

Request for Secretary's Environmental Assessment Requirements



State Significant Development Application for a
Permanent Cultural Events Site at North Byron Parklands
and concurrent S.75W Modification Application to Concept
Approval MP 09_0028.

PLANNERS NORTH December 2016

COMPLIANCE AND USAGE STATEMENT

This Preliminary Environmental Assessment has been prepared and submitted under the *Environmental Planning and Assessment Act 1979* by:

Preparation

Name: S J Connelly
Company: PLANNERS NORTH
Street Address: 3/69 Centennial Circuit, Byron Bay
Postal Address: P.O. Box 538, Lennox Head NSW 2478
In respect of: State Significant Development Application & Concept Approval
Modification Application

Application

Proponent: Billinudgel Property Pty Ltd
Address: C/ - PLANNERS NORTH
P.O. Box 538, Lennox Head NSW 2478
Land to be developed: Lot 402, 403 & 404 DP 755687
Lot 1 DP 1145020
Lot 46 DP 755687
Lot 10 DP 875112
Lot 2 DP 848618
Lot 30 DP 880376
Lot 101, 102 & 107 DP 1001878
Lot 12 DP 848618
Lot 21 DP 1169952
Proposed development: Cultural Events Site
Environmental Assessment: State Significant Development Application & Concept Approval
Modification Application

Certificate

I certify that I have, with the assistance of relevant experts, prepared the content of this Preliminary Environmental Assessment and to the best of my knowledge:

- it is in accordance with the Act and Regulations, and
- it is true in all material particulars and does not, by its presentation or omission of information, materially mislead.

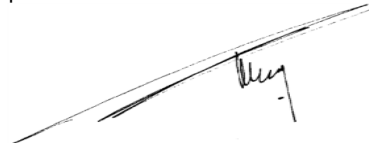
Notice

The plans to this document were prepared for the exclusive use of the applicant and are not to be used for any other purpose or by any other person or corporation. PLANNERS NORTH accepts no responsibility for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this document for purposes other than the proposed development.

Plans accompanying this document may not be reproduced, stored or transmitted in any form unless this note is included.

PLANNERS NORTH declares that it does not have, nor expects to have, a beneficial interest in the subject project. Nor does it have any reportable political donations within the meaning of Section 147(3) of the Act to declare.

No extract of text from this document may be reproduced, stored or transmitted in any form without the prior consent of PLANNERS NORTH.



S J Connelly RPIA (Fellow)
PARTNERSHIP PRINCIPAL



ABN 56 291 496 553
PO Box 538 Lennox Head
NSW 2478

T: 1300 66 00 87
E: steve@plannersnorth.com.au
W: plannersnorth.com.au

Ref: 1287.1114

Date: December 2016

TABLE OF CONTENTS

1	Introduction	3
1.1	Request for SEARs.....	3
1.2	Context.....	3
2	Background.....	5
2.1	History	5
2.2	Events Held To Date	6
2.3	Previous Modifications.....	6
3	Subject Site	7
4	The Proposal.....	9
4.1	Preamble.....	9
4.2	Modification Proposal	9
4.3	Development Applicaton	9
4.4	Environmental Management Systems	14
4.5	Habitat Embellishment	14
5	Strategic & Statutory Planning Context.....	15
5.1	Strategic Planning.....	15
5.1.1	Rural Land Use Strategy	15
5.1.2	The Far North Coast Strategy.....	15
5.1.3	The Draft North Coast Strategy	15
5.2	Local Environmental Planning.....	16
5.2.1	Byron Local Environmental Plan 2014 (BLEP14).....	16
5.2.2	Byron Local Environmental Plan 1988 (BLEP88).....	16
5.3	State Environmental Planning Policies (SEPP)	16
5.4	Modification under Section 75W of the Act.....	18
5.5	Commonwealth Legislation	18
6	Potential Environmental Issues.....	20
6.1	Traffic	20
6.2	Ecology	20
6.3	Acoustic.....	21
6.4	Flooding	21
6.5	Potable Water and Waste Water	22
6.6	Community Impacts	22
6.7	Socio - Economic	23
7	Conclusion	24



Permanency Development Application & Concept Approval Modification

ii

LIST OF PLANS

Plan 1.1	Site Locality Plan	4
Plan 3.1	Existing State of the Environment Plan.....	8
Plan 4.1	Illustrative Master Plan	10
Plan 4.2	Development Application – 35,000.....	11
Plan 4.3	Development Application – 42,500.....	12
Plan 4.4	Development Application – 50,000.....	13
Plan 5.1	Zoning Plan.....	17

LIST OF TABLES

Table 3.1	Overall Parklands Property	7
-----------	----------------------------------	---

LIST OF APPENDICES

Appendix A	QS Report	28
------------	-----------------	----

1 INTRODUCTION

This section of the report sets out the purpose of the report and the context of the site.

1.1 REQUEST FOR SEARS

This document constitutes a Preliminary Environmental Assessment (PEA) relating to a request for Secretary's Environmental Assessment Requirements (SEARs) to enable the preparation of an Environmental Impact Statement (EIS) to accompany a State Significant Development Application (SSD) for a permanent cultural events site at North Byron Parklands (Parklands), and a concurrent modification to Concept Approval MP 09_0028.

The proposal to develop a permanent cultural events site at Parklands meets the non-discretionary criteria of State Environmental Planning Policy (State and Regional Development) 2011 being a cultural, recreation and tourist facility with a capital investment value of more than \$30 million and being for the purpose of a recreation facility (major).

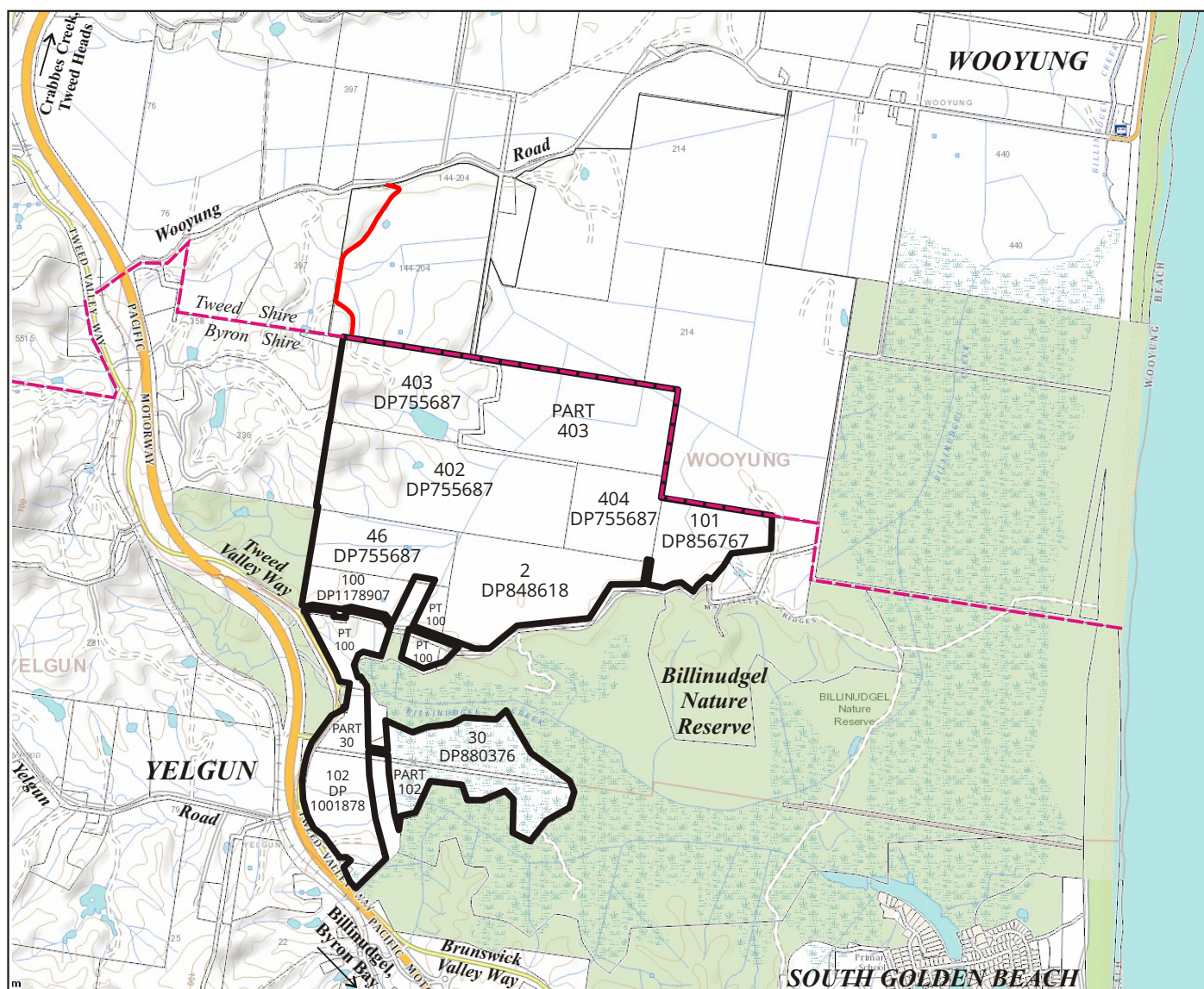


Photograph of Florence and the Machine performing on the main stage amphitheatre.

1.2 CONTEXT

The Parklands site at Yelgun, NSW seeks to be a permanent cultural event site that serves the needs of Byron Shire, the Northern Rivers Region and the wider cultural community.

Parklands is located on Tweed Valley Way and Jones Road in the locality of Yelgun within the Byron Shire Council area, and encompasses an area of approximately 260 hectares. **Plan 1.1** illustrates the site and locality of the land.

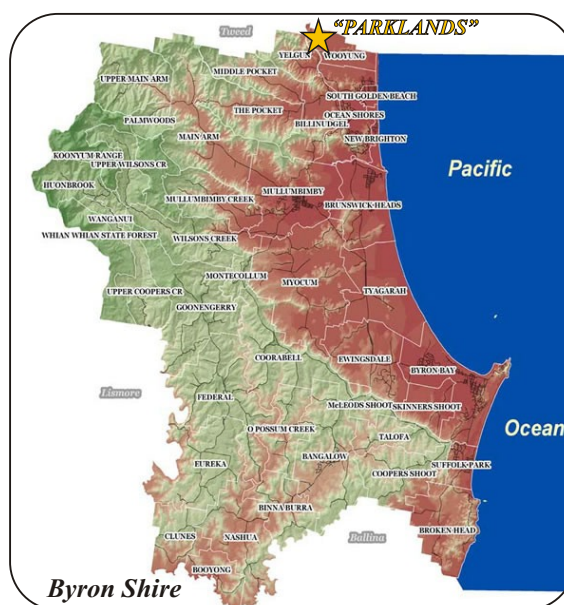


- Legend**
- Subject site
 - North connection road
 - Shire boundary



**North Byron
Parklands**

Date	November 2016
Author Reference	SJC 1287.1104



Prepared by
Planners North

Plan | 1.1 Site Locality Plan

North Byron Parklands | Tweed Valley Way & Jones Road

2 BACKGROUND

This section describes the development history of the Parklands site and sets out details with respect to events held to date.

2.1 HISTORY

In 2008, Byron Shire Council granted consent for a temporary place of assembly with camping and associated infrastructure at the site. The consent allowed for the 2009 Splendour in the Grass (SITG) event to be held with a patron capacity of 22,500. However, following an appeal against the legal validity of Council's consent, the Land & Environment Court ruled the approval invalid on the basis that a relatively small but integral part of the proposal was prohibited.

In 2009 Parklands sought permanent and concurrent Concept and Project Approval under the former State Environment Planning Policy (Major Development) 2005 given the project constituted development for the purpose of tourist facilities, major convention and exhibition facilities or multi-use entertainment facilities that would employ 100 people or more.

In April 2012, following a 3 year development assessment process (Ref. DP&I, 2011), the NSW Planning Assessment Commission (PAC), under delegation from the then Minister for Planning approved both the Concept Plan and Project applications (Ref. PAC, 2012).

The Concept Approval

The Concept Plan approval (which provides the land use planning provisions and permissibility for the site) enables the use of the site for cultural events in perpetuity up to a maximum of 35,000 patrons. The Concept approval includes:

Stage 1 (Complete)

- The use of the site for cultural, educational and outdoor events with ancillary camping and car parking;
- temporary event infrastructure;
- a spine road; and
- a vegetation management plan.

Stage 2 (not constructed)

- a water treatment plant; and
- a wastewater treatment plant.

Stage 3 (not constructed)

- a cultural centre; and
- a conference centre and associated accommodation.

The Project Approval

While the PAC noted that large outdoor events should be able to be carried out without significant impacts on the community, the PAC adopted a precautionary approach by only allowing project approval for a 5 year trial period (up until 2017) capped at 70% of capacity - 35,000 patrons, instead of the 100% capacity - 50,000, sought in the original Concept and Project applications (Ref. Connolly, 2010).

The objective of the trial project approval was for Parklands to demonstrate that large outdoor events could be managed consistent with a range of key performance indicators (KPIs) to avoid unacceptable impacts on flora and fauna, residents, event goers and on the general community.

2.2 EVENTS HELD TO DATE

Consistent with the intent of the trial project approval, Parklands has now held a total of seven large and medium events and undertaken detailed performance monitoring and analysis, resulting in ongoing management improvements across each event (Ref. Parklands, 2014 (a), 2014 (b), & 2015). Despite some early non-compliance particularly in relation to traffic and noise, Parklands is now generally compliant with the conditions of approval as demonstrated during the 2016 SITG event and submits that it is well positioned to accommodate events of up to 50,000 patrons.

