

# North Byron Parklands Cultural Events Site **Response to Submissions Addendum**

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## 1 INTRODUCTION

North Byron Parklands (Parklands) operates a cultural events site at Yelgun near Byron Bay. The site is home to two of Australia's most iconic annual international cultural music festivals, Splendour in the Grass (Splendour) and the Falls Festival Byron (Falls Festival).

The Parklands site currently operates under a concept plan approval and project approval, granted by the then NSW Planning Assessment Commission<sup>1</sup> (the Commission) on behalf of the Minister for Planning on 24 April 2012 (MP 09\_0028). The approvals are subject to a trial period, up to the end of August 2019.

Parklands is now seeking approval for ongoing use of the cultural events site following the trial period, including the continued use of existing site infrastructure and the development of additional infrastructure to support the cultural events site. The proposal includes a modification to the approved concept plan, as well as a development application for the ongoing use and development of the cultural events site (SSD 8169).

The Environmental Impact Statement (EIS) for the proposal was publicly exhibited by the Department of Planning & Environment (the Department) from 16 December 2017 to 16 February 2018. In July 2018, Parklands lodged its Response to Submission (RTS), providing a detailed response to the issues raised in submissions on the proposal.

On 29 August 2018, the Department provided Parklands with a number of government agency submissions received in response to the RTS, and requested additional information in relation to a number of aspects. This RTS Addendum has been prepared to address each of the government agency and Departmental requests for additional information and/or clarification.

## 2 SUBMISSIONS SUMMARY

The Department received a total of 8 submissions in response to the referral of the RTS to government authorities. **Table 1** below provides a summary of these submissions.

**Table 1: RTS Submissions**

8 Government Agency Submissions	
• Department of Industry (Dol)	• Roads and Maritime Services (RMS)
• Environment Protection Agency (EPA)	• Rural Fire Service (RFS)
• Office of Environment and Heritage (OEH)	• Byron Shire Council (BSC)
• NSW Police (Police)	• Tweed Shire Council (TSC)

None of the authorities objected to the proposal, although some requested clarification or additional information on a number of matters.

The **Department of Industry (Dol)** made comments and recommendations in relation to vegetated buffer zones to creeks and waterbodies on the site.

The **Environment Protection Agency (EPA)** noted that it has no statutory role in the approval of the development and that it would not be making comment on the RTS.

<sup>1</sup> Now the NSW Independent Planning Commission



The **Office of Environment and Heritage (OEHS)** made comments and recommendations in relation to a management strategy for the Billinudgel Nature Reserve, the Biodiversity Assessment Report, and the draft Koala Plan of Management.

**NSW Police** made comments and recommendations regarding resourcing arrangements, crowd crush, traffic, medical resources and proposed drug mitigation measures.

The **Roads and Maritime Services (RMS)** made comments and recommendations in relation to the sensitivity analysis surrounding the Yelgun Interchange, public transport aspects (specifically buses), growth in patron numbers for the proposed largest event, and matters pertaining to the proposed transport management plan.

The **Rural Fire Service (RFS)** reiterated its recommendation for the preparation of a fire management plan. The agency also provided recommendations regarding the proposed asset protection zone for the conference centre, fire fighting water supplies and the endorsement of a bushfire emergency evacuation plan each calendar year.

**Byron Shire Council (BSC)** made comments in relation to kitchen sullage (trade waste), the proposed onsite sewage management system and the increase in event frequency and patron capacities.

**Tweed Shire Council (TSC)** made comments in relation to traffic, noise and flooding. TSC noted it was satisfied with responses regarding waste management, potable water supply, wastewater management, emergency management, bushfire emergency evacuation and patron numbers.

In addition to the submissions received from government authorities, the Department also requested additional information in relation to a number of matters, including timing of medium events, infrastructure staging, clarification of bump-in bump-out days, wastewater management and construction jobs.

Responses to the matters raised by the Department and other government authorities are provided in **Section 3** below.



## 3 RESPONSE TO RTS SUBMISSIONS

Detailed consideration of the issues raised in government submissions on the RTS is presented in this section. The key issues raised in various submissions are shown in *italics*, followed by Parklands' response to the issues.

### 3.1 Department of Planning and Environment

#### 3.1.1 Medium Events

*"The Department notes the RTS provides examples of the types of one-day and three-day medium events that may be held at the site, but does not clarify the timings for such events. Please provide further detail regarding:*

- when medium events may be held throughout the year*
- how this would relate to when other events are held at the site (including Splendour in the Grass and Falls Festival)*
- how the Department, relevant public authorities and the local community would be kept informed before, during and after a medium event is held*
- what added benefits these medium events might offer to the local community."*

As outlined in Section 4.15 of the RTS (and Sections 5.3 and 5.5 of the Traffic Assessment in Appendix P of the EIS), the timing of medium events is not constrained by seasonal traffic variations on the local road network. Given the limited nature of the medium events (ie. up to 3 event days per year), the timing of medium events is also not considered to be significantly constrained by other environmental aspects.

As such, Parklands is seeking flexibility in the timing of medium events during the year. However, Parklands acknowledges that respite between existing large events held on site is warranted, and as such would only undertake medium events outside of both Splendour in the Grass (Splendour) and Falls Festival Byron (Falls) bump in, bump out and event periods. Medium events would also not be undertaken during the Easter holiday period during event days for the existing Byron Blues Festival.

Notification arrangements for medium events are outlined in the Community Engagement Standard (NBP Standard 011) under the Parklands Environmental Health and Safety Management Plan (refer Appendix G of the EIS), and include:

- advertisements in at least 2 local newspapers;
- letterbox drop to local residents;
- maintenance of a dedicated Community Hotline;
- engagement of a Community Manager during events; and
- maintenance of the Regulatory Working Group (RWG) for the project.

As outlined in the EIS, these and other measures would be detailed in the proposed Community Engagement Plan for the proposed development, which would be finalised in consultation with applicable agencies and the RWG.

Apart from the cultural and socio-economic benefits to the local community that would accompany the medium events held on site, local residents would also receive complimentary tickets (at the discretion of the event organiser) and would be able to access presale tickets as part of planned local resident ticket sale releases (typically covering areas from Ballina to Tweed Heads and west to Lismore). These measures would also be detailed in the Community Engagement Plan.



