

DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Agency	means executive agency for Planning & Infrastructure of the Department of Premier & Cabinet
Applicant	Consent holder or person with the benefit of the development consent
Application	The development application and the accompanying drawings plans and documentation described in Condition A2.
BCA	Building Code of Australia
Bump-in	means the period in which temporary structures are assembled 10 days prior to the event
Bump-out	means the period in which temporary structures are dismantled 10 days after the event
Construction	The demolition of buildings or works, the carrying out of works, including bulk earthworks, and erection of buildings and other infrastructure covered by this consent
Council	Randwick City Council
Certifying Authority	Professionals that are accredited by the Building Professionals Board to issue construction, occupation, subdivision, strata, compliance and complying development certificates under the EP&A Act, <i>Strata Schemes (Freehold Development) Act 1973</i> and <i>Strata Schemes (Leasehold Development) Act 1986</i> or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
Day time	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Director-General	Director-General of the Department of Planning and Infrastructure
Director General's approval, agreement or satisfaction	A written approval from the Director-General (or nominee/delegate)
Evening	The period from 6pm to 10pm
Event	means the Saturday 'over-eighteens' festival and Sunday 'under-eighteens' festival as referred to in Schedule 1
EIS	Environmental Impact Statement prepared by Alltree Consulting Pty Ltd dated November 2013
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
KSG	means Key Stake Holder Group as referred to in Condition A10
Minister	Minister for Planning and Infrastructure, or nominee
Night time	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
PCA	Principal Certifying Authority, or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
RTS	Response to Submissions report prepared by Alltree Consulting Pty Ltd dated January 2014
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements.
RMS	Roads and Maritime Services Division, Department of Transport
Site	Land referred to in Schedule 1
Sensitive receiver	Residence, education institution (e.g. school, university, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church) and children's day care facility.
Works	Means works undertaken during the construction, bump-in and bump-out periods

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

A1 In addition to meeting the specific performance criteria established under this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction or operation of the development.

TERMS OF CONSENT

A2 The Applicant shall carry out the development generally in accordance with the:

- a) State Significant Development Application SSD 6134;
- b) Environmental Impact Statement prepared by Altree Consulting Pty Ltd dated November 2013;
- c) Response to Submissions report prepared by Altree Consulting Pty Ltd dated January 2014;
- d) Security Management Plans dated August 2013 prepared by Future Music Festival and Good Life Festival;
- e) Risk Management Plan dated August 2013 prepared by Future Entertainment;
- f) Pedestrian Transport and Traffic Management Plan dated January 2014 prepared by Event & Sports Project Australia Pty Ltd;
- g) Noise Management Plan dated January 2014 prepared by Noise Consulting and Management Pty Ltd;
- h) Emergency Procedures dated August 2013 prepared by Riskworks Pty Ltd;
- i) Event First Aid and Medical Services dated August 2013 prepared by St Johns Ambulance Australia;
- j) Waste Management Plan dated October 2013 prepared by Dimeo Waste Services;
- k) Revised Mitigation Measures dated 28 January 2014 prepared by Alltree Consulting Pty Ltd;
- l) The conditions of this consent; and
- m) The following drawings, except for:
 - i) any modifications which are Exempt' or Complying Development; and
 - ii) otherwise provided by the conditions of this consent.

Architectural (or Design) Drawings prepared by Future Entertainment			
Drawing No.	Revision	Name of Plan	Date
Future Music 2014	Nil	Event Layout	19/8/13
Goodlife Festival	Nil	Event Layout	19/8/13
Security Zone Map	Nil	Future Music	Undated
Security Zone Map	Nil	Goodlife	Undated
Architectural (or Design) Drawings prepared by Altree Consulting			

Drawing No.	Revision	Name of Plan.	Date
Site Analysis Plan	Nil	Site Analysis Plan	Undated
Site Layout Plan	Nil	Site Layout Plan	Undated

A3 If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this consent prevail to the extent of any inconsistency.

A4 The Applicant shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:

- a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent; and
- b) the implementation of any actions or measures contained in these documents.

A5 LIMITS ON CONSENT

This consent will lapse ten (10) years from the date of consent.

A6 PRESCRIBED CONDITIONS

The Applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Regulation.

A7 DISPUTE RESOLUTION

In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this consent or relevant matter relating to the Development, either party may refer the matter to the Director-General for resolution. The Director-General's resolution of the matter shall be binding on the parties.

A8 LONG SERVICE LEVY

For work costing \$25,000 or more, a Long Service Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.