During and outside these key events Parklands has provided the Byron local government area and the State of New South Wales with substantial economic, social and environmental benefits. The proposal has promoted and attracted considerable tourism both within the Byron Shire and throughout the northern New South Wales region. It has generated significant permanent and temporary employment opportunities (673 full time equivalent positions in 2015), and increased trade for business operators including direct expenditure of approximately \$47 million (Ref. RPS, 2015).



Photograph of entry signage to the North Byron Parklands site.

2.3 PREVIOUS MODIFICATIONS

The following modifications have been submitted to and approved in relation to the Concept approval and Project approval.

- On 3 December 2012, Modification 1 was approved for minor typographical amendments to Conditions B4 and E18 of the Project Approval;
- On 29 January 2013, Modification 2 was approved to modify a typographical error in Condition C32 of the Project Approval relating to a miss-description of Yelgun Creek; and
- On 22 April 2016, Modification 3 was approved to the Project Approval relating to noise management measures, a request for small community events and various administrative amendments.

3 SUBJECT SITE

This section briefly describes the North Byron Parklands site.

The Parklands site is located on Tweed Valley Way and Jones Road in the Yelgun Valley within the Byron local government area. The access road leading from the site northwards to Wooyung Road is located within Tweed Shire. The site covers an area of approximately 260 hectares. The site forms a natural amphitheatre comprising a low lying and level central plain surrounded by steep rising hillsides on the northern, western and southern sides of the site. The Billinudgel Nature Reserve is immediately south and west of the site.

Plan 3.1 shows the existing environment of the site. Details with respect to the titles which compose the property are set out in **Table 3.1** below.

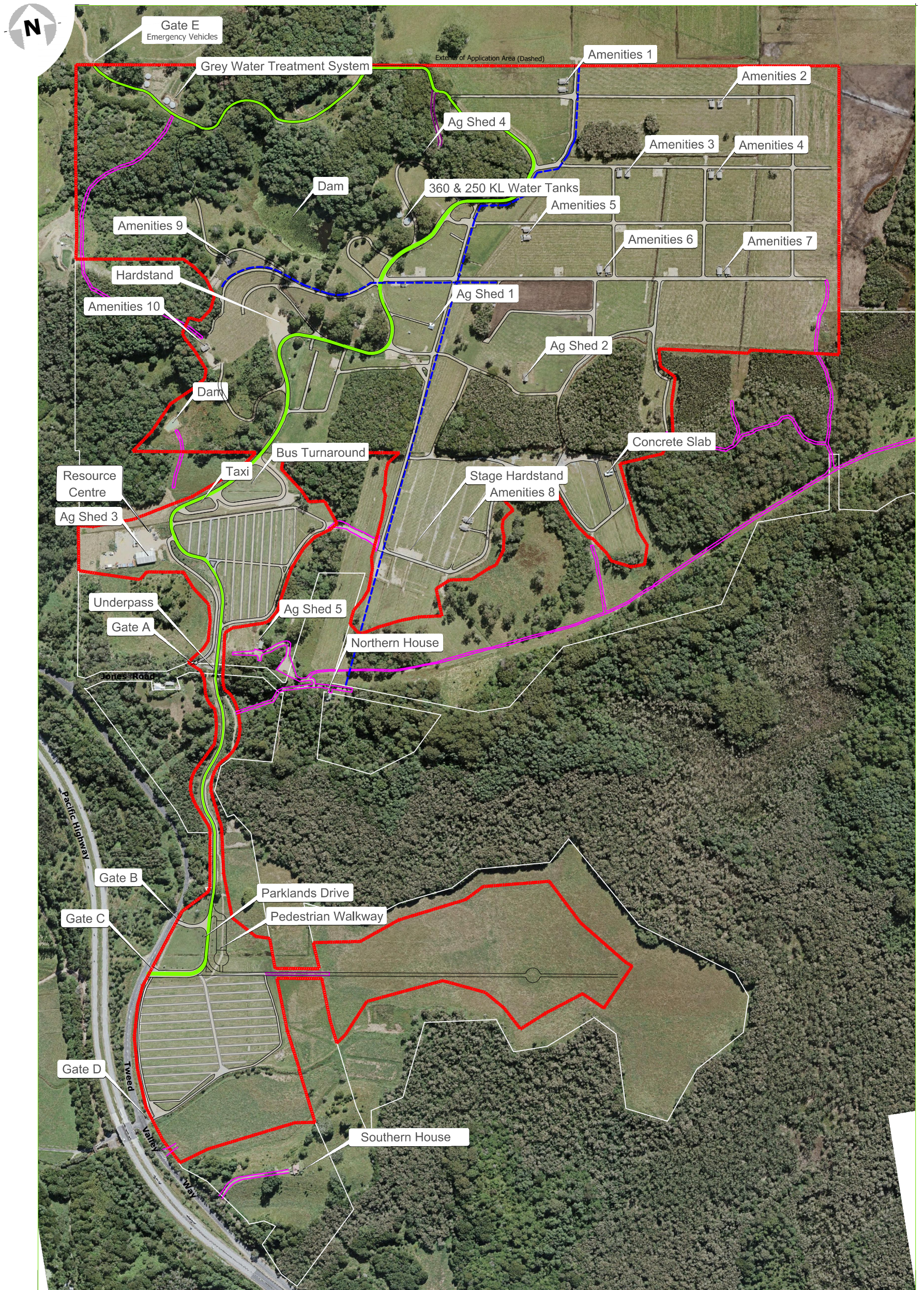
TABLE 3.1 OVERALL PARKLANDS PROPERTY

Lot/DP	Title Area (ha)	Calculated Area (ha.) ¹
Lots 402, 403, 404 DP 755687	121.4	121.26
Lot 410 DP 755687	0.23	0.23
Lot 1 DP 1145020	2.47	2.47
Lot 46 DP 755687	16.19	16.17
Lot 10 DP 875112	20.91	21.41
Lot 2 DP 848618	31.46	32.22
Lot 101 DP 856767	15.91	15.91
Lot 30 DP 880376	16.56	16.33
Lot 102 DP 1001878	28.49	28.49
Lot 12 DP 848618	2.45	2.43
Lot 107 DP 1001878	0.13	0.13
Lot 101 DP 1001878	1.67	1.67
TOTAL	257.84	258.71

This application also relates to Lot 21 DP 1169952 but only with respect to the access road which traverses that property connecting the Parklands site to Wooyung Road.

Physical works undertaken to date include the: construction of an internal spine road; upgrading local public roads: creation of site access intersections and an underpass beneath Jones Road: construction of event laneways, walkways, car parking areas, drainage improvements and associated works; implementation of a fibre optic connection to the Telstra network; installation of a resource recovery centre and art installations; progressive implementation of a vegetation management plan; installation of relocatable toilet and shower facilities; and installation of water and wastewater facilities.

¹ Areas calculated in a GIS system varies slightly from the area shown on the Title Plans.



Legend:

- | | | | |
|--|-----------------|--|--------------------------------------|
| | The Site | | Extents of Application Area (Dashed) |
| | Event laneway | | Farm access |
| | Parklands Drive | | Telstra Optic Fibre Route |



0 160m

1:8000 (@ A3)

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: AMM Pty Ltd (Captured April 2015) | **Cadastral:** Ardill Payne (2009) |

Prepared by
design team ink
azaCAD
Updated - Planners North

Plan | 3.1 Existing State of Environment Plan

North Byron Parklands | Tweed Valley Way & Jones Road

Date	November 2016
Author	Planners North
Reference	1287.1104

4 THE PROPOSAL

This section briefly describes the proposed Concept Plan Modification and the proposed State Significant Development Application for a permanent cultural events site at North Byron Parklands.

4.1 PREAMBLE

Two concurrent applications are proposed. Firstly, a Modification to Concept Approval MP 09_0028 is proposed to allow for changes to patron size and to harmonize the conditions to reflect a permanent cultural events site. Further, development consent will also be sought under Part 4 of the Act for the permanent use of the North Byron Parklands as a cultural events site for up to 50,000 patrons.

Plan 4.1 is an illustrative master plan of the Parklands development.



Photograph of patrons enjoying a band on the main stage.

4.2 MODIFICATION PROPOSAL

The Modification proposed to the Concept Plan approval would allow for cultural events with a maximum patron capacity applicable to the largest event of 50,000 patrons. Further, it is proposed to make ancillary modifications to the Concept Approval to harmonise the terms of the approval to reflect permanency, amend the waste water and potable water arrangements, and to reflect the proposed land swap.

4.3 DEVELOPMENT APPLICATION

Development consent will be sought for the permanent use of the site with the largest event having a capacity of 50,000 patrons. The Development Application will seek:

- The carrying out of events as follows:
 - Large Events >25,000 but < 50,000 12 Event Days per annum
 - Medium >300 but < 25,000 8 Event Days per annum
 - Pro Bono, non-music focused 1 day events up to 1500 – maximum 3 per annum provided on a free or significantly reduced fee basis, with no expectation of a commercial return
- The implementation of further infrastructure including internal road and site enhancements; potable water supply works; toilet and water treatment facility works; and environmental works.
- Subdivision to permit a land swap with the Billinudgel Nature Reserve in accordance with agreements already reached with the Minister administering the National Parks and Wildlife Act.

The utilisation of the site is proposed to be phased. Subject to the achievement of relevant KPIs, the phasing envisaged is 35,000 patrons in 2017; 42,500 patrons in 2018; 50,000 patrons from 2019 onwards. Structure plans in relation to events of these sizes are contained in **Plan 4.2 to 4.4** to this Preliminary Environmental Assessment.

North Connection Road

Conference Centre

Spine Road

Event Access Laneway

Bus Area

Resource Centre

Administration /
Cultural Centre

Jones Road Underpass

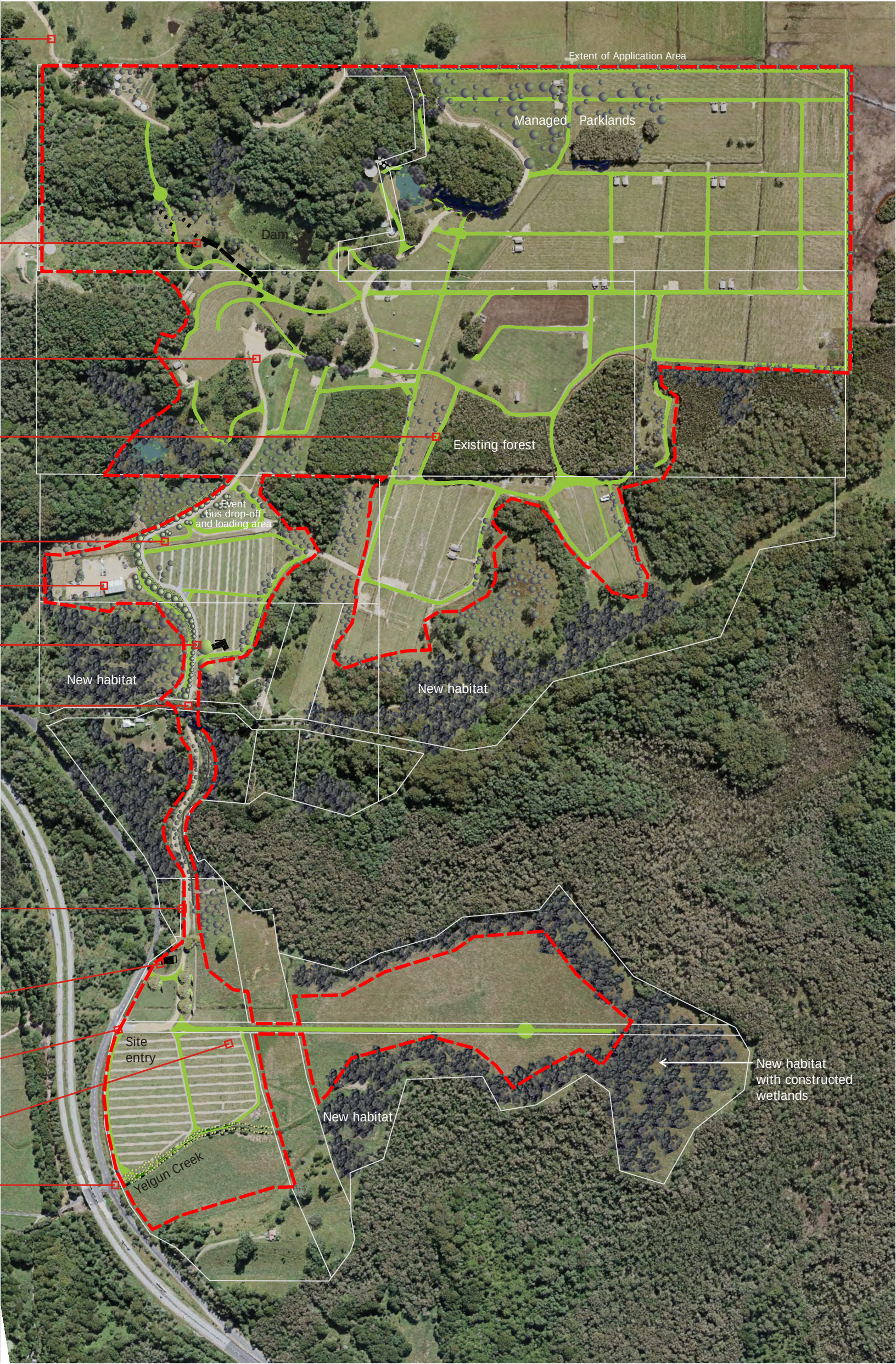
Spine Road Through
Access Corridor

Gate House

Entry Treatment (Gate C)

Drop Off Area

Gate D



North Byron
Parklands

Date	November 2016
Author	SJC
Reference	1287.1104

Legend

- The Site
- - - Extents of Application Area

Not to scale

IMPORTANT NOTE !
Cadastral information is subject to survey. The alignment of the aerial photography and vectorial overlays is approximate only.

