

Wollongong Local Planning Panel Assessment Report | 14 September 2021

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|---------------------------|---|
| WLPP No. | Item No. 2 |
| DA No. | DA-2020/616 |
| Proposal | Major event application for temporary events to a maximum of 52 days in any 12 month period - Helensburgh Parks: Rex Jackson, Charles Harper and environs |
| Property | Rex Jackson Park and Charles Harper Park Helensburgh Robertson Street, 4 Walker Street and Parkes Street Helensburgh Lot 7036 Crown DP 1142241 Lot 517 DP 752033 Lot 940 DP 752033 Lot 7066 Crown DP 1031042 Lot 7065 Crown DP 1031042 Lot 7076 Crown DP 96784 |
| Applicant | Susan Wardle |
| Responsible Team | Development Assessment and Certification - City Wide Team |
| Development cost | Nil |
| Lodgement date | 25 June 2020 |
| Prior WLPP meeting | N/A |

ASSESSMENT REPORT AND RECOMMENDATION

Executive Summary

Reason for consideration by Local Planning Panel

The proposal has been referred to Local Planning Panel for **Determination** pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Schedule 2 of the Local Planning Panels Direction of 1 March 2018, as Council is the applicant and the proposal is located on Council owned land and Stated owned land under the control of Council.

Proposal

The proposal is for major event application for temporary events to a maximum of 52 days in any 12month period - Helensburgh Parks: Rex Jackson, Charles Harper and environs.

Permissibility

The site is zoned RE1 Public Recreation pursuant to the Wollongong local Environmental Plan 2009. The proposal is categorised as a temporary use of land which is permitted for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months.

The proposed use of the site for events is considered ancillary to the primary use of the site as a recreation area.

Consultation

The proposal was notified in accordance with Council's Community Participation Plan and did not receive any submissions.

The proposal was referred to Property Management, Recreation, Stormwater, Traffic, Community Safety, Community Services, Strategic, Community Land Management, Environment, Health, Heritage and BCA/NCC and conditionally satisfactory referral advice has been provided in each instance.

The proposal was referred to the National Parks and Wildlife and Rural Fire Service and satisfactory referrals were received in each instance.

The application was notified to the Crown Authority as land owner and Crown land owners consent was provided on 29 June 2020.

Main Issues

There are no outstanding issues.

Conclusion

The proposed development has been assessed with regard to the relevant considerations outlined in Section 4.15 of the Environmental Planning & Assessment Act 1979, the provisions of the Wollongong Local Environmental Plan 2009, and all relevant Council DCPs, Codes and Policies and found to be satisfactory.

The proposed events are permissible by way of clause 2.8 of the WLEP 2009 as temporary uses of land.

A restricted consent period will be imposed for 5 years.

It is considered that the proposed development is unlikely to result in adverse impacts on the environment, adjoining development and the amenity of the area.

RECOMMENDATION

Development Application DA-2020/616 be **approved** subject to the conditions contained in Attachment 5.

1 APPLICATION OVERVIEW

1.1 PLANNING CONTROLS

The following planning controls apply to the proposal:

Relevant Acts of Legislation:

- Crown Land Management Act (CLM) 2016
- NSW Biodiversity Conservation Act 2016

State Environmental Planning Policies:

- SEPP No. 55 – Remediation of Land
- SEPP (Coastal Management) 2018
- SEPP (Koala Habitat Protection) 2019
- SEPP (Infrastructure) 2007

Local Environmental Planning Policies:

- Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

- Wollongong Development Control Plan (WDCP) 2009

Other policies

- Wollongong City-Wide Development Contributions Plan 2020
- Wollongong Community Participation Plan 2019

The proposal is satisfactory with regard to the applicable planning controls as discussed in the body of this report.

1.2 DETAILED DESCRIPTION OF PROPOSAL

- The application is seeking approval for use of the park for generic events for up to a maximum 52 days in any 12 month period and associated temporary structures and signage. Event holders would first seek an event approval from Council's Events Team then would be able to benefit from the generic events DA without the need for a separate DA approval for each different event.
- A maximum of 1 x Tier 1 event, 2 x Tier 2 events, 6 x Tier 3 events and all Tier 4 events.
- Sunday to Thursday – 7am to 11pm & Friday and Saturday 7.00am to 12.00am.
- Proposed maximum capacity is 31,500 people. (However see Section 1.6.2 - RFS has restricted capacity to 15,000 people).

Note: No on-site camping proposed.

Event Criteria: Indicative Table

| Category | Reputational Impact | Economic Impact | Community and Business Engagement | Participant and Spectator Numbers | Sustainability | Lifecycle and Legacy | Indicative Event | Funding & # of Events |
|----------|--|--|---|---|---|---|---|--|
| 1 | <ul style="list-style-type: none"> Dedicated television broadcast International exposure Distinct engagement or enhancement opportunities Social media of 100,000+ | <ul style="list-style-type: none"> More than \$4 million economic impact from third year or as a one-off event | <ul style="list-style-type: none"> International and national sponsors Demonstrated corporate partnering and cross-promotional strategy Potential global or national business networking Includes opportunities for local suppliers | <ul style="list-style-type: none"> More than 10,000 paying participants / spectators OR More than 40,000 free participants Target of 30% out-of-region | <ul style="list-style-type: none"> Ability to attract more than \$200,000 corporate sponsorship Ability to attract more than \$100,000 State Government support | <ul style="list-style-type: none"> Need for seed funding or one-off support Potentially act as catalyst for major legacy project Ideally attract influencer/early adopter demographics | <ul style="list-style-type: none"> World Series Extreme Rallycross | <ul style="list-style-type: none"> \$100,000 to \$200,000 1 to 2 |
| 2 | <ul style="list-style-type: none"> Dedicated television broadcast or minimum of national/state reporting Typically multi-day festival or event Social media of 50,000+ | <ul style="list-style-type: none"> \$2 - \$4 million economic impact from third year | <ul style="list-style-type: none"> National sponsorship Demonstrated corporate partnering and cross-promotional strategy Includes opportunities for local suppliers | <ul style="list-style-type: none"> More than 5,000 paying participants / spectators OR More than 20,000 free participants Target of 20% out-of-region | <ul style="list-style-type: none"> Ability to attract more than \$100,000 corporate sponsorship Ability to attract more than \$25,000 State Government support | <ul style="list-style-type: none"> Typically strong regional affiliation Typically strong potential to enhance external perception of the city | <ul style="list-style-type: none"> Illawarra Folk Festival | <ul style="list-style-type: none"> \$20,000 to \$40,000 3 to 6 |
| 3 | <ul style="list-style-type: none"> Blanket regional coverage Possible State-based media interest | <ul style="list-style-type: none"> Typically \$500,000 to \$2 million economic impact from third year (estimated) | <ul style="list-style-type: none"> Strong stable of local sponsors May include a charity component Aligned to local organisations and/or community groups Maximises opportunities for local suppliers | <ul style="list-style-type: none"> More than 1,000 paying participants / spectators OR More than 8,000 free participants | <ul style="list-style-type: none"> Ability to attract more than \$30,000 corporate sponsorship Typically, sanctioning, VIK and logistical support via national body | <ul style="list-style-type: none"> Strong stable of local sponsors Typically demonstrates strong growth potential | <ul style="list-style-type: none"> Sunset Cinema Eastern University Games | <ul style="list-style-type: none"> \$5,000 to \$20,000 5 to 15 |
| 4 | <ul style="list-style-type: none"> Local and/or sector specific interest | <ul style="list-style-type: none"> Typically a not-for-profit with no major financial objectives | <ul style="list-style-type: none"> Driven by local groups | <ul style="list-style-type: none"> Loyal but limited following | <ul style="list-style-type: none"> Typically low level sponsorship with primarily VIK components | <ul style="list-style-type: none"> Locally entrenched | <ul style="list-style-type: none"> Greenscres Mountain to Mountain | <ul style="list-style-type: none"> Up to \$5000 Unlimited |

Figure 1: Event Tiers

1.3 BACKGROUND

Wollongong City Council has numerous generic event approvals applying to several parks/public spaces across the city. As part of Council's Events Strategy, a number of new sites are proposed to be added. This Development Application forms part of a suite of applications lodged by Council's Events Teams, including modifications of the existing Generic Event Approvals, and several new sites. Council's Events Team receives all enquiries from the public relating to holding major events on public land. For sites with an existing generic event approval, an Event Licence is issued by the Events Team which ensures the event is consistent with the conditions of consent on the applicable DA, and any other legislative requirements, such as leases and licences under the Crown Lands Act or Local Government Act and activity approvals. If there is no Generic Event DA applying the site, Event Holders must apply separately to Council for Development Approval, Activity Approval (Sec 68 of LG Act) and a lease/licence prior to the event. Generic Event Approvals aim to simplify the process for Event Holders to carry out compliant, well managed and safe events, and ensure event requirements are more consistent across the LGA.

No pre-lodgement meeting was held for the proposal.

Customer service actions

There are no outstanding customer service requests of relevance to the development.

1.4 SITE DESCRIPTION

The site is located at Rex Jackson Park and Charles Harper Park Helensburgh. The property address is Robertson Street, 4 Walker Street and Parkes Street Helensburgh and the site is legally known as Lot 7036 Crown DP 1142241, Lot 517 DP 752033, Lot 940 DP 752033, Lot 7066 Crown DP 1031042, Lot 7065 Crown DP 1031042 and Lot 7076 Crown DP 96784.

The site is irregular in shape and slightly sloping with a fall of over 20m from front towards the bushland rear.

The property is Crown Land owned by the State of NSW however Council is the appointed Crown Land Manager under the Crown Land Management Act 2016. The Crown Reserve purpose is public recreation. The application was notified to the Crown Authority and Crown land owners consent was provided on 29 June 2020 and is provided at Attachment 3.

Rex Jackson Park is the predominate sporting and recreational facility catering for residents of Helensburgh, and the northern suburbs. The following licensee's currently utilise the site:

- Helensburgh Tigers Rugby League Football Club
- Helensburgh Netball Club
- Helensburgh Off Road Cycle Club
- Helensburgh Junior Rugby League Football Club
- Helensburgh Little Athletics Centre
- Helensburgh Thistle Soccer Club
- Helensburgh Cricket Club
- Helensburgh Tennis Club

In addition to local sporting clubs, the following schools utilise Rex Jackson Park on a regular basis for school curriculum and sporting activities:

- Holy Cross Primary School
- Helensburgh Public School
- One School Global
- Cricket NSW – School Cricket Gala Days

Rex Jackson Park encompasses a large area and has been terraced with a number of different spaces developed over time to support sporting activities. Supporting facilities include fencing, floodlighting, turf wickets, synthetic wickets, synthetic youth training, space goal posts, irrigation and drainage works, amenities buildings which represents a significant Council investment. Rex Jackson Park and Charles Harper Park also includes district level playground, 25m pool, outdoor fitness area, and other passive recreational infrastructure including BBQ's and seating and the Crown reserves retain a number of heritage listed items including War memorial and pine trees.

Adjoining development is as follows:

- North: Bushland
- East: Residential properties and bushland
- South: Tradies Club and residential properties, Helensburgh town centre
- West: Residential properties

Property constraints

Council records identify the land as being impacted by the following constraints:

- Flooding: The site is identified as being located within a flood risk precinct.
- Bushfire
- Heritage

There are no restrictions on the title.



Figure 2: Aerial photograph

1.5 SUBMISSIONS

The application was notified in accordance with Council's Community Participation Plan 2019. No submissions were received following the notification.