A9 OPERATIONAL PROCEDURES

For all events the Applicant shall ensure:

- 1) The advertising and marketing of the activity/event shall promote the use of public transport to the activity;
- 2) The general use of firearms, explosives or lighting of fires is not permitted;
- 3) Drinking water shall be available free of charge to patrons;
- 4) The use of pyrotechnics is limited to the main stages of the event and can only form part of an artist's performance to enhance the performances visually. Such fireworks should not impact on the local area and there should be no significant audible impacts beyond the boundaries of the event site;
- 5) Special effects lighting i.e. laser/strobe lighting must be positioned to face north away from any nearby residences. All other event lighting is to be shuttered, directed inward onto the site;
- 6) There is to be no unauthorised placement of promotional/advertising posters or brochures for this event in the Randwick area;
- 7) The Applicant must meet the costs of policing (crowd control & traffic management) for the event;

-
- 8) The Applicant must implement all strategies required by the NSW Police – Eastern Beaches Local Area Command to ensure that security is improved and criminal activities are minimised;
 - 9) Mandatory bag inspections are to be carried out prior to entry of patrons on to the site;
 - 10) The installation of temporary facilities including barricades, fencing, signage, toilets, lighting vending outlets is to be carried out to ensure that there is no damage to the site, including built structures and landscape elements;
 - 11) No permanent works are permitted to be carried out that will alter the fabric of the Racecourse heritage listed item, the Official Stand, and that item shall be protected through the allocation of appropriate security officers, in accordance with the final Security Management Plan;
 - 12) Any damage to the site, including built structures and landscape elements is to be made good to its previous condition by Applicant and the event promoter;
 - 13) Any damage to existing grass surfaces, such as the Leger Lawn, are to be repaired, and the area re-turfed if necessary;
 - 14) Prior to staging the event each year after 2014, the Applicant is required to seek in-principle endorsement for the event from the Key Stakeholder Group (KSG) as outlined in Condition A10; and
 - 15) The number of patrons in attendance at any one time during the event must be made available to Council officers upon request. Numbered tickets must be issued in order to calculate the number of persons permitted at the event so as not to exceed the authorised capacity. Records of the number of tickets issued must be provided to Council within 7 days of the event.

A10 KEY STAKEHOLDER GROUP – CONSTITUTION AND ROLE

Within 60 days following the March 2014 event, the Applicant must establish a Key Stakeholder Group (KSG) to oversee the environmental performance of events for the duration of the consent. Evidence of the group's establishment and details of membership must be provided to the Director-General. The KSG must:

- 1) include the chief executive officers (or their designated representative) of the following: Randwick City Council, State Transit Authority, Transport Management Centre (on behalf of Transport for New South Wales), NSW Police Force and Moore Park Events Operations Group (or their relevant successor).
- 2) comprise at least two (2) representatives of the local community nominated by Council. Community representatives are appointed on a rotational basis with a representative not exceeding two (2) years; and
- 3) be chaired by a chairperson, whose appointment has been approved by the Director-General.

A11 APPLICANT TO ASSIST KEY STAKEHOLDER GROUP

The Applicant must, at its own expense:

- 1) Ensure at least one of its representatives attend the Key Stakeholder Group (KSG) meetings;
- 2) Provide meeting facilities for the KSG (if necessary);
- 3) Arrange site inspections for the KSG (if necessary);
- 4) Take minutes of the KSG meetings;
- 5) Make these minutes publicly available on its website (if required); and
- 6) Pay reasonable travel expenses for members to attend meetings.

A12 IN-PRINCIPLE EVENT ENDORSEMENT

Prior to staging the event each year, the Applicant is required to undertake the following:

- 1) Gain in-principle endorsement of the proposed event date from members of the KSG at least six months (180 days) prior to the event being held and providing the Director-General with documentary evidence of the in-principle endorsement of the event date;
- 2) Submitting for endorsement the following updated management plans tailored to each yearly event to the KSG six months (180 days) prior to each yearly event:
 - a. Security Management Plans (endorsed by Randwick Council and NSW Police);
 - b. Risk Management Plan (endorsed by NSW Police);
 - c. Pedestrian Transport and Traffic Management Plan (endorsed by Randwick Council, State Transit Authority and Transport for NSW);
 - d. Noise Management Plan (endorsed by Randwick Council); and
 - e. Waste Management Plan (endorsed by Randwick Council).
- 3) Facilitating KSG meetings as necessary in order to gain documented endorsement of management plans;
- 4) Facilitating a debrief session with the KSG within 30 days of holding the event and provide the minutes of the debrief to the Director-General; and

Note 1: Separate development approval (for that year) may be required should the Applicant be unable to gain in-principle endorsement of the above management plans by the KSG within 100 days of the commencement of that year's event.