Sources | Aerial Photography: AMM Pty Ltd (Captured April 2015)

Prepared by

design team Ink
landscape architecture urban design
Updated - Planners North

Plan | **4.1**
Illustrative Master Plan

North Byron Parklands | Tweed Valley Way & Jones Road

PROPOSED EVENT USAGE AREA

The Proposed Event Usage Area shows all of the parts of the "Application Area" that may be proposed to be used for a 35,000 patron capacity event.

The Example Event Structure plans below illustrate how specific facilities and infrastructure might be located within this area.

A typical 35,000 patron capacity event might include a very large multi-day, an agricultural field day or a music festival.

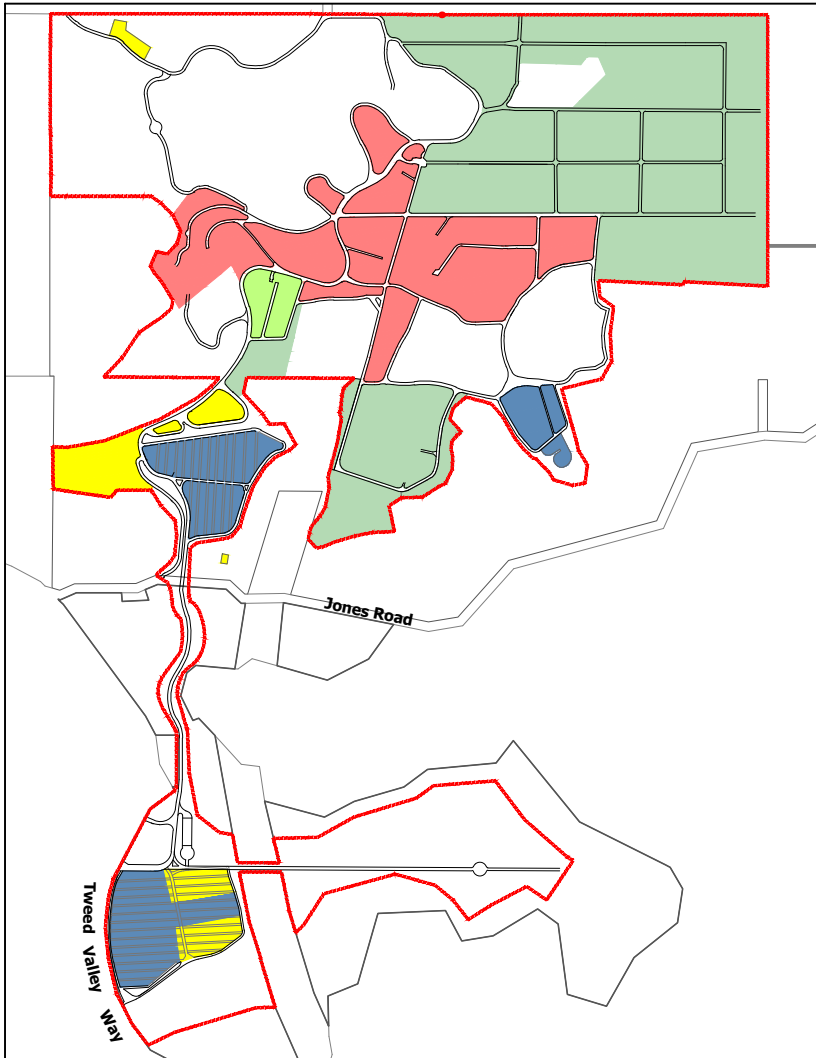
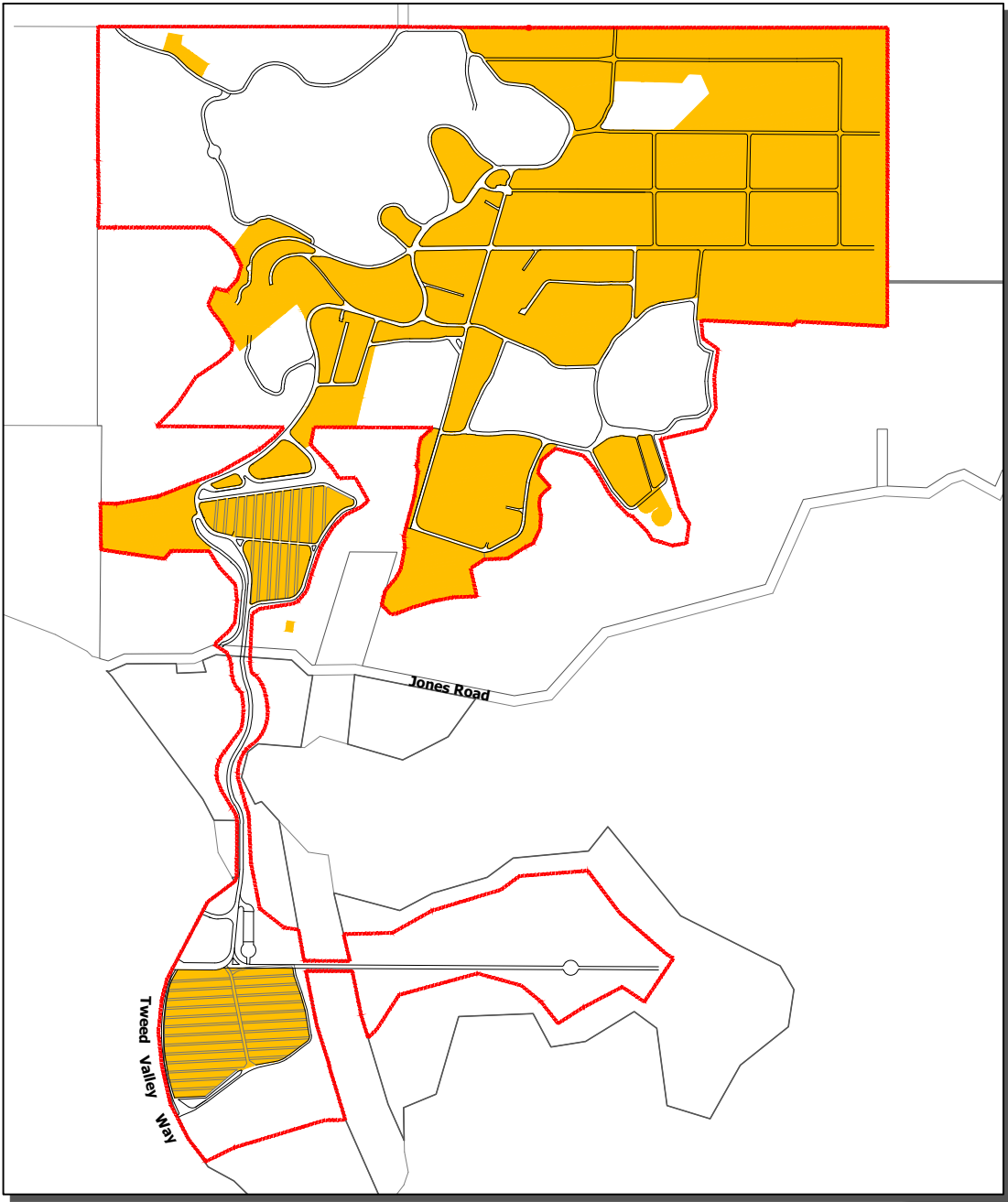
Proposed Event Usage Area
(33 Hectares)

Example A Landuse Table

LANDUSE	AREA (ha)	AREA (%)
Site	258.71	100
Event area	20.4	7.89
Camping	44.2	17.07
Parking	11.2	4.34
Back of House	1.6	0.62
Infrastructure	6.1	2.37
Suitable but unutilised	16.7	6.45
Parklands setting	158.5	61.25

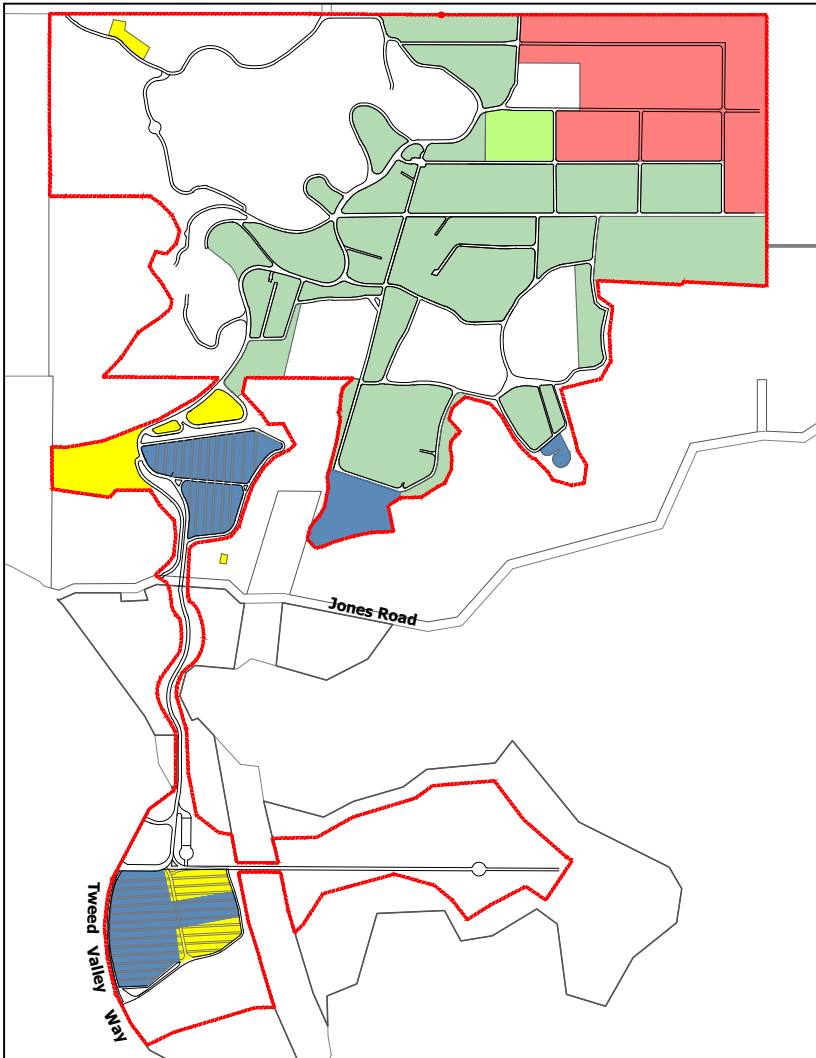
Example B Landuse Table

LANDUSE	AREA (ha)	AREA (%)
Site	258.71	100
Event area	16.1	6.21
Camping	47.5	18.34
Parking	12.0	4.62
Back of House	1.9	0.75
Infrastructure	6.1	2.37
Suitable but unutilised	17.9	6.92
Parklands setting	157.3	60.79



Performance or show space: 20.4ha Patron Camping: 19,250
Carparking: 3730

EXAMPLE EVENT LAYOUT A



Performance or show space: 16.2ha Patron Camping: 20,500
Carparking: 3590

EXAMPLE EVENT LAYOUT B

Legend:

- The Site
- Extents of Application Area
- Parklands Drive (7m wide)
- Active Event Access Lane (6m wide)
- Event
- Camping
- Carparking
- Back of house
- Infrastructure

Not to Scale (@ A3)

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: AMM Pty Ltd (Captured April 2015) | Cadastre: Ardill Payne (2009) |



Date	November 2016
Author	Planners North
Reference	1287.1104

Prepared by
design team ink
azaCAD
Updated - Planners North

Plan | 4.2
Post Trial
35,000 Patron Capacity
Structure Plan

North Byron Parklands | Tweed Valley Way & Jones Road

PROPOSED EVENT USAGE AREA

The Proposed Event Usage Area shows all of the parts of the "Application Area" that may be proposed to be used for a 42,500 patron capacity event.

The Example Event Structure plans below illustrate how specific facilities and infrastructure might be located within this area.

A typical 42,500 patron capacity event would be a music festival.