### 3.1.2 Infrastructure Staging

*“The Department notes a number of on-site infrastructure elements (such as amphitheatre regrading, construction of the conference centre and construction of sewerage infrastructure) have not been assigned to a specific stage. Where possible please provide further clarification regarding the triggers for the construction of these elements (e.g. NSW Police have recommended regrading of the amphitheatre should occur prior to any further increase in patron numbers on-site [i.e. 42,500]).”*

As outlined in Section 3.5 (and Table 3.4) of the EIS, Parklands is proposing to stage the development of facilities and infrastructure on the site in accordance with demand for the works and/or as funding permits.

In this regard, only a relatively small number of the infrastructure upgrades are required from an impact assessment or mitigation perspective. For this reason, a number of the upgrades have been proposed with ‘non-specific’ timeframes, and would be undertaken as the site develops and funding permits.

An updated infrastructure staging plan is provided in Section 3.1.2 of the RTS (Table 4). The table includes an additional column (to that presented in the EIS), which provides the rationale for the proposed staging.

With regard to the NSW Police recommendations, it is noted that these recommendations refer to the measures outlined in the Crowd Management Assessment (Appendix H of the RTS). As outlined in the assessment and Section 4.8.2 of the RTS, the crowd management assessment provides a number of mitigation measures for each event size for the main amphitheatre. These measures do not include amphitheatre regrading (which is also not referred to in the Police submission).

However, Parklands acknowledges that crowd safety is critical for all events held on site, including the proposed expansion of the largest event.

As outlined in Section 4.8.2 of the RTS, Parklands would implement all of the mitigation measures in the crowd management assessment, as part of the proposed comprehensive Event Management Plan for the proposed development. The management plan would be prepared in consultation with the applicable authorities and the RWG, which includes NSW Police.

Similarly, detailed staging of other infrastructure upgrade works would be detailed in the applicable management plans (eg. the wastewater infrastructure works would be detailed in the Wastewater Management Plan), which would also be prepared in consultation with applicable authorities and the RWG.

### 3.1.3 Bump in/Bump Out Periods

*“Please clarify the definition of a ‘working day’ and whether this is equivalent to the traditional definition of a ‘business day.’”*

The term ‘working day’ is defined on page 35 of the EIS. Unlike other industries that typically operate across weekdays, event bump-in and bump-out days can take place on any day of the week. The purpose of notating a bump-in or bump-out day as a ‘working day’ is to ensure events have a total number of bump-in and out days, less those days deemed as rest days.

For example, if a large event is allowed a total of 21 days to bump-in and the first event day is on the 22 June, rather than commence bump-in from 1 June till 21 June (and not provide staff and





contractors with any days off), from a workplace health and safety perspective it is preferable to commence bump-in, say on 29 May and allow three days of rest throughout the bump-in period. The definition also allows for the loss of production due to inclement weather or other constraint that precludes construction activities.

The resulting bump-in days are still the equivalent of 21 days. However, this arrangement provides a safer work environment by affording staff and contractors periodic rest days.

As outlined in Section 5.8.3 of the RTS, bump-in and out operations are generally low impact in nature and do not cause noise or traffic related issues. Parklands has never received complaints about these activities during the trial period.

### 3.1.4 Construction Jobs

*“Please clarify the number of construction jobs which would be generated by the permanent infrastructure upgrade works proposed on-site.”*

It is estimated that the combined infrastructure works would generate approximately 150 construction jobs (full time equivalents).

### 3.1.5 Number of Objections

*“The Department wishes to advise you that the final number of public objections received during the exhibition period was 109.”*

Noted. This is similar to the number outlined in the RTS (ie. 109 objections, 24 comments, and 7,057 submissions in support).

## 3.2 Department of Industry

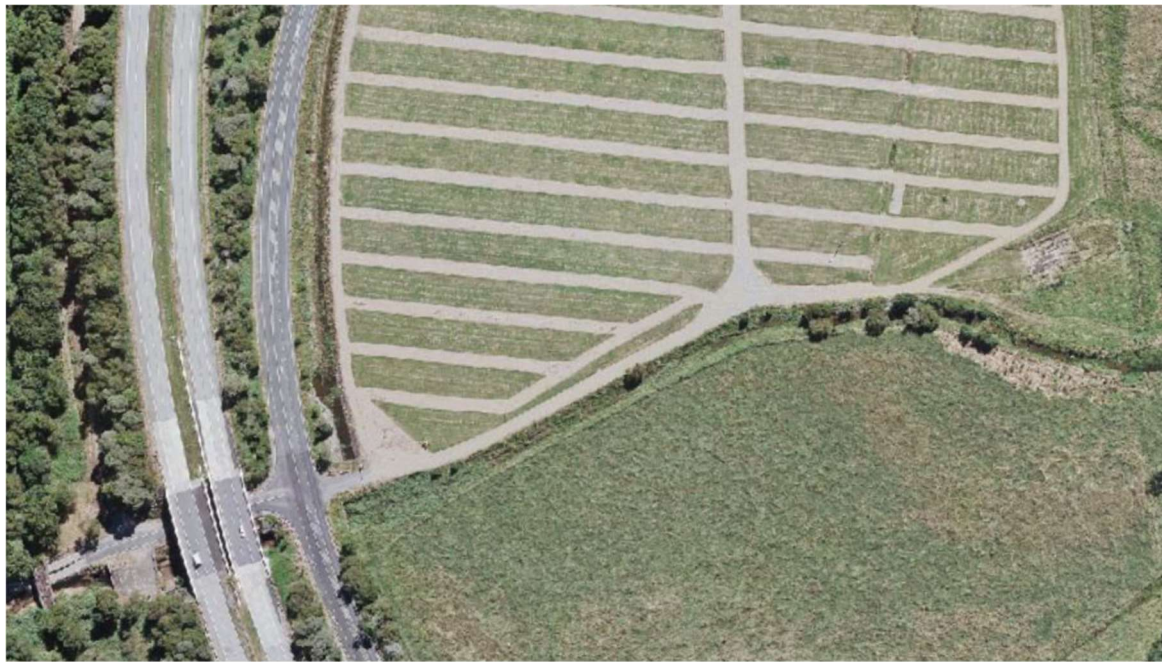
*“The RTS has not adequately demonstrated that it complies with the Guidelines for Controlled Activities on Waterfront Land (NRAR 2018). Specifically, the RTS has not incorporated vegetated buffer zones as requested in previous advice dated 16 February 2018. The proposal should include a:*

- *20 metre vegetated buffer between Yelgun Creek (3<sup>rd</sup> order stream) and road near south west carpark, and*
- *10 metre buffers between:*
  - (i) proposed structures and the top water level of the existing dam near the conference centre,*
  - (ii) conference centre car park and 2nd order stream, and*
  - (iii) proposed amenities near existing bus stop (at western car park) and the top bank of the nearby watercourse.”*

Consideration of the DoI’s recommended vegetated buffer zones is provided in Section 4.2 of the RTS.