Note 2: Condition A12 (1-3) have been satisfied for the purposes of the March 2014 event through the development assessment process for this application.

A13 COMPLAINTS REGISTER

The Applicant must record details of all complaints received through the means listed under Condition B3 in an up-to-date Complaints Register. The Register must record, but not necessarily be limited to:

- 1) The date and time of the complaint;
- 2) The means by which the complaint was made (eg. telephone, mail or email);
- 3) Any personal details of the complainant that were provided;
- 4) The nature of the complaint;
- 5) Any action(s) taken in relation to the complaint, including any follow-up contact made;
- 6) The date and time any action was taken in response to the complaint; and,
- 7) If no action was taken in relation to the complaint, the reason(s) why no action was taken.

The register must be made available for inspection by the Director-General or Council upon request.

A14 ACCESS

Access to the event must be provided to Council authorised officers so as to enable compliance monitoring to be undertaken.

A15 LEGAL NOTICES

Any advice or notice to the consent authority shall be served on the Director-General.

A16 CHANGE IN BASE PARAMETERS

The Applicant is obligated to inform the Director-General as soon as practicable that a separate development consent is required should base parameters (i.e. construction of light rail at Randwick) upon which this development consent was assessed change significantly e.g. alterations to the site's capacity or transport system/route.

DRAFT

PART B PRIOR TO COMMENCEMENT OF WORKS

B1 NOISE – ABATEMENT MEASURES

The following noise abatement measures must be implemented for every event:

- 1) Contractual arrangements with artists and sound system suppliers advising of noise limits on their stage and imposing significant financial penalties if the limit is breached. (Note: This is vital as the levels were exceeded last year and this is a control that relies on effective management).
- 2) A formal warning system/method to ensure that artists and sound system suppliers are aware of penalties that will apply to acts if a noise breach warning is not acted upon within the specified 15 minutes.
- 3) A dedicated member of staff to control the music levels on the stages. This staff member will have the automatic authority and technical ability to reduce the music levels at the desk for all acts where required.
- 4) The noise limit at affected residences will be L_{Amax} 70 dB(A) and L_{max} 90 dB(C), when measured with the meter set to fast response over any 15 minute period during the concert or sound test.
- 5) All music must cease at 10:30pm for the Future Music Festival (only Stages 1 and 2 to operate from until 10.30pm) and the 8:00pm for Good Life Festival.
- 6) A central complaint hotline is to be established at least one week prior to the event, for the duration of the event and up to one week after the event. Complaints on the Racecourse number should be diverted to the event hotline.
- 7) All amplification equipment used at the event must be controlled by a root mean square (RMS) noise limiter, calibrated by an acoustic engineer. The equipment must be tamper proof and only be operable by the management or their nominee.
- 8) All on-stage and front of house sound equipment must be connected in such a manner to the one system so that the noise levels produced can be effectively controlled by the noise limiter referred to above and the house mixer/sound engineer.
- 9) A sound check must be performed prior to the event. During the sound check, appropriate music levels will be set on compressors at each of the stages to ensure they are started at appropriate levels.
- 10) The APEX noise limiters and 10EaZy remote display loggers must be used on all main stages. Sound level meters indicating the actual and allowed music levels must be displayed at each stage and sound system engineers are required to monitor and maintain advised music levels. The sound system suppliers must be advised in writing of this requirement prior to the event.
- 11) The total combined duration of event rehearsals and sound tests that are audible beyond the racecourse must be kept to an absolute minimum, and must not exceed three (3) hours. Rehearsals must not commence before 9:00am and shall be restricted to the day of the festival. This time is to be used to obtain a relationship between noise at the venue (e.g. mixing desk) and at residential locations.
- 12) An exceedance of the noise level limit by a maximum of 5 dB(A) and/or 5 dB(C) during a single five (5) minute period during the first fifteen (15) minutes of the performance of each new separate band or act will not be taken to be a breach of these conditions. The exceedances permitted by this condition must be kept to an absolute minimum.
- 13) Security guards to assist patrons in leaving quietly and avoiding passing through the nearby residential areas where possible. Security guards must be stationed in the residential areas to ensure noise is kept to a minimum.

