

# Modification of Minister's Approval

## Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation executed on 14 September 2011, I approve the section 75W modification of the project approval referred to in Schedule 1, subject to the modified conditions of consent outlined in Schedule 2.



Heather Warton

**Director**

**Metropolitan and Regional Projects North**

Sydney 3rd December 2012

### SCHEDULE 1

**Project Approval:** MP 09\_0028 granted by the Planning Assessment Commission on 24 April 2012

**Proponent:** Billinudgel Property Pty Ltd

**Land:** Lots 46, 402, 403, 404, 410 DP 755687; Lots 10, 12, 14 DP 875112; Lots 2, 12 DP 848618; Lot 101 DP 856767; Lots 30, 31 DP 880376; Lots 101, 102, 107 DP 1001878; and Lot 1 DP 1145020, Tweed Valley Way and Jones Road, Yelgun – Byron local government area.

**Project:** Project Application for a development comprising:

- Erection of temporary structures;
- Temporary camping ancillary to the events usage;
- Construction of an administration building;
- Construction of a gatehouse building;
- Temporary toilet and shower facilities;
- Temporary water and wastewater facilities;
- Construction of an internal spine road;
- Construction of a water treatment plant;
- Construction of a wastewater treatment plant;
- Upgrading of 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;
- Resource recovery centre and art installations; and,
- Progressive implementation of a vegetation management plan.

**Modification:** Amendments to conditions, B4 and E18.

## **SCHEDULE 2**

The project approval as described in Schedule 1 is modified as follows:

**(a) Condition B4(1) is amended as follows:**

***B4 Traffic management and car parking***

- 1) A minimum Level of Service C is to be maintained at the Yelgun interchange and a **minimum Level of Service D is to be maintained** along Tweed Valley Way.
- 2) Queue lengths on the link road between Tweed Valley Way and Yelgun interchange are to be limited to a maximum of 70m.
- 3) Queue lengths on the northbound off-ramp must not extend more than 210m from the Give Way yield line.
- 4) No car parking is to occur on land to the south of Yelgun Creek. Should this area be required for car parking in the future to accommodate larger events, the proponent must demonstrate that patrons can access vehicles south of the creek line in a risk free manner for events up to and including a 100 year ARI flood event for the Director General's approval.
- 5) The southern car park (south of Jones Road and north of Yelgun Creek) may only be used if the event is to cater for more than 20,000 patrons.

**(b) Condition E18 is amended as follows:**

***E18 Permanent Human Exclusion Fencing***

Details of all permanent human exclusion fencing closely bordering (within 10m ~~(30m?)~~) of designated forest blocks and other native vegetation must be provided to the Certifying Authority. Human exclusion fencing in these locations must be "fauna-friendly", incorporating a minimum 250mm continuous gap at the base of the fence or 250mm square gaps at 10m intervals along the base of the fence.