With regard to the suggested ‘20 metre vegetated buffer between Yelgun Creek (3<sup>rd</sup> order stream) and [the] road near [the] south west carpark’, it is noted that this event laneway road has already been approved and developed as part of the existing concept plan and project approval, and forms part of Gate D (see **Figure 1** below).

The proposed development does not involve any changes to this road alignment, as indicated on the civil design plans (see Appendix C of the EIS). As outlined in the EIS, the southern parking area (and this roadway) is only used during the larger events on site (ie. up to 13 days a year).



**Figure 1:** Existing Road Near South West Car Park (Source: SIX Maps)

Consequently, it is considered that providing the recommended buffer is not reasonable, practicable or warranted.

It is noted that the road is located immediately adjacent to a highly modified section of Yelgun Creek, constructed by RMS as part of the Yelgun to Chinderah Pacific Highway upgrade. Prior to the completion of this upgrade in 2005 the existing road was used by previous landowners as an access road to the old Pacific Highway (now known as Tweed Valley Way).

Given that the proposal does not involve any changes to the road alignment, it is also not considered reasonable to retrospectively require riparian offsets for this road, as per the *Controlled Activities on Waterfront Land* guidelines.

However, Parklands has already revegetated the southern side and the northern side (west of the existing car park) of Yelgun Creek through a comprehensive habitat restoration program in this area. The proposed development also provides for minimum 30 metre (and up to 80 metre) buffers to the creek and the 'SEPP 14' wetland in the south-eastern area of the site.

With regard to the conference centre, it is noted that the dam in this location is a man-made farm dam, and that one of the key attributes of the conference centre is its proximity to the dam. Some elements of the conference centre are proposed to be located within 10 metres of the dam (including 3 cabins, the jetty and breakout pavilion, and part of the conference centre building), to take advantage of this high quality location and outlook.

It is considered that the location of the conference centre elements adjacent to and over the farm dam is justified and reasonable, given:

- the man-made nature of the dam;
- the cleared nature of the proposed conference centre location (and hence avoidance of vegetation clearing required);
- the absence of any endangered ecological communities or threatened flora in the proposed area of the conference centre;



- the non-sensitive nature of the downstream environment (the dam drains to agricultural drains to the north, and then through agricultural areas in the Crabbes Creek catchment);
- the absence of any sensitive visual receivers or other land users with views to the farm dam or conference centre site; and
- the desire to create a high quality conference centre that capitalises on the site's key attributes, in particular the farm dam.

Notwithstanding, as outlined in the RTS Parklands would be willing to plant and maintain a 10 metre vegetation buffer in accordance with the *Controlled Activities on Waterfront Land* guidelines along and around the southern side of the dam, outside the areas where structures are proposed to be located. This would form part of the habitat restoration program within the proposed Flora and Fauna Management Plan. This plan would be prepared in consultation with applicable authorities, including DoI.

As outlined in the EIS (see Section 6.3), Parklands would also prepare and implement a range of water management plans for the proposed development, including a detailed Erosion and Sediment Control Plan and Surface Water Management Plan (including Stormwater Management Plans for applicable infrastructure and a Stormwater Monitoring Program). These plans would also be prepared in consultation with applicable authorities, including DoI.

With regard to the proposed conference centre car park and the amenities near the existing bus stop (at western car park), Parklands is willing to accept a condition requiring this infrastructure to be located wholly outside the 10 metre buffer to the applicable watercourses, in accordance with the *Controlled Activities on Waterfront Land* guidelines. There is ample existing cleared land in these areas to enable this relocation.

### 3.3 Environmental Protection Authority

#### 3.3.1 Proposal

*"The EPA has considered the details of the proposal as provided and has identified that the EPA has no statutory Role in approving the development and has no further comments to make."*

Noted.

### 3.4 Office of Environment and Heritage

#### 3.4.1 Billinudgel Nature Reserve

*"Prepare a detailed management strategy that addresses the impacts on the Billinudgel Nature Reserve (BNR). The Strategy should provide appropriate and feasible management, monitoring and contingency measures to address the range of known and potential impacts on the NPWS estate. The strategy should be a stand-alone document rather than part of the Flora and Fauna Management Plan and should be prepared in consultation with the NPWS and conditioned with an appropriate timeframe by the determining authority."*

The EIS and RTS include comprehensive assessment of the ecological impacts associated with both the existing trial period and the proposed development, including the potential impacts on Billinudgel Nature Reserve (BNR). The assessments indicate that the existing events and the proposed development are unlikely to result in any significant impact on BNR.

As outlined in the RTS, strategies to minimise impacts on BNR are provided within the existing Flora and Fauna Monitoring and Rehabilitation Program (FFMRP), and would be continued and updated



as part of the proposed Flora and Fauna Management Plan (FFMP) for the proposed development. The strategy would include a range of measures including ecological monitoring in BNR, triggers for assessing impacts, litter and pollution management, and unauthorised access management. The management plan would be updated in consultation with the OEH/NPWS.

Parklands does not object to preparing the BNR strategy as a standalone document if required, but has sought to consolidate the total number of management plans where possible, given the number of plans and programs required for the project. Parklands considers that the plan would be better suited as a sub-plan within the overarching FFMP.

Given that the ecological assessments indicate that the existing trial events and the proposed development are unlikely to result in any significant impacts on BNR, Parklands does not believe that preparation of the BNR Strategy is necessary or warranted prior to determination of the proposed development.

### 3.4.2 Biodiversity Assessment Report

*“Revise the BAR to:*

- i. Explain discrepancies in vegetation mapping of the development site, particularly the location and extent of the Plant Community Type dominated by forest red gum;*
- ii. Include a detailed explanation of the assessment of the extent of the subtropical coastal floodplain forest endangered ecological community on the development site, with reference to the floristic and edaphic characteristics of the community as specified in the NSW Scientific Committee final determination; and*
- iii. Include all minimum information requirements for a Biodiversity Assessment Report as specified in Appendix 7, Table 20 of the Framework for Biodiversity Assessment.*

The Biodiversity Assessment Report (BAR) has been amended to address the issues raised by OEH. The revised BAR is provided in **Appendix B**.

