

Resolution of Local Planning Panel

25 September 2024

Item 3

Development Application: 116 Lang Road, Moore Park - D/2024/139

The Panel granted consent to Development Application Number D/2024/139 subject to the conditions set out in Attachment A to the subject report, subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~):

(3) APPROVED USE

- (a) Use of Area 1 and Area 2 within the Entertainment Quarter under this consent is to be limited to those events specified in Categories A-F listed in the table below:

Category	Proposed Events
Category A	Film, video and photography production, including live media coverage.
Category B	Food and beverage stalls, trucks, cooking exhibitions
Category C	Exhibitions, such as art exhibitions
Category D	Outdoor/open-air recreation and sporting activities, such as: <ul style="list-style-type: none"> ▪ Mini golf; ▪ Racquet sports (e.g., pickle ball and padel tennis); ▪ Bowling; ▪ Temporary swimming pool (no excavation proposed – above ground temporary structures only);

	<ul style="list-style-type: none"> ▪ Electric go-kart; ▪ Outdoor gymnasium; ▪ Squash; ▪ Ice skating; ▪ Mini soccer; ▪ Basketball / mini basketball; ▪ Netball; ▪ Obstacle courses; ▪ or any other use of a like character.
Temporary events	
Category E	Community markets
Category F	Community events, including any ceremony, cultural celebration, fete, fair

- (b) Any amplified music that is played on the site must be background and ancillary to support the activities specified in ~~Condition 2(a)~~ **Condition 3(a)** and must comply with the relevant noise conditions specified under this consent. No concerts, music events and/or dance parties are permitted or approved.
- (c) All temporary events listed in Categories E and F must not operate for more than 52 days (whether or not consecutive days) in any period of 12 months in each of Area 1 and Area 2.
- (d) No permanent physical works are approved under this consent. The applicant or operator must ensure all necessary approvals or exemptions are obtained from the relevant authorities prior to carrying out the development approved under this consent.

Reason

To ensure the type of events is restricted to those listed above.

(13) PLAN OF MANAGEMENT AND TEMPORARY STRUCTURES GUIDELINES

The use must always be operated / managed in accordance with the Plan of Management, prepared by Que Consulting dated 21 August 2024 (Council Reference: 2024/485329) and the Temporary Structure Guidelines dated 21 August 2024 (Council Reference: 2024/485333) that have been approved by Council. In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management.

Entertainment Quarter management is to ensure that all third-party operators are made aware of the requirements of the Plan of Management and Temporary Structure Guidelines and the conditions of this consent.

Should the operator seek to amend the approved plan of management, a Section 4.55 modification application must be submitted to and approved by Council's Area Planning Manager.

Reason

To ensure all parties are aware of the approved supporting documentation that applies to the development.

Reasons for Decision

The application was approved for the following reasons:

- (A) The proposed development is for film production, food and beverage stalls, recreation facilities, exhibitions, and temporary activities such as markets and community events, which are permitted with consent under the State Environmental Planning Policy (Precincts Eastern Harbour City) 2021.
- (B) The proposal is consistent with the objectives of the State Environmental Planning Policy (Precincts Eastern Harbour City) 2021 by improving and enhancing the cultural and recreational facilities.
- (C) The proposal allows for the orderly and economic development of the land by facilitating the ongoing use of the site for recreation facilities, events and temporary events within an entertainment precinct.
- (D) The proposal complies with the Noise Management Strategy Part 2: Family Entertainment Precinct (March 1997).
- (E) The proposed development does not include concerts or music events. Any ancillary background music associated with the operation of activities on the subject site is restricted between 10.00am and 10:00pm.
- (F) The development, subject to conditions, will not unreasonably compromise the amenity of nearby properties.
- (G) Condition 3(b) was amended to correct a typographical error.
- (H) Condition 13 was amended to ensure third parties are aware of the noise restrictions.

Carried unanimously.

D/2024/139