-
- 14) A device capable of recording wind speed and direction at 10 minute increments is required to be installed on site for the event. Data from such a device will be accessible before, during and after the event.
 - 15) Sound Amplification Equipment
 - a) Any sound amplification equipment used at any time on the lands must be installed in such a way as to minimise the noise impact on residential premises or sensitive receivers.
 - b) The sound amplification equipment must be maintained in a proper and efficient condition so as to minimise the noise impact on residential premises or sensitive receivers.
 - c) The sound amplification equipment must be operated in a proper and efficient manner so as to minimise the noise impact on residential premises or sensitive receivers.

B2 NOISE MANAGEMENT PLAN

A final Noise Management Plan must be submitted and approved by the Department prior to the commencement of works. The Noise Management Plan must address:-

- 1) details of site supervision, hours of operation, night management;
- 2) details on restrictions to amplified music, operating time and general use;
- 3) details about patron attendance times;
- 4) details about any signage to inform patrons of approved closure hours;
- 5) details on training guidelines for staff;
- 6) details on the process for community consultation and dealing with noise complaints from residents including the management of noise related complaints during events;
- 7) a review process for the noise management plan; and
- 8) compliance with the requirements of Condition B1, above.

The Noise Management Plan must also include details of the siting/direction of the stage and speakers, the size and power output of speakers and instructions to engineers for sound control. This plan shall identify that the SPLnet monitoring system shall be used. The noise management plan is to be on site and made available upon request.

B3 COMPLAINTS MANAGEMENT

Prior to each event a Complaints and Inquiry Procedure is to be prepared and include, as a minimum:

- 1) the provision of a 24 hour complaints hotline;
- 2) establishment of a 1800 number to record complaints covering the periods including sound testing, event, and post event periods;
- 3) at a minimum the 1800 number should be staffed during business hours but critically it must be staffed during and immediately following the event. This would ensure that where required, immediate action can be taken with regard to a complaint; and
- 4) formal written response to all calls logged from one day prior to one day post the festival event should be undertaken within 48 hours following the event.

B4 PROCEDURE FOR RECORDING AND RESPONDING TO NOISE COMPLAINTS

The procedure for recording and responding to noise complaints is to be carried out as follows:

- 1) hotline must record name, address, number and nature of complaint. Complaints should also be able to be made by email;
- 2) complaint details must be forwarded by phone call or radio to noise monitoring staff;
- 3) at the property, the monitoring person must record measurements, and discuss levels with resident if requested;
- 4) noise monitoring staff must radio the Production Manager to reduce the sound level as appropriate;
- 5) noise monitoring staff must radio the Hotline with the monitoring results and actions taken; and
- 6) hotline must record results and actions against the complaint.

B5 SOIL AND WATER MANAGEMENT PLAN

Prior to the commencement of each event, the Applicant must develop a Soil and Water Management Plan that is to be implemented during the works. The Plan shall address, but is not limited to, the following issues:

- 1) minimise the area of soils exposed at any one time;
- 2) identify and protect proposed stockpile locations;
- 3) preserve any existing vegetation except weeds;
- 4) prevent soil, sand, sediments leaving the site in an uncontrolled manner;
- 5) Control surface water flows through the site in a manner that:
 - a) diverts clean run-off around disturbed areas;
 - b) minimises slope gradient and flow distance within disturbed areas;
 - c) ensures surface run-off occurs at non erodible velocities; and
 - d) ensures disturbed areas are promptly rehabilitated.
- 6) provide measures to stop materials being tracked onto the road by vehicles entering or leaving the site.
- 7) Implement suitable Dust Suppression measures, particularly where heavy vehicles (greater than one tonne) are entering and leaving the site.
- 8) Sediment and erosion control measures are to be in place prior to commencement of works.

B6 SIGNAGE

Prior to the commencement of works, a sign must be erected in a prominent position on the site on which the proposal is being carried out. The sign must state:

- 1) unauthorised entry to the work site is prohibited; and
- 2) the name of the principal contractor (or person in charge of the site) and a telephone number at which that person may be contacted at any time for business purposes and outside working hours.

Any such sign must be maintained while the work is being carried out, but must be removed when the work has been completed.

B7 EMERGENCY MANAGEMENT COMMITTEE

An Emergency Management Committee is to be established by the event organisers involving the NSW Police Force (representatives from the Major Events & Incidents Group, Event Commander and other senior police), Transport Management Centre, Fire & Rescue NSW, NSW Ambulance, the medical provider, the event risk management consultant, and other government agencies as deemed necessary.

A detailed emergency evacuation plan is to be approved by the Emergency Management Committee and must entail:

-
- 1) identification of emergency evacuation assembly areas; and
 - 2) these plans must be tested with emergency services no later than 14 days prior to the event occurring.