### 3.4.3 Koala Plan of Management

#### **Koala Habitat**

*“Revise the Koala Plan of Management (KPOM) to:*

- a) Retain the status of the document as a draft version until consultation with applicable authorities, including OEH, has been completed;*
- b) Include maintaining “safe” use of the site by Koalas in the aim of the objectives;*
- c) Include details of the koala habitat usage areas surrounding the development site;*
- d) Amend errors in Appendix A regarding content requirements;*
- e) Provide an explanation of the discrepancies in mapping of the PTC dominated by forest red gum on the site;*
- f) To acknowledge the range of potential impacts known or likely to extend beyond the site (e.g. noise, light and human disturbance);*
- g) Include a figure illustrating the full extent of the proposed permanent and temporary security fencing. The figure should also differentiate between fencing designed to exclude humans and fencing designed to exclude/contain koalas;*
- h) Include well-considered detailed mitigation measures for effectively managing koalas displaced by event disturbances within the securely fenced precinct;*
- i) Include detailed diagrams of the proposed permanent and temporary fence designs;*
- j) Include a detailed monitoring methodology in Chapter 6 capable of identifying and responding to the proposed management triggers;*
- k) Include in chapter 6 use of a combination of standardised and repeatable sampling methods to monitor changes in koala activity; and*



- l) *Remove use of vague terminology when describing proposed monitoring and management actions in Section 6.5, and ensure proposed actions are definitive and targets are quantifiable where possible.*

The majority of the issues raised by OEH are relatively minor, and none are considered to significantly add to the assessment of impacts on the Koala, which has been considered in detail in the EIS and RTS. As such, Parklands does not believe that preparation of the revised KPOM is necessary or warranted prior to determination of the proposed development.

As outlined in the EIS and RTS, Parklands has committed to finalising the KPOM in consultation with the applicable authorities and the RWG, including OEH/NPWS.

## 3.5 NSW Police

### 3.5.1 Security Breach

*“A social media celebrity (Shammi Prasad) was able to bypass event security by hiding in a wheelie bin and having a friend (dressed as groundsman) wheel the bin into festival grounds (see video here: <https://www.youtube.com/watch?v=8S6Og4DCyPo>). This incident has also been published by various media outlets.”*

The above incident was reviewed in detail at the post event stakeholder debrief meeting held on 27 July 2018, which was attended by NSW Police, security contractors and event managers.

A number of aspects were discussed to identify strategies that would ensure a similar incident of this nature does not occur at future events. It was agreed that the following measures would be implemented:

- all workers, contractors and volunteers would be briefed by their supervisors to enter and exit the festival via nominated work gates;
- where it was necessary for a worker, contractor or volunteer to enter the festival via the main patron entry points then security would check for appropriate accreditation (regardless of whether that person was wearing hi-visibility vests and/or other work-related uniforms or personnel protective equipment);
- no wheelie bins or other vessels, crates, boxes or deliveries would be allowed access and passage through the patron ticketing and accreditation isles; and
- as required by patrons, all workers, contractors and volunteer bags would be subject to normal search and inspection procedures.

These measures would form part of the Event Management Plan for the proposed development. As outlined in the EIS and RTS, the management plan would be prepared in consultation with applicable authorities and the RWG, which includes NSW Police.

### 3.5.2 Existing Resourcing Arrangements

*“NSWPF considers the level of police resources allocated for events at Parklands to be justified”*

Noted.

### 3.5.3 Proposed Resourcing Arrangements

*“Whilst Parklands have recently committed to providing accommodation for user-pay police, this issue is still the subject of ongoing discussions. However, NSWPF’s current preference is for Parklands to provide offsite hotel style accommodation (for safety and security purposes).”*



Noted. As outlined in Section 4.8.1 of the RTS, events would provide hotel style accommodation for user-pay Police for the duration of their duty. The measures would form part of the Event Management Plan for the proposed development.

### 3.5.4 Crowd Crush

*“The increase in occupancy to 42,500 patrons will only be supported by NSWPF when the proposals and recommendations in the RTS relating to such an increase are implemented and able to be assessed against the increase in occupancy. As previously discussed with Parklands/Splendour, NSWPF also requires:*

- (a) the erection of a permanent police command post and custody facility; and*
- (b) the preparation of the amphitheatre so as to avoid a future crowd collapse incident.”*

Noted. The measures as outlined in Section 4.8.2 of the RTS, which were prepared in consultation with senior NSW Police Officers on 18 June 2018, would form part of the comprehensive Event Management Plan for the proposed development. As outlined in Section 7 of the EIS, the management plan would be prepared in consultation with the applicable authorities and the RWG, which includes NSW Police.

### 3.5.5 Traffic

*“During the 2017 Splendour festival, Splendour introduced strategies that ensured the smooth running of the event. However, NSWPF holds concerns regarding the capability of road infrastructure to handle the increased traffic if approval is granted for an increase in patrons to 42,500 per event day. It may be appropriate for Splendour/Parklands to consider undertaking roadwork to provide a longer turn lane to allow vehicles to pass the event site (rather than sitting in the queue).”*

Noted. These concerns have been comprehensively covered in Appendix P (Traffic Assessment) of the EIS and Appendix D (Additional Traffic Review) of the RTS.

### 3.5.6 Additional Traffic Mitigation Measures

*“The use of Yelgun Rest Area as a last resort alternative pick up zone is not supported. The purpose of the rest area is to provide a place for passing traffic/heavy vehicles to stop for a rest break – not for a festival overflow area. As previously noted in our letter of 28 May 2018, the use of the rest area by festival goers will force motorists to continue on past that rest area with the possibility of a fatigue related crash.”*

Noted. This measure was only proposed as a potential contingency measure in the event of a significant internal traffic failure which results in onsite traffic congestion. Alternative locations or contingency measures would be addressed as part of the Event Management Plan and/or Transport Management Plan for the proposed development, which would be prepared in consultation with the applicable authorities and the RWG.

