020
NSW Health	Referral Response – NSW Health	19/12/2019

(NOTE: For a copy of the above referenced document/s, please see Council's 'E-Services' system at www.northernbeaches.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other Department, Authority or Body's.

3. Prescribed Conditions

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
 - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

4. General Requirements

- (a) Unless authorised by Council:

Building construction and delivery of material hours are restricted to:

- 7.00am to 10.00pm

Demolition and removal of materials/buildings/structures works are restricted to:

- 7.00am to 8.00pm

- (b) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (c) Onsite toilet facilities for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- (d) Prior to the release of the Construction Certificate payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.
- (e) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (f) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (g) Prior to the commencement of any development onsite for:
 - (i) Building/s that are to be erected
 - (ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
 - (iii) Building/s that are to be demolished
 - (iv) For any work/s that is to be carried out
 - (v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the

development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

5. Sale of food and drink

All Temporary and Mobile Food premises are to comply with the Food Act 2003 and NSW food Authority Guidelines for Mobile and Temporary food stalls.

Reason: To maintain Food standards

6. Building materials, sedimentation

No building materials or other materials and waste are to be placed on or enter areas of bushland, wetland, saltmarsh, seagrass or riparian vegetation. Appropriate sediment fencing is to be installed.

Reason: Environmental Protection

7. Community Notification

The event organisers are required to notify all residents, businesses and relevant sporting clubs within a minimum 500 metre radius of the event (from the main stage). The notification is to include the following:

- Bump in dates and times
- Event date and times
- Bump out dates and times
- A contact number that is accessible the whole length of the event from bump in to bump out.

Reason: To ensure clear public communication and notification of the event.

8. Flood Emergency Response Requirements

- 1) All recommendations of the Flood Risk Management Report prepared by Northern Beaches Consulting Engineers Revision D prepared 4 December 2019 must be complied with for the duration of the proposed festival, including bump in, festival day and bump out.
- 2) An appropriately qualified engineer with experience in floodplain management must be engaged by the applicant to provide advice and interpret appropriate response action if the 'Flood Watch' alert threshold is reached for Bump In, Day of Event or Bump Out.
- 3) Sufficient copies of the approved Flood Risk Management Report prepared by Northern Beaches Consulting Engineers Revision D prepared 4 December 2019 must be made available on-site during Bump In, Day of Event and Bump Out.
- 4) The Flood Evacuation Coordinator and Flood Evacuation Assistant must be fulfilling their responsibilities outlined in the Flood Risk Management Report prepared by Northern Beaches Consulting Engineers Revision D prepared 4 December 2019 at all times.

Reason: To ensure that the requirements of the Flood Risk Management Report are adhered to and that flood risk to life is appropriately managed.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

9. Compliance with Standards

The development is required to be carried out in accordance with all relevant Australian Standards.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with appropriate standards.

10. Structure Footings

Any structures that require footings are to utilise the weight plate and ballast footing solution as outlined in the 'Structures fixing solutions' plan, as shown on page 10 of the Site Survey Plan document.

Reason: To protect existing irrigation infrastructure from damage.

11. Flooding

In order to protect property and occupants from flood risk the following is required:

Storage of Goods – D1

Hazardous or potentially polluting materials shall not be stored below the Flood Planning Level of 3.7m AHD unless adequately protected from floodwaters in accordance with industry standards.

Notification of Emergency Services

The applicant must demonstrate that they have notified the relevant NSW State Emergency Service personnel of the proposed event and have provided a copy of the approved Flood Risk Management Report prepared by Northern Beaches Consulting Engineers Revision D prepared 4 December 2019.

Flood Refuge Access Arrangements

In addition to written permission the applicant must demonstrate that they have appropriate access arrangements established for the identified flood refuge locations.