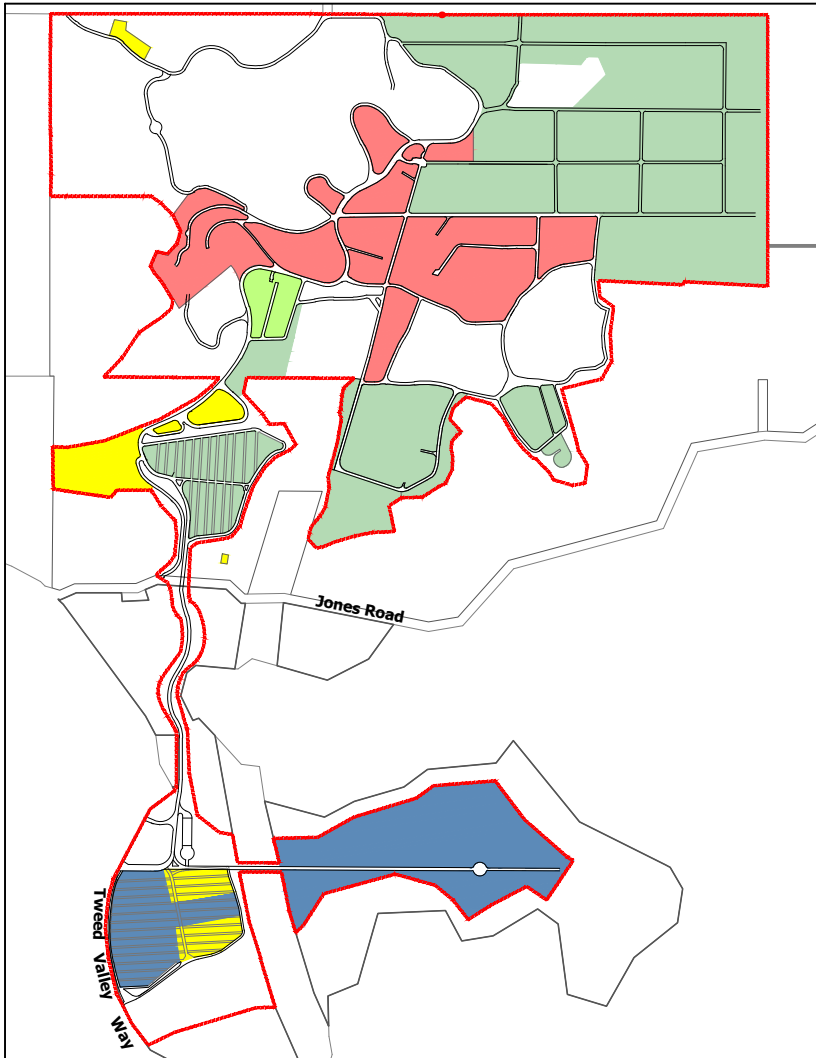
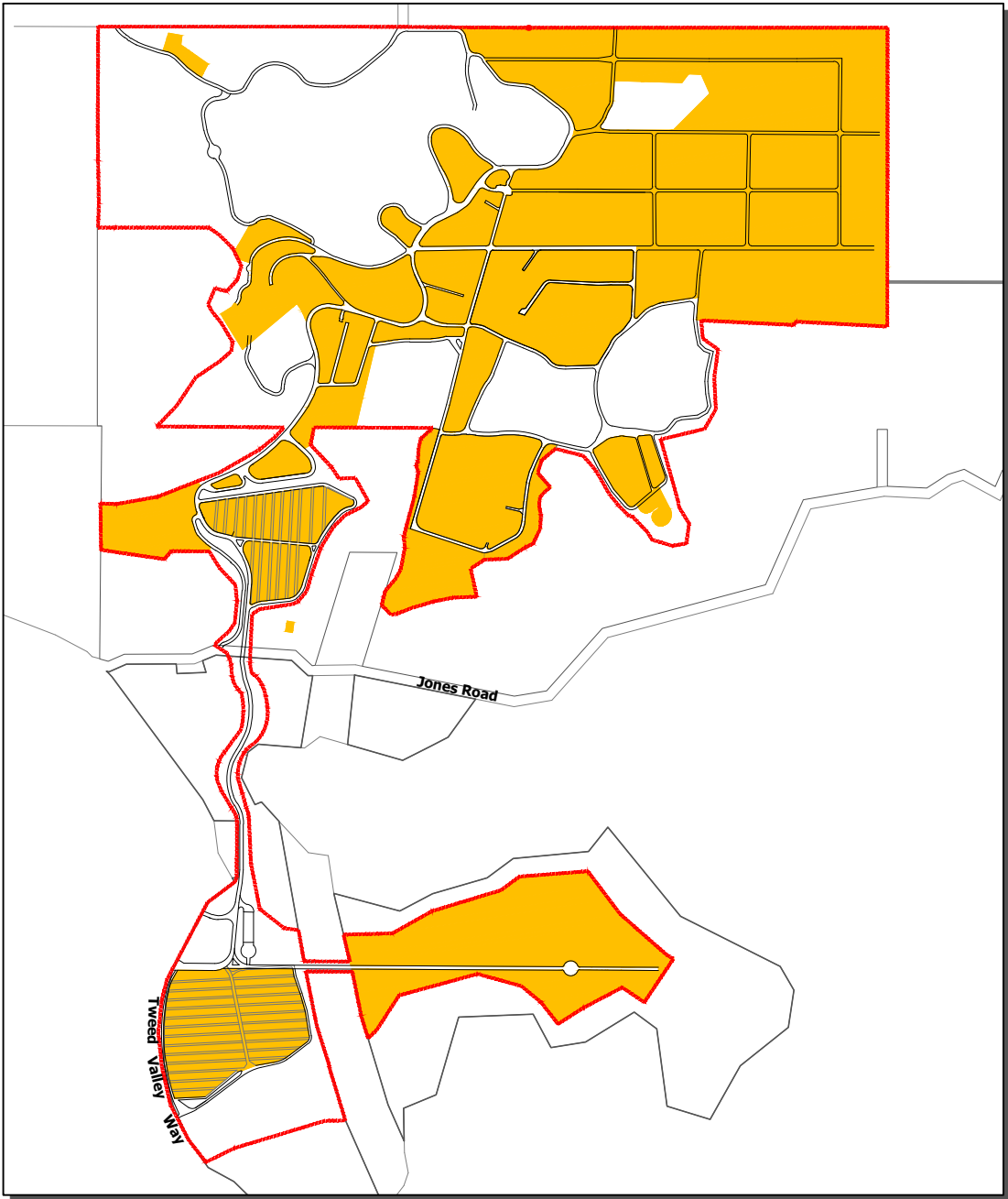
Proposed Event Usage Area
(36 Hectares)

Example A Landuse Table

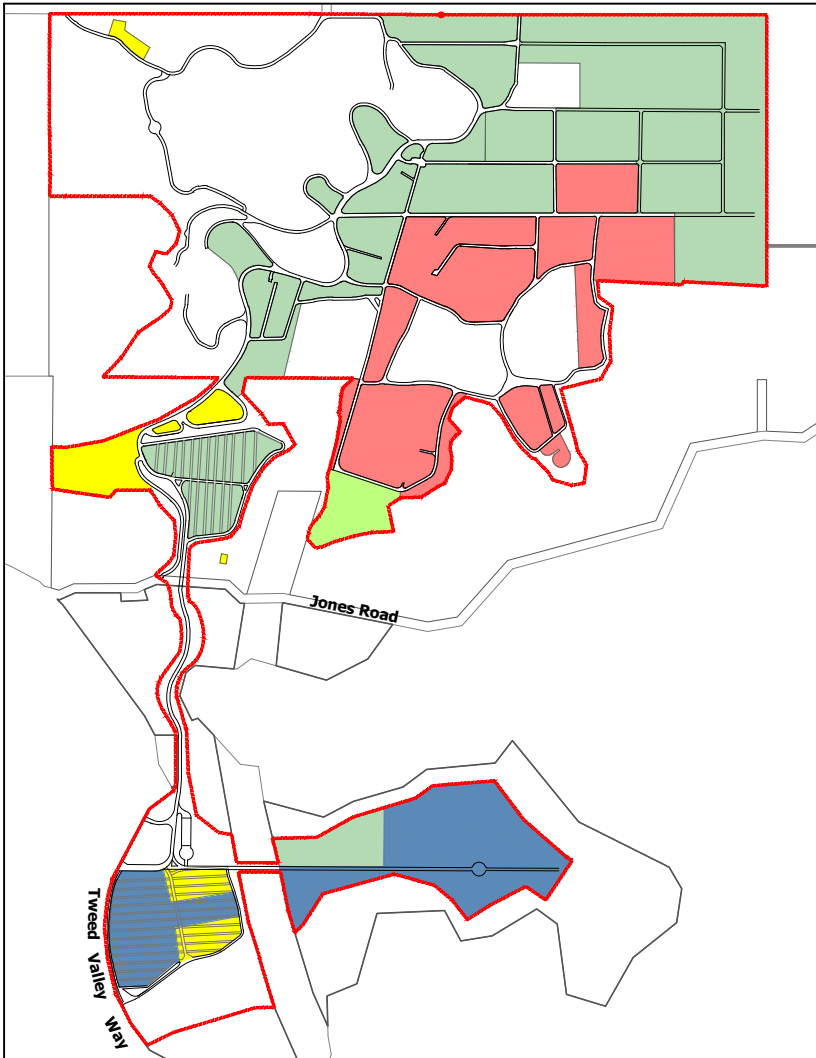
LANDUSE	AREA (ha)	AREA (%)
Site	258.71	100
Event area	21.1	8.15
Camping	49.8	19.26
Parking	15.9	6.15
Back of House	1.6	0.62
Infrastructure	6.1	2.37
Suitable but unutilised	5.7	2.20
Parklands setting	158.5	61.26

Example B Landuse Table

LANDUSE	AREA (ha)	AREA (%)
Site	258.71	100
Event area	22.0	8.44
Camping	48.4	18.55
Parking	13.9	5.33
Back of House	2.2	0.85
Infrastructure	6.1	2.35
Suitable but unutilised	4.6	1.75
Parklands setting	163.6	62.73



Performance or show space: 21.1ha Patron Camping: 22,000
Carparking: 4095



Performance or show space: 22ha Patron Camping: 21,250
Carparking: 4175

EXAMPLE EVENT LAYOUT A

EXAMPLE EVENT LAYOUT B

Legend:

- The Site
- Extents of Application Area
- Parklands Drive (7m wide)
- Active Event Access Lane (6m wide)
- Event
- Camping
- Carparking
- Back of house
- Infrastructure

Not to Scale (@ A3)

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: AMM Pty Ltd (Captured April 2015) | Cadastre: Ardill Payne (2009) |

Prepared by
design team ink
azaCAD
Updated - Planners North

Plan | 4.3
Post Trial
42,500 Patron Capacity
Structure Plan

North Byron Parklands | Tweed Valley Way & Jones Road



Date	November 2016
Author	Planners North
Reference	1287.1104

PROPOSED EVENT USAGE AREA

The Proposed Event Usage Area shows all of the parts of the "Application Area" that may be proposed to be used for a 50,000 patron capacity event.

The Example Event Structure plans below illustrate how specific facilities and infrastructure might be located within this area.

A typical 50,000 patron capacity event might include a very large multi-day, a religious retreat event or a music festival.

