



NSW GOVERNMENT
Department of Planning

27 April 2009

Judy Shu-Hun Teng
Buddha's Light International Association Sydney
22 Cowper Street
PARRAMATTA NSW 2150

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Notice of Determination of a Development Application

Issued under section 81(1)(a) of the *Environmental Planning and Assessment Act 1979*

Reference No. S09/00667-1

Development Application Number DA 057-04-2009

Development Application

Name of Applicant Judy Shu-Hun Teng

Address of Applicant Buddha's Light International Association Sydney
22 Cowper Street
PARRAMATTA NSW 2150

Address of land to be developed Various locations within Darling Harbour

Proposed Development Erection of temporary structures for Buddha's Birthday from 9-10 May 2009 at Darling Harbour

Determination Date 27 April 2009

Determination Approval

Details of conditions See attached schedule

Note:

- (1) This notice should be read in conjunction with the approved plans endorsed as part of this determination.
- (2) This consent becomes effective from the endorsed determination date.
- (3) The consent will lapse 5 years after the date of the effective consent date, unless a specific condition of the consent stipulates a lesser period or the consent is subject to a "deferred commencement" consent, or the use has commenced or any building works have been physically commenced.
- (4) Section 125 of the Act confers the authority to direct any person to comply with the terms and conditions of any consent and any person failing to comply with such a direction shall be guilty of an offence under the Act.
- (5) The applicant or any other person entitled to act on this consent may apply to modify the consent in accordance with Section 96 of the Act.
- (6) Additional advisory notes regarding this consent maybe attached to the Notice of Determination.

Other approvals

Nil

Right of appeal

If you are dissatisfied with this decision section 97 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice

Further information

If you have any queries regarding this matter, please contact Ellie Caldwell on (02) 9228 6410, or email Ellie.Caldwell@planning.nsw.gov.au

Signed

Under delegated authority from the Minister for Planning, and pursuant to section 81(1)(a) of the *Environmental Planning and Assessment Act 1979*, I hereby grant consent subject to the conditions in the attached schedule.



Shayne Watson
Planning Assessment Manager
Delegate for Minister for Planning

Sydney 27 April. /2009

SCHEDULE

ADDRESS: Various locations within Darling Harbour

DA NUMBER: DA 057-04-2009

FILE NUMBER: S09/00667-1

DESCRIPTION OF DEVELOPMENT: Erection of temporary structures for Buddha's Birthday from 9-10 May 2009 at Darling Harbour

A APPROVED DEVELOPMENT

- A1** The development shall be generally in accordance with development application number DA 057-04-2009 submitted by the applicant on 17 April 2009 and in accordance with the supporting documentation submitted with that application, including, but not limited to, the following:

Architectural (or Design) Drawings prepared BLIA Nan Tien Temple Wollongong.			
Drawing No.	Revision/ Issue	Name of Plan	Date
A1	A	Site Plan 1	14.01.09
Statement of Environmental Effects prepared by Andy Chin, undated.			
Production Schedule prepared by Andy Chin, undated.			
Structural Certification and Specifications for Marquees and Stages by Interlock and Dancetime			
Security Schedule prepared by Andy Chin dated 23 March 2009			

Except as amended by the following conditions:

A2 Bump in / Bump out

Bump-in times are restricted to

- 8.00 am – 5.00 pm on Wednesday 6 May 2009
- 8.00 am – 9.00 pm on Thursday 7 May 2009
- 8.00 am – 9.00 pm on Friday 8 May 2009

Bump-out times are restricted to

- Post event – 9.00 pm on Sunday 10 May 2009
- 8.00 am – 5.00 pm on Monday 11 May 2009

A3 Event Times

The event is permitted to take place on the following days

- Saturday 10 May 2009 from 9.00 am to 7.00 pm
- Sunday 11 May 2009 from 9.00 am to 4.00 pm

A4 Public Domain Bump in / Bump out Prohibition

Notwithstanding Conditions A2 and A3 above, the movements of vehicles in and around the public domain area during the bump in and bump out period between the hours of 12.00 pm and 2.00 pm is prohibited by reason of public safety.