### 3.5.7 No Stopping Zones/Tow Trucks

*“These proposals are supported. However, we also suggest that Splendour consider applying for a Clearway to allow illegally parked vehicles to be towed. Tow trucks should be located on site to allow for quick deployment to remove any illegally parked vehicles.”*

Noted. These measures would be included in the Transport Management Plan for the proposed development.



### 3.5.8 Medical Resources

*“NSWPF also holds concerns regarding the current level of medical resources allocated by Splendour. During the 2018 Splendour Festival, NSWPF detained an individual who was under the influence of drugs and had a history of mental illness. NSWPF attempted to arrange for an ambulance to transport the individual to hospital, but were advised that there would be a wait time of 45 minutes before an ambulance would become available. Accordingly, NSWPF made the decision to transport the individual to the hospital themselves given the lengthy wait time. This tied up police resources which were otherwise needed at the festival”*

A review of all medical incidents logged with the Event Control Centre (ECC) indicate that this incident (and the request for transport by ambulance to hospital) was not communicated by NSW Police to the ECC, which is the agreed protocol. The ECC and the senior medical service provider were subsequently requested to send a medical officer to the NSW Police compound, but on arriving minutes after the request, Police Officers advised the detained person had been transported (by Police) to hospital.

The medical facility at the event was suitably equipped to manage this patient using the onsite Doctor, nurses, drug and alcohol counsellor and a number of paramedics. Further, the medical facility has two secure isolation rooms specifically installed to manage cases like this while appropriate offsite transport is arranged. The event will discuss this case with NSW Police to further understand the incident and response.

Splendour and Falls have a user-pays service arrangement with NSW Ambulance, which allows this agency to place an additional ambulance at Byron Hospital and thereby increases the overall resources available to the event and the wider community (if required) during event days.

### 3.5.9 Proposed Drug Mitigation Measures

*“NSWPF understands that drug dog operations will be funded by Splendour from 2019 onwards”*

Noted.

### 3.5.10 General Comments

*“The concessions and mitigation strategies proposed in the RTS appear to be reasonable and prudent. However, these should be tested in a process of gradual increase (to 42,500 patrons per event day) prior to approval for an increase to 50,000 patrons per event day.”*

Noted.

## 3.6 Roads and Maritime Services

### 3.6.1 Sensitivity Assessment

*“Sensitivity assessment for major events confirms Road and Maritimes safety concerns for the Yelgun interchange roundabout. Reducing the bus mode share by 5% results in an undesirable performance and safety outcome at the Yelgun interchange roundabout. Refer: Additional Traffic Analysis for Response to Submissions. Section 5 Comparison of trip generation of additional scenarios.”*

Noted. As outlined in Section 4.6 of the RTS and Section 6.9 (and Appendix P) of the EIS, achieving bus mode share targets is important for ensuring acceptable performance levels for the largest event (ie. Splendour at 50,000 patrons).



The sensitivity assessment undertaken for the RTS indicates that reducing the bus mode share by 5% would result in an increase in car traffic of approximately 18%. This increase was tested using the SIDRA Intersection model for the Yelgun Interchange. It resulted in a deterioration in performance of the Yelgun Interchange roundabout from LoS A to D, along with an increase of queue length on the southbound off-ramp from 42m to 129m, which is within the Safe Stopping Sight Distance for this ramp.

Measures for ensuring that bus mode share targets are met would be outlined in the Transport Management Plan for the proposed development. As outlined in Section 6.9.8 of the EIS, the Transport Management Plan and Traffic Monitoring Program would be prepared in consultation with applicable stakeholders including the RMS, and would include a number of existing and proposed transport incentives for increasing bus mode share and reducing low occupant private car transport.

### 3.6.2 Bus Numbers

*“The number of buses required to transport 30,000 additional patrons for a 50,000 event increases from 479 to 1045. This is a significant increase which will impact resources in the local area and beyond. To effectively assess the impacts and the delivery of the proposed mode share assumption further trials are required. Roads and Maritime suggests that the major events could have 5,000 incremental increases in patrons each year subject to a satisfactory performance.”*

It is noted that there would be 15,000 additional patrons for the proposed largest event (ie. Splendour at 50,000 patrons), compared to the largest existing approved event (ie. Splendour at 35,000 patrons). Notwithstanding, Parklands acknowledges that the largest proposed event would increase bus services and traffic on the road network, which has been modelled in detail in the EIS and RTS.

The EIS includes measures to ensure that the growth of the largest event occurs incrementally, subject to meeting a number of traffic-related key performance measures (KPIs). The proposed increments (ie. 7,500 patron increments per year) are similar to those recommended by the RMS (ie. 5,000 patron increments), and have been comprehensively modelled in the EIS and RTS.

### 3.6.3 Traffic Management Plan

*“A Traffic Management Plan (TMP) covering the various events configurations needs to be prepared in accordance with the objectives outlined in Section 1.3 of the RTA Guide to Traffic and Transport Management for Special Events to address varying scales of events to be held at the proposed venue. The TMP is to provide the following:*

- *Pedestrian Management - measures to manage pedestrian movement internal and external to the site including the surrounding road network.*
- *Parking Management - measures to accommodate event parking demand within the site and protocols to manage impacts on the surrounding road network. This should include measures to address parking and/or camping by event patrons on surrounding roads and within the Pacific Highway Yelgun Rest Area.*
- *Traffic Control Plans (TCPs) - prepared and approved by accredited persons to be implemented by appropriately qualified personnel to manage pedestrian and vehicular traffic on all access routes to and from the proposed development.*
- *Seasonal traffic and broader network performance considerations – measures to mitigate impacts related to the interaction of event traffic with seasonal increases in traffic flows on Pacific Highway and Tweed Valley Way and impacts on the non-event community. For example the Falls Festival event increases traffic flows entering the road network at a time when the road network is experiencing traffic flows of up to 30% above average conditions.*
- *Emergency Management Plan (EMP) and Crowd Management Plan (CMP) – integration and consideration of measures proposed in separate EMP.”*





Noted. These aspects would be included as part of the proposed TMP, which would be prepared in consultation with applicable authorities including the RMS, TfNSW, the Councils and the RWG.

## 3.7 Rural Fire Service

### 3.7.1 Fire Management Plan

*“An annual Fire Management Plan (FMP) be prepared and endorsed by the NSW RFS before any event commencing in a new calendar year. The FMP shall address both structural and bush fire response mechanisms for each ‘scale’ of events proposed for the calendar year.”*

Noted. As outlined in Section 4.5.1 of the RTS, Parklands has committed to preparing the FMP in consultation with the RFS and other stakeholders, including the matters recommended in the RFS' submission.