1.6 CONSULTATION

1.6.1 INTERNAL CONSULTATION

The proposal was referred to Property Management, Recreation, Stormwater, Traffic, Community Safety, Community Services, Strategic, Community Land Management, Environment, Health, Heritage and BCA/NCC and conditionally satisfactory referral advice has been provided in each instance.

1.6.2 EXTERNAL CONSULTATION

Rural Fire Service

The application was referred to the RFS for advice. A satisfactory response was received on 8 April 2021. It is noted the RFS has restricted numbers to 15,000 people and required detail traffic management procedures in relation to access for emergency vehicles and cancellation of events in the case of total fire ban.

National Parks and Wildlife Service

The application was referred to the NPWS as adjoining land owner. A response was received 20 July 2020. NPWS have no issue with events held solely on Rex Jackson Oval Sports Fields apart from stating that there is high quality bushland reserved as state conservation area immediately to the north of

the Event areas. NPWS requests that light and noise impacts on this bushland at night time are considered when events are being planned and run. Appropriate conditions will be imposed.

2 RELEVANT LEGISLATION

2.1 CROWN LAND MANAGEMENT ACT 2016

Council manages the subject site on behalf of the Crown. Owners consent has been provided by Council's Property Management pursuant to Section 2.23 of the CLM Act 2016 which provides that the Minister is taken to give consent to Council for certain development applications to made over dedicated or reserved Crown land. In particular Section 2.23(2) (c) the Use of the land and (e) which enables the erection, repair, maintenance or replacement of a temporary structures on the land.

2.2 NSW BIODIVERSITY CONSERVATION ACT 2016

Section 1.7 of the Environmental Planning and Assessment Act 1979 (EP&A Act) provides that Act has effect subject to the provisions of Part 7 of the Biodiversity Conservation Act 2016 (BC Act).

Part 7 of the BC Act relates to Biodiversity assessment and approvals under the EP&A Act where it contains additional requirements with respect to assessments, consents and approvals under this Act.

No native vegetation is proposed to be cleared for the development. Therefore, the proposal does not trigger the requirement for a biodiversity offset scheme.

2.3 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

1.7 SECTION 4.14 CONSULTATION AND DEVELOPMENT CONSENT—CERTAIN BUSH FIRE PRONE LAND

Not applicable.

1.8 SECTION 4.15(1)(A)(1) ANY ENVIRONMENTAL PLANNING INSTRUMENT

1.8.1 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

7 Contamination and remediation to be considered in determining development application

- (1) A consent authority must not consent to the carrying out of any development on land unless—**
 - (a) it has considered whether the land is contaminated, and**
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and**
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.**
- (2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.**
- (3) The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.**
- (4) The land concerned is—**

- (a) land that is within an investigation area,
- (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,
- (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land—
 - (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and
 - (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

A desktop audit of the subject site revealed there is no previous history of land uses that could be considered to present as a contamination risk. No earthworks are proposed, and the proposal does not comprise a change of use. Councils Environment Officer has reviewed the proposal and no concerns are raised with regard to contamination as relates to the intended use of the land and the requirements of clause 7.

The site is therefore considered suitable for the proposed development and satisfies Clause 7 of SEPP 55.

1.8.2 STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018

The site is mapped as Proximity Area for Coastal Wetlands. Clause 11 Development on land in proximity to coastal wetlands or littoral rainforest applies. The Site Plan has been amended to provide an exclusion area around the proximity area to Coastal Wetlands. A condition will be imposed restricting any events within the mapped area. Council's Environment Officer has assessed the proposal and is satisfied.



Figure 3: Coastal SEPP map

1.8.3 STATE ENVIRONMENTAL PLANNING POLICY (KOALA HABITAT PROTECTION) 2021

The State Environmental Planning Policy (Koala Habitat Protection) 2021 applies to the Wollongong Local Government Area, identified as being in the South Coast koala management area.

Clause 11 Development assessment process—no approved koala plan of management for land

This clause applies to the land as it is greater than 1 hectare (including adjoining land within the same ownership), being approximately 14 hectares.

(2) Before a council may grant consent to a development application for consent to carry out development on the land, the council must assess, in accordance with the Guideline, whether the development is likely to have any impact on koalas or koala habitat.

State Environmental Planning Policy (Koala Habitat Protection) 2020 applies to the Wollongong Local Government Area. The subject lots have an area of more than one hectare. Council's Environment Officer has assessed the proposal and is satisfied. The land is not considered to be a potential koala habitat as it does not contain areas of native vegetation where trees of the types listed in Schedule 2 constitute at least 15% of the total number of trees in the upper or lower strata of the tree component.

1.8.4 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

Clause 104 Traffic Generating Development

The proposal may be traffic generated development as an event could generate greater than 200 vehicles per hour. A condition has been imposed to enable the requirements of this clause; including any comments received by Transport for NSW can be met, if applicable, prior to the separate event approval being issued by Council's Events Management team.

1.8.5 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Clause 1.4 Definitions

Recreation area means a place used for outdoor recreation that is normally open to the public, and includes—

- (a) a children's playground, or*
- (b) an area used for community sporting activities, or*
- (c) a public park, reserve or garden or the like,*

and any ancillary buildings but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

Part 2 Permitted or prohibited development

Clause 2.2 – zoning of land to which Plan applies

The zoning map identifies the land as being zoned RE1 Public Recreation.

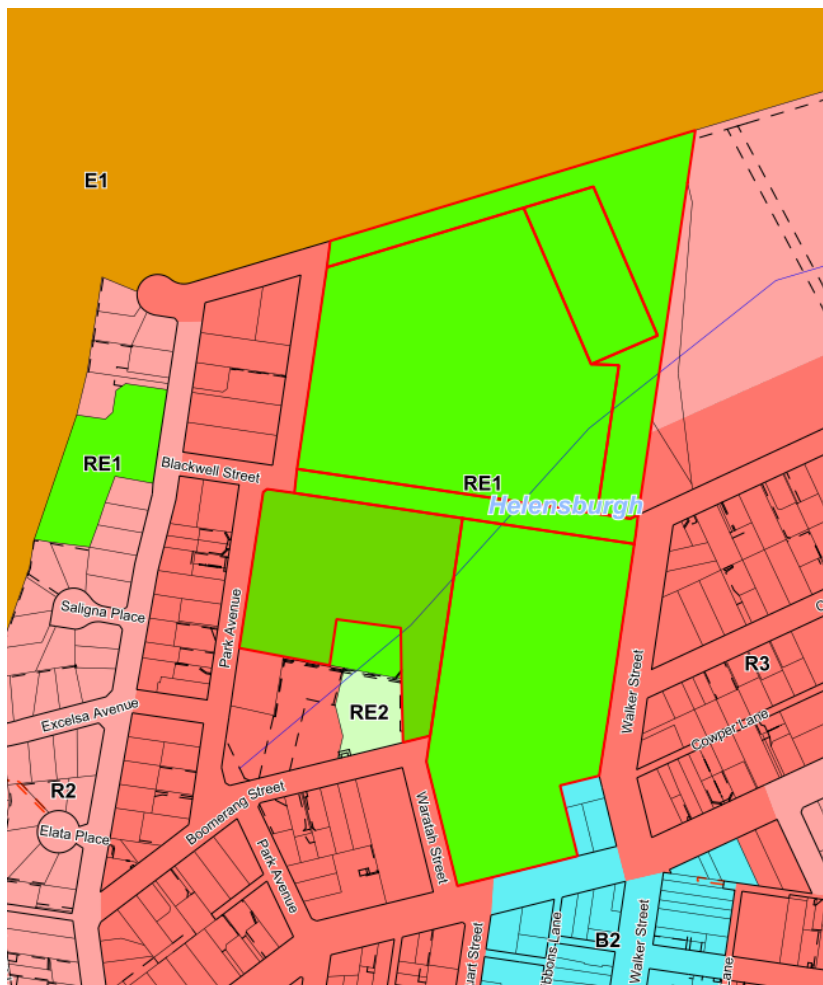


Figure 4: Zoning Map

Clause 2.3 – Zone objectives and land use table

The objectives of the RE1 zone are as follows:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To cater for the development of a wide range of uses and facilities within open spaces for the benefit of the community.*

The proposal is satisfactory with regard to the above objectives. Events would be scheduled around the regular use of the park as a sportsground as well as peak times for use of the Helensburgh pool to ensure the proposal is compatible with the public recreation use.

2.8 Temporary use of land

The proposal is categorised as temporary use of land for events which as considered ancillary to the use of the site as a recreation area. The temporary use of land for is permitted under Clause 2.8.

(1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.

The proposed temporary use of land for events at the Rex Jackson Park, Helensburgh Park and Charles Harper Park, Helensburgh would not compromise the future development of the land, or have

detrimental impacts on the economic, social, amenity or environmental aspects of the land. The parks are predominantly used as a sporting field for a variety of sports. Conditions would be imposed to ensure no conflict with the use of the site by other sporting groups.

(2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months.

The application is seeking consent for use of the site for events, for a maximum of 52 days in any 12 month period.

(3) Development consent must not be granted unless the consent authority is satisfied that—

(a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and

The temporary use would not prejudice the subsequent carrying out of development on the land in accordance with this plan or any other applicable Environmental Planning Instrument.

(b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and

The proposed event site is close to residents. However the proposal for one Tier 1 event and only two Tier 2 events is considered reasonable. The proposed hours of operation is also considered reasonable. Council's Environment Officer has imposed a condition requiring a Noise Management Plan to be submitted with the application for the event licence.

Additional lighting for events has the potential to impact nearby residents.

Conditions are recommended with regard to managing impacts on adjoining land and the amenity of the neighbourhood, with regard to noise such as hours of operation and lighting. A Traffic Management Plan will be required for each event which will address traffic generation, access and egress, waste management and loading/unloading.

(c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and

The site plan has been amended to exclude certain areas on the site that are constrained and conditions have been imposed to minimise the potential for impacts on surrounding sensitive lands. The NPWS has recommended conditions such as restricting fireworks and general noise to ensure minimal impact on wildlife in the surrounding bushland.

(d) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.

Conditions are recommended that all areas used for the events be restored to the pre-event condition. Conditions are imposed requiring a remediation fee and a Bond to cover the cost of any repairs or restoration required to public places and assets.

(4) and (5) Not applicable.

Part 5 Miscellaneous provisions

Clause 5.10 Heritage conservation

The site contains items of local heritage significance:

6124 – Helensburgh Park and Pines and Charles Harper Monument and park

The site is in proximity to items of heritage significance:

6115 – Henley Hotel

6116 – Post office

6117 – Police station



Figure 4: Heritage Map

The heritage items 6124 have been excluded from the events site. Council’s Heritage Officer has assessed the proposal and raises no concerns.

Part 7 Local provisions – general

Clause 7.1 Public utility infrastructure

The development is already serviced by electricity, water and sewage services.

Clause 7.2 Natural resource sensitivity – biodiversity

Council records indicate the site is affected by “Natural Resource Sensitivity – Biodiversity”. This corresponds with the mapping of the native vegetation community MU30 Exposed Sandstone Scribbly Gum Woodland equivalent to the NSW Biodiversity Conservation Act 2016 listed endangered ecological community Southern Sydney Sheltered Forest on Transitional Sandstone Soils in the Sydney Basin Bioregion.



Figure 6: Natural Resources Sensitivity Map

The application was referred to Council’s Environment Division to assess likely impacts of the proposal in this regard. No objection was raised as the proposal does not involve any disturbance to the mapped area and the mapped area been excluded from the portion of the site to be used for events.

Clause 7.3 Flood planning area

The site is flood affected and part of the land is below the “flood planning level”.

Council’s Stormwater Engineer has assessed the application and has not raised any objections subject to appropriate conditions of consent including a condition restricting any events during inclement weather.