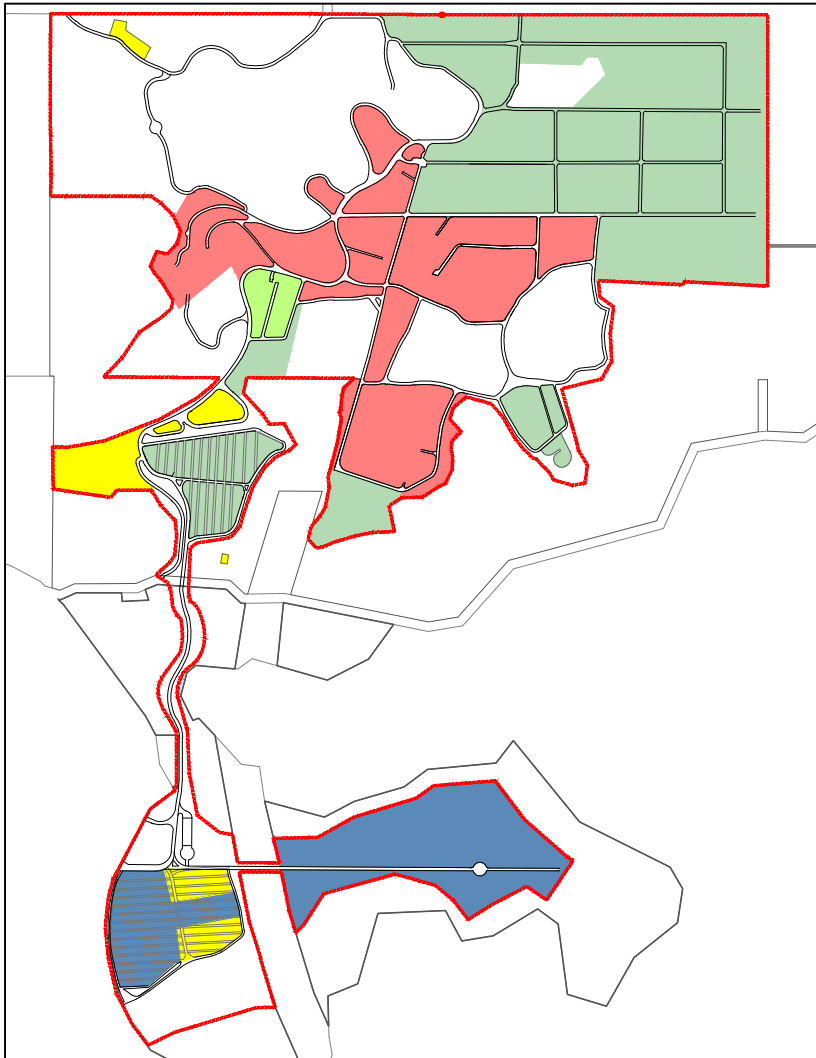
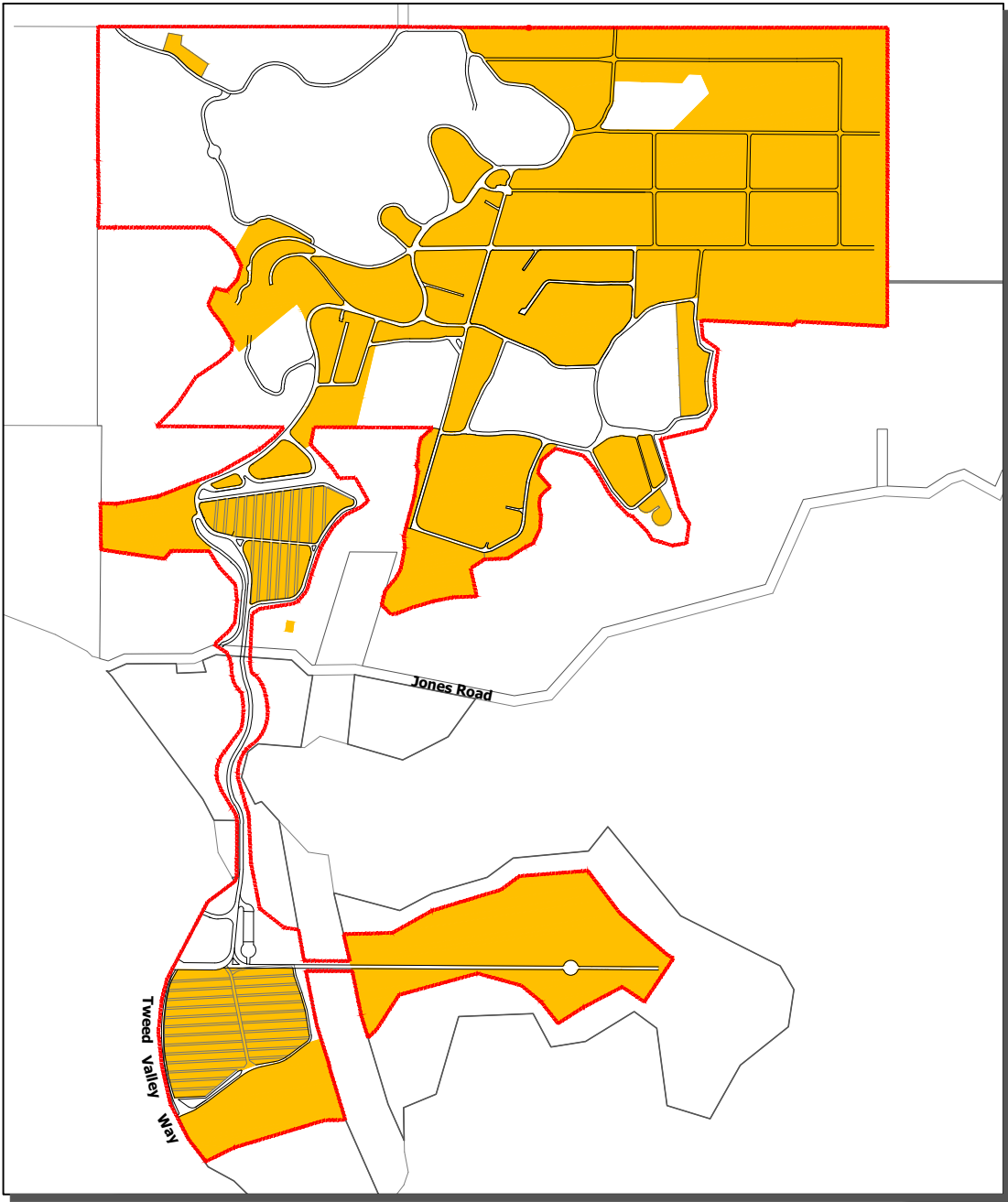
Proposed Event Usage Area
(37 Hectares)

Example A Landuse Table

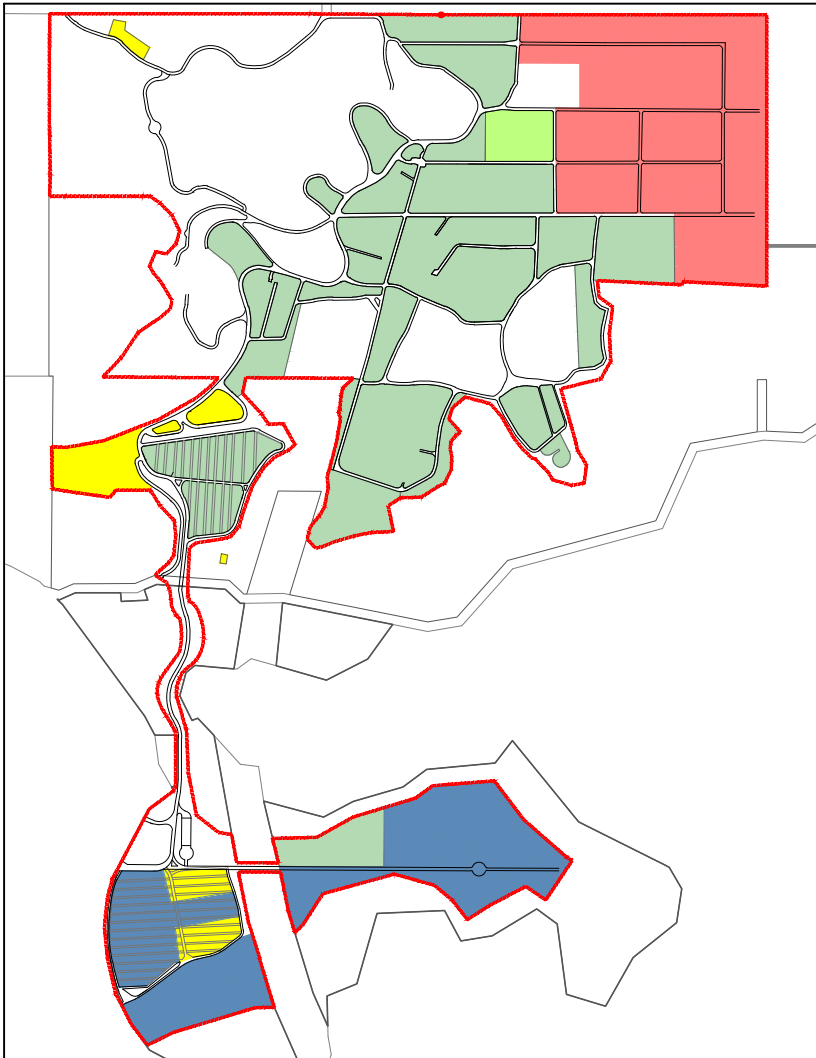
LANDUSE	AREA (ha)	AREA (%)
Site	258.71	100
Event area	24.9	9.61
Camping	46.1	17.80
Parking	15.9	6.15
Back of House	1.6	0.62
Infrastructure	3.2	1.25
Suitable but unutilised	5.7	2.20
Parklands setting	161.4	62.37

Example B Landuse Table

LANDUSE	AREA (ha)	AREA (%)
Site	258.71	100
Event area	24.9	9.62
Camping	46.7	18.06
Parking	17.5	6.78
Back of House	1.9	0.75
Infrastructure	3.2	1.25
Suitable but unutilised	0.0	0.00
Parklands setting	164.4	63.53



Performance or show space: 24.9ha Patron Camping: 20,000
Carparking: 5050



Performance or show space: 24.9ha Patron Camping: 20,500
Carparking: 5000

EXAMPLE EVENT LAYOUT A

EXAMPLE EVENT LAYOUT B

Legend:

- The Site
- Extents of Application Area
- Parklands Drive (7m wide)
- Active Event Access Lane (6m wide)
- Event
- Camping
- Carparking
- Back of house
- Infrastructure

Not to Scale (@ A3)

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: AMM Pty Ltd (Captured April 2015) | Cadastre: Ardill Payne (2009) |

Prepared by
design team ink
azaCAD
Updated - Planners North

Plan | 4.4
Post Trial
50,000 Patron Capacity
Structure Plan

North Byron Parklands | Tweed Valley Way & Jones Road



Date	November 2016
Author	Planners North
Reference	1287.1104

It should be noted that the State significant DA will seek development approval to continue the waste water and potable water systems currently in use on the site. The previously approved waste water and water treatment plants will not be pursued. Development Applications for the proposed conference and cultural centres, consistent with the Concept Plan Approval, will be sought at a later date.

4.4 ENVIRONMENTAL MANAGEMENT SYSTEMS

Operational performance of the site (and events held at the site) is administered and monitored by an Environmental Health and Safety Management System, compliant with key elements of AS/NZS ISO 14001 - Environmental Management Systems and AS 4804 - Occupational, Health and Safety Management Systems. The Parklands system is contained within the EHSMM Management Manual accompanying this application (Ref. Parklands, 2016). The EHSMM establishes a range of environmental, health and safety objectives under its EH&S Policy which Parklands is committed to achieving as part of its delivery of a sustainable cultural arts and music events venue.

Specific and measurable targets and outcomes are documented in a suite of Parkland's Standards which have been developed for all significant EH&S aspects associated with the organisation's activities and services. The EHSMM provides a robust framework of monitoring, measurement, auditing and management review to accurately determine the effectiveness of the organisation's policies, procedures, work instructions, training, emergency response and non-conformance and corrective action processes. The EHSMM has recently been updated to reflect contemporary standards and requirements.

The EHSMM along with the conditions of approval as applicable will continue to be the primary vehicle for maintaining Parklands on a path of continuous improvement. Parklands is committed to the continued auditing of all aspects of its operation and ongoing reporting of its performance to the Department of Planning and Environment as required.

For each event, Parklands issues an Event Management Manual which clearly articulates all applicable consent conditions and EHSMM requirements. The event operator also prepares an Event Management Plan that provides additional information on how the event proposes to comply with all requirements documented in the Event Management Manual. Each event is subject to a pre, during and post event audit by Parklands staff that evaluates continuing compliance with over 315 applicable approval conditions and standards. Parklands also lodges an annual Performance Report with the Department of Planning and Environment and places a copy for interested stakeholders on its website.

4.5 HABITAT EMBELLISHMENT

Habitat embellishment is carried out pursuant to a Flora and Fauna Rehabilitation Program (FFRP). The aim of the FFRP is to maintain and improve habitat values at the Parklands site. Objectives include:

- Maintain and improve conditions in existing native forest of the site;
- Restore native vegetation in identified new full habitat areas;
- Restore tree cover in managed parklands zones; and
- Control and remove weeds from native forest and habitat areas.

5 STRATEGIC & STATUTORY PLANNING CONTEXT

This section sets out basic details in relation to the strategic and statutory planning relevant to both proposed applications.

5.1 STRATEGIC PLANNING

5.1.1 RURAL LAND USE STRATEGY

Byron Council's recently adopted Rural Land Use Strategy (Ref. BSC, 2016) provides a strategic framework which guides the use of rural land for living, working and recreation. The proposed modification and State Significant DA are consistent with the Strategy particularly as it relates to the rural environment, economy and community.

The proposal would maintain the site for rural uses, minimise land use conflict through environmental management and design, and protect significant scenic landscapes through conservation and ongoing vegetation improvement across the site.

5.1.2 THE FAR NORTH COAST STRATEGY

The proposed modification and State significant DA are consistent with the Strategy (Ref. DoP, 2006), in particular those objectives relevant to environmental sustainability and employment generation. The Parklands site has been designed to not only take advantage of the natural, economic, cultural, social and scenic qualities of the site and surrounds, but also to protect these very qualities. Environmental management measures, intensive monitoring and ongoing habitat restoration ensure that natural and cultural resources are maintained and improved in the long term.

The Strategy also identifies tourism as an important economic element of the regional economy. Parklands has developed an iconic cultural events site and generated substantial economic, social and environmental benefits whilst at the same time maintaining the environmental integrity of the site. The project has promoted and attracted considerable tourism within the region. In 2015 these visits helped generate direct expenditure of \$46.8 million, gross value added (GVA) of \$51.7m; and 673 equivalent full time (EFT) jobs (Ref. RPS, 2015).

5.1.3 THE DRAFT NORTH COAST STRATEGY

Once adopted the draft Strategy will replace the Far North Coast Strategy (Ref. DP&E, 2016) providing a decision-making framework which integrates environmental and social considerations to achieve ecologically sustainable development (ESD). The proposed modification and State Significant DA would be consistent with the principles of ESD. The modification is also consistent with relevant goals in the Strategy specifically:

- Goal 1 which aims to protect the natural environment, aboriginal and historic heritage and productive landscapes; and
- Goal 4 which promotes the development of an action plan to expand nature based and cultural tourism on the North Coast.

5.2 LOCAL ENVIRONMENTAL PLANNING

Parklands is a Transitional Part 3A project under the Environmental Planning and Assessment Act (the Act), which means that development remains permissible pursuant to Clause 3B(2) of Schedule 6A. If Part 4 applies, the development is permissible with consent despite anything to the contrary in an Environmental Planning Instrument. Despite this, Parklands has considered the objectives of the relevant zones. The applicable zones, summary of the zoning objectives and consistency are described below.

5.2.1 BYRON LOCAL ENVIRONMENTAL PLAN 2014 (BLEP14)

Under BLEP14 part of the site is zoned RU1 Primary Production and RU2 Rural Landscape.

The proposed applications would be generally consistent with the objectives of both zones given the land would maintained for rural uses; minimise land use conflict through environmental management, and protect significant scenic landscapes through design, conservation and ongoing vegetation improvement across the site.

5.2.2 BYRON LOCAL ENVIRONMENTAL PLAN 1988 (BLEP88)

Under BLEP88 the remainder of the site is zoned 1 (a) (General Rural Zone), 1 (b1) (Agricultural Protection (b1) Zone), Zone No 7 (k) (Habitat Zone) and Zone No 9 (a) (Proposed Road Zone).