As outlined in Section 7.1.1 of the EIS, Parklands has also committed to ensuring that all of the management plans (such as the FMP) reflect adaptive management principles and drive continual improvement. In this regard, Parklands has committed to reviewing, and if necessary revising, the plans and programs following each:

- annual performance report;
- reportable incident; and
- EHSMS audit.

If this review identifies the need for revisions to any management plan or program, then the document would be revised in consultation with the relevant authorities and the RWG, and to the satisfaction of the Department.

### 3.7.2 Vegetation Management Plan

*“A vegetation management plan shall be prepared for all lands within 60 metres of the proposed conference centre, associated accommodation cabins and ancillary.”*

Noted. The vegetation management plan would be prepared as part of the FMP prior to the operation of the conference centre and associated accommodation cabins and ancillary facilities.

### 3.7.3 Other Requirements

*“All permanent structures shall comply with the BCA and AS3959-2009 ‘Construction of Buildings in Bushfire-prone Areas’.”*

*“Proposed new access roads must comply with S4.2.7 Planning for Bushfire Protection 2006.”*

*“Should Gas Service be installed, these shall be done in accordance with AS1596 with metal piping being used and fixed gas cylinders to be kept clear of flammable material by a distance of 10m and shielded on the hazard side of the installation. Gas cylinders close to the building are to have the release valves directed away from the building and at least 2m from flammable material with connections to and from the gas cylinder being of metal.”*

*“A minimum 10,000 litre dedicated fire fighting water supply shall be provided for each stage, bar and camping area for fire fighting purposes. A minimum 10,000 litre dedicated fire fighting water supply be located at the north western accommodation cabin (conference facility) adjacent to the proposed new internal road.”*



*“A bushfire emergency evacuation plan is to be prepared for endorsement by the Local Emergency Management Committee (LEMC), prior to each calendar year.”*

Noted. These and other measures would be outlined in the proposed FMP, Bushfire Management Plan (BMP) and/or Bushfire Emergency Evacuation Plan (BEEP) for the proposed development.

## **3.8 Byron Shire Council**

### **3.8.1 Kitchen Sullage**

*“Whilst reference is made to a meeting between the applicant and Byron Shire Council’s General Manager and Infrastructure Manager regarding acceptance of kitchen sullage there is no confirmation of acceptance by Council’s Infrastructure services nor is there any verification from Ballina Shire Council that they will accept effluent from the development. These remain issues that need to be addressed by the applicant in either demonstrating how they comply with Clause 45 Provision of Services of Byron LEP 1988 or Clause 6.6 Essential Services of Byron LEP 2014.”*

As outlined in Section 4.9.3 of the RTS, in relation to trade waste (kitchen sullage) both existing events held at Parklands have agreements in place with Summerland Environmental (located in Ballina Shire) for treatment and disposal of this waste. No trade waste (kitchen sullage) is disposed of at Byron Shire or Ballina Shire Council STP’s. Following construction of the upgraded OSMS, trade waste would continue to be disposed offsite for treatment by Summerland Environmental (or other appropriately licensed service).

### **3.8.2 Onsite Sewage Management System**

*“The resultant Onsite Sewage Management System to accommodate up to the maximum of 50,000 patrons plus 5,750 staff for a single event requires a significant initial and ongoing commitment in resources, system design, management, operational/ qualified expertise, maintenance, monitoring, co-ordination, liaison, quality assurance, auditing and reporting to be successful. It is understood the Department had or were engaging GHD to provide expert advice in relation to the above. Council would be happy to meet with those experts at a latter time to discuss if required.”*

Noted. Comprehensive wastewater assessments demonstrate the OSMS can be managed effectively with no significant environmental impacts. Parklands has committed to a detailed Wastewater Management Plan, including a detailed Groundwater Monitoring Program. The management plan would be prepared in consultation with applicable authorities, including Council.

### **3.8.3 Management and Restrictions**

*“The Department needs to be assured that the appropriate management regimes are in place for the Cultural Event Site to manage noise, traffic, impacts on surrounding residential properties, the natural environment and Council infrastructure. In this regard the site is constrained by a range of natural hazards as previously discussed, is not serviced by reticulated water or sewer and adjoins Coastal Wetlands, the Billinudgel Nature Reserve, and other areas of high value vegetation. Where there is any uncertainty it is recommended that the Department carefully consider limiting any extension on patron numbers or event days as previously suggested in Councils correspondence dated 9 March 2018.”*

Noted. The environmental impacts associated with the proposed development have been comprehensively assessed in the EIS and RTS, and a detailed environmental management framework has been proposed to ensure that the proposed development is managed in a responsible manner.



## 3.9 Tweed Shire Council

### 3.9.1 Traffic

*“Appendix C of the EIS indicates that the Gate E access is proposed to be constructed approximately 1 00m east of the existing access (see below). It would appear that the new access location is due to the existing emergency access being deficient in sight distance (as per the Austroads Guidelines). Limited detail has been provided for the realignment of the existing road. Further detail is requested with regard to long sections, proposed road widening (of Wooyung Road) or dimensions.”*

The applicable civil drawings have been amended to show the possible extent of widening works and associated dimensions (see **Appendix A**). The precise extent of works would be subject to detailed site survey, and approval from Council under the *Roads Act 1993*. The intent is to provide a standard BAR intersection in accordance with Austroads Guide to Road Design and Tweed Shire Council's D1 Road Design Specification. The longitudinal profile of the new access road is shown on Sheet 20 of the civil drawings.

### 3.9.2 Proposed Access Road onto Wooyung Road

*“If the realignment of the existing access road is approved, it is requested that a condition be applied requiring the submission and approval of a Section 138 application to Tweed Shire Council. The proposed new access onto Wooyung Road will need to be constructed to the Austroads Guides to Road Design for a BAR/BAL intersection and to Tweed Shire Council's D1 Road Design Specification.”*

Noted.

