

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

The Independent Planning Commission (the Commission), as the declared consent authority under clause 8A of the *State Environmental Planning Policy (State and Regional Development) 2011* and section 4.5(a) of the *Environmental Planning and Assessment Act 1979*, approves the development application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development

[Name of Commissioner]

Member of the Commission

[Name of Commissioner]

Member of the Commission

[Name of Commissioner]

Member of the Commission

Sydney

2018

File: OBJ16/16117

SCHEDULE 1

Application Number:

SSD 8169

Applicant:

Billinudgel Property Pty Ltd

Consent Authority:

The Independent Planning Commission

Site:

126 Tweed Valley Way, Yelgun

Lot 1 DP 1145020; Lot 46, 402, 403, 404 & 410 DP 755687; Lot 2 & 12 DP 848618; Lot 101 DP 856767; Lot 30 DP 880376; Lot 100 & 101 DP 1178907; Lot 101, 102 & 107 DP 1001878; Lot 12 & 14 DP 875112; Lot 312 DP 1163830; Lot 21 DP 1169952; Lot 4 DP 821947; Lot 11 DP 1192842; Lot 34 DP 755721

Development:

Construction and operation of the North Byron Parklands Cultural Events Site, comprising the following:

- ongoing use of the cultural events site for cultural, educational and outdoor events with ancillary camping and car parking;
- ongoing use of existing site infrastructure;
- construction and operation of additional site infrastructure to support the cultural events site; and
- construction and operation of a conference centre with associated accommodation.

TABLE OF CONTENTS

DEFINITIONS	IV
PART A ADMINISTRATIVE CONDITIONS.....	1
Obligation to Minimise Harm to the Environment	1
Terms of Consent.....	1
Limits of Consent	1
Notification of Commencement	2
Evidence of Consultation	2
Staging, Combining and Updating Strategies, Plans or Programs	2
Protection of Public Infrastructure	3
Demolition	3
Structural Adequacy.....	3
Compliance	3
Contributions to Council	3
Planning Agreement.....	3
External Walls and Cladding	3
Utilities and Services	3
Works as Executed Plans	3
PART B GENERAL ENVIRONMENTAL REQUIREMENTS APPLICABLE TO THE ENTIRE DEVELOPMENT	4
Discharge Limits.....	4
Odour Management	4
Operation of Plant and Equipment	4
Lighting	4
Dangerous Goods	4
Bunding.....	4
Traffic and Access Requirements	4
Bushfire Management	4
Statutory Waste Requirements	5
Applicability of Guidelines	5
Advisory Notes	5
PART C CONDITIONS RELATING TO PERMANENT INFRASTRUCTURE	6
Infrastructure Staging.....	6
Construction Management	7
Traffic and Access.....	7
Construction Noise	8
Soils, Water Quality and Hydrology.....	8
Wastewater Management	8
Weed Management.....	10
Biodiversity.....	11
Air Quality	11
Bushfire Management	11
Aboriginal Heritage.....	11
Visual Amenity	12
Operation of the Conference Centre	12
PART D CONDITIONS RELATING TO THE CARRYING OUT OF EVENTS.....	13
Outdoor Event Parameters	13
Event restrictions.....	13
Medium Events	13
Any proposed Increase of large events	13
Key Performance Indicators	14
Performance Evaluation Report (PER)	15
Conditions To Be Complied With Prior To And During Outdoor Events	16
Community Consultation	16
Temporary Structures	17
Event Management	17
Traffic Management	18
Noise Management	19

Social Impacts	20
Biodiversity	21
Bushfire Management	21
Flood Management	21
Potable Water	22
Waste	22
Post-Event Conditions	23
Noise Impact Report	23
Evidence Of Attendee Numbers	23
Removal of Structures	23
PART E ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING	24
Environmental Management	24
Revision of Strategies, Plans and Programs	24
Reporting and Auditing	24
Access to Information	25
APPENDIX 1 DEVELOPMENT LAYOUT PLANS	26
APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES	29
APPENDIX 3 GENERAL TERMS OF APPLICANT'S PLANNING AGREEMENT OFFER	34
APPENDIX 4 EVENT STAGING PLAN FOR LARGE EVENTS	35
APPENDIX 5 NOISE LIMIT ZONES	36
APPENDIX 6 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS	37

DEFINITIONS

Applicant	Billinudgel Property Pty Ltd, or any person carrying out any development to which this consent applies
APZ	Asset Protection Zones
BCA	Building Code of Australia
Bump-in	The period in which temporary structures and/or temporary infrastructure is transported to the site and assembled, prior to the commencement of a large or medium event (see Condition D5)
Bump-out	The period in which temporary structures and/or temporary infrastructure is dismantled and transported from the site, following the conclusion of a large or medium event (see Condition D6)
Certifying Authority	A person who is authorised by or under the former section 109D of the EP&A Act to issue Part 4A certificates
CEMP	Construction Environmental Management Plan
Complimentary ticket	A person who has been provided with a ticket as hospitality or guests of an outdoor event (excludes staff)
Concept Plan	Concept Approval MP 09_0028, approved 24 April 2012 (as modified)
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks, site enhancement works, and the erection of buildings and other infrastructure permitted by this consent (excludes the assembling and dismantling of temporary structures and/or temporary infrastructure)
Council	Byron Shire Council
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site (excludes the assembling and dismantling of temporary structures and/or temporary infrastructure)
Department	NSW Department of Planning and Environment
Development	The development described in the EIS and Response to Submissions, comprising the ongoing use of the cultural events site for cultural, educational and outdoor events with ancillary camping and car parking; ongoing use of existing site infrastructure; construction and operation of additional site infrastructure to support the cultural events site; and construction and operation of a conference centre with associated accommodation; as modified by the conditions of this consent
Development layout	The plans at Appendix 1 of this consent
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
EIS	The Environmental Impact Statement titled <i>North Byron Parklands Cultural Events Site – Environmental Impact Statement</i> , prepared by PJEP Environmental Planning Pty Ltd in association with Planners North and dated December 2017, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
ENM	Excavated Natural Material
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environment Protection Licence under the POEO Act

Evening	The period from 6 pm to 10 pm
Event Day	An advertised date on the face of an outdoor event entry ticket (or other advertised event date in the case of small community events or minor community events)
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance Note: "material harm" is defined in this consent
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Large Event	Means any of the following: a) Large Summer Event b) Large Winter Event
Large Summer Event	Falls Festival, or its successor – an outdoor event with a capacity of between 25,000 and 35,000 patrons per event day
Large Winter Event	Splendour in the Grass, or its successor – an outdoor event with a capacity of between 35,000 and 50,000 patrons per event day
Material harm	Is harm that: a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Medium Event	An outdoor event with a maximum capacity of between 5,001 and 25,000 patrons per event day
Minister	NSW Minister for Planning (or delegate)
Minor Community Event	An outdoor event with a maximum capacity of 1,500 patrons per event day
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Monitoring	Any monitoring required under this consent must be undertaken in accordance with section 9.40 of the EP&A Act
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
NPWS	NSW National Parks and Wildlife Service
NSWPF	NSW Police Force
OEH	NSW Office of Environment and Heritage
OEMP	Operational Environmental Management Plan
Operation	The ongoing use of the site as a cultural events site for cultural, educational and outdoor events and use of the conference centre upon completion of its construction
Outdoor Events	Means any of the following: a) Large Event b) Medium Event c) Small Community Event d) Minor Community Event
Patrons	Anyone who holds a ticket to attend an outdoor event (excludes complimentary tickets)
PA	Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act.

PCA	Principal Certifying Authority in accordance with the EP&A Act
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements.
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled " <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> " (DECCW)
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting.
RFS	Rural Fire Service
RMS	NSW Roads and Maritime Services
RTS	The Response to Submissions report titled <i>North Byron Parklands Cultural Event Site – Response to Submissions</i> , prepared by PJEP Environmental Planning Pty Ltd in association with Planners North and dated July 2018, the Addendum report titled <i>North Byron Parklands Cultural Event Site – Response to Submissions Addendum</i> , prepared by PJEP Environmental Planning Pty Ltd in association with Planners North and dated September 2018, and any additional information provided by the Applicant in support of the application
RWG	Regulatory Working Group
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
Shoulder Day	Means any of the following: a) the day immediately prior to the commencement of an outdoor event b) the day immediately following the conclusion of an outdoor event
Site	The land defined in Appendix 1.
Site Enhancement Works	Infrastructure works outlined in Table 2 (excludes the assembling and dismantling of temporary structures and/or temporary infrastructure)
Small Community Event	An outdoor event with a capacity of between 1,501 and 5,000 patrons per event day
Staff	Persons engaged in paid or voluntary work at an outdoor event and in possession of an official pass
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Working Day	A specific day in which temporary structures and/or temporary infrastructure is assembled or dismantled
Year	A period of 12 consecutive months
Zone 1	As shown in Appendix 5 of this consent
Zone 2	As shown in Appendix 5 in this consent

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.

TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) in accordance with the Concept Plan;
 - (d) in accordance with the EIS and RTS;
 - (e) in accordance with the development layout plans in Appendix 1; and
 - (f) in accordance with the management and mitigation measures in Appendix 2.
- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in A3(a) above.
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in conditions A2(d), A2(e) or A2(f).
- In the event of an inconsistency, ambiguity or conflict between any of the documents listed in conditions A2(d), A2(e) and A2(f), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS OF CONSENT

Lapsing

- A5. This consent lapses five years after the date from which it operates unless the development has physically commenced on the land to which the consent applies before that date.

Commencement of Large Events

- A6. This consent limits the Applicant to commence large events at the following capacities:
- (a) large winter event at 35,000 patrons; and
 - (b) large summer event at 25,000 patrons,
- except in accordance with a staged approval by the Planning Secretary to progressively expand the large events in accordance with Condition D9, and subject to conditions D10 to D15.
- A7. Notwithstanding Condition A6, the Applicant may commence the large winter event at a capacity of 40,000 patrons, subject to meeting the following requirements:
- (a) the Applicant has previously held an event at the site with a capacity of 35,000 patrons;
 - (b) the Applicant has met the requirements in conditions D16 and D17; and
 - (c) the Planning Secretary has approved the Applicant's request to progress to the next stage as required by Condition D14.

Maximum Size and Frequency of Outdoor Events

- A8. Subject to the Planning Secretary's approval for the progressive increase of the large events in Condition D9, the Applicant must comply with the maximum sizes and frequencies of outdoor events outlined in Table 1.

Table 1 Size and frequency of outdoor events

Event Type	Number of Attendees		Number of Event Days
	Maximum Number of Patrons	Other Attendees	
<i>Large Winter Event</i>	Up to 50,000 patrons	- Up to 400 complimentary tickets - Up to 7,450 staff	Up to 5 event days per calendar year
<i>Large Summer Event</i>	Up to 35,000 patrons	- Up to 400 complimentary tickets - Up to 4,890 staff	Up to 5 event days per calendar year
<i>Medium Events</i>	Up to 25,000 patrons	- Up to 400 complimentary tickets - Up to 3,850 staff	Up to 3 event days per calendar year
<i>Small Community Events</i>	Up to 5,000 patrons	N/A	Up to 5 event days per calendar year
<i>Minor Community Events</i>	Up to 1,500 patrons	N/A	Up to 2 event days per calendar year

NOTIFICATION OF COMMENCEMENT

- A9. The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least one month before that date:
- construction; and
 - cessation of operations.
- A10. If the construction or operation of the development is to be staged, the Department must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

EVIDENCE OF CONSULTATION

- A11. Where conditions of this consent require consultation with an identified party, the Applicant must:
- consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - provide details of the consultation undertaken including:
 - the outcome of that consultation, matters resolved and unresolved; and
 - details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

- A12. With the approval of the Planning Secretary, the Applicant may:
- prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
 - update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A13. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A14. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

PROTECTION OF PUBLIC INFRASTRUCTURE

- A15. Before the commencement of construction, the Applicant must consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure.
- A16. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

DEMOLITION

- A17. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

STRUCTURAL ADEQUACY

- A18. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

Note:

- Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.

COMPLIANCE

- A19. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

CONTRIBUTIONS TO COUNCIL

- A20. Before the issue of a construction certificate for any part of the development, a payment of a levy of 1% of the proposed cost of carrying out the development must be paid to Council under section 7.12 of the EP&A Act.

PLANNING AGREEMENT

- A21. Within twelve months of the date of this consent, or other timeframe agreed by the Planning Secretary, the Applicant must enter into a PA with Council in accordance with:
- (a) Division 7.1 of Part 7 of the EP&A Act; and
 - (b) the terms of the offer in Appendix 3.