The proposed applications would be generally consistent with the objectives of these zones. The site will continue to be maintained for rural purposes with the least sensitive areas used for up to 20 days a year for medium and major cultural events. In addition, the site has been designed to promote and take advantage of the natural, economic, cultural, social and scenic qualities without compromising the integrity of these qualities in the long term. Residual impacts are offset by a range of environmental management measures. The environmental management plan will be updated and included in the State Significant DA to ensure ongoing effectiveness. Long term biodiversity programs including an extensive vegetation program will continue to ensure significant vegetation and wildlife habitats are appropriately conserved and enhanced.



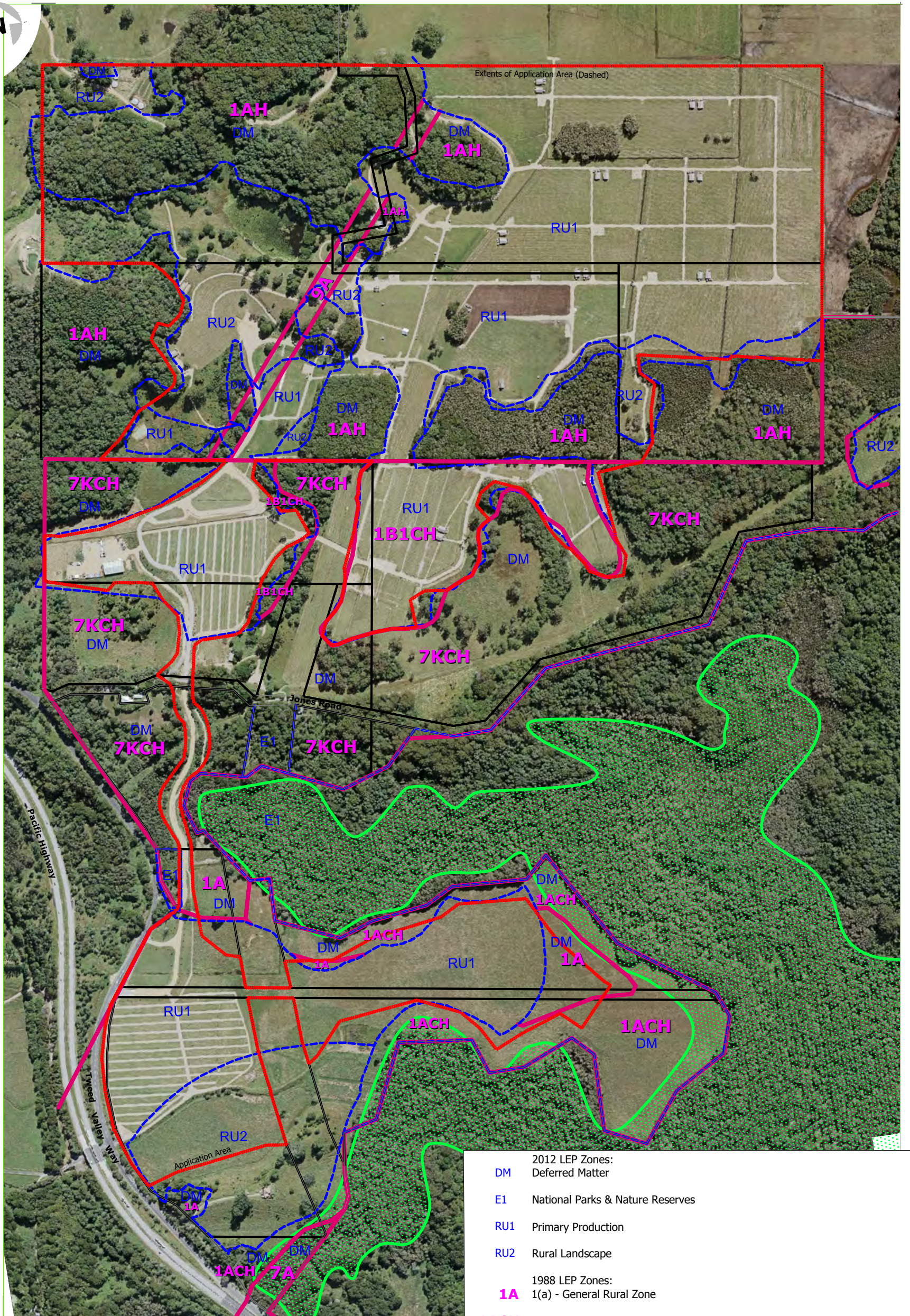
A performer at Splendour in the Grass kids club.

5.3 STATE ENVIRONMENTAL PLANNING POLICIES (SEPP)

Under the Act, State Environmental Planning Policies (SEPPs) apply to proposals to which Parts 3A & Part 4 applies. The Development Application and Modification have been considered against the relevant SEPPs as follows.

State Environmental Planning Policy (State and Regional Development) 2011

The proposal to develop a permanent cultural events site at North Byron Parklands is State Significant development as it meets the non-discretionary criteria of State Environmental Planning Policy (State and Regional Development) 2011 being a cultural, recreation and tourist facility with a Capital Investment Value (CIV) of more than \$30 million and being development for the purpose of a recreation facility (major). A recreation facility (major) is a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically.



Legend:

- Property boundaries
- BLEP 1988 Zone boundaries
- SEPP 14 Wetlands
- Extents of project application area (Dashed)
- BLEP 2012 Zone boundaries

1:8000 (@ A3)

IMPORTANT NOTE |
Cadastral information is subject to survey. The alignment of the aerial photograph and vectorial overlays is approximate only.

Sources | Aerial Photography: AMM Pty Ltd (Captured April 2015) | Cadastre: Ardill Payne (2009) | Zoning: Byron LEP 1988 | SEPP 14: Balanced Systems

- 2012 LEP Zones:
DM Deferred Matter
- E1 National Parks & Nature Reserves
- RU1 Primary Production
- RU2 Rural Landscape
- 1988 LEP Zones:
1A 1(a) - General Rural Zone
- 1ACH 1(a) Cross Hatched - General Rural Zone (Refer to Clause 38A)
- 1AH 1(a) Hatched - General Rural Zone (Refer to Clause 38)
- 1B1CH 1(b1) Cross Hatched - Agricultural Protection (b1) Zone (Refer to Clause 38A 38B)
- 7KCH 7(k) Cross Hatched - Habitat Zone (Refer to Clause 38A and 38B)
- 9A 9(a) - Proposed Road Reserve Zone

Prepared by
design team ink
azaCAD
Updated - Planners North

Plan | **5.1**
Zoning Plan

North Byron Parklands | Tweed Valley Way & Jones Road



0 160m

Date	November 2016
Author	Planners North
Reference	1287.1104

Permanency Development Application & Concept Approval Modification

18

The proposed development has a CIV of \$32.7m + GST (see **Appendix A**).

State Environmental Planning Policy No. 14 – Coastal Wetlands

Coastal Wetlands aims to ensure coastal wetlands are protected from clearing, draining, filling and levee construction and are preserved in the environmental and economic interests of the State. The subject site contains a small portion of SEPP 14 (No. 57) within the site's southern boundary, but outside of the application area. Consistent with the original approval, Parklands has protected the wetlands and will continue to do so.

State Environmental Planning Policy No. 44 – Koala Habitat Protection

Koala Habitat Protection aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas. Initially a small area of core Koala habitat was identified in the eastern part of the site, but outside the project application area. A Koala Plan of Management (KPoM) was prepared and consistent with the conditions of approval, updated prior to the commencement of the first event in 2013. Current Condition C21 requires the preparation of a KPoM should the site ever again be the permanent habitat of Koala. Other relevant SEPPs include SEPP 64 – Advertising and Signage; SEPP - Infrastructure 2007; SEPP - Temporary Structures 2007; SEPP 55 – Remediation of Land; and SEPP - Rural Lands 2008. The development as modified will continue to be consistent with these policies given:

- temporary advertising or signage erected on the site as part of events will continue to be considered against the provisions of the SEPP;
- No contaminated land has been identified and no remediation works are required;
- All infrastructure works carried out as part of the project will be considered against the infrastructure SEPP and the relevant provisions of the Building Code of Australia;
- Temporary structures required as part of events will continue to be constructed in accordance with the provisions of the SEPP; and
- The site will continue to be maintained for rural purposes.

5.4 MODIFICATION UNDER SECTION 75W OF THE ACT

The proposal to modify the Concept Plan approval is to be undertaken in accordance with Section 75W of the Act which provides for the modification of major projects. The Minister or his delegate must be satisfied that what is proposed is indeed a modification of the original proposal, rather than being a new project in its own right. Parklands submits that the:

- proposal would remain a cultural events site;
- proposal would retain essentially the same fundamental concept plan and project approvals; and
- environmental consequences of the proposed modification would be similar in nature to those resulting from the existing operation of the site and any subsequent development approval.

5.5 COMMONWEALTH LEGISLATION

An approval under the Environment Protection and Biodiversity Conservation (EPBC) Act is required for any action that is likely to have a significant impact on Matters of National

Permanency Development Application & Concept Approval Modification

19

Environmental Significance (MNES). Nine MNES are listed under Part 3 of the EPBC Act of which the following two are relevant to the Parklands site:

- listed threatened species and ecological communities; and
- migratory species.

On 22nd October 2012, the Federal Department of Sustainability, Environment, Water, Population and Communities advised Parklands that the proposal was not a controlled action, provided the development was undertaken generally in accordance with the approval issued by the PAC (i.e. trial events up until 2017). The decision was also based on the implementation over the trial period of additional management measures.

Parklands has implemented and generally met all conditions relating to the Commonwealth's original decision. Parklands also submits that the proposed modification and State Significant DA would not result in significant impact on MNES. Parklands will separately refer the proposed modification and State Significant DA to the Commonwealth for a decision on whether the project is a controlled action on the basis that the original decision was for the trial period only.

6 POTENTIAL ENVIRONMENTAL ISSUES

This section documents matters which are potential environmental issues in relation to the consideration of the proposed Modification Application and the State significant DA for a permanent cultural events site.

Parklands has revisited the assessments that supported the original applications (Ref. Connelly, 2010) paying attention to the findings of both the Department and the PAC in their respective assessments. In light of these assessments and findings, Parklands has updated the impact assessments using performance records gathered over the last 4 years and more recent impact assessment data. Coupled with the ongoing use of adaptive management techniques, this re-assessment found that Parklands can achieve its original target of 50,000 patrons subject to a number of integrated mitigation measures and the continued adoption of a robust adaptive management regime. These issues will be comprehensively addressed in the EA and EIS lodged in support of the modification and SSD applications.

Parklands proposes to update its Statement of Commitments (SOC) to reflect the findings of this re-assessment and additional commitments.

6.1 TRAFFIC

Seven major and medium trial events have been held to date and adaptive traffic management has applied lessons learnt from previous events to optimise transport outcomes consistent with key performance criteria identified in the approval. Following the first trial event (SITG 1 July 2013), each of the trial events has run with either no external road traffic impacts or a few minor adverse impacts for relatively small periods of time. Traffic monitoring data collected during these trial events also provides data to better plan future events, including events of 50,000 patron capacity.



Photograph of Tipi camping at an event

Capacity analysis of the Tweed Valley Way, Pacific Highway and the Pacific Highway Yelgun Ramp merges has shown they can operate at a Level of Service D, C and B, respectively for a 50,000 patron event. To reduce the traffic impacts to an acceptable level at the Yelgun Interchange, higher levels of passengers per vehicle combined with higher public transport mode shares are required.

The Traffic and Transport Assessment consultants have recommended the implementation of additional measures to reduce the traffic impacts at the Yelgun Interchange to an acceptable level. These relate to higher bus use, additional reductions in cars coming into the site, traffic management measures that monitor and manage queues at the Yelgun Interchange, and traffic control in certain circumstances.

6.2 ECOLOGY

Seven major and medium trial events have been held to date at the site and Event Impact Monitoring data and reports are available for the first five events. Extensive monitoring effort and data collection has been undertaken proceeding, during and following events using the BACI design, to enable evaluation of potential ecological impacts attributable to holding events at the Parklands site. Extensive data analysis shows that no adverse ecological impacts have been attributed to the trial events at the site.

Changes that have occurred are attributed to weather conditions, or changes in resources such as food sources. Minor changes have been observed, such as avoidance of the areas by wallabies and Grey-headed Flying Foxes during illumination. However, these are short-term changes and adverse impacts have not been observed.

The review of ecological predictions study concludes the effects of events have been relatively smaller compared to natural ecological influences and in fact the biodiversity characteristics of the site are being permanently improved by way of habitat creation and preservation, major site regeneration, maximising down times between larger events, and utilising best practice with soil and water systems.

All the monitoring and research completed to date demonstrates that the proposed Modification and DA to allow the permanent operation of festival events and the higher patronage numbers would not have adverse ecological impacts as long as management plans are in place.

6.3 ACOUSTIC

In 2015, Parklands sought a modification to the acoustic conditions in the Concept and Project approvals which were based on a “background plus” criteria generally consistent with NSW Industrial Noise Policy (INP). The INP was designed to control noise from large and complex industrial activities which tend to run for extended periods, generating steady and continuous noise consistently throughout the year. It was not intended to regulate noise from cultural events such as SITG.



Aerial photograph of the North Byron Parklands site during an event.

In April 2016, the PAC approved a modification to the noise goals noting that trial events had provided greater understanding of the noise environment. The PAC was satisfied that specific noise limits across the two delineated zones would provide greater certainty and that specific limits should be consistent across all events held at the site (Ref. PAC, 2016). The PAC noted that the proposed noise levels would be consistent with levels adopted for similar events.