Roles and Responsibilities

Prior to the issue of the construction certificate the applicant must nominate the names and contact details for the Flood Evacuation Coordinator and Flood Evacuation Assistant.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To reduce the impact of flooding and flood liability on owners and occupiers of flood-prone property and reduce public and private losses in accordance with Council and NSW Government policy.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

12. Tree protection

- (a) Existing trees which must be retained
 - (i) All trees located on the subject site
 - (ii) All trees located on adjoining land

- (b) Tree protection
 - (i) No tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a qualified Arborist on site.
 - (ii) All structures are to bridge tree roots greater than 25mm diameter unless directed otherwise by a qualified Arborist on site.
 - (iii) All tree protection to be in accordance with AS4970-2009 Protection of trees on development sites, with particular reference to Section 4 Tree Protection Measures.
 - (iv) All tree pruning within the subject site is to be in accordance with WDCP2011 Clause E1 Private Property Tree Management and AS 4373 Pruning of amenity trees
 - (v) All tree protection measures, including fencing, are to be in place prior to commencement of works.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site.

13. **Bushland Protection Fencing**

Prior to the commencement of any onsite building works, the boundary between the natural bushland zone and the festival construction area as shown on the submitted plans - is to be surveyed and marked clearly on the ground.

A temporary 1.8 metre steel mesh fence is to be erected between the natural bushland zone and the construction area for the duration of festival works. The fencing must be a minimum of 5m from the dripline (canopy) of existing trees along the northern, western and southern boundaries of the festival grounds.

Details demonstrating compliance, including photographic evidence, is to be submitted to the Principal Certifying Authority prior to commencement of works.

Reason: To ensure that the vegetation in the restricted development area is protected during and after construction.

14. **Physical Barrier to be placed at Landward Edge of Riparian Zones**

Prior to commencement, temporary fencing must be provided to the rear of the portable toilets along the waterway, a minimum distance of 5m from vegetation. The physical barrier shall be constructed of non-combustible materials and shall not be less than 1.8 metres in height in order to prevent entry into environmentally sensitive areas.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to commencement.

Reason: To promote the long-term sustainability of ecosystem functions.

15. **Bunding or relocation of portable toilet area adjacent to waterway**

A bunded area must be provided to the downstream area of the portable toilets adjacent to the waterway in order to prevent any waste entering the environment.

Alternatively, the portable toilets are to be located a minimum of 20m from any waterway/drainage line.

Reason: Protection of waterways from the impacts of pollution.

16. Working on Reserves Permit

Works (undertaken by principal contractors working without Council supervision) on land under Council's care control and management require a "Working on Reserves" permit prior to commencement. Applications can be obtained from Council's website or the Parks and Recreation business unit.

Reason: Public Safety and the protection of Council infrastructure.

17. Public Liability Insurance - Works on Public Land

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 million in relation to the occupation of, and approved works within Council's road reserve or land under Council's care, control and management, as approved in this consent. The Policy is to note, and provide protection for Northern Beaches Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

18. Disposal of waste from catering outlets

All catering outlets must dispose of their waste (including liquid) in accordance with approved waste management practices. Rinsing out of any items, sink drainage and the like must not be allowed to drain to the environment. In the event waste is being disposed of to the environment, the event organisers must order this to cease immediately and to contact Council for further investigation.

Reason: To ensure protection of waterways from the impacts of pollution.

19. Trees Condition

During the construction period the applicant is responsible for ensuring all protected trees are maintained in a healthy and vigorous condition. This is to be done by ensuring that all identified tree protection measures are adhered to. In this regard all protected plants on this site shall not exhibit:

- (a) A general decline in health and vigour.
- (b) Damaged, crushed or dying roots due to poor pruning techniques.
- (c) More than 10% loss or dieback of roots, branches and foliage.
- (d) Mechanical damage or bruising of bark and timber of roots, trunk and branches.
- (e) Yellowing of foliage or a thinning of the canopy untypical of its species.
- (f) An increase in the amount of deadwood not associated with normal growth.
- (g) An increase in kino or gum exudation.
- (h) Inappropriate increases in epicormic growth that may indicate that the plants are in a stressed condition.
- (i) Branch drop, torn branches and stripped bark not associated with natural climatic conditions.