EXTERNAL WALLS AND CLADDING

- A22. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.
- A23. Before the issue of a Construction Certificate and an Occupation Certificate, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.
- A24. The Applicant must provide a copy of the documentation given to the Certifying Authority (excluding temporary structures) to the Planning Secretary within seven days after the Certifying Authority accepts it.

UTILITIES AND SERVICES

- A25. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

WORKS AS EXECUTED PLANS

- A26. Before the issue of the final Occupation Certificate, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the PCA.

PART B GENERAL ENVIRONMENTAL REQUIREMENTS APPLICABLE TO THE ENTIRE DEVELOPMENT

DISCHARGE LIMITS

- B1. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

ODOUR MANAGEMENT

- B2. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

OPERATION OF PLANT AND EQUIPMENT

- B3. All plant and equipment used on site, or to monitor the performance of the development must be:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

LIGHTING

- B4. The Applicant must ensure all lighting associated with the development:
- (a) complies with the latest version of AS 4282-1997 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); and
 - (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

DANGEROUS GOODS

- B5. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of *Planning's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.

BUNDING

- B6. The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).

TRAFFIC AND ACCESS REQUIREMENTS

- B7. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.
- B8. The Applicant must ensure:
- (a) with the exception of dedicated outdoor event parking areas, internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of AS 2890.1:2004 *Parking facilities Off-street car parking* (Standards Australia, 2004) and AS 2890.2:2002 *Parking facilities Off-street commercial vehicle facilities* (Standards Australia, 2002);
 - (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;
 - (c) all loading and unloading of materials is carried out on-site; and
 - (d) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network.

BUSHFIRE MANAGEMENT

Fire Water Supply

- B9. The Applicant must establish and maintain fire-fighting water supply and associated infrastructure on the site, in accordance with the requirements of RFS, including:
- (a) a minimum 10,000 litre dedicated fire-fighting water supply for each event stage and camping area; and
 - (b) locating water supplies within APZ which are accessible for fire fighting vehicles.

Fire Management Plan

- B10. The Applicant must prepare a Fire Management Plan for the site. The plan must:
- (a) be submitted to and endorsed by RFS prior to the commencement of each calendar year;
 - (b) provide maps of:

- i. all lands used for events including external and internal access roads, emergency vehicle access roads and emergency assembly areas;
- ii. vegetation maps for the site and land within 140 metres of the site, including peat, that is subject to management actions by the Applicant;
- iii. contour maps and bushfire prone land maps;
- iv. event plan showing camping areas, stages, bars, food/drink areas and other infrastructure; and
- v. car parking plans and directions of travel;
- (c) include a water supply plan identifying all fire-fighting water supplies;
- (d) detail APZs and include a defensible space plan;
- (e) detail the inspection and management measures for fuel reduction, in accordance with the requirements of the RFS and *Planning for Bushfire Protection 2006*;
- (f) include a detailed event camping plan including accessways and fire-fighting water supply;
- (g) outline bonfire management procedures and controls;
- (h) include an on-site fire-fighting resources plan including warden locations and essential services;
- (i) include a hazardous materials plan showing storage locations;
- (j) an emergency services location plan and communication procedures for wardens, site management and emergency services; and
- (k) include a copy of the Bushfire Emergency Evacuation Plan required by Condition B12, including details of additional resourcing required at emergency assembly areas.

B11. The Applicant must:

- (a) not carry out a medium or large event until the Fire Management Plan required by Condition B10 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Fire Management Plan endorsed by RFS, for all events held at the site.

Bushfire Emergency Evacuation Plan

B12. The Applicant must implement the Bushfire Emergency Evacuation Plan included in the EIS. The plan must:

- (a) be updated each calendar year;
- (b) be reviewed by RFS and the RWG and be submitted to and endorsed by the Local Emergency Management Committee, prior to each calendar year; and
- (c) detail evacuation triggers, assembly points, evacuation routes and procedures for coordinating with emergency services.

STATUTORY WASTE REQUIREMENTS

- B13. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.
- B14. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.
- B15. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.
- B16. The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.

APPLICABILITY OF GUIDELINES

- B17. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.
- B18. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

ADVISORY NOTES

- AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

PART C CONDITIONS RELATING TO PERMANENT INFRASTRUCTURE

INFRASTRUCTURE STAGING

- C1. The Applicant must construct the site enhancement works associated with the development in accordance with the timing outlined in Table 2.

Table 2 *Staging of site enhancement works*

Site Enhancement Works	Construction Timing
<i>Conference centre and associated accommodation</i>	As required.
<i>Administration building</i>	As required.
<i>Regrading/terracing of the main amphitheatre</i>	As required.
<i>Drainage improvement works</i>	As required.
<i>Potable water supply infrastructure</i>	As required.
<i>Sewerage infrastructure and additional amenities</i>	In accordance with Condition C16.
<i>Electrical and communications infrastructure</i>	As required.
<i>Permanent security fencing</i>	As required.
<i>South-east car park</i>	Prior to carrying out a large event with a capacity of 50,000 patrons.
<i>Roundabouts</i>	Prior to carrying out a large event with a capacity of 45,000 patrons or more.
<i>Expansion of the transport hub</i>	Prior to carrying out a large event with a capacity of 50,000 patrons.
<i>Gate A works to improve public transport accessibility</i>	Prior to carrying out a large event with a capacity of 40,000 patrons or more.
<i>Spine road upgrades (widening and sealing)</i>	As required.
<i>Event laneway upgrades (rebuilding and sealing)</i>	As required.
<i>Construction of additional on-site bus stops</i>	As required.
<i>Upgrade of the northern access road to the Wooyung Road/Gate E intersection</i>	Prior to carrying out a large event with a capacity of 40,000 patrons or more.
<i>Upgrade of the Wooyung Road/Gate E intersection</i>	In accordance with Condition C7.

CONSTRUCTION MANAGEMENT

Construction Environmental Management Plan

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) to manage the construction impacts associated with the site enhancement works. The CEMP must be prepared in accordance with the requirements of Condition E1 and to the satisfaction of the Planning Secretary.
- C3. As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following:
- (a) details of the measures that would be employed to minimise conflict between site enhancement works and concurrent outdoor events held at the site;
 - (b) Construction Traffic Management Plan (see Condition C5);
 - (c) Erosion and Sediment Control Plan;
 - (d) noxious weed management (see Condition C25);
 - (e) construction waste management; and
 - (f) Community Consultation and Complaints Handling.
- C4. The Applicant must:
- (a) not commence construction of any site enhancement works until the CEMP is approved by the Planning Secretary; and
 - (b) carry out the construction of all site enhancement works in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

TRAFFIC AND ACCESS

Construction Traffic Management Plan

- C5. Prior to the commencement of construction of any site enhancement works, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by Condition C2 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with Council and Tweed Shire Council;
 - (c) detail the measures to be implemented to ensure road safety and network efficiency is maintained during construction;
 - (d) detail heavy vehicle routes, access and parking arrangements;
 - (e) detail timing of construction works, including restricting works during events and bump-in and bump-out periods;
 - (f) include a Driver Code of Conduct to:
 - i. minimise the impacts of earthworks and construction on the local and regional road network;
 - ii. minimise conflicts with other road users;
 - iii. minimise road traffic noise; and
 - iv. ensure truck drivers use specified routes;
 - (g) include a program to monitor the effectiveness of these measures and implement contingency measures where required; and
 - (h) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.
- C6. The Applicant must:
- (a) not commence construction until the Construction Traffic Management Plan required by Condition C5 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Construction Traffic Management Plan submitted to the Planning Secretary for the duration of construction.

Wooyung Road/Gate E Intersection

- C7. Prior to carrying out a large event with a capacity of 40,000 patrons or more, the Applicant must complete the construction of the Wooyung Road/Gate E intersection upgrade in accordance with the civil plans in Appendix 1, to the satisfaction of Tweed Shire Council. The Applicant must obtain approval for the works under section 138 of the *Roads Act 1993*.

CONSTRUCTION NOISE

Hours of Work

- C8. The Applicant must comply with the hours detailed in Table 3 for construction, unless otherwise agreed in writing by the Planning Secretary.

Table 3 Hours of Work

Activity	Day	Time
Construction	Monday – Friday	7:00 AM – 6:00 PM
	Saturday	8:00 AM – 1:00 PM

- C9. Works outside of the hours identified in Condition C8 may be undertaken in the following circumstances:
- (a) works that are inaudible at the nearest sensitive receivers;
 - (b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
 - (c) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

Construction Noise Limits

- C10. The development must achieve the construction noise management levels detailed in the *Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the Appendix 2.

SOILS, WATER QUALITY AND HYDROLOGY

Imported Soil

- C11. The Applicant must:
- (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;
 - (b) keep accurate records of the volume and type of fill to be used; and
 - (c) make these records available to the Department upon request.

Erosion and Sediment Control

- C12. Prior to the commencement of any construction the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by Condition C2.

WASTEWATER MANAGEMENT

Wastewater Treatment System

- C13. The Applicant must construct and operate the wastewater treatment system described in the RTS prior to an outdoor event of 40,000 patrons or more, or transport wastewater generated by the development to an appropriately licensed wastewater treatment facility.

Odour Control

- C14. The Applicant must implement adequate odour and vector controls on the wastewater storage tanks to ensure the on-site storage of wastewater does not cause or permit the emission of any offensive odour, as required by Condition B2. The Applicant must provide evidence to the Planning Secretary, to demonstrate the odour controls have been installed, prior to the commencement of operation of the wastewater treatment system.

Design & Implementation

- C15. The Applicant must design the wastewater treatment system for the development, to achieve the following water quality objectives for irrigation of treated wastewater:
- (a) biological oxygen demand < 20 milligrams per litre (mg/L);
 - (b) total suspended solids < 30 mg/L;
 - (c) total nitrogen (TN) < 50 mg/L;
 - (d) total phosphorus (TP) < 20 mg/L; and

- (e) *E. coli* (or thermotolerant coliforms) < 30 colony forming units / 100 millilitres (cfu/100mL).

Wastewater Management Plan

- C16. Prior to the commencement of operation of the wastewater treatment system described in the RTS, the Applicant must prepare a Wastewater Management Plan for the development to the satisfaction of the Planning Secretary. The plan must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with Council;
 - (c) be prepared in accordance with the *Interim NSW Guidelines for Management of Private Recycled Water Schemes* (DWE, 2008) and the *Australian Guidelines for Water Recycling* (NRMMC et al, 2006);
 - (d) describe baseline soil, surface water and groundwater conditions at the site;
 - (e) describe the wastewater treatment system including staging arrangements;
 - (f) describe the irrigation system, including the location of irrigation areas established in accordance with Condition C18;
 - (g) detail the design criteria for the wastewater treatment system as described in Condition C15;
 - (h) include measurable performance standards, including, but not limited to, trigger limits with reference to baseline monitoring, the design criteria described in Condition C15 and relevant guidelines;
 - (i) detail the monitoring program to validate the quality of the final treated wastewater as suitable for irrigation including:
 - i. the location and frequency of monitoring of treated wastewater, including but not limited to, reed bed monitoring on at least a monthly basis;
 - ii. the parameters for testing;
 - iii. trigger levels for action;
 - (j) include a protocol for investigation of any exceedances of the trigger levels and implementation of alternative measures, such as the off-site disposal of wastewater to a licensed facility; and
 - (k) include procedures for regular harvesting and maintenance of the reed bed plants to maintain optimal reliability.
- C17. The Applicant must:
- (a) not operate the on-site wastewater treatment system until the WMP required by Condition C16 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the WMP approved by the Planning Secretary for the duration of the development.

Irrigation Area

- C18. Prior to the commencement of construction of the wastewater treatment system described in the RTS, the Applicant must determine the size and location of the irrigation areas, to the satisfaction of the Planning Secretary. The Applicant must conduct detailed modelling to establish the size of the irrigation areas which must be:
- (a) based on areas where depth to groundwater is typically 1 metre or greater below ground level;
 - (b) be of sufficient size to demonstrate sustainable irrigation; and
 - (c) able to accommodate water and nutrient loads of TN 50 mg/L and TP 20 mg/L.