Clause 7.4 Riparian lands

The Riparian Land Map indicates the site contains riparian land. The watercourse has been piped. Council’s Environment Officer has reviewed the application in this regard and has not raised any objections.

1.9 SECTION 4.15(1)(A)(II) ANY PROPOSED INSTRUMENT

None applicable.

1.10 SECTION 4.15(1)(A)(III) ANY DEVELOPMENT CONTROL PLAN

1.10.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

CHAPTER A2 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Development controls to improve the sustainability of development throughout Wollongong are integrated into the relevant chapters of this DCP.

Generally speaking, the proposal is considered to be consistent with the principles of Ecologically Sustainable Development.

CHAPTER C6 EVENTS

| Controls/objectives | Comment | Compliance |
|---|--|------------|
| <p><u>2.1 Lodgement of a Development Application</u></p> <p>Under the LEP, a Development Application may be required to be lodged with the consent authority (ie Council) for certain events, even if that event is a one-off event. Accordingly, it is recommended that proponents liaise with Council's Customer Service Centre at an early part in the event planning stage, in order to determine what planning policies may apply to a specific proposed event.</p> | <p>This development application has been lodged to seek consent for generic events on the site for up to 52 days per year, so that each prospective event holder does not need to lodge their own separate development application for each event.</p> <p>The generic event DA will include standard conditions of consent that can be adapted to different events. Any specific requirements for individual events will be considered as part of the Events approval.</p> | Yes |
| <p><u>Lodgement of a Section 68 Activity Application</u></p> <p>The lodgement of an Activity Application pursuant to Section 68 of the Local Government Act 1993 is required for events involving any of the following:</p> <p>The installation and operation of any mechanical amusement device (e.g. mechanical amusement rides such as dodgem cars, Ferris wheels, roller coasters etc).</p> <p>The construction of a temporary enclosure for the purpose of entertainment (e.g. temporary animal enclosure) on "community land".</p> <p>The use of any loudspeaker or other sound amplifying device on "community land".</p> <p>Any theatrical, musical or other form of entertainment for the public on "community land".</p> <p>Any public address or holding of a religious service or public meeting upon "community land".</p> | <p>Conditions of consent are recommended requiring a Section 68 approval for any amusement devices, temporary enclosures, loudspeakers, entertainment, public address, playing of musical instruments or selling goods. Details of these will be provided as part of the Events Application.</p> | Yes |

The playing of a musical instrument or signing upon “community land” for a fee or reward.

Use of a standing vehicle or any article for the purposes of selling a good in a public place.

Lodgement of a Temporary Licence Application – Crown Lands Act 1989

Certain events proposed on foreshore coastal lands or public reserves (eg beaches, Flagstaff Hill, Stuart Park) may also require a licence to be obtained under the Crown Lands Act 1989. Prospective applicants should contact Council’s Property & Leisure Division to verify as to whether such approval is necessary

3 Transport management plan & temporary road closure requirements for major events

For certain major events, Council may require the preparation of a Transport Management Plan. The Transport Management Plan must be lodged with the required Development Application at least four (4) months prior to the first day of commencement of the event.

4 Events held on Council land

1. Events held on Council land may attract a fee for the use of the land and must comply with any Plan of Management pertaining to the land. Any such fee will be as per Council’s adopted Management Plan – Fees and Charges for that financial year.
2. The formal booking of any public reserve is required upfront to ensure the event may be held. This may be arranged through contacting Council’s Customer Service Centre. However, the initial booking of the public reserve does not automatically guarantee that formal approval will be granted for the event.

Council’s Events Team will ensure any requirements for a temporary licence application under the Crown Lands Act are met prior to issuing an Events License.

Yes

A condition is recommended requiring the submission of a transport management plan prior to the event.

Yes

The event is to be held on Council land. Councils Property Department have reviewed the application and is satisfied. Council’s Recreation Officer has reviewed the application and supports the application subject to conditions such as to manage conflicts with other park users and damage to the park surface.

Yes

There are a number of other licensees that use the park for various sports as listed in Section 1.4 that may be affected by events. Any event holder will need to consult and notify these groups as part of the event application to ensure the event does not conflict with regular park bookings and license arrangements. Booking and fees for the

Therefore, Council's initial correspondence will advise that the booking is tentative, pending the final determination of any formal application.

use of land will be reviewed as part of the Events Application Process.

Council's Recreation Officer advised that approximately 75% of the sportsground have activities which occur year-round with season overlap accommodating training and seasonal fixtures. The area of highest utilisation and potential impact are the main playing fields immediately north of swimming pool (Athletics, Cricket and Football(soccer) with all year use. The Rugby League fields are utilised for Junior, Men's and Women's training and competition from February to September.

Council's Recreation Officer is not satisfied with the level of consultation with existing sporting groups for this application however have imposed a condition for consultation with local sporting groups to occur as part of the event application.

In addition to conflicts with existing park users the other potential issue particularly with the larger Tier 1 and Tier 2 events is the likely impacts of large-scale activities will result in damage to playing surfaces including, staging, vehicle movements, site infrastructure including multiple food and beverage outlets, toilets, temporary seating and foot traffic. The impact of Tier 1 and Tier 2 events on sportsfields has seen the playing areas requiring extensive remediation with the grounds not being available to provide for community sport and school use for extended periods of time.

Council's Recreation Officer advised that the Athletics, Cricket and Football (soccer) fields are not suitable for Tier 1 and Tier 2 events. The Rugby League Fields at Rex Jackson Oval should only to be considered for Tier 1 and Tier 2 events in the October to December period noting the potential detrimental impact to the sporting activities and onsite infrastructure outside this

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| | <p>window. Tier 1 events seeking use of the entire site, a separate development application should be submitted.</p> <p>The proposal provides a window for potential Tier 1 to Tier 2 on the Rugby League grounds from October to December and access to the swimming pool precinct outside of the Christmas school Holiday period.</p> | |
| <p><u>5 Other relevant legislation</u></p> <p>The event organiser is to operate the event in accordance with the following legislation:</p> <p>5.1 Occupational Health & Safety Act 2000</p> <p>5.2 Protection of the Environment Operations Act 1997</p> | <p>Conditions will be recommended in this regard.</p> | <p>Yes</p> |
| <p><u>6 Event management</u></p> <p>1. The management of an event is a complex task and it is strongly recommended that proponents proposing to hold an event should employ the services of a professional event management organiser.</p> | <p>Noted. This consent is intended to be generic to allow events to be conducted by persons nominated by Council to act in accordance with the consent. This may include Council staff, professional event management businesses or other persons who may nominate themselves as event coordinators.</p> | <p>Yes</p> |
| <p><u>7 Car parking</u></p> <p>1. Where possible, the applicant must provide on-site parking to reduce demand in nearby residential streets. Off-site parking areas should not be in locations which result in large numbers of people walking through residential areas.</p> <p>2. Promotional and advertising material must advise of the location of public car parks and nearby available parking.</p> <p>3. Advertising material must also encourage the use of public transport where services are available.</p> | <p>The site contains over 300 parking spaces in existing carparks adjacent to the Helensburgh Pool and netball courts accessed from Walker Street as well as adjacent to the existing skate park accessed from Park Ave.</p> <p>The subject site benefits from being within walking distance of Helensburgh town centre and has good access to public bus services. The Helensburgh train station is located approximately 3km from the site.</p> <p>Council's Strategic Planning Officer advised that given the location of this park within a small suburb of Wollongong, events should be</p> | <p>Yes</p> |

4. The applicant may be required to provide Traffic Marshalls to ensure safe and efficient parking of vehicles.
5. The provision of temporary car parking areas may be required for major events. The proposed access arrangements to / from temporary car parking areas will be subject to appropriate approval by Council's Local Advisory Traffic Committee.
6. For major events, a shuttle bus service should be also provided. The shuttle bus service should be run between railway stations and public car parking areas to the site. Additionally, local bus companies should be consulted regarding normal and / or special bus services and routes to encourage public transport to / from major events, wherever practicable.

appropriately scaled for the local context and existing uses of the Park to minimise conflicts. A lack of parking in Helensburgh was also raised through the Helensburgh Town Centre Plan as well as the lack of accessible public transport options. The train station is disconnected from the Park and Town Centre. Events would need to minimise the impacts of parking on the suburb and should seek a way to support travel via public transport to the park.

Councils Traffic Officer has reviewed the proposal and is satisfied. Councils Traffic Officer advised the site has been used for events in the past without any significant traffic and car parking issues being raised.

A number of conditions are recommended including the requirement for the submission of a Transport Management Plan as part of each Event Application process, specific to the proposed event. This would include details of how each event will encourage public transport use. It would be possible for event holders to arrange a shuttle bus service to and from the train station.

8 Lighting

1. Location and direction of existing and any additional lighting to be used must be shown on the required site plan. Hours of use and intensity of lighting may also be required.
2. Lighting must be directed away from nearby dwellings and should not be located in a position likely to cause a traffic hazard on adjoining roads.
3. At all times lighting must be adequate to enable the safe movement of people through the premises.

Conditions of consent are recommended for details of any lighting (in addition to the existing lighting) to be submitted to Council prior to the event and that this lighting be directed away from residential properties wherever possible.

Yes

9 Toilet facilities

1. Adequate toilet facilities must be provided for the duration of the event. Toilet facilities for people with disabilities must also be provided.
2. Details of existing and additional toilet facilities are to be submitted with the Development Application.
3. The minimum number of toilet facilities to be provided at an event shall be in accordance with the following Table 1.

There are existing toilets in the Helensburgh Pool complex. Additional temporary toilets are likely to be required for each event. Conditions are recommended in this regard. The number of toilets required will need to be considered as part of each Event Application.

Yes

10 Security / crowd management

1. Qualified security personnel must be employed for the duration of the event. Duties to include monitoring entry and exit points, general surveillance to ensure safety and good behaviour of crowd, assist in co-ordination of emergency procedures, and ensure quiet and efficient movement of people from the site at the conclusion of the event.
2. The type of event and the capacity of the venue should determine the number of staff required to undertake security and crowd management functions. It is recommended that research of other similar past events should be undertaken to ascertain the necessary level of security and marshalling / crowd control personnel.
3. A security management plan should also be developed with the main security provider in order to clarify the roles and responsibilities of security staff and other staff in attendance at the event.
4. The attitude of the security staff is also important to a successful

The SEE states that appropriate security will be provided for all events. The requirement for security will be considered on a case by case basis.

Council's Community Safety Officer has assessed the proposal and is satisfied. Council's Community Safety Officer noted the process for managing alcohol free zones and alcohol prohibited areas is identified in the Event Application (This area is an alcohol-free area). It has also been noted NSW Police were identified as a stakeholder who participated in the engagement process for this DA.

Council's Community Safety Officer also identified crowd movement/ access to and from the event as a potential concern due to the distance and geographic location of the train station may require additional security, additional bus services and possibly additional train services.

Conditions are recommended in this regard.

Yes

running of an event. In this respect, security staff should be friendly and professional in their crowd management role, to help maintain a positive atmosphere with patrons whilst ensuring appropriate crowd control.

5. Other responsibilities for security staff may include cash protection for the event organiser and the various stall holders as well as protection of event equipment and / or the confiscation of any prohibited items.
6. The event organiser and the lead security provider must adequately brief all of the security staff as to each of their respective individual roles throughout the course of the event.
7. The security staff shall remain in attendance until all patrons have left the event.