B8 VERIFICATION OF SUPPORT FOR LOADS

A certificate from a qualified practicing structural engineer (National Engineering Registration Board) must be submitted to the Certifying Authority prior to a commencement of each event for the proposed stages and any grand stand facilities to be erected. The certificate must state that the structures are adequate to support the projected loads and that the design will comply with the relevant Australian Standards adopted by the Building Code of Australia.

B9 STRUCTURAL CERTIFICATION FOR DESIGN - BCA

Prior to the commencement of works, structural details and a Structural Certificate for Design of any temporary structures by a qualified practising structural engineer and in accordance with Clause A2.2(a)(iii) of the Building Code of Australia (applicable to class 2-9 building) and Clause 1.2.2(iii) of Volume 2 of the BCA (applicable to Class 1 and 10 buildings) must be submitted to the satisfaction of the relevant certifying authority.

B10 TRAFFIC CONTROL MANAGEMENT

- 1) All bump-in and bump-out traffic movements must be restricted to Alison Road and the internal roads of the racecourse.
- 2) The Wansey Road gate must not be used for any Bump-in and Bump-out movements.
- 3) There are no B-double truck approved routes connecting with the racecourse and therefore no B-double mode of transport shall be used for the festival or form part of the Traffic Management Plan TMP). To ensure compliance, there should be penalty clauses in the contract with the transport contractor that would act as a deterrent for breaches of the Traffic Management Plan.
- 4) The access to, and exit from, the designated on-site car park is to be clearly identified, easy and efficient to use so as to minimise illegal parking in residential streets.
- 5) The boarding of buses is to be clear, easy and efficient so as to minimise transportation delays and bottlenecks.
- 6) Relevant personnel are to be deployed to enforce traffic management measures.
- 7) Moore Park is to be maintained as a pick-up drop-off area for the Sunday (Good Life) Festival.

PART C CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF AN EVENT

C1 MANAGEMENT PLANS SUBMISSION TO DIRECTOR-GENERAL

Evidence of the endorsed management plans from KSG must be submitted to the department a minimum of 14 days prior to the staging of the event each year.

C2 STRUCTURAL DETAILS

Prior to the commencement of the event each year, a certificate is to be provided by a suitably qualified person(s), certifying that:

- 1) The fire protection and structural capacity of temporary structures referred to in documents described under Condition A1 are appropriate for the proposed use of the structure.
- 2) The ground or other surface on which the structure is to be erected is sufficiently firm and level to sustain the structure while in use.

A copy of this certification shall be provided to the certifying authority prior to the commencement of the each event.

C2 NOISE CONTROL VERIFICATION

The Applicant must ensure that a statement from an accredited acoustic consultant certifying that the acoustic mitigation measures identified in the noise management plan prepared by Noise Consulting and Management Pty Ltd, and as modified in Conditions B1 and B2, are suitably incorporated into the development, and the noise criteria in the subject report have been met prior to the event occurring.

C3 SECURITY MANAGEMENT PLAN REQUIREMENTS

The event organiser must implement all measures listed under the relevant sections contained in the Security Management Plan to ensure minimal impacts to adjoining and surrounding residents from unruly patrons of the event, including, but not limited to, trespassing, breaking and entering of and/or through private property (unless otherwise directed by the Police/authorised City Ranger or as modified by these conditions).

C4 SITE AND LOCALITY CLEANING

- 1) A damage/cleanup security deposit of \$50,000 must be paid to Council at least two days prior to the event as security for making good any damage caused to the roadway, footway, verge or any public place; and as security for cleanup that in the reasonable opinion of Council was connected to the event.
- 2) The damage / cleanup security deposit may be provided by way of a cash or cheque with the Council and is refundable upon a satisfactory inspection by Council upon the completion of the event which confirms that there has been no damage to Council property and that the cleanup has been satisfactorily executed. Any costs borne by Council for additional cleanup resulting from the event shall be deducted from this amount.

C5 COMMUNITY CONSULTATION STRATEGY

All residents and businesses located adjacent to the Royal Randwick Racecourse as well as Council are to be notified by notification letter of the event at least four (4) business days prior to the commencement of bump-in operations. The notification letter must include details of the development, a copy of the consent conditions and also provide a contact name and phone number of the Applicant.

C6 NOTICE TO BE GIVEN PRIOR TO COMMENCEMENT

The erection of temporary structures must not commence until:

- 1) the proponent has appointed a PCA for the building works; and,
- 2) the proponent has given at least two (2) days notice to Council and the PCA outlining intentions to commence the erection of temporary structures.