### 3.9.3 Wooyung Road Bridge

*“The submitted Traffic Assessment states that “. . . Wooyung Road is a two lane, two-way road. Wooyung Road connects Tweed Valley Road in the west and Tweed Coast Road in the east via overpass. Wooyung Road crosses the Yelgun to Chinderah Freeway via a recently constructed bridge. It also crosses a railway line via a single lane wooden bridge with a 14 tonne load limit. The typical speed limit on the Wooyung Road is 80 km/h”. Whilst there is a 14t limit on Wooyung Road that extends onto the Tweed Coast Road to the north, it should be noted that there is no structural weight limit on the timber railway bridge. Vehicles with a gross mass greater than 14m are able to use the road if they have a legitimate delivery destination with the posted weight limit.”*

Noted.

### 3.9.4 No Stopping Signs on Wooyung Road

*“Appendix P of the EIS incorporates a No Stopping Plan which includes Wooyung Road (highlighted below in pink). As noted previously, Tweed Shire Council does not support the installation of “No Stopping” signs on Wooyung Road, as this results in a resource issue in the enforcement of the signs. It is requested that the Traffic Control Plans be amended accordingly”*

Noted. Both the (existing) Traffic Management Plan and the Traffic Control Plan for events can be amended to accommodate this requirement. Alternatively, Parklands (and the events) would be willing to enter into a user-pays arrangement with Council to remove any enforcement costs associated with the erection of no stopping signs.



### 3.9.5 Traffic Signals

*"The proponent's traffic modelling indicates that temporary traffic signals are required on Wooyung Road if departing patrons were allowed to turn left out of Gate E and this would adversely impact on the through traffic on Tweed Valley Way. It is considered that suitable traffic control must be provided at the intersection of Tweed Valley Way and Wooyung Road, should left turns be allowed from the site onto Wooyung Road. It is requested that a suitable condition be applied to this effect.."*

Noted. Such arrangements would be included in Transport Management Plan and Traffic Control Plans.

### 3.9.6 Sight Distances

*"Whilst the sight distance of the existing access (onto Wooyung Road) has been determined to be deficient, the proponent has not provided any sight distance information on the proposed new driveway/intersection access onto Wooyung Road. However, there are no concerns that appropriate sight distance could not be achieved."*

Noted.

### 3.9.7 Gate E

*"There are no plans or indications as to where Gate E would be installed. This detail is considered to be important, as patrons entering the site would impact on the Wooyung Road if the Gate is located too close to the intersection. It is requested that a condition be applied requiring the placement of Gate E to be located at an appropriate distance from Wooyung Road, to ensure that vehicles entering the site do not queue onto Wooyung Road."*

The gate is now shown indicatively 5 metres inside the site boundary to align with the access road tangent point (see Sheet 17 in **Appendix A**). It is noted that the gates would remain open during applicable events to avoid queuing on the public road network.

### 3.9.8 Kiss and Ride

*"The proponent notes that they are willing to investigate "Kiss and Ride" facilities, as well as shuttle services through Kingscliff, stating that future discussions / agreements with Tweed Shire Council will be undertaken as part of the proposed Transport Management Plan. It is requested that a suitable condition be applied accordingly."*

Noted.

### 3.9.9 Traffic Noise (Gate E)

*"Confirmation that the proposed increased use of Gate E will not create traffic noise impacts to sensitive receivers".*

The nearest sensitive receiver is located approximately 770 metres from Gate E and as such is unlikely to be impacted by traffic noise. It should be noted that Gate C on Tweed Valley Way (which is the venue's main entry and exit gate) has a number of sensitive receivers located within 550 metres of this gate. Over the eleven events held to date, Parklands has never recorded a traffic noise complaint from these or any other sensitive receivers.



### 3.9.10 Noise Modelling

*“Additional modelling be undertaken against 2018 trial events to confirm compliance will be achieved for future events with an increased capacity.”*

A detailed Noise Impact Assessment was undertaken for the latest (and largest) event, Splendour in the Grass 2018. Parklands is subject to noise related conditions of approval as defined in the modified planning approval issued in September 2017. An extensive noise management and monitoring program was implemented for the Splendour event from 19 July to 23 July 2018, to fulfil the requirements of these conditions. This included:

- continuous unattended noise monitoring at 8 positions prior to, during and following the event (7 days per position) including audio monitoring at residential receptor positions to allow identification of sources of noise;
- 234 attended 10minute noise measurements at sensitive receiver positions during the event;
- attended monitoring in response to noise related calls made to the Community Hotline where monitoring was requested;
- liaison with the Parklands management and production team prior to the event to review and implement acoustic management solutions for implementation at the event;
- identification and implementation of physical acoustic controls for the stages and venues prior to the event, and auditing of compliance with these requirements;
- operation of a Noise Control Co-ordination Centre to provide:
  - real time monitoring of noise levels from stages during event by the Acoustic Manager;
  - access to live meteorological data to allow prioritisation of noise management and monitoring;
  - close liaison between the Acoustic Manager, Production and Community Hotline personnel to facilitate rapid adjustment to stage noise levels where appropriate;
  - additional stage management response staff provided by the event to facilitate faster response times for investigation and action on stage volumes; and
- an extensive program of attended and unattended community noise monitoring for the event.

The results of the attended noise measurements, including responses to calls to the Community Hotline, complied in full with the acoustic requirements of the planning approval for Parklands. These noise criteria are the same as those proposed for permanent approval.

### 3.9.11 Independent Peer Review

*“Consideration of independent peer review, other than that provided by the Department, to ensure the suitability of noise and vibration modelling and compliance.”*

Noted. As outlined on Section 6.1 of the RTS, Parklands has committed to undertaking regular independent audits of the EHSMS and development, in accordance with the provisions of the EHSMS and/or the development consent.

### 3.9.12 Noise Mitigation Measures

*“Strict conditioning is required to ensure the mitigation measures are implemented and ongoing operational monitoring demonstrate that the proponent achieves the noise criteria. Existing conditions (for the trial period approval) include detailed noise restrictions, noise control, hours of operation, specific noise criteria for sensitive receivers, noise management plans for each event, acoustic monitoring programs, noise mitigation measures including positioning of event stages and sound equipment, and post event noise impact and performance reports conditions. It is recommended that the same conditions be applied to any new approval issued.”*

Noted. Such noise mitigation and monitoring measures would be included in the Noise Management Plan and/or Acoustic Monitoring Program for the proposed development, which would be prepared in consultation with applicable authorities and the RWG.