Irrigation Management Plan

- C19. Prior to the commencement of operation of the wastewater treatment system described in the RTS, the Applicant must prepare an Irrigation Management Plan (IMP) for the development to the satisfaction of the Planning Secretary. The plan must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with Council;
 - (c) be prepared in accordance with the *Environmental Guidelines - Use of Effluent by Irrigation* (EPA);
 - (d) describe the methods of irrigation (spray or drip) selected to protect human health and minimise odour;
 - (e) include design controls to prevent irrigation during high winds or following rainfall;
 - (f) detail soil moisture monitoring within the irrigation areas, including real-time monitoring prior to the commencement of irrigation;
 - (g) detail irrigation scheduling, including procedures to ensure irrigation is not undertaken:
 - i. within 48 hours prior to an outdoor event, or longer if soil moisture monitoring indicates the soil will be saturated at the time of the event if irrigated;
 - ii. within 48 hours prior to forecasted significant rainfall of 10 millimetres or more;
 - iii. where soil moisture monitoring determines that the soil is saturated; or

- iv. where the site is flooded;
- (h) include contingency measures to be implemented if the irrigation areas are saturated or on-site storages are near capacity, such as off-site disposal of wastewater to a licensed facility.

C20. The Applicant must:

- (a) not commence irrigation of treated wastewater on-site until the IMP required by Condition C19 is approved by the Planning Secretary; and
- (b) implement the most recent version of the IMP approved by the Planning Secretary for the duration of the development.

Groundwater and Surface Water Monitoring Program

C21. Prior to the commencement of construction of the wastewater treatment system described in the RTS, the Applicant must prepare a Groundwater and Surface Water Monitoring Program for the development to the satisfaction of the Planning Secretary. The program must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) establish baseline groundwater quality in the shallow aquifers beneath the site;
- (c) include a hydrogeological conceptual model with contours to determine groundwater flow direction;
- (d) include regular groundwater level and chemistry monitoring with level results reported in metres below ground level (mAHD) and depth below ground level, and chemistry assessed by a NATA accredited laboratory;
- (e) establish baseline surface water quality of drainage channels on and near the site;
- (f) establish trigger levels for investigating potential adverse surface water impacts; and
- (g) validate that there are no impacts to groundwater and surface water, with reference to baseline conditions and relevant guideline values.

Compost Management Plan

C22. Within three months of the date of this consent, the Applicant must prepare a Compost Management Plan (CMP) for the development to the satisfaction of the Planning Secretary. The plan must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) describe the measures to manage biosolids on the site;
- (c) include procedures to ensure compost burial does not occur in areas located within the 1:20 year and 1:100 year flood extents, or in low-lying areas with shallow groundwater; and
- (d) include procedures to ensure irrigation of treated wastewater does not occur in or near compost burial areas.

C23. The Applicant must implement the most recent version of the CMP approved by the Planning Secretary for the duration of the development.

Wastewater Audit

C24. Within 12 months of operation of the wastewater treatment system described in the RTS, the Proponent must carry out an Independent Audit of the wastewater treatment and irrigation system. The audit must:

- (a) be conducted by a suitably qualified, experienced and independent person(s) whose appointment has been endorsed by the Planning Secretary;
- (b) be submitted to the Planning Secretary within six weeks of completion of the audit;
- (c) include consultation with Council and other relevant agencies;
- (d) assess the performance of the wastewater treatment and irrigation systems against relevant criteria to determine whether it is complying with the requirements of this consent; and
- (e) detail any corrective actions or continuous improvement measures to be implemented.

WEED MANAGEMENT

Pests, Vermin and Noxious Weed Management

C25. The Applicant must:

- (a) implement suitable measures to manage pests, vermin and declared noxious weeds on the site; and
- (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in the surrounding area.

Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993.

BIODIVERSITY

Protection of Riparian Corridors

- C26. Before the issue of any Construction Certificate for the conference centre car park and the two amenities buildings to the north of the existing bus pickup/drop off area, the Applicant must submit revised plans to the satisfaction of the Planning Secretary. The revised plans must ensure the conference centre car park and the two amenities buildings are located a minimum of 10 metres away from the nearest watercourse, in accordance with the relevant requirements of the *Guidelines for Controlled Activities on Waterfront Land* (NRAR 2018).

Pre-Clearing Surveys

- C27. Prior to the commencement of construction, the Applicant must clearly delineate areas to be cleared for the access track widening, wastewater infrastructure and south-eastern carpark. The Applicant must carry out pre-clearing surveys to identify any native fauna and implement procedures for the safe relocation of native fauna, prior to clearing.

AIR QUALITY

Dust Minimisation

- C28. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- C29. During construction, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering;
 - (b) all trucks entering or leaving the site with loads have their loads covered;
 - (c) trucks associated with the development do not track dirt onto the public road network;
 - (d) public roads used by these trucks are kept clean; and
 - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

BUSHFIRE MANAGEMENT

Construction of Permanent Structures

- C30. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with *Australian Standard AS 3959-2009 Construction of buildings in bushfire-prone areas* (Standards Australia, 2009).

Construction of New Access Roads

- C31. All new access roads that are part of the development must be constructed in accordance with section 4.2.7 of *Planning for Bushfire Protection 2006*.

Vegetation Management Plan – Asset Protection Zones (APZs)

- C32. The Applicant must prepare a Vegetation Management Plan (VMP) for all lands within 60 metres of the conference centre, accommodation cabins and ancillary buildings. The plan must:
- (a) be submitted to the RFS for approval, prior to the commencement of operation of the conference centre;
 - (b) detail the management measures to maintain these lands as APZs, in accordance with the requirements of the RFS and *Planning for Bushfire Protection 2006*; and
 - (c) identify ecologically significant vegetation to be excluded from the APZs.

Following approval of the VMP, a copy of the approved VMP must be submitted to the Planning Secretary.

- C33. The Applicant must implement the most recent version of the VMP approved by the RFS for the duration of the operation of the conference centre.

Gas Services

- C34. All gas services installed on the site must comply with the requirements of RFS.

ABORIGINAL HERITAGE

Unexpected Finds Protocol

- C35. If any item or object of Aboriginal heritage significance is identified on site during construction of the site enhancement works:
- (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;
 - (b) a 10 metre wide buffer area around the suspected item or object must be cordoned off; and
 - (c) the OEH must be contacted immediately.
- C36. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.

VISUAL AMENITY

Conference Centre Signage

C37. All signage associated with the conference centre is to be subject to further approval.

Note: *This condition does not apply to temporary construction and safety related signage.*

Permanent Security Fencing

C38. All permanent security fencing must be erected in accordance with the civil design plans included in Appendix 1 and be designed and built to allow fauna movement through the fence.

Note: *This condition does not apply to temporary construction and safety related fencing.*

OPERATION OF THE CONFERENCE CENTRE

Operation during Outdoor Events

C39. The Applicant must ensure no conferences or functions are held at the site at the same time as a large or medium event.

Note: *Conference centre accommodation may be used by outdoor event staff during outdoor events.*

Waste

C40. The collection of waste generated during operation of the conference centre must be undertaken between 7 am to 10 pm Monday to Friday.

PART D CONDITIONS RELATING TO THE CARRYING OUT OF EVENTS

OUTDOOR EVENT PARAMETERS

EVENT RESTRICTIONS

- D1. The Applicant must ensure:
- (a) the total number of outdoor event days per calendar year does not exceed 20 event days;
 - (b) no more than one outdoor event is held at a time;
 - (c) each large event held at the site does not exceed five consecutive event days; and
 - (d) no large events or medium events are held at the site between:
 - i. 24 December and 29 December; and
 - ii. Good Friday and Easter Monday, and one day either side of this period.

Campers

- D2. The maximum number of campers permitted on the site during outdoor events is:
- (a) 30,000 campers during the large summer event;
 - (b) 25,000 campers during the large winter event and medium events;
 - (c) 5,000 campers during a small community event; and
 - (d) 1,500 campers during a minor community event.
- D3. Campers may arrive at the site on the shoulder day immediately prior to the commencement of an outdoor event and must leave the site no later than the shoulder day immediately following the conclusion of an outdoor event.
- D4. The Applicant must ensure campers are only present at the site during event days or shoulder days, or as otherwise agreed to by the Planning Secretary.

Bump-in Period

- D5. The Applicant must ensure the bump-in period for each large and medium event held at the site:
- (a) does not exceed 21 working days; and
 - (b) commences no more than 28 days prior to the commencement of the outdoor event.

Bump-out Period

- D6. The Applicant must ensure the bump-out period for each large and medium event held at the site:
- (a) does not exceed 14 working days; and
 - (b) concludes no later than 21 days following the conclusion of the outdoor event.

Notification of Events

- D7. At least 14 days prior to the bump-in period of an outdoor event, the Applicant must provide Council with the time and dates of the events (and proposed sound tests and rehearsals) and the name and contact details of the event organiser and/or general liaison person who may be contacted for the duration of the event being held.

MEDIUM EVENTS

- D8. At least two months prior to commencement of a medium event, the Applicant must notify Council, RMS, NSWPF and the Planning Secretary in writing about the timing and duration of the medium event. The Applicant must also provide the name and contact details of the event organiser and/or general liaison person who may be contacted for the duration of the medium event.

ANY PROPOSED INCREASE OF LARGE EVENTS

- D9. Any proposed increase of the large events must occur in sequential order as set out in Table 4 and as shown in Appendix 4, with an increase at each stage subject to the approval of the Planning Secretary.

Table 4 *Progressive Staging for Large Events*

Event	Maximum Number of Patrons			
	Stage 1	Stage 2	Stage 3	Stage 4
Large Winter Event	35,000 patrons	40,000 patrons	45,000 patrons	50,000 patrons
Large Summer Event	25,000 patrons	30,000 patrons	35,000 patrons	N/A

Large Event Progression Requirements

- D10. Until the maximum capacity under this consent is reached for the large summer event and large winter event, the Applicant is required to prepare a Performance Evaluation Report (PER) under Condition D17.
- D11. The Applicant must prepare a PER within two months of the conclusion of each bump-out period of a large summer event and large winter event for each stage until the maximum capacity is reached. The PER must be prepared in accordance with Condition D17 and be submitted to the Planning Secretary, which addresses the Key Performance Indicators (KPI) in Table 5 in Condition D16.
- D12. At the time of submitting a PER under Condition D17, the Applicant may make a formal written request to the Planning Secretary to progress to the next stage of the large winter event and large summer event in accordance with Condition D9.
- D13. In considering any PER and request to progress to the next stage, the Planning Secretary will:
- consult with RMS, Council and NSWPF; and
 - consider the findings of the PER and any other matter the Planning Secretary considers relevant.
- D14. Progression to the next stage of the large winter event or large summer event as outlined in Table 4 can only occur if the written request made under Condition D12 is approved by the Planning Secretary.
- D15. The Planning Secretary may request additional management and/or mitigation measures be applied to any future outdoor events in accordance with Condition A3, and following:
- consideration of any PER submitted to the Planning Secretary; or
 - any approval to progress to the next stage of the large winter event or large summer event.

KEY PERFORMANCE INDICATORS

- D16. The Applicant must address the KPIs in Table 5 in a PER required under Condition D17.

Table 5 Key performance indicators for a large event

Issue	Key Performance Indicators
Traffic Management	- A minimum level of service (LoS) C is to be maintained at the Yelgun interchange including merges and diverges. - The level of service for local traffic and through traffic on the Tweed Valley Way should not fall below a LoS D, with a maximum of LoS E for no more than 4 hours a day. - Queue lengths on the link road between Tweed Valley Way and the Yelgun interchange must be limited to a maximum of 60 metres. - Queue lengths on the interchange ramps must not be within 210 metres of the start of the ramp. - On-site queuing is not to extend onto the Pacific Highway or the Tweed Valley Way at any time.
Noise Management	- Overall compliance with the noise limits in Table 7 for the duration of a large event. - Effectiveness of noise mitigation, management and response measures, including monitoring results contained within the Noise Impact Report required under Condition D48.
Wastewater Management	- Effectiveness of the wastewater management system, including results on the quality of treated effluent in meeting the following performance criteria: - BOD <20 mg/L - SS <30 mg/L - TN <50 mg/L - P <20 mg/L E. Coli (or thermotolerant coliforms) < 30 cfu/100 mL. - Compliance with surface water and groundwater trigger values established in Condition C21.