11 Public liability insurance

1. In the event that formal development consent is granted for the event by Council, a condition of consent will be imposed requiring the provision of suitable public liability insurance coverage for the event.
2. The minimum public liability insurance cover required for an event will be \$10,000,000. However, large scale events or those held on Council property may require greater insurance cover.
3. If the event is held on Council owned land, the applicant's insurance policy must include a provision indemnifying Council.
4. A copy of the public liability insurance policy (certificate of currency) is to be provided to Council at least 14 days in

\$20 million for Tier 1 and 2 and \$10 million for Tier 3 and 4 in public liability insurance must be taken out by event holders for all events. A condition is recommended in this regard.

Yes

advance of the date of commencement of the event. A receipt for payment of an insurance premium will not be accepted.

Note: The event will not be permitted to commence on any Council property without the public liability insurance policy (certificate of currency) being in place, prior to the event.

5. Examples of other insurance coverage that may also be necessary for an event include:

- (a) Public liability insurance of any sub-contractor.
- (b) Volunteer's insurance.
- (c) Worker's compensation.
- (d) Professional indemnity insurance.

6. Each organiser of an event is recommended to seek their own legal advice as to what insurance coverage is necessary for their event.

7. The main organiser of the event should also guarantee that any other organisations participating in an event have suitable insurance coverage in place.

12 Incident reporting

1. A systematic method reporting incidents that have occurred at an event is required. This should include a written incident reporting manual whereby staff are required to provide written details on the exact nature of the incident and what procedures were implemented to deal with the incident.

Conditions are recommended in this regard. Incident reporting is required as part of the Event Management Plan.

Yes

13 Emergency response plan

1. A written Emergency Response Plan is to be provided for all events.

Conditions are recommended in this regard. The provision of an Emergency Management Plan is required as part of the Event

Yes

14 Fireworks / pyrotechnics displays

1. Fireworks or pyrotechnic displays can only be held if a Fireworks (Single Use) Licence has been issued by NSW WorkCover Authority or the operator of the fireworks display holds an appropriate Pyrotechnicians Licence from the NSW WorkCover Authority.
2. An authorised display by a licenced Pyrotechnician may only be held where a "legitimate reason" is demonstrated such as:
 - (a) Organised public displays such as a community event which is open to the public (whether or not for a fee) and is run by Council, community or private organisation. Types of community events include shows, fetes, carnivals and other cultural, religious or sporting events.
 - (b) Theatrical displays such as film and television special effects, indoor or outdoor theatrical events such as concerts and performing arts special effects.
 - (c) Technical fireworks used for industrial or agricultural purposes.
3. Fireworks cannot be used for private functions. If a person is intending to use fireworks illegally, they should be aware that they will held personally responsible for any injuries or damages caused by the fireworks since public liability insurance does not cover illegal fireworks displays. Additionally, the court may impose significant penalties and / or jail for persons

Management Plan for all tiers of events.

The site adjoins bushland. The NPWS has recommended condition restricting fireworks to ensure minimal impact on wildlife in the surrounding bushland.

Condition no
fireworks permitted

- using fireworks without a permit.
4. The event organiser is required to advise the following organisations:
 - (a) NSW WorkCover Authority.
 - (b) Local Area Command of the NSW Police Service.
 - (c) Local NSW Fire Brigades.
 - (d) Council's Corporate Governance Section of the Technology & Administration Division (where the subject site is a Council owned or controlled parcel of land).
 - (e) NSW Ambulance Service.
 - (f) Any other relevant agencies such as the NSW Roads & Traffic Authority, RailCorp, Ministry for Transport etc.
 5. For further information regarding the licensing of firework displays, contact should be made directly with the Hazardous Activities Hotline on 02 4321 5499 or the WorkCover Assistance Service on 13 10 50. Additionally, the following WorkCover Authority website www.workcover.nsw.gov.au may be viewed for the licensing requirements for firework displays. Once in the WorkCover Authority website, click on FAQs and type fireworks into the search engine.
 6. Any fireworks display upon land owned or controlled by Council will require separate approval of Council, prior to the event.

15 Amusement devices & temporary structures (including stages)

1. If the event includes the provision of amusement devices, the following information must

Conditions are recommended in this regard. As part of the Event Application Process, if any event proposes to construct any temporary structures or includes amusement

Yes

| | | |
|--|--|------------|
| <p>be in place, prior to the use of each amusement device:</p> <ul style="list-style-type: none"> (a) Current NSW WorkCover Authority registration in place for the amusement device. (b) Public liability insurance cover in place for each amusement (Minimum \$10 million public liability insurance). (c) The installation of the amusement device in accordance with the procedures and specifications contained in any written technical manual / instructions. <p>2. Appropriate public safety precautions being put in place to minimise any potential public safety issue during the operation of amusement rides or devices.</p> <p>3. Applicants are also advised to check the requirements of the NSW WorkCover Authority for any temporary structures, including stages.</p> | <p>devices, an approval under section 68 of the Local Government Act 1993 is required. This is managed by Councils Event Team as part of the Event Application process.</p> | |
| <p><u>16 Food stalls /mobile food vans</u></p> <ul style="list-style-type: none"> 1. Under the Food Act 2003, all food handling businesses including food stall holders at temporary, periodic and / or one-off events in NSW are required to notify the NSW Food Authority of their business details. However, food handling businesses which are directly licensed by the NSW Food Authority are exempt from the notification process. 2. The NSW Food Act 2003 may be viewed at the following website: www.austlii.edu.au/au/legi/nsw/consol_act/fa200357/ 3. Temporary food outlets must also comply with Council's - <ul style="list-style-type: none"> (a) Food Premises Code. | <p>Conditions are recommended in this regard. Any food stalls or food vans are required to be registered with Councils Health Department. This is managed by Councils Event Team as part of the Event Application process.</p> | <p>Yes</p> |

- (b) Temporary Food Premises Code.
- (c) Food Vending Vehicles Code, as applicable.
- 4. Copies of Council's Food Codes are available from Council's Regulation & Enforcement Division (Health and Ranger Services Section).
- 5. All outlets shall be established and available for inspection by Council's Regulation & Enforcement Division, 24 hours prior to the event. The inspection of all food handling business outlets by Council staff will be subject to an appropriate inspection charge, in accordance with Council's adopted Fees and Charges.

17 Accessibility to the event by people with a disability

- 1. All events should be designed to ensure accessibility to the event by people with a disability. Accordingly, the provision of special parking areas for disabled people and the provision of special viewing areas and accessible facilities such as toilets and food and drink counters is required.
- 2. The provision of hearing loops or Auslan (sign language) interpreters for people with a disability impairment may be appropriate for larger community events or public events. The provision of information in large print and / or Braille for people with a visual impairment is also recommended for community or public events.

18 Copyright issues – live or pre-recorded music

- 1. Music is generally protected by copyright. Accordingly, if an event proposes to use live music

Council's Community Services has assessed the proposal and is satisfied subject to ensuring each event considers the provision of accessible parking and amenities in the proposal. The Event Management Plan details requirements for the event holder to demonstrate disabled access has been provided. Conditions are recommended in this regard.

Yes

Conditions are recommended in this regard.

Yes – Condition to be imposed.

- or pre-recorded music, then appropriate licensing may be required to be obtained.
2. If your event proposes to have live music a licence will be required from the Australian Performing Rights Association (APRA). Recorded music (either a recording or music video) is generally protected by two types of copyright so if any recorded music is proposed at your event, appropriate licensing will need to be obtained from both APRA and the Phonographic Performance Company of Australia (PPCA).

Further information concerning event licensing requirements may be obtained from Australian Performing Rights Association (APRA) via telephone number (02) 9935 7900 or via the website at: www.apra.com.au.

The Phonographic Performance Company of Australia (PPCA) may also be contacted via telephone number (02) 8569 1111 or via the website at: www.pcca.com.au/licensing.htm for licensing requirements for recorded music.

19 Fundraising events

1. The approval of the NSW Department of Arts, Sport and Recreation (Office of Liquor, Gaming and Racing) may be required for fundraising at your event.

Further information concerning licensing requirements for fundraising events may be obtained from the NSW Department of Arts, Sport and Recreation (Office of Liquor, Gaming and Racing) via telephone number (02) 9995 0300 or via the website at: www.olgr.nsw.gov.au

The site is located adjacent to bushland. NPWS have no objections to the proposal apart from a request that light and noise impacts on this bushland at night time are considered when events are being planned and run.

Fundraising is addressed within the submitted Event Management Plan and notes that separate approval from the Department of Fair Trading may be required. A condition is recommended to reflect this.

Yes

| | | |
|--|--|-----|
| <u>20 Alcohol free zones</u> | A condition will be imposed for the events to be alcohol free. | Yes |
| <u>21 Trading licence</u> | Council no longer issues trading licences. This requirement no longer applies. | N/A |
| <u>22 Waste management / recycling</u> | Conditions are recommended in this regard. | Yes |
| <ol style="list-style-type: none"> 1. Adequate garbage and recycling facilities must be provided to cater for the anticipated number of people. Details are to be provided for approval at Development Application stage. 2. Council is able to assist in the provision of small bins, to be returned on the first working day after the event. Provision of larger bins and the removal of litter and garbage is the responsibility of the applicant. 3. Council encourages the use of recyclable food and drink containers and the proper recycling of all waste. | | |

Conditions will be imposed in relation to waste and recycling management and use of recycled products.

CHAPTER D1 – CHARACTER STATEMENTS

Helensburgh

The proposal is considered to be consistent with the existing and desired future character for the locality.

CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY

Council's Community Services has assessed the proposal and is satisfied subject to ensuring each event considers the provision of accessible parking and amenities in the proposal. Conditions are recommended in this regard. Conditions have been recommended for disabled access to be managed as part of the Event Application Process.

CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

| <i>Control/objective</i> | <i>Comment</i> | <i>Compliance</i> |
|--|--|-------------------|
| <u>3.1 Lighting</u> | Conditions are recommended with regard to lighting of events and details to be submitted as part of the Event Application Process. | Yes |
| <u>3.2 Natural surveillance and sightlines</u> | Conditions are recommended for natural surveillance and sightlines to be considered as part of the Event Application Process. | Yes |
| <u>3.3 Signage</u> | Conditions are recommended in this regard. Any signage which would not be considered as exempt development pursuant to SEPP (Exempt and Complying Development Codes) 2008, Division 3 Subdivision 11 Temporary Events would be required to seek separate approval. | Yes |
| <u>3.4 Building design</u> | Not applicable. | N/A |
| <u>3.5 Landscaping</u> | Not applicable. | N/A |
| <u>3.6 Public open space and parks.</u> | The proposal does not involve any change to the existing open space except for temporary use of the land for events. | Yes |
| <u>3.7 Community facilities and public amenities</u> | The proposal will ensure the safe use of community facilities. Any use of community facilities will be included in the Events application and appropriate safety measures will need to undertaken on a case by case basis. | Yes |
| <u>3.8 Bus stops and taxi ranks</u> | There are existing bus stops/shelters nearby in Parkes Street and Walker Street which are well lit, provide protection from the weather and are within safe walking distance from the proposed events. | Yes |

CHAPTER E3: CAR PARKING, ACCESS, SERVICING/LOADING FACILITIES AND TRAFFIC MANAGEMENT

6 Traffic impact assessment and public transport studies

6.1 Car Parking and Traffic Impact Assessment Study

A traffic impact assessment was not required for the development. A Traffic Management Plan will be required for each event as part of the Event Application.

7 Parking demand and servicing requirements

7.1 Car Parking, Motor Cycle, Bicycle Requirements and Delivery / Servicing Vehicle Requirements

There are no minimum parking rates for events. The site has over 300 parking spaces on site. Council's Traffic Officer has reviewed the proposal and is satisfied and advised that the site has been used for events in the past without any significant traffic and car parking issues being raised.