Note: the Principal Certifying Authority must, no later than 2 days before the building works commence, notify the Director-General and the Council of his or her appointment.

C7 ERECTION OF TEMPORARY STRUCTURES

- 1) All temporary structures (of any use and type) cannot be used by patrons until an Occupation Certificate has been issued for the event.
- 2) Temporary structures are to be wholly within the part of the site designated as 'Event Area'. No approval is given for any temporary structures outside of this area.
- 3) The proponent must ensure that all temporary structures are positioned on a level stable surface and sufficiently weighted to ensure stability at all times.
- 4) The temporary structures are to be erected and supported in a secure manner for safety purposes.
- 5) Should adverse weather conditions (such as strong winds) arise during an event, the proponent must mitigate potential safety concerns, for example, by removing the temporary structures from the public domain.
- 6) All temporary structures requiring assembly/installation in the Event Area must provide original structural certification from a practising certified structural engineer to the Certifying Authority certifying that the structures can adequately support the proposed loads to comply with the Structural Provisions Part B1 including Performance Provisions BP1.1 and BP 1.2 of the Building Code of Australia and relevant Australian Standards.
- 7) The erection of temporary structures must only be carried out during daylight hours and must not exceed 10 days before and 10 days after the event.

PART D DURING CONSTRUCTION, FESTIVAL AND RESTORATION

D1 APPROVED PLANS TO BE ON-SITE AND COMPLIED WITH

During the course of the approved development a copy of this development consent, any approved or certified plans and any management plans, shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department and Council. All management or other plans approved under these conditions must be complied with during the carrying out of the approved development.

D2 HOURS OF WORK

- 1) The hours of work for bump-in and bump-out including the movement of materials to and from the site, must be restricted to between 7:00am and 7:00pm, Mondays to Sundays inclusive.
- 2) The hours of the event shall be restricted to 12:00pm Midday to 10:30pm for the Saturday festival and 12:00pm Midday to 8:00pm for the Sunday festival. Works may be undertaken outside these hours under the following circumstances:
 - a) if the delivery of materials is required outside these hours by the Police or other authorities; and
 - b) if it is required in an emergency to avoid the loss of life, damage to property, prevent traffic conflicts and/or to prevent environmental harm.

D3 NEIGHBOURHOOD AMENITY

- 1) Signs must be placed in clearly visible positions within the site requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area.
- 2) The Applicant must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, the Applicant must be responsible for the control of noise and litter generated by patrons of the premises and must ensure that patrons leave the vicinity of the premises in an orderly manner. The Applicant is to employ private security staff to ensure that this condition is complied with.

D4 CONSTRUCTION AND EVENT DAY TRAFFIC

- 1) Vehicles associated with the works shall not gather in the vicinity of the site earlier than 15 minutes prior to the daily commencement of construction hours.
- 2) The Applicant shall co-operate with any State agency or the Council to maintain efficient traffic flows and the safety of other road users.
- 3) Access to the site shall be via Alison Road for heavy vehicles (exceeding one tonne) and High Street and Wansey Road for other vehicles in accordance with the Traffic Management Plan. The access shall be controlled by a certified traffic controller to manage vehicles entering and exiting the site.

D5 PARKING AND ACCESS

All construction and delivery vehicles associated with the works must park on site in accordance with documentation submitted with the application and not on the surrounding street network.

D6 DUST CONTROL

Dust control measures shall be implemented to ensure that work does not cause an unreasonable dust nuisance to surrounding residents, businesses, the public or the local environment. These measures shall be implemented as part of the final waste management plan.

D7 NO MATERIALS ON FOOTPATH

No materials, machinery, signs or vehicles used in or resulting from the works shall be stored or placed on Council's footpath, nature strip or roadway. Footpaths, nature strips or roadways shall not be impeded.

D8 LOADING AND UNLOADING DURING CONSTRUCTION

All loading and unloading associated with works must be carried out on site, and not in the public road way. All loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times and must not obstruct other properties/residences or any public way.

D9 SITE SECURITY

To protect the safety of work personnel and the public, the work site shall be adequately secured to prevent access by unauthorised personnel.

D10 HEALTH AND SAFETY

The relevant requirements of WorkCover New South Wales and the *Work Health and Safety Act 2011* are required to be complied with at all times.

D11 CONTACT TELEPHONE NUMBER

Prior to the commencement of the works the Applicant shall forward to the Department and Council a 24 hour telephone number to be used for the duration of the works which may be the same number required for noise control in accordance with condition B3. This phone number is to be attended during all times. The approved hours of work and the telephone number must be prominently displayed at all times at the site and must be visible to the public from public roads.