PERFORMANCE EVALUATION REPORT (PER)

D17. Each PER required to be prepared by the Applicant must outline the performance and compliance of the development for the approval of the Planning Secretary. The PER must:

- (a) include a comprehensive review of the monitoring results of the development to date, which includes a comparison of these results against the:
 - i. KPIs listed in Table 5 required under Condition D16;
 - ii. requirements of any plan or program required under this consent;
 - iii. relevant predictions in the EIS and RTS;
- (b) identify any trends in the monitoring data over the life of the development to date;
- (c) describe the measures and infrastructure works, including wastewater and traffic management, that will be implemented for the following year to enable the proposed increase to the next stage set out in Table 4;
- (d) provide wastewater monitoring results to demonstrate the wastewater system is effective at each stage; and
- (e) report on the effectiveness of crowd management measures in maintaining patron safety and detail any additional measures to improve crowd management and public safety, if required.

CONDITIONS TO BE COMPLIED WITH PRIOR TO AND DURING OUTDOOR EVENTS

COMMUNITY CONSULTATION

Regulatory Working Group

D18. At least six months prior to the commencement of the first large outdoor event or as otherwise agreed to by the Planning Secretary, the Applicant must establish a Regulatory Working Group (RWG) to oversee the environmental performance of the development. The RWG must:

- (a) comprise at least one representative of the Applicant, OEH, NPWS, RMS, NSWPF, State Emergency Services, RFS and Council, where these parties agree to be part of the RWG, or as otherwise agreed to by the Planning Secretary;
- (b) comprise at least two representatives of the local community nominated by the Council. Community representatives are appointed on a rotational basis with a representative not exceeding two years;
- (c) be chaired by a chairperson, whose appointment has been approved by the Planning Secretary;
- (d) meet periodically throughout the year, as directed by the chair and with at least one of these meetings to review the Applicant's performance with respect to environmental management and community relations for outdoor events;
- (e) where appropriate, make recommendations to the Planning Secretary on measures or strategies to improve performance for outdoor event events;
- (f) undertake periodic inspections of the site; and
- (g) review community concerns or complaints with respect to environmental management and community relations.

Note: The RWG is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this development consent.

Regulatory Working Group Management

D19. The Applicant must, at its own expense:

- (a) ensure at least one of its representatives attend the RWG meetings;
- (b) provide the RWG with regular information on the environmental performance and management of the project;
- (c) provide meeting facilities for the RWG (if necessary);
- (d) arrange site inspections for the RWG (if necessary);
- (e) take minutes of the RWG meetings;
- (f) make these minutes publicly available;
- (g) respond to any advice or recommendations the RWG may have in relation to the environmental management or community relations; and
- (h) provide a copy of the minutes of each RWG meeting, including a response to any recommendations from the RWG, to the Planning Secretary within one month of the meeting being held.

Community Consultation Plan

D20. No later than one month before the commencement of the first large or medium event, a Community Consultation Plan must be prepared and submitted to the Planning Secretary for approval. The Community Consultation Plan is to provide mechanisms to facilitate communication between the Applicant, the Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the operation of the development. The Community Consultation Plan must:

- (a) be implemented for the life of the development, or as otherwise agreed to by the Planning Secretary;
- (b) assign a central contact person to keep the nearby sensitive receivers regularly informed throughout the development;
- (c) detail a procedure for consulting with nearby sensitive receivers to manage traffic disruptions during events;
- (d) include contact details for key community groups, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders;
- (e) include a complaints procedure for recording, responding to and managing complaints, including:
 - i. email, toll-free telephone number and postal address for receiving complaints;
 - ii. advertising the contact details for complaints prior to and during operation, via the newspaper notices required by Condition D23 and through on-site signage;
 - iii. a complaints register to record the date, time and nature of the complaint, details of the complainant and any actions taken to address the complaint; and
 - iv. procedures to resolve any disputes that may arise during the course of the development.

D21. The Applicant must:

- (a) not carry out a large or medium event until the Community Consultation Plan is approved by the Planning Secretary; and
- (b) implement the approved Community Consultation Plan for the duration of the development.

Community Notification

D22. At least two weeks prior to the commencement of a large or medium event, the Applicant must notify all local residents and businesses within a 3-kilometre radius of the site via a letterbox drop. The letterbox drop must include details of:

- (a) the operating hours of the event;
- (b) traffic management arrangements during the event; and
- (c) the telephone and email contact details of the event coordinator.

D23. At least two weeks prior to the commencement of a large or medium event, the Applicant must notify the local community via a notice placed in at least two local newspapers. Each notice must include details of:

- (a) the operating hours of the event;
- (b) traffic management arrangements during the event; and
- (c) how complaints can be made in accordance with the complaints procedure required by Condition D20.

TEMPORARY STRUCTURES

Erection of Temporary Structures

D24. The Applicant must ensure the erection of temporary structures complies with the following:

- (a) all temporary structures (of any use and type) cannot be used by patrons until an Occupation Certificate has been issued for the structures;
- (b) all temporary structures must be wholly within the part of the site designated as 'Core Event and Conference Centre Use Areas' in Figure 1 of this consent. No approval is given for any temporary structures outside of this area;
- (c) all temporary structures are positions on a level stable surface and sufficiently weighted to ensure stability at all times;
- (d) all temporary structures must be erected and supported in a secure manner for safety purposes. Should adverse weather conditions (such as strong winds) arise during an event, the proponent must mitigate potential safety concerns, for example, by removing the temporary structures from the public domain;
- (e) all temporary structures that cannot be readily moved and/or dismantled are to be designed so that they will remain stable during a 100-year ARI flood event. This includes measures to resist flow velocities and buoyancy forces; and
- (f) all temporary structures requiring assembly / installation in the Event Area must provide original structural certification from a practising certified structural engineer to the Certifying Authority certifying that the structures can adequately support the proposed loads to comply with the Structural Provisions Part B1 including Performance Provisions BP1.1 and BP 1.2 of the Building Code of Australia and relevant Australian Standards.

EVENT MANAGEMENT

Event Management Plan

D25. The Applicant must prepare an Event Management Plan that covers all outdoor events held at the site to the satisfaction of the Planning Secretary. The Plan must:

- (a) be submitted to the Planning Secretary for approval at least two months prior to the commencement of the first outdoor event;
- (b) be implemented for the duration of the outdoor event that the Plan relates to;
- (c) be prepared in consultation with Council, the NSWPF and the RFS;
- (d) include an Event Structure Plan detailing the internal layout of the site during the outdoor event, including the location of all:
 - i. temporary structures;
 - ii. performance stages;
 - iii. food stalls;
 - iv. sanitary facilities;
 - v. places of public entertainment;
 - vi. camping areas;
 - vii. car parking areas (including the number of parking spaces provided for each outdoor event type);
 - viii. emergency assembly areas; and

- ix. temporary human exclusion fencing;
- (e) include a copy of the Bushfire Emergency Evacuation Plan required by Condition B12;
- (f) include a copy of the Flood Evacuation Plan required by Condition D43;
- (g) details of the security and user pays policing/ambulance arrangements for the outdoor event, including provision of hotel accommodation for user pays police for the duration of large or medium events;
- (h) details of service arrangements for Council ranger and inspection personnel during the outdoor event;
- (i) details of service arrangements for NPWS Rangers to enforce regulations in relation to unauthorised camping/activities within the Billinudgel Nature Reserve;
- (j) include the following management plans prepared in accordance with the EIS and Response to Submissions:
 - i. an Occupational Health and Safety Management Plan;
 - ii. an Event Emergency Evacuation Plan;
 - iii. a Medical Plan;
 - iv. a Camping Management Plan; and
 - v. a Temporary Structures Plan;
- (k) include Crowd Management Plans detailing the measures to be implemented for each event, including the specific measures to manage capacity in the amphitheatre, as described in the RTS.

Note: The preparation and submission of the event management plan may be staged for each outdoor event type in accordance with Condition A12.

D26. The Applicant must implement the most recent version of the Event Management Plan submitted to the Planning Secretary for the duration of the development.

TRAFFIC MANAGEMENT

Traffic Management Plan

D27. The Applicant must prepare a Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) be prepared in consultation with Council and RMS;
- (c) detail the measures to be implemented to ensure road safety and network efficiency, including:
 - i. ensuring no queuing on Tweed Valley Way and Yelgun Interchange off-ramps;
 - ii. details of traffic diversion strategies;
 - iii. ensuring local traffic movements are given priority and residents of Jones Road and Yelgun Road are able to access their properties;
- (d) include demand management strategies to reduce private car use while promoting alternatives forms of transport; and
- (e) contain a Traffic Monitoring Program to monitor the impact of increased traffic generation on the amenity of the area and the effectiveness of the traffic management measures implemented, including but not limited to:
 - i. data collection of vehicle arrival and departure times, occupancy rates and directions of travel for staff, campers and day patrons;
 - ii. patronage of bus services, including bus occupancy rates, arrival and departure times
 - iii. modal share by vehicle type, including comparison with the modal share as described in the EIS and RTS;
 - iv. queue monitoring, background travel counts on the Pacific Highway and Tweed Valley Way and vehicle volumes on the Yelgun Interchange; and
 - v. procedures and protocols for monitoring, including frequency.

D28. The Applicant must:

- (a) not carry out a medium or large event until the Traffic Management Plan required by Condition D27 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Traffic Management Plan submitted to the Planning Secretary for the duration of the development.

Traffic Control Plan

D29. At least two months prior to any medium or large event, the Applicant must prepare a Traffic Control Plan (TCP) for the development. The Plan must:

- (a) be prepared by a suitably qualified and RMS accredited Work Site Traffic Controller;
- (b) be submitted to the Local Traffic Committee for endorsement and submitted to Council for approval;

- (c) be designed in accordance with the requirements of the RMS's Manual, Traffic Control at Work Sites Version 2, and the current Australian Standards, Manual of Uniform Traffic Control Devices Part 3, 'Traffic Control Devices for Works on Roads';
- (d) include details on reduced speed zones and special event clearways and signage to prohibit parking in the surrounding road network and in the Yelgun rest area;
- (e) include a Traffic Incident Management Plan that details a range of approved contingency measures capable of avoiding significant impacts on the level of service. The contingency plan must be fully documented and include emergency contact names and phone numbers; and
- (f) be designed to achieve the traffic key performance indicators under Condition D16.

Following approval of the TCP, a copy of the TCP must be submitted to RMS and the Planning Secretary.

NOISE MANAGEMENT

Hours of Operation

D30. The Applicant must comply with the hours detailed in Table 6.

Table 6 Hours of Operation for Outdoor Events

Activity	Day	Time
Stage Operations	New Year's Eve	11:00 AM – 1:00 AM
	All other Event Days	11:00 AM – 12:00 AM
Bars, Cafés and dance floors	All Event Days	11:00 AM – 2:00 AM
Minor community events	All Event Days	7:00 AM – 10:30 PM
Bump-in and Bump-out periods (where audible at sensitive receivers)	Monday to Saturday	7:00 AM – 6:00 PM
	Sunday	8:00 AM – 6:00 PM

Operational Noise Limits

D31. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 7.

Table 7 Noise Limits dB(A) for Outdoor Events

Location	11 am to midnight		Midnight to 2 am	
	L _{Aeq} (10minute)	L _{eq} (10 minute) in the 63 hertz 1/1 octave band	L _{Aeq} (10 minute)	L _{eq} (10 minute) in the 63 hertz 1/1 octave band
Zone 1	60	70	45	60
Zone 2	55	65	45	55

Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the Noise Policy for Industry (EPA, 2017) as may be updated or replaced from time to time).

The noise criteria in Table 7 do not apply if the Applicant has an agreement with the relevant landowner to exceed the noise criteria, and the Applicant has advised the Department that an agreement is in place.

Note: The location of residential sensitive receivers in Zone 1 and Zone 2 are shown in Appendix 5 of this consent.

D32. The Planning Secretary may amend the noise limits imposed under Condition D31 for future events after considering the results of the Noise Impact Report required by Condition D48.

Noise Management Plan

- D33. The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must be prepared in accordance with Condition E1 and must:
- (a) be prepared by a suitably qualified and experienced noise expert;
 - (b) describe the measures that will be implemented to minimise noise from the site;
 - (c) detail community consultation requirements and procedures for responding to any noise complaints received during an outdoor event;
 - (d) contain an Acoustic Monitoring Program that:
 - i. is capable of evaluating the performance of the development; and
 - ii. includes a program for monitoring noise at each monitoring location;
 - (e) include procedures for the reporting and monitoring of results to enable an assessment of the noise performance of the development; and
 - (f) include a procedure for implementing noise mitigation measures, should the Applicant be directed by the Planning Secretary, or should non-compliance be detected.
- D34. The Applicant must:
- (a) not carry out a medium or large event until the Noise Management Plan required by Condition D33 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Noise Management Plan submitted to the Planning Secretary for the duration of the development.