Existing vehicular and pedestrian access is suitable for the proposal. There are multiple access points via Walker Street, Robertson Street and Park Avenue. Each Event Application will need to specify proposed access arrangements as part of the Traffic Management Plan required for each Event application prior to the issue of the Events license.

CHAPTER E7: WASTE MANAGEMENT

A waste management plan is required for all events. As different types of events will generate different waste requirements a specific Waste Management Plan will be required to be submitted to the events Team as part of the Event Application prior to the issue of the Events license. The plan is required to show the location of existing waste receptacles and nominate the number, capacity and location of additional waste receptacles to be provided for the duration of the event. The Plan must demonstrate how waste will be minimised and recycling will be managed. All events are expected to reduce waste generation. Conditions are recommended in this regard.

CHAPTER E11 HERITAGE CONSERVATION

The site contains items of heritage significance and is in close proximity to items of heritage significance. The proposal would have minimal impact on these heritage items as the heritage items have been excluded from the event area. Council's Heritage Officer has assessed the proposal and is satisfied. See Clause 5.10 WLEP.

CHAPTER E13 FLOODPLAIN MANAGEMENT

The site is identified as being located within a flood risk. Council's stormwater engineer has reviewed the proposal with respect to the provisions of this chapter and clause 7.3 of WLEP 2009 and has recommended conditions of consent.

CHAPTER E16 – BUSHFIRE MANAGEMENT

The site is bushfire prone. A Bushfire Report has been submitted and referred to the Rural Fire service for advice. The RFS provided a satisfactory response on 8 April 2021. The RFS has restricted capacity of any event to a maximum of 15,000 people and required detail traffic management procedures in relation to access for emergency vehicles and cancellation of events in the case of total fire ban.

CHAPTER E18 THREATENED SPECIES

A small area within the proposed major event boundary to the north is mapped as containing the *NSW Biodiversity Conservation Act 2016* listed endangered ecological community Southern Sydney Sheltered Forest on Transitional Sandstone Soils in the Sydney Basin Bioregion.

The mapped area is excluded as shown on the submitted Site Plan. Council's Environment Officer has assessed the proposal and is satisfied subject to a condition being imposed to avoid indirect impacts on any threatened species for all additional lighting installed for the event being directed away from native bushland should be applied.

CHAPTER E20 CONTAMINATED LAND MANAGEMENT

No concerns – see SEPP 55.

CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL

Conditions of consent are recommended in regard to appropriate sediment and erosion control measures to be in place during works.

CHAPTER E23: RIPARIAN LAND MANAGEMENT

The Riparian Land Map indicates the site contains riparian land. Council's Environment Officer has reviewed the application in this regard and has not raised any objections.

1.10.1 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN

The estimated cost of works is \$0 and a levy is not applicable under this plan as the threshold value is \$100,000.

1.11 SECTION 4.15(1)(A)(IIIA) ANY PLANNING AGREEMENT THAT HAS BEEN ENTERED INTO UNDER SECTION 7.4, OR ANY DRAFT PLANNING AGREEMENT THAT A DEVELOPER HAS OFFERED TO ENTER INTO UNDER SECTION 7.4

There are no planning agreements entered into or any draft agreement offered to enter into under S7.4 which affect the development.

1.12 SECTION 4.15(A)(IV) THE REGULATIONS (TO THE EXTENT THAT THEY PRESCRIBE MATTERS FOR THE PURPOSES OF THIS PARAGRAPH)

There are no prescribed conditions.

1.13 SECTION 4.15(1)(B) THE LIKELY IMPACTS OF DEVELOPMENT

The proposal is considered acceptable with regard to the likely impacts.

- The proposal is satisfactory with regard to the applicable planning controls as detailed in the body of this report.
- The proposal is likely to have minimal environmental impact.
- No submissions were received following notification.
- Internal and external referrals are satisfactory subject to appropriate conditions of consent

1.14 SECTION 4.15(1)(C) THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

Does the proposal fit in the locality?

The proposal is considered appropriate with regard to the zoning of the site and is not expected to have any negative impacts on the amenity of the locality or adjoining developments.

Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal.

1.15 SECTION 4.15(1)(D) ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS

None.

1.16 SECTION 4.15(1)(E) THE PUBLIC INTEREST

The application is not expected to have any unreasonable impacts on the environment or the amenity of the locality. It is considered appropriate with consideration to the zoning and the character of the

area is satisfactory with regard to the applicable planning controls. No submissions were received following notification and internal and external referrals are satisfactory subject to appropriate conditions of consent. The proposal is considered to be in the public interest.

Plan of Management

Council's Community Land Management Officer advised there is currently no Plan of Management over this land. Council is preparing a future Draft Crown Reserves PoM that will include these two reserves (Helensburgh Park Reserve Number 500345 and Number 500340). Under the Crown Lands Management Act there are transitional arrangements until a CLM Act compliant POM is adopted. Council's Community Land Management Officer advised that the uses in the DA fit within CLM Act section 2.20 and Regulation 31 however the proposal should comply with any requirements of Council's Recreation Officer as the Initial category approved by the Minister is Sportsground and the Crown Reserve purpose is Public Recreation. Public Recreation/Sporting uses are the primary focus on these reserves in line with CLM Act Section 2.12.

2 CONCLUSION

The proposed development has been assessed with regard to the relevant considerations outlined in Section 4.15 of the Environmental Planning & Assessment Act 1979, the provisions of the Wollongong Local Environmental Plan 2009, and all relevant Council DCPs, Codes and Policies and found to be satisfactory.

The proposed events are permissible by way of clause 2.8 of the WLEP 2009 as temporary uses of land.

A restricted consent period will be imposed for 5 years.

It is considered that the proposed development is unlikely to result in adverse impacts on the environment, adjoining development and the amenity of the area.

3 RECOMMENDATION

It is recommended that the development application be approved subject to appropriate conditions of consent.

4 ATTACHMENTS

- 1 Event Site Plan
- 2 Event Management Plan
- 3 Crown Authority
- 4 Rural Fire Service advice
- 5 Draft conditions of consent

ATTACHMENT 1

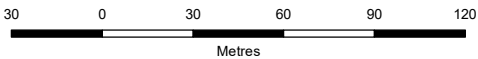


Imagery © Jacobs & Aerometrex (2018)



Helensburgh Park

- Proposed major event boundary
- Indicative of Heritage Pines



GIS ref.: gi12071_Hel_Variation
Printed: 23/11/2020
Aerial Photography: 2018

EVENT MANAGEMENT PLAN

ATTACHMENT 2

MARCH 2020

WOLLONGONG CITY COUNCIL
EVENTS TEAM



Wollongong City Council

EVENT MANAGEMENT PLAN

MARCH 2020

Wollongong City Council has several Generic Major Event Development Approvals applying to various public spaces around the Wollongong Local Government Area.

An Event Approval must be issued by Council's Events Team prior to any events benefitting from those consents. This document outlines the Event-Specific requirements for event holders to satisfy the conditions of consent.

Note 1: All information required to be submitted as part of the Event Application process must be submitted to the satisfaction of Council's Events Team.

Note 2: It is important to contact Council's Events Team early in the planning of an event. Every event and site is different, and there may be specific additional requirements beyond what is provided in this document for your specific event

Note 3: Council's Events Team may request additional information during the assessment of the Event Application if further details are considered necessary to conduct a thorough assessment.

Note 4: See the Event Starter Guide, prepared by the NSW Government Department of Premier and Cabinet at <https://www.dpc.nsw.gov.au/tools-and-resources/event-starter-guide> for key considerations prior to all events.

Note 5: The handbook titled *Safe and Healthy Crowded Places* and the associated *Crowded Places Checklist* prepared by the Australian Institute for Disaster Resilience, part of the Australian Government Department of Home Affairs is available online free of charge, and must be read and considered in the planning of all events. A copy of the handbook and checklist is available online for free.

See: <https://knowledge.aidr.org.au/media/5914/crowded-places-handbook.pdf>
and <https://knowledge.aidr.org.au/media/5669/crowded-places-checklists.pdf>

Note 6: Procedure for updating this document

- This document will be updated periodically to ensure Council's requirements for events stay up to date with current legislation, Council policies and best practice standards.
- Council's Events Team will update this document following recommendations from external authorities such as police, ambulance and NSW Health, and internal referral groups.
- Council's Events Team will seek feedback from relevant referral groups depending on the change proposed prior to updating this document.
- Approval from Council's Events and Visual Strategy Manager is required prior to any changes being made.

SECTION 1

LODGEMENT OF EVENT APPLICATION

Event Applications should be lodged as per the following table.

| Tier 4 Events | Tier 3 Events | Tier 2 Events | Tier 1 Events |
|----------------------|----------------------|----------------------|----------------------|
| 12 weeks prior | 16 weeks prior | 16 weeks prior | 16 weeks prior |

It is recommended you contact the Events Team as early as possible in the planning for your event to determine the specific requirements applicable.

See <https://www.wollongong.nsw.gov.au/business-in-wollongong/organise-an-event> for further information.

Complex events, or events taking place during busy periods may require more time.

SECTION 2

EVENT SPECIFIC SITE PLAN

| Tier 4 Events | Tier 3 Events | Tier 2 Events | Tier 1 Events |
|---------------|---------------|---------------|---------------|
| ✓ | ✓ | ✓ | ✓ |

An event specific site plan must be prepared for all events to the satisfaction of Council's Events Team and following consultation with Police, NSW Ambulance, and any other relevant stakeholders. The Site Plan must consider the site constraints such as risk of bushfires or flooding. The Event Specific Site Plan must include, but not be limited to, the following details as applicable:

- General layout of the event site
- Stage layout and location (including multiple options if possible)
- Seating
- Lighting height, structure, shielding and direction
- Electricity supply points and number and type of power supply
- Generator locations
- Locations of marquees, tents and stalls
- Toilets and hand wash facilities including accessible amenities
- Fresh drinking water supply
- Signage
- Permanent emergency access and egress, parking locations and circulation path for emergency vehicles as advised following consultation with Police, NSW Ambulance, NSW Fire and Rescue, Rural Fire Service (as appropriate)
- Emergency assembly area(s)
- Alcohol free zones/Licensed areas
- The location of any course for running, walking, cycling, swimming, water-craft and the like noting that swimming and water-craft must not conflict with or compromise the safe operation of waterways
- The parked location of vehicles essential to the operation of the event such as food vending vehicles, emergency and safety vehicles, first aid providers, portable stage trailers and the like.
- Smoke free zones (in accordance with Council's Smoke Free Policies)
- Location of storage areas (ie boneyard) setback 10m from the top bank of watercourses, or drainage channels, outside low points/depressions and clear of any drainage pits.
- Clearance of 3m from any heritage listed vegetation (including Norfolk and Canary Island Palms), or vegetation identified in the Natural Resource Sensitivity – Biodiversity Maps
- All structures, signage and other installations near the roadway shall comply with Australian Standard AS2980.0 to ensure adequate sight distance is maintained.
- All activities within Puckeys Estate Nature Reserve are to be confined to the existing trails within the reserve to protect vegetation.

The above list is not exhaustive. The site plan must reflect the event's particular characteristics.

SECTION 3

ROAD CLOSURES AND CHANGES

| Tier 4 Events | Tier 3 Events | Tier 2 Events | Tier 1 Events |
|--|---------------|---------------|---------------|
| Required for all events proposing road closures or changes | | | |

Prior to the issue of the Event Approval, confirmation that any required road closures have been approved in accordance with the Roads Act 1993 must be provided.

Depending on the proposal, a Traffic Management Plan or Traffic Control Plan or both must be prepared and submitted for approval.