A5 Approved Structures Compliance

All proposed structures are to be structurally sound and erected in accordance with manufacturer's specifications and/or advice from a suitably qualified engineer, to meet relevant requirements of the Building Code of Australia, Codes of Practice, and applicable Australian Standards.

A6 Changes to Approved Plans

No new changes or fixtures other than those shown on the stamped plans are to be installed without prior approval from the Planning Assessment Manager of the Department of Planning's Urban Assessment's Branch.

B CONDITIONS TO BE MET PRIOR TO THE COMMENCEMENT OF THE EVENT

B1 Temporary Food Licence

A temporary food licence shall be obtained from the City of Sydney Council prior to the event if food is made available to the public in association with the event.

C CONDITIONS TO BE MET DURING THE OPERATION OF THE CONSENT

C1 Emergency Access Zone

The applicant shall be responsible for maintaining a 4m corridor to facilitate access through the event area for emergency services at all times during the event period, including bump-in and bump-out periods.

C2 Security

The applicant is to ensure that suitably qualified security personnel will be maintained on site during the entire event to ensure the free flow of pedestrians throughout the public domain area, including but not limited to bump-in and bump-out periods to oversee the structure set up and dismantling process.

C3 Public Access

All electrical cabling is to be covered by cable trays or removed from general public access.

C4 Emergency and public access within the proposed area shall be maintained at all times.

C5 Noise and Waste Management

The applicant shall be responsible for the control of noise and litter generated by patrons and shall ensure that patrons leave the vicinity of the premises in an orderly manner.

C6 The use of the event areas including music and other activities must not give rise to the emission of an "offensive noise" as defined under the *Protection of the Environment Operation Act 1997* to adjoining properties.

C7 Waste Removal

The area is to be kept clean and tidy at all times and rubbish is to be removed from the immediate area during the temporary use of the public domain.

C8 Temporary Structures

All temporary structures, equipment, and furniture to the event are to be wholly located within the approved areas shown on the stamped plans.

- C9** The applicant shall ensure that all the temporary structures are positioned on a level, stable surface and sufficiently weighted to ensure stability at all times. No pegs and stakes are permitted for the use of stability of the temporary structure.

- C10** The temporary structures are to be erected and supported in a secure manner for safety purposes. Should adverse weather conditions (strong winds and the like) arise during the event the applicant must mitigate potential safety concerns by removing the temporary structures from the public domain or by increasing the amount of weights holding the temporary structures.

C11 Work Cover Requirements

The applicant shall ensure that all works associated with the erection, operation, and dismantling of the structure is done in accordance with safe work practices, meeting relevant Australian Standards and WorkCover requirements.

C12 Profloor Requirements

All marquees, fete stalls, stages or similar structures located on Tumbalong Park are to have profloor under and at least 1 m around them.

C13 Existing Public Domain Furniture

The applicant shall ensure the satisfactory protection of the public domain structures and existing furniture and shall be responsible for any consequential repairs required, as a result of the setup/set down and temporary use of the public domain.

C14 Temporary Signage

All temporary signage associated with the event shall not be installed more than 24 hours prior to the event and shall be removed within 24 hours after the event has taken place.

C15 Unauthorised Signage

No unauthorised portable signs, third party advertising, A-frame signs or flyers shall be placed on the footways or other areas.

The reasons for the imposition of the above conditions are:

- To confirm the details of the application and plans submitted by the applicant, and to ensure that the structure is not altered without approval.
- To comply with the provisions of the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.
- To ensure compliance with relevant planning controls.
- To protect the amenity of the local environment, residents and adjoining landowners.
- To ensure the development complies with the requirements of Sydney Harbour Foreshore Authority policy for Outdoor Events 2006.