SOCIAL IMPACTS

Social Impact Management Plan

- D35. The Applicant must submit a Social Impact Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must:
- (a) be prepared by a suitably qualified and experienced person/s;
 - (b) be informed by engagement with affected communities as identified in the RTS;
 - (c) include details of the adaptive management and mitigation measures to avoid, minimise, and/or mitigate negative social impacts, including:
 - i. mobility impacts (traffic and access) and effects on public amenities and services in Brunswick Heads;
 - ii. anti-social behaviour, noise, access to housing and effects of public infrastructure and services in South Golden Beach;
 - iii. noise at Wooyung and Yelgun; and
 - iv. litter, illegal camping and anti-social behaviour in all local communities;
 - (d) include details of the commitments to secure and enhance the positive social impacts of the development, including opportunities to:
 - i. assist in maintaining community services and facilities; and
 - ii. maintain/improve the way of life, wellbeing, and social cohesion within the local community;
 - (e) include a Social Impact Monitoring Program to monitor, review and communicate the effectiveness of the measures in (c) and (d) of this condition, including, but not limited to:
 - i. a description of the objectives, methodology and timing of the program;
 - ii. a description of the parameters to be monitored and person/s responsible for monitoring;
 - iii. procedures for analysing and comparing the results of monitoring against the predicted social impacts and results of previous monitoring;
 - iv. details about how the potentially affected communities can participate in the implementation and review of the monitoring program and
 - v. a description of the procedures for making monitoring results and associated information publicly available, in addition to the procedures in Condition E13.
- D36. The Applicant must:
- (a) not carry out a medium or large event until the Social Impact Management Plan required by Condition D35 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Social Impact Management Plan submitted to the Planning Secretary for the duration of the development.

BIODIVERSITY

Human Exclusion Fencing

D37. Prior to carrying out a large or medium event, the Applicant is required to provide temporary human exclusion fencing closely bordering (within 10 metres of) designated forest blocks and other native vegetation on the site. The fencing must be fauna friendly, incorporating:

- (a) a minimum 100 millimetre continuous gap at the base of the fence; or
- (b) 100 millimetre square gaps at 10 metre intervals along the base of the fence.

The temporary human exclusion fencing must be maintained for the duration of large and medium events.

Koala Plan of Management

D38. The Applicant must update the draft *North Byron Parklands Koala Plan of Management* (KPoM), prepared by Ecological Australia, dated September 2018. The Plan must be submitted to the Planning Secretary for approval within three months of the date of this consent. The Plan must:

- (a) be prepared in consultation with OEH and be approved by the Planning Secretary;
- (b) include updated vegetation and koala habitat mapping to reflect recent changes in mapping of forest red gum dominated community types;
- (c) include a detailed procedure for detecting and managing koalas within the securely fenced precinct during an outdoor event; and
- (d) include a detailed monitoring program with systematic and repeatable sampling methods capable of identifying and responding to the proposed response triggers.

Flora and Fauna Monitoring and Adaptive Management Plan

D39. The Applicant must update the *Flora and Fauna Monitoring and Adaptive Management Plan*, prepared by Ecological Australia, dated July 2018. The Plan must be submitted to the Planning Secretary for approval within three months of the date of this consent. The Plan must:

- (a) be prepared in consultation with OEH and be approved by the Planning Secretary; and
- (b) detail on-going and event impact monitoring programs including objectives, targets, reporting requirements and adaptive management actions.

Billinudgel Nature Reserve Strategy

D40. The Applicant must prepare a Billinudgel Nature Reserve Strategy and submit it to the Planning Secretary for approval, within three months of the date of this consent. The Strategy must:

- (a) be prepared in consultation with OEH and approved by the Planning Secretary;
- (b) include details of appropriate and feasible management, monitoring and contingency measures to address the range of known or potential impacts on the Billinudgel Nature Reserve; and
- (c) include a reporting program to evaluate the management, monitoring and contingency measures to provide feedback to NPWS and drive an adaptive management process.

D41. The Applicant must implement the most recent version of the plans required by conditions D38 to D40, submitted to the Planning Secretary, for the duration of the development.

BUSHFIRE MANAGEMENT

Fire Management Plan

D42. The Applicant must:

- (a) not carry out a medium or large event until the Fire Management Plan required by Condition B10 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Fire Management Plan endorsed by RFS, for all events held at the site.

FLOOD MANAGEMENT

Flood Risk Management Plan

D43. The Applicant must implement the Flood Risk Management Plan included in the EIS. Any revisions to the Flood Risk Management Plan shall be made in consultation with the relevant public authorities and emergency services. The Applicant must implement the most recent version of the Flood Risk Management Plan for all events held at the site.

Flood Control Measures – South East Carpark

D44. On completion of construction of the carpark, the Applicant must provide evidence to the satisfaction of the Planning Secretary, to demonstrate the flood control measures for the south-east carpark described in the RTS have been implemented.

POTABLE WATER

- D45. At least two months prior to the first outdoor event, the Applicant must prepare a Potable Water Management Plan for the development. The Plan must:
- (a) be submitted to and endorsed by NSW Health;
 - (b) describe the on-site potable water supply system;
 - (c) include procedures for treating water in accordance with applicable drinking water standards; and
 - (d) include a quality assurance program prepared in accordance with applicable NSW Health guidelines.

Following endorsement of the Potable Water Management Plan, a copy of the Plan must be submitted to the Planning Secretary.

WASTE

Waste Management Plan

- D46. Prior to the commencement of operation of outdoor events, the Applicant must prepare a Waste Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must:
- (a) detail the type and quantity of waste to be generated during construction and operation of the development;
 - (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (Department of Environment, Climate Change and Water, 2009);
 - (c) detail the materials to be reused or recycled, either on or off site; and
 - (d) include the Management and Mitigation Measures included in Appendix 2.
- D47. The Applicant must:
- (a) not commence operation until the Waste Management Plan is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Waste Management Plan submitted to the Planning Secretary.

POST-EVENT CONDITIONS

NOISE IMPACT REPORT

D48. If directed by the Planning Secretary, within two months of the conclusion of each bump-out period for a large or medium event, or as otherwise agreed to by the Planning Secretary, the Applicant must submit a Noise Impact Report detailing the results of the noise monitoring required under Condition D33. The report must include:

- (a) details demonstrating compliance with the conditions of consent relating to noise/acoustic management; and
- (b) a summary of any complaints or requests received and actions taken, records of noise levels and data from acoustic monitoring, and any other information relevant to the consideration of the noise impact on residents.

This report must also be attached to the PER required under Condition D17 and Compliance Report required under Condition E8.

EVIDENCE OF ATTENDEE NUMBERS

D49. Within 28 days of the conclusion of a large or medium event, evidence must be submitted to the Planning Secretary that patron numbers within the event did not exceed the patron, complimentary ticket and staff numbers specified in this consent.

REMOVAL OF STRUCTURES

Traffic Management Devices

D50. All traffic management devices on public roads that have been established for an outdoor event are to be removed from the public roads within the time period specified within the TCP required under Condition D29 of this consent.

Removal of Temporary Structures

D51. Within 21 days of the conclusion of an event, all temporary structures, lighting towers, event facilities and temporary fencing are to be removed from the site.

PART E ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

- E1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) detailed baseline data;
 - (b) details of:
 - i. the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - ii. any relevant limits or performance measures and criteria; and
 - iii. the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (d) a program to monitor and report on the:
 - i. impacts and environmental performance of the development; and
 - ii. effectiveness of the management measures set out pursuant to paragraph (c) above;
 - (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (f) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (g) a protocol for managing and reporting any:
 - i. incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
 - ii. complaint;
 - iii. failure to comply with statutory requirements; and
 - (h) a protocol for periodic review of the plan.

Note: *The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans*

REVISION OF STRATEGIES, PLANS AND PROGRAMS

- E2. Within three months of:
- (a) the submission of a PER under Condition D17;
 - (b) the submission of a Compliance Report under Condition E8;
 - (c) the submission of an incident report under Condition E4;
 - (d) the submission of an Independent Audit under Condition E10;
 - (e) the approval of any modification of the conditions of this consent; or
 - (f) the issue of a direction of the Planning Secretary under Condition A2(b) which requires a review,
- the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.
- E3. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised. Where revisions are required, the revised document must be submitted to the Planning Secretary within six weeks of the review.

Note: *This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.*

REPORTING AND AUDITING

Incident Notification, Reporting and Response

- E4. The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident. Subsequent notification requirements must be given and reports submitted in accordance with the requirements set out in Appendix 6.

Non-Compliance Notification

- E5. The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.
- E6. A non-compliance notification must identify the development and the application number for it, set out the condition/s of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- E7. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Compliance Reporting

- E8. Within 12 months of the date of this consent, and in the same month each subsequent year (or other timing as may be agreed to by the Planning Secretary), compliance reports of the development (excluding large events that are subject to a PER under Condition D9) must be carried out in accordance with the Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).
- E9. The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department in writing at least 7 days before this is done.

Independent Audit

- E10. Within 12 months of the date of this consent, and every three years thereafter, unless the Planning Secretary directs otherwise, the Proponent must carry out an Independent Audit of the development in accordance with the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).
- E11. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:
 - (a) review and respond to each Independent Audit Report prepared under Condition E10 of this consent;
 - (b) submit the response to the Department; and
 - (c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least 7 days before this is done.

Monitoring and Environmental Audits

- E12. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.

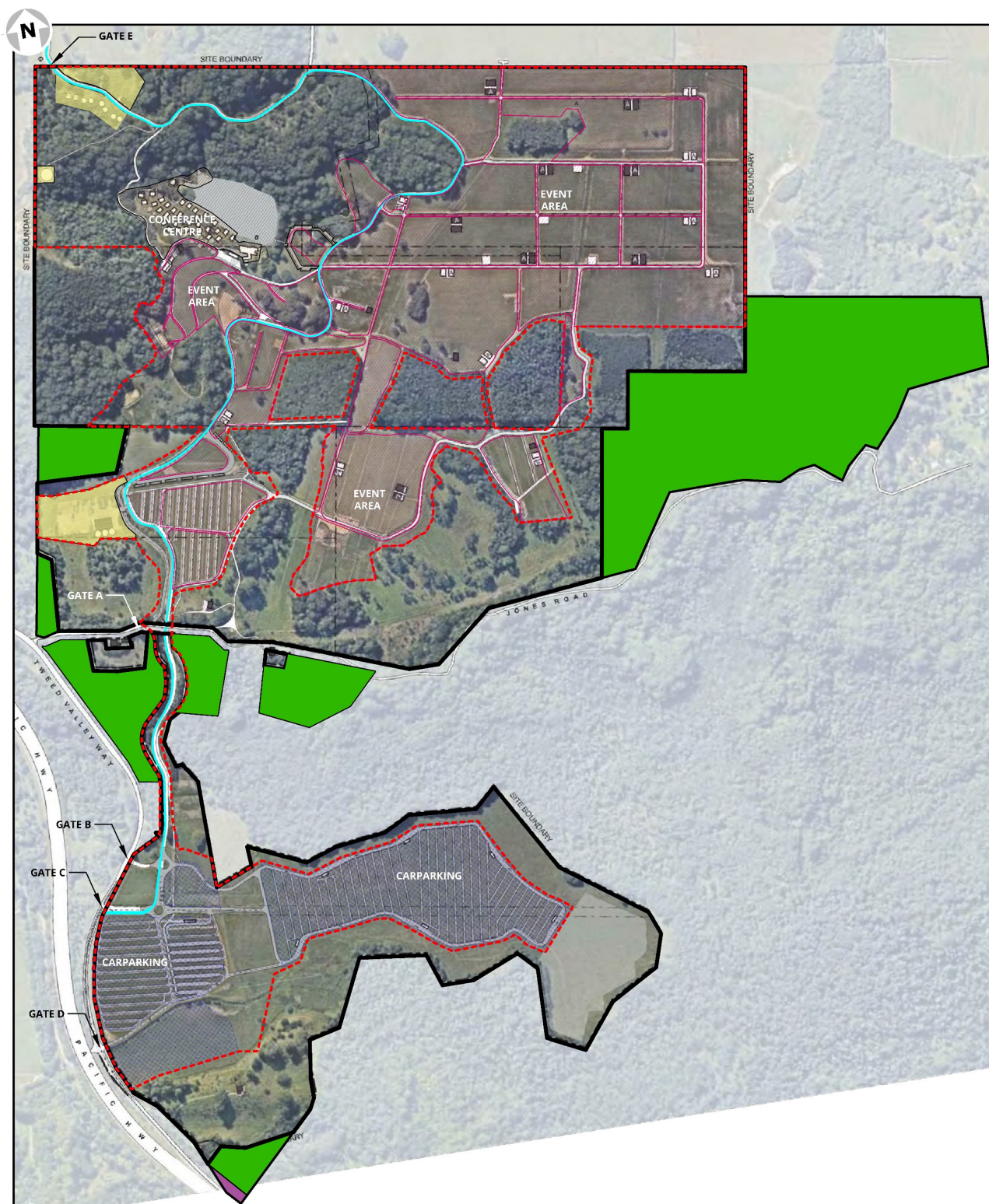
Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.