Traffic Management Plans must include the following:

- Event Applications for events involving the closure of roads/traffic management must be lodged with an Event Specific Traffic Management Plan prepared by a suitably qualified engineer with Level 4 certification in traffic control in accordance with the requirements specified by NSW Roads and Maritime Service.
- The Plan shall be prepared in accordance with the latest version of *Australian Standard AS1742 – Traffic Control Devices* and *RMS Guide to Traffic and Transport Management for Special Events*.

All Traffic Management Plans must include the following site-specific details:

Wollongong Foreshore

- A Communications Plan to cover a broad network through and around Wollongong to communicate event information;
- Maintain parking for the bus terminus in Marine Drive at all times and for Tier 1 and 2 Events provide traffic control to give priority to buses exiting the terminus on Marine Drive;
- Methods to ensure vehicle access is maintained for patrons to Fairy Meadow Surf Club at all times;
- Methods to ensure the integrity of the school zone on Harbour Street is maintained at all times.
- Methods to ensure that events held within the Foreshore Precinct do not conflict with events being held at Wollongong Entertainment Centre as traffic implications for these events would likely overlap and significantly impact on parking availability and congestion on the local road network.

Other Event Sites

- The conditions of consent may specify additional site specific requirements

SECTION 4

TRANSPORT AND ACCESS REQUIREMENTS

| Tier 4 Events | Tier 3 Events | Tier 2 Events | Tier 1 Events |
|---------------|---------------|---------------|---------------|
| ✓ | ✓ | ✓ | ✓ |

The RMS prepared *Guide to Traffic and Transport Management for Special Events* dated July 1 2018, is to be used in the preparation of the Transport and Access Requirements for any event. The document is available at the following address:

<https://www.rms.nsw.gov.au/documents/business-industry/event-management-guidelines/guide-traffic-transport-management-special-events.pdf>

Details for transport, pedestrian access and accessibility must be provided for all events to the satisfaction of Council's Events Team.

The purpose of this requirement is to:

- ensure public access is maintained around and through the event site
- reduce localised traffic and parking impacts near the event site
- promote the use of public transport
- ensure procedures are communicated to event attendees, volunteers and staff prior to the event
- ensure events are accessible for people who have a disability

Tier 4 requirements

- Plan showing public accessibility through or around the site
- Details of procedures to ensure accessibility for people with a disability
- Plan showing location of nearby parking, public transport stops to be issued to event attendees

Tier 3 requirements

- All Tier 4 requirements
- Communication with public transport providers and/or local taxi companies
- Copies of advertising material/event information which provides details of available transport options, encourages the use of alternative transport for access to the event and details any parking limitations.

Tier 1 and 2 requirements

- All Tier 3 requirements
- Parking/Access strategy showing public transport, shuttle buses, permanent and temporary bus stops, ride share and taxi pick up areas, timetables
- Location of bike parking including any temporary bike parking on the site required by Council's Events Team
- Details of traffic/parking management procedures including parking marshals
- It is recommended Transport for NSW be consulted to determine if the event can be declared as an '*integrated transport ticket event*', allowing public transport to be integrated into the event ticket price

SECTION 5

WASTE MANAGEMENT AND MINIMISATION PLAN

| Tier 4 Events | Tier 3 Events | Tier 2 Events | Tier 1 Events |
|---------------|---------------|---------------|---------------|
| ✓ | ✓ | ✓ | ✓ |

A Waste Management and Minimisation Plan must be submitted to the satisfaction of Council's Events Team prior to the issue of the Events Licence.

The plan is required to show the location of existing waste receptacles and nominate the number, capacity and location of additional waste receptacles to be provided for the duration of the event. The Plan must demonstrate how waste will be minimised and recycling will be managed. All events are expected to reduce waste generation. See Link 1 below for advice on running a *Waste wise event*.

Events with more than 1000 expected attendees, which meet the criteria specified are able to apply to Sydney Water to have FREE portable water stations. See Link 2 below.

Link 1: <https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/business-government-recycling/waste-wise-events>

Link 2: <https://lovewater.sydney/portable-water-stations>

Tier 3 and 4 requirements

- Expected volume and type of waste and recyclables to be generated
- Storage/treatment of waste/recyclables during the event
- Detailed methods of waste collection

Tier 1 and 2 requirements

- All Tier 3 and 4 requirements
- Engagement of waste management service provider
- Schedule of waste maintenance
- Number of general rubbish/recycling/organics bins to be placed on the site and their locations based on expected waste generation
- Operational procedures for reducing waste during the event including any waste reduction initiatives to be employed. This may include encouraging reusable water bottles and having regular refilling stations, limitations on stalls providing food in single use containers, signage etc
- Methods for cleaning the site following the event

SECTION 6

STRUCTURAL SOUNDNESS CERTIFICATION

| Tier 4 Events | Tier 3 Events | Tier 2 Events | Tier 1 Events |
|--|---------------|---------------|---------------|
| ✓ | ✓ | ✓ | ✓ |
| Only when temporary structures (which are not exempt development) are proposed | | | |

Structural Soundness Certification is to be provided to Council's Event Team as part of the Event Application if non-exempt temporary structures are proposed.

The following requirements must be adhered to:

- **Flood Affected Sites**

For all events involving temporary structure on flood prone land, a report from a suitably qualified and experienced Structural Engineer shall be submitted to the satisfaction of Council's Events Team. The report must verify the structures proposed to be installed and erected as part of the event can withstand the potential effects of floodwater, debris and buoyancy up to and including the 1% AEP (Average Event Probability) flood event plus freeboard.

- **For All Structures**

All structures must be built to manufacturers standards and securely placed on hard, flat ground capable of withstanding the weight.

A report from a suitably qualified and experienced Structural Engineer shall be submitted to Council prior to the event commencement date. The report must verify that the structures proposed to be installed and erected as part of the event (including temporary structures) can withstand the potential uses associated with the event and potential wind loading.

Some temporary structures may be placed on event sites as exempt development, in accordance with the Exempt Provision contained within **Division 3 Temporary Uses and Structure Exempt Development Code** in Part 2 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and the **General Exempt Development Requirements** contained within Clause 1.16 of the same SEPP. Compliance with exempt standards is the responsibility of the event holder.

Link to Exempt and Complying Development SEPP:

<https://www.legislation.nsw.gov.au/#/view/EPI/2008/572/full>

SECTION 7

EMERGENCY RESPONSE AND SAFETY

| Tier 4 Events | Tier 3 Events | Tier 2 Events | Tier 1 Events |
|---------------|---------------|---------------|---------------|
| ✓ | ✓ | ✓ | ✓ |

Emergency Response Plans (ERP's) are required for all events, to be prepared to the satisfaction of Council's Events Team prior to the issue of the Event Approval.

ERP's are to be prepared in consultation with NSW Ambulance, NSW Fire and Rescue, NSW Rural Fire Service, Police and Council as appropriate., with the approved EMP distributed to each stakeholder prior to the event.

Any safety officers involved in the potential evacuation of persons must be familiar with the emergency procedures and be suitably trained.

Plans are required to include the following details:

Tier 4 Events

- Emergency Risk Assessment
- Identify the person or role responsible for managing the emergency response at the event and how they can be contacted in an emergency
- Chain of command should an emergency occur
- First aid suitable to the size and nature of the event
- Events and associated structures not permitted to remain within bushfire prone areas in Extreme or Catastrophic Fire Rating
- Complete Crowded Places Self-Assessment available at the following link:
<https://www.nationalsecurity.gov.au/Media-and-publications/Publications/Documents/crowded-places-self-assessment-tool.pdf>

Tier 3 Events

- All Tier 4 requirements
- Site evacuation plan showing reliable evacuation routes and emergency meeting area
- Access for Emergency Services must be provided to, through and around the site at all times
- Arrangements for minor on-site emergencies not requiring external help
- Plan for events on Bushfire Prone Land must be consistent with the NSW Rural Fire Service 'Guide to developing a Bushfire Emergency Evacuation Plan' dated 2014

Tier 1 and 2 Events

- All Tier 3 requirements
- Documentation to be consistent with 'Australia's Strategy for Protecting Crowded Places from Terrorism' pulished by the Commonwealth of Australia dated 2017. Report available here:
<https://www.nationalsecurity.gov.au/Media-and-publications/Publications/Documents/Australias-Strategy-Protecting-Crowded-Places-Terrorism.pdf>

- Emergency Medical Plan which includes details of hospitals prepared for a major incident and has been developed in consultation with NSW Ambulance, first aid providers and/or local hospital reps
- Details of on-site emergency/first aid providers and locations
- Details of Emergency warning system including audio warning
- Details of number of staff/security trained in evacuation procedures

Musical Festivals regardless of Tier must

- Comply with the requirements of the Music Festivals Act 2019
- Comply with the '*Guidelines for Music Festival Event Organisers: Music Festival Harm Reduction*' published by NSW Ministry of Health, dated December 2019, available at the following address:
<https://www.health.nsw.gov.au/aod/Publications/music-festival-guidelines.PDF>
- Provide evidence of consultation with the required Health Organisations in accordance with Section 1.7 of the *Music Festival Guidelines*.

Flood Prone Land

- Flood Emergency Response is to be incorporated into the Emergency Response documentation for Tier 1 and 2 events, and all events involving camping if the event or any associated structure or car parking area is proposed on flood prone land. The Flood Emergency Response procedure must be prepared or endorsed by a suitably qualified person with experience in floodplain management, and must specify the following:
 - The location of all exits
 - How the patrons are to be evacuated from the area and building or structure to a place of shelter outside the floodplain in the event of a flood
 - How vehicles are to be evacuated from the area to a place of safety outside the floodplain in the event of a flood
 - Details of a reliable predictive rainfall and flood warning process, including trigger for evacuation, monitoring of rainfall and flood levels, method of directing patrons and available time frame for evacuation
 - Any safety officers appointed to be present during events must have appropriate training in evacuating persons from the areas, building or structure to a place of safety in the event of a flood.
 - A plan mapping details of reliable flood evacuation routes from the site
 - An area to store materials, equipment, structures and machinery susceptible to damage when inundated. This area must be above the 1 in 100 year flood level plus freeboard as determined by a suitably qualified engineer with experience in flooding. Any storage of materials, equipment, structures and machinery below the 1% AEP flood level plus freeboard shall be adequately secured to counteract the force of buoyancy. The siting of the storage area shall be setback a minimum of 10m from the top bank of watercourses of the edge of drainage channels, outside of lowpoints and depressions and clear of any drainage pits.
- *Note: A suitably qualified person means:*
 - *An engineer with experience in floodplain management, and/or*
 - *Emergency services personnel with experience in emergency management for flooding such as an Emergency Management Officer for the State Emergency Service or NSW Police or NSW Fire and Rescue.*

SECTION 8

NOTIFICATION

| Tier 4 Events | Tier 3 Events | Tier 2 Events | Tier 1 Events |
|---------------|---------------|---------------|---------------|
| ✓ | ✓ | ✓ | ✓ |

Notification is required for all events. Notification must consist of the following:

- The submission of an Event Notification Plan for the approval of Council's Events Team
- The carrying out of notification in accordance with the approved Event Notification Plan subject to any requirements specified by Council's Events Team including:
 - Pre-event promotion
 - Notification to occupants of adjoining/affected premises
 - Notification of relevant authorities

Event Notification Plan

- Map of the locality surrounding the site which indicates the properties where occupants are to be directly notified of the event. The map is to identify all properties where occupants are likely to be affected due to impacts such as generation of noise, lighting, parking and traffic.
- The size and nature of the event will dictate the number of affected properties requiring notification.
- Council's Events Team may request amendments to the plan if considered necessary
- The neighbour notification must be conducted in accordance with the approved Event Notification Plan and include all details specified in the Pre-Event Promotion section below. Letter box drops at least 3 weeks prior to the event must be conducted.
- Details of any camping proposed on permissible sites, details of associated facilities, security arrangements etc

Pre-event Promotion

- Pre-event promotion material must be available online, and distributed to event attendees, staff and volunteers in addition to neighbours
- Pre-event promotion must reference the following:
 - Any Traffic Management Plan and Transport/Access requirements
 - Alcohol restrictions of bans or details of licensed areas
 - Details of camping or confirmation of no camping if not permissible
 - Time, day and location of any firework displays
 - Any other details determined by Council's Events Team
- The pre-event promotion must be conducted in accordance with the requirements of Council's Events Team

Notification to Relevant Authorities

- The person responsible for conducting the event must notify the following services of the event in writing a minimum of 3 weeks prior to the event commencement:
 - Local Area Command of NSW Police
 - NSW RMS
 - NSW Ambulance
 - NSW Fire and Rescue/NSW Rural Fire Service
 - Public Transport providers including local bus companies and Sydney Trains/NSW Trains
 - Local Taxi Companies
 - Safe Work NSW
 - Any additional affected stakeholders as considered necessary depending on the specifics of the event

SECTION 9

NOISE AND AMENITY

Bump-In and Bump-out

Bump-in and Bump-out must be undertaken in a manner which reduces the impact on public open space and the amenity of neighbours. The Event Approval will include conditions relating to bump-in and bump-out times.