Any mitigating measures and recommendations required by the Arborist are to be implemented.

The owner of the adjoining allotment of land is not liable for the cost of work carried out for the purpose of this clause.

Reason: Protection of Trees.

20. Removal of All Temporary Structures/Material and Rubbish

At the conclusion of the event, during the bump out timeframe from Sunday 15th - Monday 16th March, all temporary fencing, structures and rubbish are to be removed from the site.

Reason: To preserve reserve amenity and maintain public safety.

21. Bump-in/out Operations

Truck movements associated with the Bump-In/Bump-Out are to be restricted to between 9:30am and 3:30pm.

Reason: To avoid truck movements during the peak network traffic periods (DACTREDW1)

**CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE
OCCUPATION CERTIFICATE**

22. Implementation of Flood Risk Management Report recommendations

The applicant must demonstrate that they have implemented the recommendations outlined in the Flood Risk Management Report prepared by Northern Beaches Consulting Engineers Revision D prepared 4 December 2019. This includes but is not limited to:

- Installation of on-site rainfall monitoring equipment
- Installation of appropriate flood warning signage

Reason: To ensure that the applicant has implemented the relevant recommendations from the Flood Risk Management Report prepared by Northern Beaches Consulting Engineers Revision D prepared 4 December 2019.

23. Structural Certification

Upon erection of the proposed stage, certification is required to be provided to Council from a qualified structural engineer prior to the use of the building.

Such certification should also indicate any restrictions on the acceptable loadings for the structure.

Reason: To ensure adequate provision is made for building occupant safety.

24. Registration of Food Business (temporary food premises – stalls)

The food businesses must be registered with Council as Temporary Food Premises 1 (one) month prior to the event and be issued with or hold already an approval permit for the sale of food (including drink).

Reason: To ensure Food premises/stalls are approved by Council to maintain food safety standards.

25. Food Standards

All Temporary and Mobile Food premises are to comply with the Food Act 2003 and NSW food Authority Guidelines for Mobile and Temporary food stalls.

Reason: To maintain Food standards

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

26. Cleaning and maintenance of toilets during the event

- A dedicated cleaner shall be allocated to ensure continual service, cleaning and maintenance of the event toilets to minimise, blockages and spills, and ensure adequate

water supply, toilet paper and liquid soap at all times.

- Toilets are to be provided on the minimum basis of 1:60 patrons.
- Should a toilet block leak/fail a contingency plan shall be in place to ensure land and or water pollution is avoided and adequacy of toilet numbers is maintained.

Reason: To provide hygienic sanitary services and protect public health.

27. Toilet Facilities and Sanitation

The number of toilets facilities must be a minimum of:

- Males 16 water closets plus 50 urinals and females 60 water closets (minimum of 126 toilets)
- Separate toilets with hand wash facilities must be available for food handlers.
- There must be hand washing facilities with soap in close proximity to the toilets.
- There must be adequate sanitary disposal facilities.
- Toilets must be monitored, kept clean and provided with toilet paper.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

28. Noise Management

1. Compliance with all recommendations contained within the Acoustic Assessment and Noise Management Plan by Noise Consulting & Management Pty Ltd ref 3518 27 February 2020 and the Statement of Environmental Effects (SEE) undated submitted with the DA.
2. All residential premises within 500m of the location be informed by letter box drop at least 48 hours in advance of the Event by the organiser advising of the event and hours, a contact phone number should be provided for enquiries/complaints.
3. A Council allocated officer is to be provided with a contact name phone number to the sound management staff/contractor on the day to ensure direct communication to deal with any complaints or issues that may arise during the event and after the event until 12 midnight.
4. A report containing the results of the noise monitoring, any complaints, the effectiveness of the noise control measures and recommendations on how to better manage/mitigate/avoid such impacts for future events is to be presented to Council within 30 days of the event.