ACCESS TO INFORMATION

- E13. Within six months of the date of this consent, the Applicant must:
 - (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
 - i. the documents referred to in Condition A2 of this consent;
 - ii. all current statutory approvals for the development;
 - iii. all approved strategies, plans and programs required under the conditions of this consent;
 - iv. minutes of RWG meetings;
 - v. regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
 - vi. a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - vii. a summary of the current stage and progress of the development;
 - viii. contact details to enquire about the development or to make a complaint;
 - ix. a complaints register, updated monthly;
 - x. the Compliance Report of the development;
 - xi. audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;
 - xii. any other matter required by the Planning Secretary; and
 - (b) keep such information up to date, to the satisfaction of the Planning Secretary.

APPENDIX 1 DEVELOPMENT LAYOUT PLANS

Job No.	Drawing No.	Rev.	Date	Title
Land Use Structure Plan prepared by Planners North				
1287.1694	-	-	November 2017	Proposed Land Use Structure Plan
Ecological Structure Plan prepared by Planners North				
1287.1694	-	-	November 2017	Proposed Ecological Structure Plan
Architectural Drawings prepared by Dominic Finlay Jones Architects				
DFJ148	DA 010	07	17/11/2017	Masterplan
DFJ148	DA 100	05	16/11/2017	Site Plan 00
DFJ148	DA 101	05	17/11/2017	Site Plan 01
DFJ148	DA 102	06	16/11/2017	Site Plan 02
DFJ148	DA 103	03	06/10/2017	Site Plan 03
DFJ148	DA 104	04	06/10/2017	Site Plan 04
DFJ148	DA 105	06	16/11/2017	Site Plan 05
DFJ148	DA 210	03	06/10/2017	Bus Shelter
DFJ148	DA 220	04	13/11/2017	Transport Hub
DFJ148	DA 230	02	08/09/2017	Amenities Block
DFJ148	DA 240	03	06/10/2017	Conference Centre – Lower Ground Floor
DFJ148	DA 241	03	06/10/2017	Conference Centre – Ground Floor
DFJ148	DA 242	03	06/10/2017	Conference Centre – Roof Plan
DFJ148	DA 243	03	06/10/2017	Conference Centre – Upper Roof Plan
DFJ148	DA 244	03	06/10/2017	Conference Centre – Elevations
DFJ148	DA 245	03	06/10/2017	Event Facilities – Elevations
DFJ148	DA 246	03	06/10/2017	Conference Centre – Sections
DFJ148	DA 247	03	06/10/2017	Conference Centre and Event Facilities – Sections
DFJ148	DA 252	03	06/10/2017	Conference Centre – Break Out Pavillion
DFJ148	DA 254	04	13/11/2017	Conference Centre – Cabins Plan
DFJ148	DA 255	03	06/10/2017	Conference Centre – Cabins Elevations
DFJ148	DA 260	03	06/10/2017	Conference Centre – Day Spa External Works
DFJ148	DA 261	02	08/09/2017	Conference Centre – Spa Reception Plans
DFJ148	DA 262	03	06/10/2017	Conference Centre – Spa Reception Elevations
DFJ148	DA 263	03	06/10/2017	Conference Centre – Spa Treatment Rooms
DFJ148	DA 270	04	06/10/2017	Golden View Bar + Amenities – Ground Floor
DFJ148	DA 271	04	06/10/2017	Golden View Bar + Amenities – Level 01 Plan
DFJ148	DA 272	03	06/10/2017	Golden View Bar + Amenities – Roof Plan
DFJ148	DA 273	03	06/10/2017	Golden View Bar + Amenities – Elevations + Section
Civil Plans prepared by Westera Partners				
B17/016 P	03	A	16/11/2017	Key Plan
B17/016 P	04	A	16/11/2017	Southern Car Park Layout Plan
B17/016 P	05	A	16/11/2017	Civil Works Plan Sheet 1 of 13
B17/016 P	06	A	16/11/2017	Civil Works Plan Sheet 2 of 13
B17/016 P	07	A	16/11/2017	Civil Works Plan Sheet 3 of 13
B17/016 P	08	C	29/06/2018	Civil Works Plan Sheet 4 of 13
B17/016 P	09	A	16/11/2017	Civil Works Plan Sheet 5 of 13
B17/016 P	10	A	16/11/2017	Civil Works Plan Sheet 6 of 13
B17/016 P	11	A	16/11/2017	Civil Works Plan Sheet 7 of 13
B17/016 P	12	A	16/11/2017	Civil Works Plan Sheet 8 of 13
B17/016 P	13	A	16/11/2017	Civil Works Plan Sheet 9 of 13
B17/016 P	14	A	16/11/2017	Civil Works Plan Sheet 10 of 13
B17/016 P	15	A	16/11/2017	Civil Works Plan Sheet 11 of 13
B17/016 P	16	A	16/11/2017	Civil Works Plan Sheet 12 of 13
B17/016 P	17	B	03/09/2018	Civil Works Plan Sheet 13 of 13
B17/016 P	18	A	16/11/2017	Typical Sections 1 of 3
B17/016 P	19	A	16/11/2017	Typical Sections 2 of 3
B17/016 P	20	B	03/09/2018	Typical Sections 3 of 3
B17/016 P	21	A	16/11/2017	Details
B17/016 D	1	A	29/06/2018	Southeast Carpark Stormwater Drainage Outlet



0 150m
1:8000 (@ A3)



Date November 2017
Author Planners North
Reference 1287.1694

Legend:

- Parklands site
- Core event & conference centre use areas

- Parklands Drive
- Active event access lane

- Land dedicated to NPWS
- Proposed road reserve widening
- Proposed event & camping use area

- Carparking
- Conference centre precinct
- Infrastructure

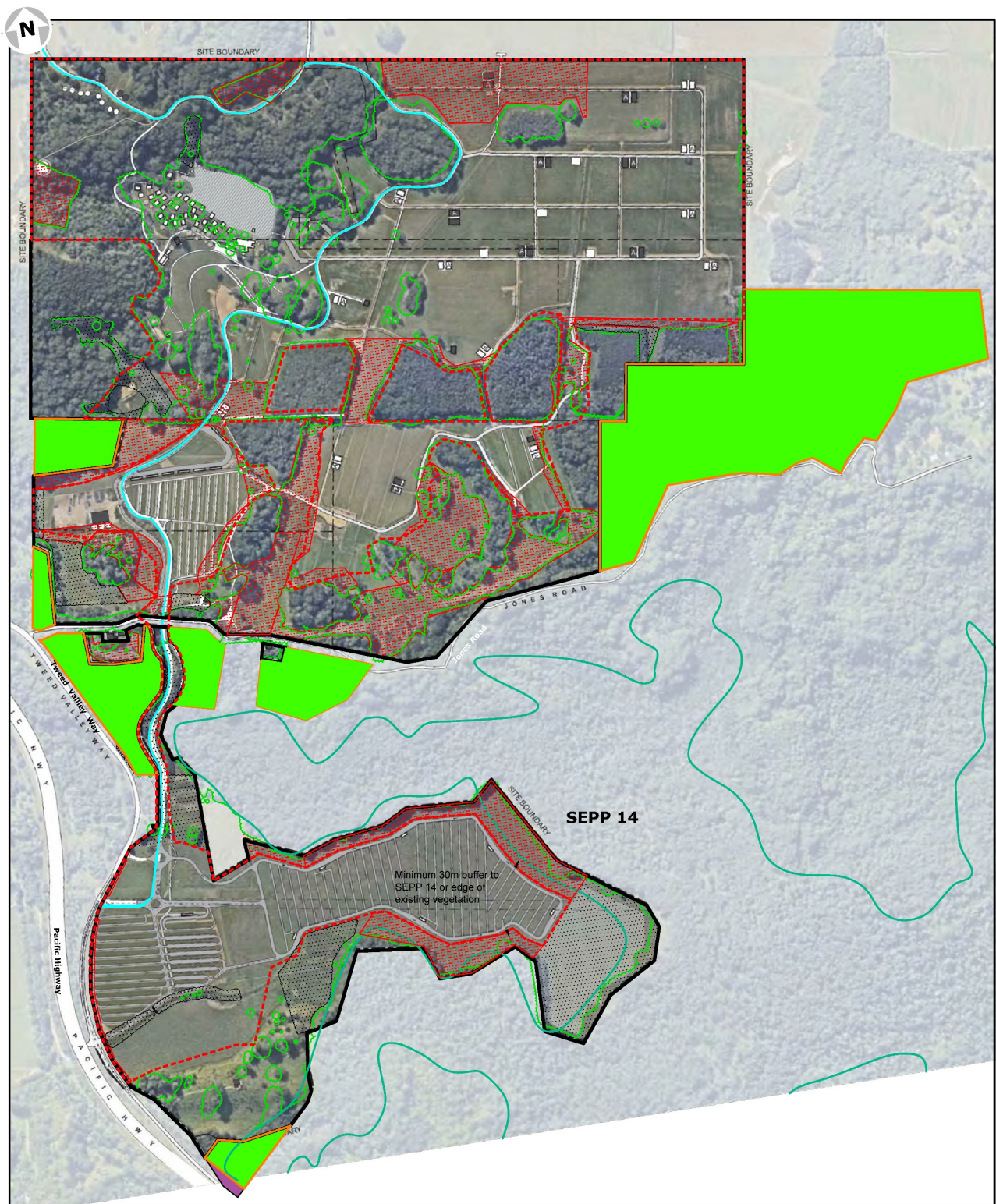
IMPORTANT NOTE
Cadastral information is subject to survey. The alignment of the aerial photograph and vectorial overlays is approximate only. This plan is conceptual only and subject to detailed survey and design.

Sources | Aerial Photography: Nearmap (July 2017) | Cadastral: Andri Payne (2009) Updated July 2017 |

Prepared by
Originally - design team ink
Updated - Planners North

North Byron Parklands | Tweed Valley Way & Jones Road

Figure 1: Land Use Structure Plan



Date November 2017
Author Planners North
Reference 1287.1694

Legend:

- Parklands site
- Core event & cultural centre use areas
- Parklands Drive
- Existing vegetation to be protected
- Habitat management
- Managed parkland
- SEPP 14 Wetlands
- Land to be dedicated to NPWS
- Proposed road reserve widening

IMPORTANT NOTE |
Cadastral information is subject to survey. The alignment of the aerial photograph and vectorial overlays is approximate only.
Sources | Aerial Photography: Nearmap (July 2017) | Cadastre: Ardill Payne (2009) Updated 2017 | Ecological Values: Mark Fitzgerald (2015) Updated 2017

Prepared by
Originally - design team ink
Updated - Planners North

North Byron Parklands | Tweed Valley Way & Jones Road

Figure 2: Ecological Structure Plan

APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

Aspect	Mitigation Measure
<i>Environmental, Health & Safety (EH&S) Management</i>	• Update and subsequently implement the Environmental Health and Safety Management System/Manual (EHSMS/EHSMM). The manual would include (amongst other things): ○ EH&S policy; ○ EH&S aspects and risk assessment; ○ legislative and other requirements; ○ objectives, targets and key performance indicators (KPIs); ○ management plans and standards; ○ roles and responsibilities; ○ training and awareness; ○ non-conformance and corrective action; ○ reporting and auditing; and ○ management review; • Update and subsequently implement the Event Management Plan¹, to manage events and associated social issues. The plan would include (amongst other things): ○ Occupational Health & Safety (OH&S) Management Plan; ○ Event Emergency Evacuation Plan; ○ Medical Plan; ○ Camping Management Plan (for applicable events); and ○ Temporary Structures Plan; • Continue to prepare annual Performance Reports, and to publish the reports on Parklands' website. The reports would include detail on: ○ events held during the reporting period; ○ monitoring results; ○ complaints to the Community Hotline; ○ compliance with the consent conditions; ○ measures that have or will be undertaken to address identified issues and/or improve environmental performance; • Update and subsequently implement all management plans and monitoring programs (see above and below) in consultation with applicable authorities and the Regulatory Working Group (RWG), and to the satisfaction of the Department; • Undertake regular independent audits of the EHSMS and development, in accordance with the provisions of the EHSMS and/or the development consent; • Notify the Department and any other relevant agencies of any incident that occurs in relation to events or operation of the site. Such incidents would include any set of circumstances that breaches or exceeds the limits or criteria in the development consent, or that otherwise causes (or threatens to cause) material harm to the environment; • Maintain the RWG to oversee and advise on the performance of the events. The RWG would comprise representatives from applicable government authorities and the community, and an independent chairperson. The RWG would meet at least twice per year, and the minutes of RWG meetings would continue to be published on Parklands' website; • Increase capacity of the proposed large event (ie. Splendour in the Grass) to 42,500 patrons and then 50,000 patrons, only following demonstrated compliance with the traffic-related KPIs (see below) to the satisfaction of the Department.
<i>Noise and Vibration</i>	• Manage the noise emissions from the project to comply with the existing noise limits at all times (as identified in Table 6.3 of the EIS), for all receivers apart from those with negotiated noise agreements; • Update and subsequently implement the Noise Management Plan, to minimise and manage noise impacts associated with the project. The plan would include a range of noise mitigation and management measures, including: ○ at-source acoustic attenuation measures; ○ speaker array controls;

¹ A master Event Management Plan is proposed to be developed, with event-based plans to be prepared for each event based on the approved master plan.