D12 RESTORATION

The Applicant must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's footpath, kerb & gutter, nature strip etc. which have been damaged due to activities directly related to the proposed development.

D13 EMERGENCY ACCESS

Access to any fire exits, utilities or emergency vehicle access must not be impeded.

D14 LICENSED PREMISES - OPERATIONAL CONTROLS

- 1) Security officers employed by the Applicant must move on any intoxicated persons or persons drinking alcohol or behaving inappropriately in the immediate

-
- vicinity of the premises so as to prevent noise emissions from impacting on the nearby neighbouring residences in the area.
- 2) Any patrons waiting outside to enter the premises must queue along the frontage of the property and must be maintained in a quiet and orderly manner by security officers. The queue must not obstruct any entrance to adjoining premises / fire exits.
 - 3) All patrons waiting to board buses must queue in the clearly sign-posted and allocated areas and must be maintained in a quiet and orderly manner by security officers. The queue must not obstruct any roadways or the entrance to adjoining premises / fire exits.

D15 GENERAL SITE OPERATIONS

The following general requirements apply to every event:

- 1) At all times clear access and egress for emergency vehicles is to be maintained by the event organisers.
- 2) The fence around the event is to be constructed/maintained in such a way as to ensure that there is no unauthorised access to the venue.
- 3) The boundary fence around the event site is to be constantly patrolled by private security.
- 4) Skip bins or similar facilities are not to be placed in the parking lanes of any public roads.
- 5) The Applicant is to arrange for appropriate notices to be erected at bus shelters, up to two weeks prior to the event, to inform regular bus patrons that their bus services, and access to their regular bus stops, may be affected on the day of the event.
- 6) The event should provide a "Full Integrated Transport/Gate Ticket" for patrons which includes return public transport to and from the festival which is valid for the Sydney Metropolitan Area.
- 7) The activity/event shall not give rise to an unreasonable environmental health or public nuisance or affect public safety and convenience.
- 8) The relevant requirements of WorkCover New South Wales and the *Occupational Health and Safety Act 2000*, are required to be complied with at all times.

D16 TEMPORARY STRUCTURES CONTROLS

- 1) The maximum number of people permitted in the temporary structures must not exceed the amount permitted under the Building Code of Australia for entertainment venues and a person must be appointed to ensure that the permissible capacity is not exceeded. A sign detailing the maximum number of people permitted in the temporary structure/s must be displayed near the entrance.
- 2) Tents and marquees must comply with the following requirements:-
 - a. The number and width of exits to any tent, marquee or booth used for the purpose of an entertainment venue must be provided in accordance with the provisions of NSW H102.4 and NSW Table H102.4;
 - b. the tent, marquee or booth resists loads determined in accordance with the Australian and New Zealand Standards entitled:

-
- i. AS/NZS 1170.0:2002, Structural design actions – General principles, and
 - ii. AS/NZS 1170.1:2002, Structural design actions – Permanent, imposed and other actions, and
 - iii. AS/NZS 1170.2:2002, Structural design actions – Wind actions.
 - 3) Written details or certification must be provided to the Principal Certifying Authority detailing compliance with the requirements of these conditions, prior to the use and occupation of the temporary structures.
 - 4) Fabric that is used in the construction of a temporary structure must comply with the flammability indexes required by NSW H102.8 of the Building Code of Australia 2008;
 - 5) Essential fire safety measures & equipment within the temporary structures must be provided in accordance with the provisions of NSW H102 of the Building Code of Australia, to the satisfaction of the principal certifying authority;
 - 6) A notice is to be provided to each stage or platform, that indicates the actual distributed and concentrated load for which the stage or platform has been designed, located in a conspicuous position on the stage or platform;
 - 7) Stages, platforms or walkways greater than 1m in height above ground level which are accessible to the public or audience, must be provided with adequate balustrading or other measures to prevent them from falling off the stage or platform;
 - 8) If a tent or marquee used for the purpose of an entertainment venue has a floor area greater than 100 square metres, the erection of the tent or marquee must not commence until the provisions of Clause 268A of the *Environmental Planning & Assessment Regulation 2000* (as amended), relating to the appointment of a principal certifying authority, have been met;
 - 9) An Occupation Certificate must be obtained from the Principal Certifying Authority (Council or Accredited Certifier) for the temporary structures, in accordance with the provisions of the Environmental Planning & Assessment Regulation 2000, prior to the use and occupation of the temporary structure/s;
 - 10) A statement of adequacy is to be obtained from a suitably qualified person and be submitted to Council upon the erection of any temporary structures, amusement devices and stages, which certifies that the item/s satisfy relevant requirements and standards for structural adequacy and public safety;
 - 11) The operator of the activity/function must hold current public liability insurance cover of at least \$10 million;
 - 12) Temporary structures must be removed/dismantled within 2 days after the conclusion of the event;
 - 13) Adequate toilets, urinals, wash-hand basins and hand dryers or disposable towels (including facilities for people with a disability) must be provided for the duration of the activity/event, to the satisfaction of the Principal Certifying Authority; and
 - 14) The installation of temporary facilities including stages, enclosures, decking, fencing, signage, toilets, lighting, rides and vending outlets is to be carried out to ensure that there is no damage to the site, including built structures and landscape elements.