Bump-in will generally be limited to after 7am and within 48 hours of the event.

- Bump-in prior to 7am

Bump-in can be considered prior to 7am if it will have an acceptable impact on the surrounding area. Early bump-in will usually only be considered for early starting events that require a single morning for bump-in.

If early bump-in is proposed, event organisers must detail what work is proposed prior to 7am, including details of tools to be used, noting power tools must not cause nuisance to any nearby noise sensitive receiver including nearby residents, businesses, other licensed park users.

- Bump-in more than 48 hours prior to an event

If bump-in is required for larger events more than 48 hours prior to an event, this can be considered as part of the granting of the Event Approval subject to suitable justification being provided.

A bump-in schedule must be supplied with the Event Application, detailing what work is proposed as part of the bump-in.

All effort must be taken to reduce the impact on public space and the surrounding area, including limiting impacts on other park users.

Bump-in times will usually be restricted to between 7.00am and 7.00pm.

Additional conditions may be included on the Event Approval if considered necessary by the Events Team depending on the work proposed and location.

The impacts on existing licence holders will be considered as part of any request for extended bump-in periods (that is - prior to 7am and more than 48 hours prior to an event).

- Bump-out

Suitable bump-out times will be conditioned as part of the Event Approval. A bump-out schedule is required to be submitted which balances the efficient removal of items from the site, the restoration of the site to its pre-event state and limits impact on the

amenity of surrounding residents and businesses. The bump-out schedule must consider other licensed users of the site.

Council's Events Team may include additional conditions to limit the impact of event bump-out on the surrounding area.

Noise Monitoring Requirements

The noise monitoring requirements below are required for, but not limited to, the following types of events:

- Concerts
- Music Festivals
- Events which are likely to generate large amounts of obtrusive noise due to their proximity to residential areas or other noise sensitive land uses
- Events which in the opinion of Council, Police or other relevant stakeholders require sound monitoring due to their expected noise impact.

- Noise Management Plan

A noise management plan may be requested as part of the assessment of the Event Licence, which describes the measures that will be employed to manage excessive noise and noise spill during the event. The plan is to identify the nearest affected residential receivers and the predicted noise levels, and how compliance will be demonstrated.

If directed by Council's Events Team to provide it, the noise management plan must be submitted prior to the granting of the event licence.

- Independent Sound Monitoring

- Council's Events Team will specify as part of the granting of the Event Licence whether independent sound monitoring is required. Amplified noise is to be monitored and reported by an experienced acoustic engineer.
- LAeq 5 minutes noise loggers are required to be placed at Front of House and at the nearest affected residential boundary for the duration of the event. Noise loggers should have a NATA calibration certificate.

- Noise Monitoring Report

- All events which conducted sound monitoring are required to submit a noise monitoring report to Council within 21 days after the event.
- The noise monitoring report should include: locations of loggers, type loggers with NATA calibration certificate and the noise compliance results in LAeq 5 minutes for the duration of the event.

We require event organisers to provide detail of how they intend to respond to any notification of sound non-compliance at their event. This should include details of how the notification will be escalated and who is responsible.

SECTION 10

ADDITIONAL LICENSES AND APPROVALS

Depending on specific details of the Event being proposed, additional requirements may be necessary prior to the issuing of the Event Approval or prior to the event taking place.

There may also be other legal obligations for Event Holder. Compliance with these requirements are the responsibility of the Event Holder. The list provided below are some of the most common requirements, but is not inclusive of all potential legal requirements.

Requirements prior to issuing the Event Approval

Council is legislated to give public notice of certain events which includes 28 days public notice in the newspaper and a mail out to all residents in vicinity of the event site. Council will advise you if this applies to your event. If it does, then additional time (minimum 8 weeks) will be required in the assessment of your event.

- **Lease/Licence – permission to occupy the site**
 - Approval under either the Crown Lands Management Act or Local Government Act (depending on the site)
 - This process is conducted as part of the Event Application Process
 - Crown Land which Council is not the Appointed Manager of will require a Short-term Licence issued by Crown Lands NSW.
 - The lessees or licensees of Council property or Crown land for which Council is Crown Land Manager must be given notice of ALL events prior to the event taking place.
 - Event Organisers are required to evidence agreement/s in writing with lessees and licensees of Council property impacted by approved events.

- **Activity Application – Section 68 approval under the Local Government Act 1993**

Council's Events Team will lodge an Activity Application on behalf of the Event Holder if an Activity Application pursuant to Section 68 of the Local Government Act 1993 is required. An approval is required for the following activities on public land:

- Engage in a trade or business
- Direct or procure a theatrical, musical or other entertainment for the public, play a musical instrument or sing
- Construct a temporary enclosure for the purpose of entertainment
- Set up, operate or use a loudspeaker or sound amplifying device
- Deliver a public address or hold a religious service or public meeting
- Operate a caravan park or camping ground

Note: Applications proposing camping are required to comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

- Install or operate amusement devices
- Use a standing vehicle or any article for the purpose of selling any article in a public place
- Full list of activities requiring approval:
www.legislation.nsw.gov.au/#/view/act/1993/30/chap7/part1/div1/sec68

If approved, a Section 68 approval and any relevant conditions will be included with the Event Approval.

Please include relevant details if your event will involve any of the above activities to allow lodgement of an Activity Application with the relevant unit at Council.

Other requirements

- **Fireworks**

Any person operating a fireworks display must hold a fireworks (single use) licence or a Pyrotechnicians Licence from SafeWork NSW.

If fireworks are proposed, the date, start and finish times and location must be submitted as part of the Event Application for the approval of Council's Events Team. Any required notification as per Section 8 of this Plan must also include details of the fireworks.

- **Music Licensing**

The performance of music and/or singing for fees or money requires a License from APRA and/or Phonographic Performance Company of Australia (PPCA) for pre-recorded music.

- **Fundraising**

A separate approval from NSW Department of Fair Trading may be required for fundraising at an event.

- **Alcohol/Liquor Licensing**

A Liquor Licence issued by the responsible State Government Organisation must be issued for any event where liquor is being provided or sold.

Unless able to benefit from an exemption, suspension of an Alcohol Free Zone will require a Council Resolution and suspension of an Alcohol Prohibited Area requires approval from Council. This process can take up to 12 weeks. Council's Events Team can advise you on the requirements for your event.

Exemptions from requiring a Council Resolution for the suspension of an Alcohol Free Zone apply to some established Alcohol Free Zones around Wollongong, including within the Wollongong Foreshore Area, Thirroul, Helensburgh, Arts Precinct and Crown Street Mall. There are a limited numbers of exemptions able to be granted every year. Not all events are able to benefit from an exemption. Exemptions are provided on a first in basis. Contact the Events Team or Community Safety Team for more information.

- **Music Festivals Act 2019 and Music Festival Harm Reduction Guidelines**

Compliance with the Music Festivals Act 2019, including the Music Festival Harm Reduction Guidelines is compulsory. This includes the preparation of a Medical Plan prepared in consultation with NSW Ambulance and NSW Health. Evidence of

consultation must be provided to Council's Events Team as part of the Event Application.

Attachment 3



**Planning,
Industry &
Environment**

**Letter to Applicant
(consent granted)**

Our reference: 19/10888
LOC No: 617477

Heike Peterlin
Phone: 02 44289108
heike.peterlin@crownland.nsw.gov.au

Wollongong City Council
41 Burelli St
Wollongong NSW 2500

council@wollongong.nsw.gov.au

Monday, 29 June 2020

Dear Sir/Madam

**Consent for
development
comprising:**

Applications for Development Consents relating to events within the Wollongong LGA:

Helensburgh/ Rex Jackson/ Charles Harper Parks
Thirroul Beach Reserve and Foreshore

Section 68 LGA application for certain events:

- Installation and operation of mechanical amusement devices or riders
- Construction of temporary enclosure for the purpose of entertainment (i.e. animal enclosure)
- Use of any loudspeakers or other sound amplifying device
- Any theatrical, musical or other form of entertainment for the public
- Any public address system or holding of a religious service or public meeting
- Playing of a musical instrument or singing on community land for a fee or reward
- Use of a standing vehicle or any article for selling a product in a public space

Crown Land

Helensburgh:
Lot 503 DP 836394
Lot 982 DP 704554
Thirroul
Lot 7316 & 7317 DP 1165555

**Crown
reserve**

R752033 for future public requirements and R56146 reserved from sale generally

**Parish
County**

Heathcote & Southend
Cumberland

Consent is granted by the Minister for Water, Property and Housing to the lodgement of applications for approval under the *Environmental Planning and Assessment Act 1979*, Local Government Act 1993 and other associated applications required under other legislation, for the development proposal described above.

The Land Owner Consent is granted conditional to the following:

1. Land Owner Consent will expire after a period of 12 months from the date of this letter if not acted on within that time. Extensions of this consent may be sought
2. You are required to forward a copy of the approval to the NSW Department of Planning, Industry and Environment - Lands ("the Department") after approval and prior to commencing works.
3. You are required to ensure that the approval provided is consistent with this Land Owner Consent.
4. You must apply to the Department for authority to occupy the Crown land. Crown land cannot be occupied prior to this authority being granted.
5. The Land Owner Consent is provided for the works detailed on the plans provided by you and retained by the Department as DOC20/034298, DOC20/034299, DOC20/034300

Land Owner Consent is granted in accordance with the following:

- Land Owner Consent is given without prejudice so that consideration of the proposed development may proceed under the *Environmental Planning and Assessment Act 1979*, *Local Government Act 1993* and any other relevant legislation;
- The grant of this Land Owner Consent does not guarantee that any subsequent authority to occupy will be granted;
- Land Owner Consent does not imply the concurrence of the Minister for Water, Property and Housing for the proposed development and does not provide authorisation under the Crown Land Management Act 2016 for this proposal;
- The issue of Land Owner Consent does not prevent the Department from making any submission commenting on, supporting or opposing an application;
- The Minister reserves the right to issue Land Owner Consent for the lodgement of applications for any other development proposals on the subject land concurrent with this Land Owner Consent;
- Any changes made to the proposal, including those imposed by the consent authority, must be consistent with the Land Owner Consent and therefore if modifications are made to the proposed development details must be provided to the Department for approval;
- Land Owner Consent also allows application to any other approval authority necessary for this development proposal.