Aspect	Mitigation Measure
	○ adaptive noise management via the Noise Control Coordination Centre (NCCC); ○ noise complaint monitoring and response via the Community Hotline; and ○ noise impact reporting; ● Update and subsequently implement the Acoustic Monitoring Program, that includes amongst other things: ○ attended monitoring at sensitive receiver locations for all medium and large events, and/or in response to calls to the Community Hotline; ○ continuous unattended monitoring before, during and after all medium and large events (unless otherwise authorised by the Department); ○ implementation of the NCCC for all medium and large events, which includes: ▪ real-time monitoring of noise levels for all stages; ▪ monitoring of local meteorological conditions; and ▪ liaison between the NCCC, Community Hotline personnel, stage managers and production personnel.
<i>Visual and Lighting</i>	● Continue implementation of the habitat restoration and revegetation works under the Ecological Structure Plan (as part of the Flora and Fauna Management Plan), with revegetation to focus (in part) on screening views from sensitive receiver locations to the event areas; ● Paint the proposed reservoir and other associated infrastructure in forest tones to blend in with surrounding vegetation, and minimise vegetation clearing around the infrastructure; ● Manage external lighting in accordance with <i>AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting</i> (or its latest version); ● Manage external lighting to minimise direct lighting of surrounding bushland areas as far as practicable and within public safety constraints; and ● Consult closely with surrounding landowners in relation to outdoor events on site, in accordance with the Community Engagement Plan.
<i>Air Quality and Greenhouse Gases (GHG)</i>	● Update and subsequently implement the: ○ Construction Environmental Management Plan, including measures to minimise dust emissions during construction works; ○ Event Management Plan, including measures to minimise dust and air emissions during events, including continued use of water carts; ○ Wastewater Management Plan, including measures to ensure the appropriate management of wastewater and minimise generation of odours; and ○ Waste Management Plan, including measures to ensure the appropriate management of solid waste; and ● Implement measures to minimise GHG emissions, including: ○ minimising traffic (especially single occupant car travel) as far as practicable, in accordance with the Transport Management Plan; ○ continuing on-site tree planting and vegetation management programs, in accordance with the Flora and Fauna Management Plan; and ○ continuing to encourage GHG offsetting options for events, in accordance with the Event Management Plan.
<i>Ecology</i>	● Update and subsequently implement the Flora and Fauna Management Plan, to manage direct and indirect impacts on biodiversity². The plan would include (amongst other things): ○ a habitat restoration program in accordance with a detailed Ecological Structure Plan, which would complete and/or maintain: ▪ 5.9 hectares of habitat connecting forest blocks north of Jones Road and improving the Marshalls Ridge wildlife corridor; ▪ 12.9 hectares of habitat with constructed wetlands in the southern car park providing a buffer to the Billinudgel Nature Reserve and the SEPP-listed wetland; and ▪ a 10 metre vegetated buffer around the southern side of the farm dam in the vicinity of the conference centre and car park (where this does not affect bushfire hazard);

² It is proposed to consolidate the existing Flora and Fauna Management Plan, and Vegetation and Biodiversity Management Plan, into a single management plan.

Aspect	Mitigation Measure
	○ a weed removal program; and ○ a strategy for minimising impacts on Billinudgel Mature Reserve and the SEPP (Coastal Management) 2018 listed wetland; • Update and subsequently implement the Koala Plan of Management (KPoM), in a manner that is consistent with the <i>Byron Coast Comprehensive KPoM</i> and SEPP 44; • Update and subsequently implement the Flora and Fauna Monitoring Program, to monitor incremental and cumulative impacts of events on biodiversity. The monitoring program would be generally consistent with the program identified in the Biodiversity Assessment (see Appendix C of the RTS); • Undertake further targeted surveys for the Eastern Grass Owl prior to construction of the south-east car park, and undertake incremental slashing of this area to allow any animals to escape; • Undertake pre-clearance surveys in the proposed road widening area associated with the conference centre development; and • Design and construct the permanent security fence in a manner that allows fauna movement, including hinged panels (every 5 or 6 panels), and a minimum 100 millimetre gap at the bottom of the fence.
<i>Heritage</i>	• Update and subsequently implement the: ○ Construction Environmental Management Plan, including measures to minimise and manage potential impacts on heritage sites during construction works; and ○ Event Management Plan, including measures to minimise and manage potential impacts on heritage sites during events; • Measures to be included in these plans would include: ○ protection of Aboriginal sites in proximity to the disturbance areas with human exclusion fencing during events, with appropriate security inspection/monitoring; ○ any signage referring to Aboriginal sites to be minimised, and undertaken only with the agreement of Aboriginal stakeholders; ○ appropriate training and induction of personnel; and ○ procedures for managing the discovery of any previously unidentified Aboriginal sites/objects.
<i>Traffic and Transport</i>	• Update and subsequently implement the: ○ Transport Management Plan, which would address all events on the site – from minor community events (ie. up to 1,500 patrons) to large events (ie. Up to 50,000 patrons) – as well as the operation of the conference centre, general site operations between events, and construction works (including the need for Roads Act approvals for external road works); ○ Traffic Monitoring Program, which would include provisions for monitoring of all large events; and ○ Traffic Control Plans, which would be prepared for each specific event, for all events from small community events to large events. • The plans would include detailed traffic and transport-related information and mitigation measures, including: ○ traffic generation; ○ access, internal circulation and parking; ○ on-site and off-site speed limits; ○ parking restrictions; ○ coming and going restrictions, particularly between 12 pm and 5 pm during large events; ○ directional signage; ○ traffic diversion, including promoting use of the Cudgera Creek and Brunswick Head Interchanges; ○ demand management, including transport incentives consistent with the existing measures and investigation of additional measures as outlined in Section 6.9.7 of the EIS; ○ bus services and facilities; ○ off-site traffic control, including on Jones Road and access gates, and the Link Road roundabouts for large events;

Aspect	Mitigation Measure
	○ minimising impacts on local residents' access and local bus services and bus stop arrangements; ○ on-site traffic control; ○ monitoring of key roads and intersections, including the Yelgun Interchange; ○ monitoring of mode share; ○ consideration of traffic KPIs (see below); ○ communications and notifications, including for patrons, authorities, local residents and the general public; and ○ contingency plans, such as roundabout metering of the Yelgun Interchange during large events, or restrictions on camper departure rates; ● The plans would include, and be assessed against, a number of traffic-related KPIs, including: ○ minimum Level of Service (LoS) of C to be maintained at the Yelgun Interchange; ○ minimum LoS of D to be maintained along Tweed Valley Way in general across the day, with a maximum LoS of E for no more than 4 hours a day; ○ queue lengths on the link road between Tweed Valley Way and the Yelgun Interchange to be limited to a maximum of 60 metres; ○ queue lengths on the northbound off-ramp to be limited to a maximum of 210 metres (from the give way yield line); ○ on-site queuing is not to extend onto Tweed Valley Way or the Pacific Motorway; and ○ no appreciable impact on through traffic travel times on the Pacific Motorway.
<i>Infrastructure, Services and Waste</i>	● Update and subsequently implement the Potable Water Management Plan, to manage and monitor potable water supply. The plan would include (amongst other things): ○ a description of the potable water supply system; ○ procedures for treating water in accordance with applicable drinking water standards; ○ a quality assurance program for monitoring water quality; and ○ measures for minimising water use on site; ● Update and subsequently implement the Wastewater Management Plan, to manage the onsite sewage management system. The plan would include (amongst other things): ○ a description of the on-site sewage management system, and effluent irrigation system; ○ procedures for treating and disposing wastewater in accordance with applicable standards and guidelines; ○ a wastewater and effluent irrigation monitoring program, including provision for continuous monitoring of wastewater quantity and quality; ○ a groundwater monitoring program, including provision for continuous monitoring during irrigation activities; and ○ an irrigation management plan ● Update and subsequently implement the Waste Management Plan, to minimise and manage waste generation (other than sewage waste) associated with the proposal; and ● Implement the proposed infrastructure and services upgrades in accordance with the staging as outlined in Section 4.1.6 of the RTS.
<i>Hazards</i>	● Update and subsequently implement the: ○ Event Management Plan, to manage events and associated hazards and risks. The plan would include (amongst other things): ▪ OH&S Management Plan; ▪ Event Emergency Evacuation Plan; ▪ Medical Plan; ▪ Camping Management Plan (for applicable events); and ▪ Temporary Structures Plan; ○ Fire Management Plan, Bushfire Management Plan and Bushfire Emergency Evacuation Plan, to manage structural and bushfire hazards and risks; and ○ Flood Risk Management Plan and Flood Evacuation Plan, to manage flood related hazards and risks;

Aspect	Mitigation Measure
	• Maintain asset protection zones (APZs) of at least 10 metres to unmanaged bushland on site; • Ensure dangerous goods and hazardous substances storage and handling on site is undertaken in accordance with the Dangerous Goods Code and <i>AS 1940-2004: The storage and handling of flammable and combustible liquids</i>; • Continue to monitor hazards and risks through the RWG, which includes representatives from the RFS, SES and NSW Police; • Continue to undertake hazards and incident simulations and exercises, in collaboration with emergency services authorities; and • Provide detailed security, medical, police and emergency service personnel during events (in accordance with the Event Management Plan), which would be funded by Parklands on a pay-for-service basis as required.
<i>Social and Economics</i>	• Update and subsequently implement the: ○ Event Management Plan, to manage events and associated social issues. The plan would include (amongst other things): ▪ OH&S Management Plan; ▪ Event Emergency Evacuation Plan; ▪ Medical Plan; ▪ Camping Management Plan (for applicable events); and ▪ Temporary Structures Plan; • Prepare and subsequently implement a Community Engagement Plan, to manage community stakeholder engagement and response. Amongst other things, the plan would include measures for improving the spread of patron visitation in local communities; • Maintain the RWG, including community representatives, to oversee and advise on the performance of the events. The minutes of RWG meetings would continue to be published on Parklands' website; • Provide detailed security, medical, police and emergency service personnel during events (in accordance with the Event Management Plan), which would be funded by Parklands on a pay-for-service basis as required; • Maintain the Community Hotline for managing and responding to complaints and enquiries; • Maintain the Litter Response Team for all medium and large events; • Continue to employ an environmental representative, community advocate and a community manager before, during and after each large and medium event; • Continue to prepare annual Performance Reports, and to publish the reports on Parklands' website; • Continue notifying and keeping the community and relevant authorities up to date about each event; • Continue to provide support for immediate neighbours, such as provision of complimentary tickets to applicable events (at the discretion of the event promoter); • Maintain the Parklands Community Grants Fund, to provide funding and in-kind support to community organisations and services; and • Provide contributions to Byron Shire Council in accordance with Council's planned 'Better Byron Fund'. To facilitate the contribution, Parklands proposes to enter into a Voluntary Planning Agreement (VPA) with Council (or other equivalent arrangement). The VPA is proposed to cover: ○ an ongoing contribution in the style of the visitor levy applicable to camping patrons. It is anticipated that funds generated from this arrangement would be expended in the northern part of Byron Shire, with the expenditure of such funds guided by the proposed panel type approach; and ○ service arrangements for assistance for Council ranger and inspection personnel.