D17 ACOUSTIC MONITORING

Prior to the commencement of the event a qualified acoustic consultant must prepare and implement an Acoustic Monitoring Program (AMP) to monitor and assess the impact of

noise generated by the event on the amenity of the area. The AMP must be prepared in consultation with the Key Stakeholder Group (KSG) (after 2014 event) and be consistent with the noise abatement measures of Condition B1.

The AMP shall include, but not be limited to:

- 1) locations (identified on a map) at which monitoring will be undertaken. As a minimum monitoring locations must include the most sensitive noise receivers;
- 2) procedures and protocols in accordance with OEH's Noise Guide for Local Government 2010 and Australian Standard AS1055 Acoustics - Description of measurement of environmental noise (or any subsequent versions thereof);
- 3) a program for periodic attended and unattended monitoring of noise at each of the set monitoring locations, including:
 - a) Unattended monitoring must be undertaken at a minimum of eight monitoring locations (to be determined in consultation with the KSG) before, during and after each event;
 - b) Attended monitoring must occur on at least one (1) occasion prior to the commencement (including during sound check) and during the operation of each event; and
 - c) procedures for the reporting of monitoring results to enable an assessment of the noise performance of the event.

PART E CONDITIONS THAT APPLY AFTER THE EVENT

E1 POST-EVENT DEBRIEF

Following the completion of the event and within 30 days of completion of bump-out operations, the Applicant must hold a post-event debrief with Council. Prior to this meeting the Applicant is to provide Council with an acoustical report, prepared by the appointed acoustic consultant, detailing the following:

- 1) Implementation of the Acoustic Monitoring Program referred to in Condition D17.
- 2) Whether or not there has been compliance or non-compliance with the consent conditions, including the reasons for any breaches;
- 3) The times and details of any occasions where a breach of the noise criteria as set in the consent, occurred and why the breach occurred and what measures were implemented to ensure that the breach did not reoccur.
- 4) Any recommendations provided in the acoustical report following an event is to be implemented and form part of this consent, except as amended by the conditions of consent.

Council may invite members of the public to the event debrief if it chooses to do so.

E3 SITE & LOCALITY CLEANING AFTER EVENT

- 1) To obtain a refund of relevant deposits, a Security Deposit Refund Form is to be forwarded to Council's Director of City Services upon completion of the event.
- 2) The Applicant is to thoroughly clean the surrounding area within 24 hours of the termination of the event. This is to include the area bounded by Anzac Parade, Boronia Street, Salisbury Road, Kensington Road, Roma Avenue, High Street, Botany Street, Cook Street, Cowper Street, Wentworth Street, Darley Road and Alison Road.

E4 EVIDENCE OF ATTENDEE NUMBERS

Within 28 days of the conclusion of an event, evidence must be submitted to the Director-General to confirm that patron numbers within the event did not exceed the numbers specified within this approval.

ADVISORY NOTES

APPEALS

AN1 The Applicant has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2000* (as amended).

OTHER APPROVALS AND PERMITS

AN2 The Applicant shall apply to the Council for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the *Local Government Act, 1993* or *Section 138 of the Roads Act, 1993*.

RESPONSIBILITY FOR OTHER CONSENTS / AGREEMENTS

AN3 The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

COMPLIANCE WITH FOOD ACT 2003

AN4 The requirements of the *Food Act 2003* and Food Safety Standards must be complied with at all times. The applicant is required to ensure that all temporary food stalls, vendors and mobile food vendors have registered their details with Council's Environmental Health Unit, at least one week prior to the event. The required Registration Fee must be forwarded to Council with the registration details. Further details can be obtained by telephoning 9399 0973.

POLLUTION OF WATERS

AN5 The Applicant must comply with section 120 of the *Protection of the Environment Operations Act 1997* which prohibits the pollution of waters as a result of these works and activities.