The results of the SITC 2016 confirm the PACs decision. Parklands was able to fully comply with the new acoustic criteria with the exception of a single ten minute period, when a non-compliance 0.4 dB was recorded. Although probably inaudible, the non-compliance was subsequently rectified following a reduction in stage noise levels. Importantly, the number of acoustic related complaints was down from 117 in 2015 to 24 in 2016, a reduction of approximately 80%.

Given the above and the fact that Parklands is in a strong position to implement effective acoustic management for all future events, an increase in patron numbers to 50,000 will have little impact in off-site acoustic impacts.

6.4 FLOODING

A review of the Flood Impact Assessment was undertaken in 2015 to update flood issues relevant to the site. The review considered flood assessment objectives, constructed vs assessed development, stream gauges; and design rainfall intensity. The review concluded:

- The hydraulic model used in the original assessment remains valid as this model was reviewed in the Tweed Coastal Creeks Flood Risk Management Study, and was not found to require any further modifications;

- As part of the 2014 LEP, Council adopted new climate change parameters including specifying that the 2050 and 2100 Planning Horizons be assessed along with three sensitivity runs. The climate change parameters used in the original North Byron Parklands FIA are more conservative;
- The spine road and access roads are at the modelled heights (based on visual assessment only) and the culvert installed provided additional capacity beyond that originally assumed;
- There were no significant new buildings or obstructions in the flood liable areas which would impact on the flood modelling outcomes;
- No other development is proposed within the floodplain area at this stage;
- Stream gauges at the top and bottom of the site (both telemetered are able to provide real time information) used by site managers to manage flood risks prior and during events;
- The design rainfall used in the initial assessment remains current at this time, until the Bureau of Meteorology publishes revisions to design rainfall inputs, such as temporal patterns, areal reduction factors and rainfall losses; and
- No other flood-related issues were identified which would likely influence the application for permanent use of the site for events.

As part of the State Significant DA, the evacuation plan will be updated to demonstrate safe egress of a 50,000 patron event during a flood event.

6.5 POTABLE WATER AND WASTE WATER

As part of the Venue's strategy of embracing sustainable technologies and infrastructure, Parklands has been working closely with the Byron Shire Council to identify systems that allow onsite water harvesting and processing and treatment of waste waters and solids. Parklands commitment to developing innovative and cutting edge solutions has resulted in the implementation of water and wastewater systems that are more energy efficient, dramatically reduce water consumption and allow wastewaters and solids to be processed and treated on site.

In 2014 Parklands secured s.68 approval from Byron Shire Council to install 246 composting toilets which remove the need to dispose of any solid waste to external sewerage treatment plants. These award-winning composting toilets are waterless and reduce greenhouse gas emissions through the avoidance of transportation of waste offsite. Parklands also secured approval from Council to collect and treat greywater generated by events. Parklands now has more composting toilets and greywater treatment capacity than any other outdoor venue in the southern hemisphere. The net environmental benefits are substantial compared to traditional sewage treatment systems, hence the move towards these more sustainable and lower technology solutions.

A significant quantity of potable water is now harvested from the roofs of these amenities blocks providing for more than 1.6ML of water per annum. This approach reduces water truck movements to and from the site.

The potable water and on-site sewerage management strategy that has been developed following the successful implementation of these proven sustainable technologies for water and wastewater management will adequately cater for events up to 50,000 patrons.

6.6 COMMUNITY IMPACTS

Reporting during the trials indicates that anti-social behaviour associated with the events has not been realised as originally feared (Ref. Parklands 2014(a), 2014(b) & 2015). Police caseloads have not increased specific to events, local businesses have indicated that patrons are generally well behaved despite some patron noise issues in Brunswick village, Byron Council has not raised antisocial behaviour from event patrons as an issue while the community hotline has not recorded any complaints about antisocial behaviour apart from one incident in Brunswick (Ref. Parklands 2014(a), 2014(b) & 2015).

There have been a small number of offsite litter complaints which were appropriately addressed and will continue to be addressed by Parklands (Ref. Parklands, 2014 (a), 2014 (b), & 2015). There have only been three reports of illegal camping which were referred to Council. There have been a number of reported incidents of non-patrons attempting to access events via private property. Parklands has responded by increasing security in liaison with police, Council rangers and neighbours.

6.7 Socio - ECONOMIC

The PAC agreed that the proposal would generate economic benefits for the region. Economic evaluations of the Falls and SITG 2015 events (Ref. RPS, 2015) confirm the following:

- Direct expenditure of \$46.8 million with Byron LGA accounting for \$13.5m (29%);
- Gross Value Added (GVA) of \$51.7m of which \$13.8m was attributed to Byron Shire;
- 673 EFT jobs created in 2015 including 196 EFT in Byron Shire; and
- Direct cash contributions to the value of \$167,000 since July 2013 to a range of community organisations.

Importantly, it is predicted that the economic improvement attributable to permanency (in terms of Byron Shire's share of employment) would be a further increase of 5.4% (Ref. RPS, 2015).

7 CONCLUSION

This section provides a general justification in relation to the permanency Development Application and Concept approval modification.

Consistent with the PACs objective for the trials, Parklands has demonstrated that large outdoor events can be held in a manner that avoids unacceptable impacts on flora and fauna, residents, event goers and on the general community. Through a process of prediction, performance monitoring and adaptive management, Parklands has generally met or bettered the KPIs established by the PAC, and other relevant environmental and amenity standards. The Parklands environmental assessment work confirms that the same approach will ensure that Parklands continues to meet these KPIs and standards for the larger patron size of 50,000 subject to appropriate operating parameters and mitigation measures.

Both the SITG and FFB festivals are some of the longest running and most successful festivals in Australia and have survived where others have not. However, for Parklands to remain viable in the long term, it must be able to compete in a busy and growing global festival market, particularly as larger festivals domestically and abroad operate within similar timeframes.

With this in mind, it is extremely difficult for SITG and FFB to further invest in infrastructure to provide a better offering for a wider demographic given the uncertainty associated with the trial and the patron limitations. This is despite strong unmet demand and Parklands' satisfactory environmental performance. While Parklands is committed to its ongoing environmental obligations, all additional infrastructure investment has ceased until permanency with the larger patron capacity is obtained.

Parklands has demonstrated over the seven events held to date that it can meet relevant environment and amenity criteria both through prediction and design and a strong adaptive management regime. Parklands is managing the site and conducting events generally in full compliance with the conditions of approval. It should also be noted that noise has been the focus of most complaints during the trial period. However, Parklands is now meeting the noise goals in its approval and complaints received on the community hotlines for both SITG and FFB have decreased significantly since 2014.

The impact assessment undertaken to date to inform the preliminary environmental assessment further demonstrates that Parklands can continue to meet these standards under the modified operating scenarios. The impacts associated with key operating issues including traffic, ecology, noise, and flooding have been re-evaluated and found to be acceptable under the worst-case scenario of the largest 50,000 patron event.

Parklands will update its Statement of Commitments to incorporate lessons learned since 2013 and to reflect the outcomes of the findings of the updated impact assessment.

The Modification is considered to be substantially the same development as that previously approved by the PAC, being the establishment of a cultural events site. The proposal as modified



Patrons enjoying the Splendour Forum.



Photograph of the amphitheatre site outside of an event time.

Permanency Development Application & Concept Approval Modification

25

and the proposed State Significant DA will be consistent with the objectives of Local, Regional and State strategic and statutory planning.

The Development Application and Modification will enable Parklands to establish a sustainable long term events site that will provide a range of public benefits including:

- a sustainable and iconic world class cultural events site;
- ongoing economic benefit including local and regional employment opportunities, increased trade for local and regional businesses; and ongoing grants for community groups;
- the dedication of 28 ha high value conservation land to the NPWS reserve system as additions to the Billinudgel Nature Reserve for otherwise low conservation value land; and
- the ongoing protection and enhancement of the sites biodiversity values and the preservation of areas of the site solely for habitat purposes.



S J Connelly RPIA (Fellow)
PARTNERSHIP PRINCIPAL
PLANNERS NORTH

REFERENCES

- | | |
|--------------------------------|---|
| <i>BSC, 2016</i> | <i>Rural Settlement Strategy</i> , Byron Shire Council 2016. |
| <i>BSC, 2009</i> | <i>Byron Shire 2008-2018 Tourism Management Plan</i> , September 2009. |
| <i>Cleland, 1997</i> | <i>Commission of Inquiry concerning the rezoning of land in Ocean Shores, Shire of Byron</i> . The Cleland Commission of Inquiry, 1997. |
| <i>Connelly, 2010</i> | <i>Environmental Assessment for the Parklands Project</i> . SJ Connelly CPP, 2010. |
| <i>DP&I, 2011</i> | <i>Director General's EA Assessment Report</i> , Planning and Infrastructure, November 2011. |
| <i>DoP, 2000</i> | <i>SEPP 44 - Koala Habitat Protection</i> , Department of Planning, April 2000. |
| <i>DoP, 2003</i> | <i>Coastal Design Guidelines of NSW</i> , Department of Planning, 2003. |
| <i>DoP, 2004</i> | <i>SEPP 55 - Contaminated Lands</i> , Department of Planning, July 2004. |
| <i>DoP, 2006</i> | <i>The Far North Coast Regional Strategy 2006 - 2003</i> Department of Planning, 2006. |
| <i>DP&E, 2016</i> | <i>Draft North Coast Strategy</i> , Department of Planning and Environment, 2016. |
| <i>Henkel, 2010</i> | <i>Imagining the Future- Strategies for the Development of Creative Industries in the Northern Rivers Region of NSW</i> . November 2000. Commissioned by NRRDB in association with NRACC, Cathy Henkel, 2010. |
| <i>Industry Strategy, 2008</i> | <i>Northern Rivers Arts and Creative Industries Strategy 2008-2012 Prepared for Arts Northern Rivers by Positive Solutions</i> 31 October 08. |
| <i>Janeczko, Ben.</i> | <i>Estimating the economic impacts of festivals and events: a research guide Bibliography</i> ISBN 1 876685 35 2. |
| <i>NRRDB, 2005</i> | <i>Northern Rivers Regional Industry and Economic Plan: Final Report</i> , 2005. |
| <i>NSW DLG, 1997</i> | <i>Major and Special Event Planning – A Guide for Promoters and Councils</i> . NSW, 1997 NSW Dept. of Local Government. |
| <i>NSW RFS, 2006</i> | <i>Planning NSW, Planning for Bushfire Protection</i> , NSW Rural Fire Services 2006. |
| <i>PAC 2012</i> | <i>Determination of Concept Plan & Stage 1 and 2 Project Approval for a Proposed Cultural Events Site... Yelgun</i> , Planning Assessment Commission, 20 April 2012. |
| <i>PAC, 2016</i> | <i>NSW Planning Assessment Commission Determination Report, Cultural Events Site Concept Plan & Project D4399-16</i> , Planning Assessment Commission, 22 April 2016. |
| <i>Parklands 2014(a)</i> | <i>Performance Report #1</i> , North Byron Parklands, 31 March 2014. |
| <i>Parklands 2014(b)</i> | <i>Performance Report #2</i> , North Byron Parklands, 30 November 2014. |
| <i>Parklands, 2015</i> | <i>Performance Report #3</i> , North Byron Parklands, December 2015. |

Permanency Development Application & Concept Approval Modification

27

<i>Parklands, 2016</i>	<i>Environmental Health and Safety Management Manual</i> , updated by North Byron Parklands, October 2016.
<i>RPS, 2015</i>	<i>Economic Impact Assessment</i> , RPS, 2015.
<i>SGS, 2009</i>	<i>Northern Rivers Regional Industry and Economic Plan (RIEP): Data Update 2009</i> .
<i>TTF, 2008</i>	<i>National Tourism Employment Atlas 08</i> , Tourism and Transport Forum, 2008.

APPENDIX A

QS Report

North Byron Parklands Masterplan

CIV Estimate

Prepared for:

North Byron Parklands

Contacts: Matt Hemming
Partner
Phone: 07 3327 5000
Email: mhemming@mitbrand.com
Date: 09 December 2016
Issue: 1.0



MitchellBrandtman
Quantity Surveyors & Construction Cost Managers

www.mitbrand.com



1 SCOPE OF WORKS

The project comprises various development and infrastructure upgrade works to the existing North Byron Parklands venue.

Works generally comprise road and carparking improvements, services infrastructure upgrades and additions, stormwater management solutions, administration and performance facilities.

The estimate has been prepared to provide an indication of the Capital Investment Value.

2 BUDGET ESTIMATE

Our budget estimate for the works as scheduled in the attached is as follows;

Item	Estimated Budget
- Masterplan Works as Scheduled	\$ 29,953,826.00
- Contingency Provisions	\$ 1,500,000.00
- Professional Fees	\$ 900,000.00
- Miscellaneous Fees & Charges	\$ 300,000.00
- Cost Escalation**	Excluded
- Total (Excluding GST)	\$ 32,653,826.00

* All figures noted here and throughout the report are exclusive of GST.

**Cost escalation has been excluded from this estimate. Budget amounts indicated reflect present day costs.

3 QUALIFICATIONS

This estimate is based on unrestricted access to the site and buildings being unoccupied.

This estimate is also based on a reasonable construction period and standard working hours, with no allowance for acceleration costs, overtime and the like.

This estimate is based on a tendered lump sum type building contract/procurement system with select, competitive tenders and single stage construction.