APPENDIX 3 GENERAL TERMS OF APPLICANT'S PLANNING AGREEMENT OFFER

The Planning Agreement (PA) must include provisions for the payment, collection, management and distribution of the contributions under the agreement, with a focus on funding community and infrastructure projects in the area surrounding the site.

Council	Terms of PA Offer
Byron Shire Council	• A contribution of \$1 per festival camping patron, per accommodation booking, up to a maximum of \$120,000 per year. • Contributions to be managed generally in accordance with the draft Byron Voluntary Visitor Fund (Option 3) or as otherwise agreed between the parties, with funding focused in areas north of the Brunswick River (and including the township of Brunswick Heads) to the northern local government area boundary. • Contribution funding to be expended on infrastructure projects that support the community and tourists that visit these areas. • Contribution funding to be paid to Byron Shire Council six monthly (no more than 30 days after each event has concluded).

APPENDIX 4 EVENT STAGING PLAN FOR LARGE EVENTS

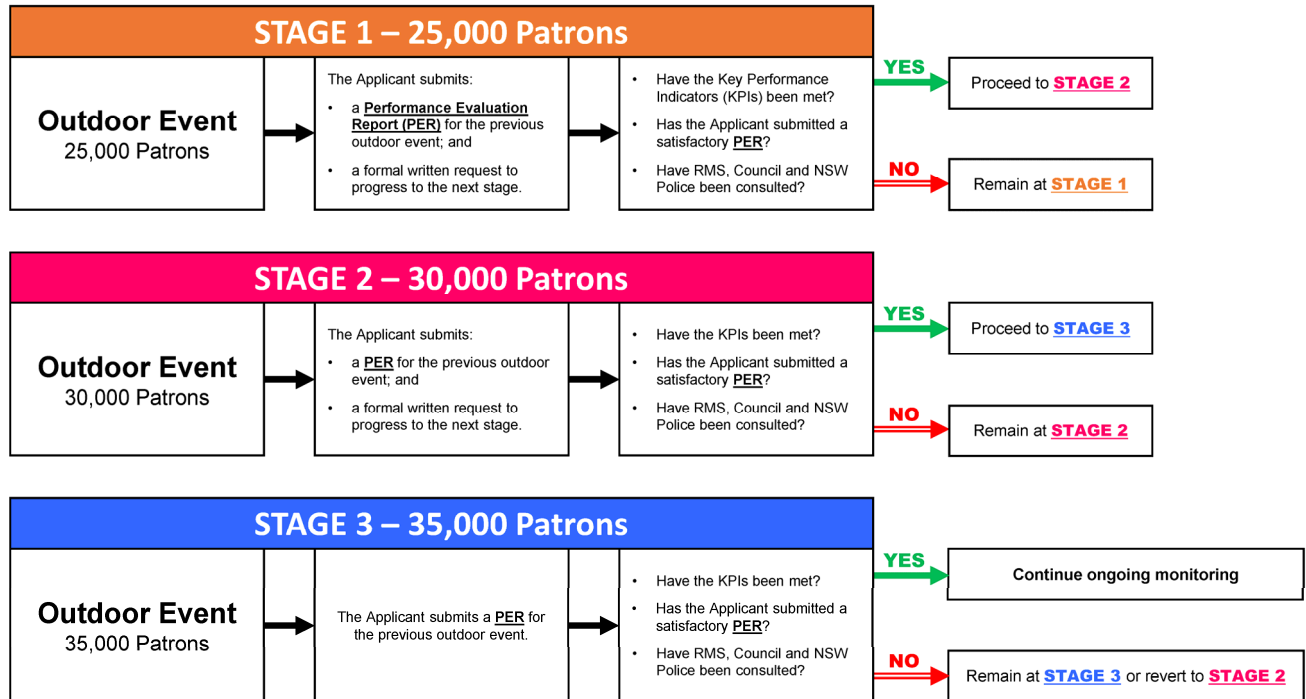


Figure 3: Large Summer Event Staging Plan

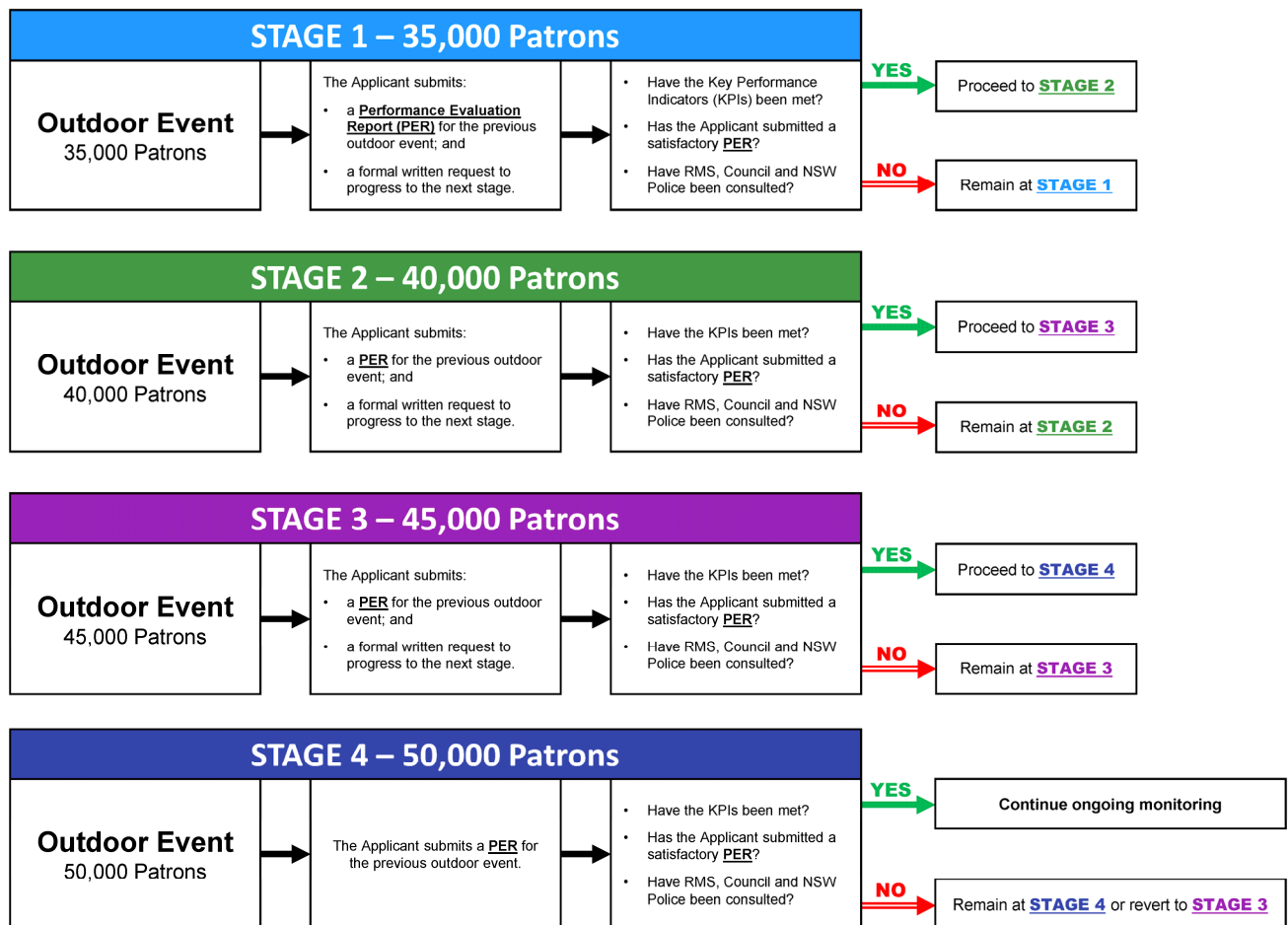


Figure 4: Large Winter Event Staging Plan

APPENDIX 5 NOISE LIMIT ZONES

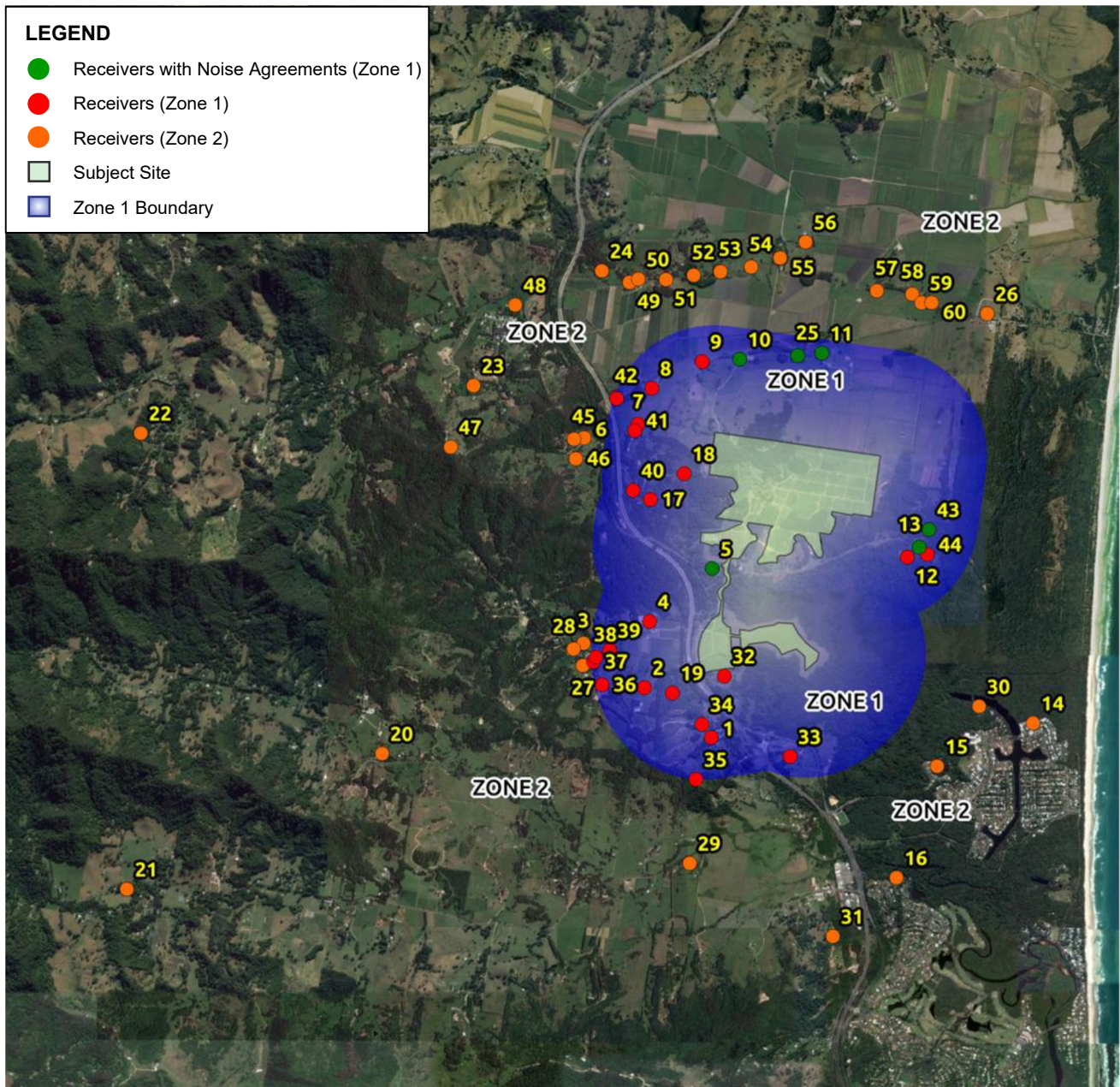


Figure 5: Noise Limit Zones and Surrounding Sensitive Receivers

APPENDIX 6 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under Condition E4 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - a. identify the development and application number;
 - b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - c. identify how the incident was detected;
 - d. identify when the applicant became aware of the incident;
 - e. identify any actual or potential non-compliance with conditions of consent;
 - f. describe what immediate steps were taken in relation to the incident;
 - g. identify further action(s) that will be taken in relation to the incident; and
 - h. identify a project contact for further communication regarding the incident.

INCIDENT REPORT REQUIREMENTS

3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - a. a summary of the incident;
 - b. outcomes of an incident investigation, including identification of the cause of the incident;
 - c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - d. details of any communication with other stakeholders regarding the incident.