### 3.9.13 Flooding/Stormwater

*"It is noted that the proponent relies upon the Flood Risk Management Plan (FRMP), Stormwater Management Plan and Waste Management Plan in their approach to minimising risk associated with waste management during flood events. Reference to the "Significant Rainfall Forecasting System" and the use of GPT's for minor events is considered to be appropriate to manage the potential mobilisation of rubbish. Whilst a residual risk remains, the proposed measures are considered to mitigate such risk to the maximum practical extent. No further comments are provided in this regard, with the exception of recommending that the removal of rubbish from low lying areas be made a secondary management action of the FRMP."*

Noted.

### 3.9.14 Flood Risk Management Plan

*"The proponent's modelling of the FRMP against the data associated with ex-tropical cyclone Debbie (March 2017) is noted. The review determined that a decision to cancel / evacuate would have been made four days before the flood. This provides some confidence in the efficacy of the FRMP for major, regional events. However, it is unclear what trigger would have resulted in the cancellation of an event "... 4 days before the forecast event", as the FRMP alert matrices for the week before an event (page 35) show cancellation only for >500mm in the four day forecast or a direction from SES. It is recommended that further clarification be provided in this regard given that the forecast was for up to 300mm, as noted by the proponent."*

A more detailed description of this event is provided in the EIS (Section 6.3.8), which outlines that the rainfall forecast increased to more than 500mm.

Nonetheless, this is an important point raised by Tweed Shire Council. Given the actual flood impacts a >300mm rainfall event can have on the Crabbes Creek Catchment, the trigger for event cancellation in the FRMP has now been changed from >500mm to >300mm.

As outlined in the EIS, the FRMP would be updated for the proposed development, in consultation with applicable authorities including Council.

### 3.9.15 Filling of Camp Grounds

*"Council's previous comments noted that the FRMP states that "...all below capacity events must use areas out of greatest risk' and that "... Camping will be kept away from the farthest edge of the north east boundary". Council's previous recommendation that the management actions of the FRMP be included as a condition of consent was noted by the proponent. Accordingly, it is recommended that a condition of consent be applied requiring that the most frequently flooded areas are the last to be used (i.e. only in capacity events)."*

Noted. As outlined by Council, this measure already forms part of the FRMP, and would also be covered in both the Event Management Plan as well as the Camping Management Plan.

### 3.9.16 Access Road Drainage

*"The proponent has noted that the access road (associated with Gate E) was built in 2013 and is entirely above the 1 in 100 year flood level. The construction of roads required development consent in 2013, pursuant to Tweed LEP 2000. It should be noted that Council has no record of an approval for a road over this allotment. Being above the Q100, its effect on regional flooding is not of concern. However, it could potentially affect local drainage of the upstream grazing land. The proponent has noted that the existing drainage infrastructure has been maintained, but detail has not been provided in this regard. It is considered appropriate that sufficient engineering details of this*



*infrastructure be provided, demonstrating that the infrastructure associated with the access road is appropriate for the drainage of upstream areas.”*

Noted. As outlined in the EIS, Stormwater Management Plans would be prepared for applicable infrastructure, in consultation with the relevant authorities and the RWG.

### **3.9.17 Waste Management**

*“As noted previously, Tweed Shire Council raises no concerns with the proposal in terms of waste management. subject to appropriate measures being in place to minimise any potential stormwater / waste management impacts during local storm events”.*

Noted.

### **3.9.18 Potable Water Supply**

*“As noted previously, Tweed Shire Council raises no concerns with the proposed water supply system, noting that the requirements for safe potable water supply are regulated by NSW Health under the Public Health Act 2010. The Public Health Act 2010 and the Public Health Regulation 2012 require drinking water suppliers to develop and adhere to a 'quality assurance program' (or drinking water management system). It is considered that this requirement would apply to the proposed development.”*

Noted. Quality assurance would be addressed as part of the proposed Potable Water Management Plan.

### **3.9.19 Wastewater Treatment**

#### **NPWS Consultation**

*“As noted previously, Tweed Shire Council raises no concerns with the proposed wastewater treatment, noting that the appropriate regulatory authority for the assessment of wastewater will be the Byron Shire Council and NSW Health. Tweed Shire Council's interest relates to ensuring waste water disposal does not result in offsite impacts to the land or adjacent water courses. With the appropriate assessment and approvals undertaken by both the Byron Shire Council and NSW Health against appropriate performance standards specified under the Local Government (General) Regulation 2005 and AS/NZS1547:2012 the potential for offsite impacts is considered minimal.”*

Noted.

### **3.9.20 Incidents/Emergencies**

*“As noted previously, Tweed Shire Council raises no concerns with regard to the proposed management strategies for all incidents and emergencies on site, noting that detailed comment in this regard would be provided by other agencies.”*

Noted.

### **3.9.21 Bushfire Emergency Evacuation**

*“It is noted that the proponent has developed comprehensive emergency management and evacuation plans, including the Bushfire Emergency Evacuation Plan (BEEP). The proponent's explanation for differences between the evacuation times associated with the BEEP and the FRMP are noted. No further comment is provided in this regard, noting that the appropriate agencies are involved with the endorsement of the relevant Management Plans before each event. Similarly, it is noted that the BEEP incorporates emergency ingress / egress routes, the majority of which are for firefighting purposes, as opposed to evacuation routes for patrons and staff. No further comment is*



*noted in this regard. It is also noted that legislation is in place to provide NSW Police with the ability to commandeer public assets (such as schools, halls etc) if the need arises. No further comment is provided in this regard, noting that the proponent has acknowledged that such a mass evacuation would take considerable time and resources should it be required. It is noted that the proponent proposes to prepare a single comprehensive set of management plans and monitoring programs that would apply to all events (irrelevant of their size). It is recommended that a suitable condition be applied to this effect."*

Noted. These measures would be addressed as part of the proposed Fire Management Plan and Bushfire Emergency Evacuation Plan.

### **3.9.22 Patron Numbers**

*"It is noted that the 'maximum number of people on site ' is the upper limit of the total number of people on the site at any one time and includes day patrons, camping patrons and additional people (staff, artists, crew etc). It is also noted that the management plans associated with the proposal have been based on this upper limit of people on the site at any one time. No further comment is provided in this regard."*

Noted.

### **3.9.23 General Comment**

*"It is noted that the SSD application has been appropriately amended to include all properties involved with the proposal, including emergency evacuation areas. It is also noted that owners consent for all properties has been provided, with in-perpetuity agreements in place, should land ownership change in the future. No further comment is provided in this regard."*

Noted.





## APPENDIX A



## APPENDIX B