4 **EXCLUSIONS**

Our estimate excludes the following items:

- Future Cost Escalation after date of this letter
- DA Works, Authority Fees, Charges & Contributions
- Marketing & Opening Expenses
- Loose Furniture, Fittings & Equipment
- Public Art
- Goods and Services Tax

We welcome the opportunity to discuss any part of this estimate with you. Please contact me on 07 3327 5000 should you have any queries or require further information.

Yours Sincerely

MITCHELL BRANDTMAN

Matt Hemming
Partner



Annexure A

Masterplan Estimate & Scope Schedule



Item	Qty	Unit	Rate	Total
1 South-East Carpark				
1.1 Construction of 5,000 car, gravel carpark including earthworks, signage and the like.	162,500	m2	\$ 15.00	\$ 2,437,500.00
1.2 Carpark drainage to consist primarily of overland flow with swales. No allowance for pit and pipe solution.		Note		Incl
1.3 Carpark lighting - refer Electrical Reticulation.		Note		Incl
1.4 Provision for landscape works / remediation. Refer Vegetation management provision.		Item		Incl
1.5 Contractors preliminaries and on-site overheads.			6% \$	146,250.00
Sub-Total				\$ 2,583,750.00
2 Roundabouts				
2.1 Public roundabout west of Gate D.	1	No	\$ 425,000.00	\$ 425,000.00
2.2 Private roundabout east of Gate C.	1	No	\$ 325,000.00	\$ 325,000.00
2.3 Contractors preliminaries and on-site overheads.			6% \$	45,000.00
Sub-Total				\$ 795,000.00
3 Southern Pick-up & Drop-off Zone				
3.1 Construction of transport loop road complete including earthworks, sub-base, basic signage and the like.	5,200	m2	\$ 40.00	\$ 208,000.00
3.2 Drainage to consist primarily of overland flow with swales. No allowance for pit and pipe solution.		Note		Incl
3.3 Street / carpark lighting - refer Electrical Reticulation.		Note		Incl
3.4 Provision for landscape works / remediation. Refer Vegetation management provision.		Item		Incl
3.5 Open shelter structure to accommodate approximately 200 patrons. Basic steel framed and roofed structure including slab on ground and lighting.	210	m2	\$ 250.00	\$ 52,500.00
3.6 Contractors preliminaries and on-site overheads.			6% \$	15,630.00
Sub-Total				\$ 276,130.00
4 Transport Hub Upgrade				
4.1 Redevelop existing transport hub zone including bitumen sealing of existing gravel roads, linemarking, signage and the like.	30,500	m2	\$ 25.00	\$ 762,500.00
4.2 Drainage to consist primarily of overland flow with swales. No allowance for pit and pipe solution.		Note		Incl
4.3 Provision for landscape works / remediation. Refer Vegetation management provision.		Item		Incl
4.4 Street / carpark lighting - refer Electrical Reticulation.		Note		Incl
4.5 Open bus shelter structure. Basic steel framed and roofed structure including slab on ground and lighting.	500	m2	\$ 250.00	\$ 125,000.00
4.6 Contractors preliminaries and on-site overheads.			6% \$	53,250.00
Sub-Total				\$ 940,750.00
5 Gate A Works - Road Improvements				
5.1 Reconstruct section of the existing Jones Road to allow truck access.	2,100	m2	\$ 85.00	\$ 178,500.00
5.2 Provision for drainage.	2,100	m2	\$ 45.00	\$ 94,500.00
5.3 Provision for landscape works / remediation. Refer Vegetation management provision.		Item		Incl
5.4 Contractors preliminaries and on-site overheads.			6% \$	16,380.00
Sub-Total				\$ 289,380.00
6 Amphitheatre Works				
6.1 Provision for earthworks, terracing, retaining, drainage, regrassing and the like as required.	28,900	m2	\$ 40.00	\$ 1,156,000.00
6.2 Removal of spoil off site.				Excl
6.3 Contractors preliminaries and on-site overheads.			6% \$	69,360.00
Sub-Total				\$ 1,225,360.00
7 Performance Stage Works				
Basement construction - partially submerged open basement structure complete including				
7.1 excavation, footings, ground slab, drainage, concrete columns, suspended concrete slab, services and the like to 3x Stage areas.	4,750	m2	\$ 635.00	\$ 3,016,250.00
7.2 Removal of spoil off site.				Excl
7.3 Provision for semi-permanent stage structure.	3	No	\$ 300,000.00	\$ 900,000.00
7.4 Contractors preliminaries and on-site overheads.			6% \$	234,975.00
Sub-Total				\$ 4,151,225.00
8 Easy Street Intersection Works				
8.1 Excavation of existing slope plus construction of a T intersection to council standards including bitumen sealing of existing gravel roads, linemarking, signage and the like.	21,500	m2	\$ 40.00	\$ 860,000.00
8.2 Drainage to consist primarily of overland flow with swales. No allowance for pit and pipe solution.		Note		Incl
8.3 Removal of spoil off site.		Note		Incl
8.4 Provision for landscape works / remediation. Refer Vegetation management provision.		Item		Incl
8.5 Contractors preliminaries and on-site overheads.			6% \$	51,600.00
Sub-Total				\$ 911,600.00



Item	Qty	Unit	Rate	Total
9 Easy Street Seal				
9.1 Bitumen sealing of existing street road complete including earthworks, sub-base, basic signage and the like.	21,500	m2	\$ 35.00	\$ 752,500.00
9.2 Drainage to consist primarily of overland flow with swales. No allowance for pit and pipe solution.		Note		Incl
9.3 Provision for landscape works / remediation. Refer Vegetation management provision.		Item		Incl
9.4 Contractors preliminaries and on-site overheads.			6% \$	45,150.00
Sub-Total			\$	752,500.00
10 Amenities Pods				
10.1 Supply and install of amenity pods to event area. Amount based on previous works costs.	11	No.	\$ 365,000.00	\$ 4,015,000.00
10.2 No allowance for a drainage solution.		Note		Incl
10.3 Provision for landscape works / remediation. Refer Vegetation management provision.		Item		Incl
10.4 Contractors preliminaries and on-site overheads.		Note		Incl
Sub-Total			\$	4,015,000.00
11 Drainage Works				
11.1 Excavation and levelling of Amphitheatre area including re-establishment of banks, half round pipe to invert as well as fencing to the adjacent drains.	3,997	m2	\$ 155.00	\$ 619,535.00
11.2 No allowance for a drainage solution.		Note		Incl
11.3 Provision for landscape works / remediation. Refer Vegetation management provision.		Item		Incl
11.4 Contractors preliminaries and on-site overheads.			6% \$	37,172.10
Sub-Total			\$	656,707.10
12 Administration Building				
12.1 Construction of administration building including, footings, concrete slab on ground, gabion's, external cladding internal finishes roofing and the like.	500	m2	\$ 2,500.00	\$ 1,250,000.00
12.2 Provision for landscape works / remediation. Refer Vegetation management provision.		Item		Incl
12.3 Provision for service connections.		Item		25,000.00
12.4 Contractors preliminaries and on-site overheads.			6% \$	76,500.00
Sub-Total			\$	1,351,500.00
13 Electrical Distribution Works				
13.1 Implementation of electrical works over approximately 8kms including power poles every 20m, supply and run of electrical cable, pad mount transformers to relative positions.	1	Item		\$ 2,000,000.00
13.2 Communication enhancements in line with electrical works over approximately 8kms.	1	item		\$ 500,000.00
13.3 Contractors preliminaries and on-site overheads.			6% \$	150,000.00
Sub-Total			\$	2,650,000.00
14 Lane Rebuilding and Sealing				
14.1 Widening of lane complete with earthworks, sub-base, basic signage and the like.	38,560	m2	\$ 40.00	\$ 1,542,400.00
14.2 Drainage to consist primarily of overland flow with swales. No allowance for pit and pipe solution.		Note		Incl
14.3 Provision for landscape works / remediation. Refer Vegetation management provision.		Item		Incl
14.4 Contractors preliminaries and on-site overheads.			6% \$	92,544.00
Sub-Total			\$	1,634,944.00
15 Security Fencing				
15.1 Security fencing 1800mm high with in ground posts every 10m.	4,000	m	\$ 48.00	\$ 192,000.00
15.2 Contractors preliminaries and on-site overheads.			6% \$	11,520.00
Sub-Total			\$	203,520.00
16 Spine Widening and Sealing				
16.1 Widening of spine from 6-5m to 8m complete with earthworks, sub-base, basic signage, bitumen seal and the like.	14,400	m2	\$ 40.00	\$ 576,000.00
16.2 Drainage to consist primarily of overland flow with swales. No allowance for pit and pipe solution.		Note		Incl
16.3 Provision for landscape works / remediation. Refer Vegetation management provision.		Item		Incl
16.4 Contractors preliminaries and on-site overheads.			6% \$	34,560.00
Sub-Total			\$	610,560.00
17 Bus Stops - Commuter				
17.1 Open shelter structure 10m x 2m . Basic steel framed and roofed structure including slab on ground, lighting, bench seat and advert panelling.	120	m2	\$ 2,000.00	\$ 240,000.00
17.2 No allowance for any in ground drainage.		Note		Incl
17.3 Provision for landscape works / remediation. Refer Vegetation management provision.		Item		Incl
17.4 Contractors preliminaries and on-site overheads.			6% \$	14,400.00
Sub-Total			\$	254,400.00



Item	Qty	Unit	Rate	Total
18 Water Treatment Facility				
18.1 Grey water tanks, including earthworks, slab on ground, piping to existing facility as well as pumps and all requirements.		Item	\$	450,000.00
18.2 Kitchen waste water system running from all amenities with grey water pipes and pumps.		Item	\$	250,000.00
18.3 Sewerage reticulation from all amenities to block to existing facility over 10kms including all pumps and requirements.		Item	\$	750,000.00
18.4 Ancillary infrastructure for the above, including meters, alarms, dosing testing and diagnostics requirements.		Item	\$	650,000.00
18.5 Contractors preliminaries and on-site overheads.			6% \$	126,000.00
Sub-Total			\$	2,226,000.00
19 Portable Water Works				
19.1 2ML water tanks including all earthworks and substructure requirements.	2	No.	\$ 415,000.00	\$ 830,000.00
19.2 Connection to council provided mains at Shara Boulevard 3.4km away, including earthworks and installation and commissioning.	3,400	m	\$ 425.00	\$ 1,445,000.00
19.3 Implementation of fire reticulation including hydrants points, header pumps, inspection points and the like over 10km.	10,000	m	\$ 125.00	\$ 1,250,000.00
19.4 Ancillary infrastructure for the above, including meters, alarms, dosing testing and diagnostics requirements.		Item	\$	650,000.00
19.5 Contractors preliminaries and on-site overheads.			6% \$	250,500.00
Sub-Total			\$	4,425,500.00
Works Total (excluding GST)				\$ 29,953,826.10
(i) Contractor's Preliminaries		Item		Included
(ii) Cost Escalation - N/A. Based on NPV		Item		Excluded
(iii) Contingency Provision	5%	Item	\$	1,500,000.00
(iv) Professional Fees Allowance	3%	Item	\$	900,000.00
(v) Miscellaneous Fees and Charges	1%	Item	\$	300,000.00
Project Total (excluding GST)			\$	32,653,826.10
GST			\$	3,265,382.61
Project Total (including GST)			\$	35,919,208.71



North Byron Parklands Masterplan

Annexure B

CIV Certification

ATTACHMENT A

ESTIMATED COST OF WORKS

(Model table - to be adapted by the consent authority)

The genuine cost of the development proposed in a development application should include costs based on industry recognised prices, including cost for materials and labour for construction and/or demolition and GST. If the estimate is understated, the figure will need to be adjusted. Additional application fees may then be incurred.

Various commercial entities publish building and construction cost guides/calculators which can be referenced. The Australian Institute of Quantity Surveyors provides technical guidance on estimating costs and methods of measurement in the Australian Cost Management Manuals.

1. GENERAL PROJECT INFORMATION

DEVELOPMENT APPLICATION		
APPLICANT'S NAME	North Byron Parklands	
APPLICANT'S ADDRESS	Po Box 517, Bangalow NSW	
REFERENCE/ DA/CC number		
DATE:	9 December 2016	
DEVELOPMENT NAME	North Byron Parklands	
DEVELOPMENT ADDRESS		
DESCRIPTION OF WORKS	venue upgrades	
TOTAL SITE AREA <i>Refer attached schedule of works.</i>	Gross floor area (commercial)	m ² N/A
	Gross floor area (residential)	m ² N/A
	Gross floor area (retail)	m ² N/A
	Gross floor area (industrial)	m ² N/A
	Gross floor area (other)	m ² N/A
PARKING	Gross floor area (parking)	m ² N/A
	Number of parking spaces	
DEMOLITION WORKS		m ² N/A
OTHER WORKS		

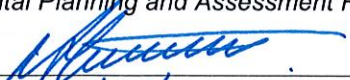
2. ESTIMATED COST OF WORKS

Please attach either Table 1 or Table 2 below. If the development is over \$3,000,000, a detailed cost report prepared by the registered quantity surveyor should be attached verifying the cost of the development.

3. CERTIFICATION OF THE ESTIMATED COST OF WORKS

I certify that:

- I have provided the estimated costs of the proposed development and that those costs are based on industry recognised prices; and
- the estimated costs have been prepared having regard to the matters set out in clause 255 of the *Environmental Planning and Assessment Regulation 2000*

Signed: 
 Name: Matt Hemming
 Position: Partner

Contact Number: 07 3327 5000
 Contact Address: 29 Woodstock Rd, Toowoomba
 Date: 09/12/16 QID 4068