Reason: To minimise the noise impact on residential receivers.

29. Lighting - glare

Lighting is to be used so as to minimise glare to neighbouring residential premises.

Reason: To maintain amenity of surrounding residential properties.

30. NSW Public Health Requirements

The recommendations of NSW PUBLIC HEALTH for Major Events shall be complied with as specified for the event.

Reason: To ensure Public Health is not compromised by the event and activities.

31. Dead or Injured Wildlife – Manly LEP Clause 6.5

If construction activity or event activities associated with this development results in injury or death of a native mammal, bird, reptile or amphibian, a registered wildlife rescue and rehabilitation organisation must be contacted for advice.

Reason: To manage/mitigate potential impacts to native wildlife.

32. Access to site for lessees and licence's

Access to the site should be maintained for the lessees and licences of the buildings on the site at all times during operation, set up and take down of the music festival.

Reason: To ensure regular users of the buildings are not unduly inconvenienced by the festival.

33. Traffic Management

Traffic, parking and pedestrian safety is to be managed in accordance with the Traffic Management Plan submitted by Assure Safety Services, recommendations of the Local Traffic Committee, Councils Traffic Engineer(s) and directions from NSW Police.

Reason: To ensure safety and safe movement of vehicles and pedestrians.

34. Extinguishment of flood-lighting

Flood-lighting is to cease within 30mins of the work(s)/setup/setdown hours. On the event night (14 March) flood-lighting is to cease within 1 hour of the conclusion of the concert (11pm). Flood-lighting is to be provided from Keirle Park to Queenscliff Bridge (via the pedestrian pathway through Lagoon Reserve).

Reason: Pedestrian safety and amenity of surrounding residential properties.

35. Post Event Performance Report

A post event performance report is to be produced within two (2) weeks after the conclusion of the event and is to be submitted to Northern Beaches Council and NSW Police by 30 March 2020. A briefing by the applicant, security and event management is to be completed with the Northern Beaches Council and NSW Police within four (4) weeks after the event (13 April 2020).

Reason: To improve on future event(s) and address issues/concerns raised during the event.

36. Limitation on this Consent – One Event Only

This consent is for a one off event, being The Drop Festival to be held during the following dates:

- Bump-in (start to end of set-up) from 10 to 13 March 2020
- Event date - 14 March 2020
- Bump-out (finish, removal of all structures and departure) from 15 to 16 March 2020

Any future event will need to be the subject of a separate development application.

Reason: To ensure compliance with the terms of this consent.

37. Maximum capacity

The maximum number of patrons permitted at the event is 5,000 persons.

Reason: To limit the patronage at the site in accordance with the documentation submitted with the development application.

38. Security fencing

2.4m high fencing is to be provided around the entire event to discourage unlawful entry to the site.

Reason: To enhance security on the site and neighbouring sites.

39. Waste Management Plan

Waste management is to be in accordance with the Northern Beaches Council Event Waste Management Guidelines and include the following:-

- Single use plastic or carton bottled water must not be sold or distributed at the event
- All drinks served from bars throughout the event site are served in reusable system plastic cups such as Globelet, Aluminium Cans or paper cups
- "Bio-plastic" or biodegradable plastic products must not be sold or distributed at the event such as cups, bowls, cutlery and straws

Reason: Waste management

40. Noise limits

Noise emitted by the live music performances is not to exceed 100dB (A) or 110 dB(C) at the sound and lighting desk or between 25 and 30 metres from stage.

Reason: To maintain amenity of surrounding residential properties.

Vote: 4/0

This is the final page of the Minutes comprising 13 pages
numbered 1 to 13 of the Northern Beaches Local Planning Panel meeting
electronically determined on Friday 6 March 2020.