This letter should be submitted to the relevant consent or approval authority in conjunction with the application to modify development consent and/or any other associated application(s). You are responsible for identifying and obtaining all other consents, approvals and permits required under NSW and Commonwealth laws from other agencies for the proposed development.

It is important that you understand your obligations relating to Condition 3. If any alterations are made to the application (whether in the course of assessment, by conditions of consent, or otherwise), it is your responsibility to ensure the amended or modified development remains consistent with this Land Owner Consent. If there is any inconsistency or uncertainty you are required to contact the Department before undertaking the development to ensure that the Department consents to the changes. A subsequent LOC application may incur additional application fees.

It is advised that the Department will provide Wollongong City Council a copy of this Land Owner Consent and will request that Wollongong City Council notify the Department of the subsequent development application, for potential comment, as part of any public notification procedure.

Authority to occupy Crown land in this instance refers to the right under the Crown Land Management Act 2016 to either use or manage the land. If development consent is granted event operators must make an application with the Department of Planning, Industry and Environment –

Lands for a licence the on the reserve prior to undertaking any activities on Crown land. It is recommended to lodge applications at least two months prior to the event(s).

For further information, please contact Heike Peterlin via the details given in the letter head.

Yours sincerely



for Ben Tax
Area Manager, Sydney & South Coast
Department of Planning, Industry & Environment – Crown Lands, Nowra



NSW RURAL FIRE SERVICE

Wollongong City Council
Locked Bag 8821
WOLLONGONG DC NSW 2500

Your reference: (CNR-10441) DA-2020/616
Our reference: DA20200826003051-Original-1

ATTENTION: Kristy Robinson

Date: Thursday 8 April 2021

Dear Sir/Madam,

Development Application

s4.14 - Other - Community Facility

Helensburgh Park, Rex Jackson Park & Charles Harper Park Robertson St Helensburgh NSW 2508,
7066//DP1031042, 517//DP752033, 940//DP752033

I refer to your correspondence dated 20/08/2020 seeking advice regarding bush fire protection for the above Development Application in accordance with section 4.14 of the *Environmental Planning and Assessment Act 1979*.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted and provides the following recommended conditions:

General Conditions

1.

Maximum patronage numbers shall be capped at 15,000 for any single event.

2.

Event Management Plan (EMP) for all events shall incorporate the recommended bush fire protection measures within section 6 of the Bush Fire Assessment Report prepared by Bushfire & Evacuation Solutions, ref: SF-21001, dated 10 March 2021 except where varied by the following:

- EMP for all events shall include detailed traffic and parking management procedures for Park Avenue, Waratah Street and Walker Street to ensure both parked and exiting traffic does not impede rapid access to the site from Parkes Street for all emergency service vehicles.
- EMP for all events shall include a provision for the cancellation of any event where a Total Fire Ban is declared for the 24 hour period of the event.

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

For any queries regarding this correspondence, please contact Anna Jones on 1300 NSW RFS.

Yours sincerely,

Bradley Bourke
Team Leader, Dev. Assessment & Planning
Planning and Environment Services

Attachment 5 - DRAFT CONDITIONS FOR : DA-2020/616

For Office use Only – Do Not mail

Approved Plans and Specifications

- 1 The development shall be implemented substantially in accordance with the details and specifications set out on Drawing Helensburgh Park Site Plan printed 23 November 2020 prepared by Wollongong City Council and Event Management Plan dated March 2020 prepared by Wollongong City Council Events Team and any details on the application form, and with any supporting information received, except as amended by the conditions specified and imposed hereunder.

General Matters

2 **Restricted Consent Period**

This development is valid for a period not exceeding 5 years from the date shown as “endorsement date of consent” on this notice unless otherwise approved by Council. At the end of this period the development must cease.

Note: The Council may, upon receiving an application under section 4.55 of the Environmental Planning and Assessment Act 1979, prior to the lapse date of this consent extend the period in which this consent is valid.

Any application under section 4.55 of the Environmental Planning and Assessment Act should be made to Council at least four (4) months prior to the lapse date of the consent in order to allow adequate processing/assessment of the application. This application must be on the prescribed form. Any application received after the lapse date cannot be considered.

3 **Event Details**

Consent has been granted for events to be conducted as follows:

a Event Tiers:

- 1 x Tier 1;
- 2 x Tier 2;
- 6 x Tier 3 and
- All x Tier 4.

b Maximum 52 days per Year

The overall number of events in any Tier must not exceed 52 days per year consecutive or non-consecutive. The maximum 52 days include (but are not limited to) all activities associated with the event typically referred to ‘bump-in’ and ‘bump-out’ activities which may include (but is not limited to) the set-up of equipment, sound testing, and temporary structures and traffic management.

c Maximum Capacity 15,000 People

Multiple events can be conducted on the site concurrently provided that the maximum number of people (paying or non-paying) does not exceed 15,000 within the park and that events comply with all conditions of consent. Any event which is outside the parameters as described above must be the subject of a separate development application.

4 **Event Approval Required Prior to Event**

- a An Event Approval is required to be issued from Council’s Events Team prior to any event occurring in accordance with this consent. Any information required to be submitted as part of this consent must be submitted with an Event Application.

Prior to the issue of an Event Approval the following documents and plans must be lodged with Council:

- Noise Management Plan, and
- Traffic/Pedestrian Management Plan/ Traffic Control Plan (S1.38) if applicable, and
- Waste Management Plan.

These documents must be submitted at least eight (8) weeks prior to the event and must be to the satisfaction of Council's Events Team, internal stakeholders within Council including Environment, Traffic, Property and Recreation sections and in consultation with Transport for NSW.

b Any condition imposed on the Event Approval must be abided by.

5 **Event-Specific Requirements**

Additional requirements are to be submitted with the Event Application in accordance with the document titled 'Event Management Plan' prepared by Wollongong City Council Events Team dated March 2020, as amended from time to time.

6 **Notification**

A Notification Plan is to be prepared by the Event Organiser in accordance with the Event Management Plan to the satisfaction of Council's Events Team. Notification must take place in accordance with the approved Notification Plan to the satisfaction of Council's Events Team.

7 **Building Work – Compliance with Building Code of Australia**

All building work, including the erection of temporary structures used as an entertainment venue (within the meaning of the Environmental Planning and Assessment Regulation 2000 being a cinema, theatre or concert hall or an indoor sports stadium), must be carried out in accordance with the provisions of the National Construction Code - Building Code of Australia. Other temporary structures used for other event activities are to be installed generally in accordance with *ABCB: Temporary Structures Standard 2015*.

8 **Public Liability Insurance**

The person authorised to conduct an event must hold current public liability insurance for an amount of \$20,000,000 for Tier 1 and 2 events and \$10,000,000 for Tier 3 and 4 events noting the Council as an interested party at all times.

9 **Insurances**

The person responsible for conducting the event should ensure any other organisations participating have suitable insurance cover. Other insurances that may be required include:

- a Public liability insurances of sub-contractors;
- b volunteers' insurance;
- c workers compensation;
- d professional indemnity. The person responsible for conducting the event should seek independent legal advice as to the insurance cover necessary for each event.

10 **Venue Booking**

The venue booking will be managed by Council's Events Team as part of the Event Application. Any lease/licence agreements must be signed and booking fees associated with the venue booking must be paid prior to the event as directed by Council's Events Team.

11 **Advertising Signage**

Advertising signage associated with the event may be displayed at the site provided that it complies with the following requirements:

- a All signage to meet the criteria for exempt development specified in an Environmental Planning Instrument; or
- b all signage to conform with the following criteria: i display only the names of the event and sponsors and does not include advertising of a commercial nature; ii is safely secured and does not obstruct a public road, footpath or cycleway; and iii is displayed for a period of not more than 28 days before an event and 7 days after an event. Advertising signs that do not comply with the above criteria must be subject to a separate development application.

12 **Bonds**

Bonds are required to be paid to Council prior to issue of the Event Approval and will be held for:

- a Damage to Council-owned land, property and assets;
- b Failure to return Council property and/or assets;
- c Failure to leave the premises in a clean and tidy state.

13 Tier 1 and 2 events are only permitted on the two Northern Rugby League Fields and during the October to December period only. Tier 1 events seeking use of the entire site, a development application should be submitted to obtain separate Council approval.

14 Tier 1, 2, 3, and 4 events shall be conducted in accordance with the approved Site Plan and generally with the Event Management Plan. Any changes to the Event Management require concurrence from Council's Property and Recreation and Open Space and Environment Divisions.

15 The subject site is of local and regional open space and recreation significance. Irrespective of any approval for this activity, future works may include major embellishment works to the subject site including new infrastructure potentially limiting future event activities. In this eventuality, there is no recourse including compensation or restriction on proposed works for either applicant or any event operator.

16 **Protection of Sporting Infrastructure**

No event or associated activity shall occur on within 10m of designated turf wicket area". Temporary fencing to the Turf Cricket Wicket reas be provided throughout the event (including during bump-in and bump-out periods). The applicant must provide protection to all electricity and irrigation infrastructure throughout the sports field precinct.

17 The subject site is affected by wet weather events with impacts on sporting activities. During sports seasons, events should not be held where there is a current forecast of moderate or heavy rain for the subject area or following a rainfall occurrence where the land is waterlogged.

18 **Exclusion Area**

A portion of the designated area incorporates Helensburgh Pool. This area shall be removed from this event DA during the December/January school Holiday period. Outside of this period, the pool amenities may be used noting additional security measures and resourcing will be required to ensure public safety is maintained.

The following areas are excluded entirely from the Event Area:

- Coastal wetlands buffer area as mapped under SEPP Coastal Management;
- Natural Asset Unit 562;
- Areas within 3m of mapped Natural Resources Sensitivity – Biodiversity as mapped under WLEP 2009;
- Endangered Ecological Communities as mapped under WLEP 2009;
- Heritage items 6124 as listed under WLEP 2009;
- Turf wicket site;
- Netball courts; and
- Areas affected by in ground irrigation.

19 Markets are specifically excluded from this approval. However, market stalls are permitted as part of broader event where they constitute a smaller portion of event.

20 Events that contravene any environmental planning instrument, plan of management applying to the site or legislation will not be permitted. Council reserves the right to deny or cancel any event or portion of event that it decides is not in the interest of the community or Council.

21 The majority of the site is fully irrigated by inground pop up irrigation. All structures need to be generally weighted as pegging is not permitted. Barriers are also required to protect, statues, memorials, heritage items (including trees).

22 Charles Harper Park contains War memorial, playground, public toilet, BBQ's and picnic shelters. Public access shall be maintained to these areas at all times.

- 23 **Changes to Event Management Plan**
Any changes to the approved Event Management Plan, except for minor changes to references to legislation and Council policy, will require separate Council approval.
- 24 **Rural Fire Service (RFS)**
Pursuant to Section 4.14 of the Environmental Planning and Assessment (EP&A) Act 1979 – requirements imposed by the NSW RFS dated 8 April 2021 as attached shall form part of this Notice of Determination.
- 25 **National Parks and Wildlife (NPWS) Conditions**
- NPWS have no issue with events held solely on Rex Jackson Oval Sports Fields apart from stating that there is high quality bushland reserved as State Conservation Area (SCA) immediately to the north of the Event areas. NPWS requests that light and noise impacts on this bushland at night time are considered when events are being planned and run.
 - Any events staged from these grounds that propose to use neighbouring NPWS land (being Garrawarra SCA or Royal National Park) require individual consent from NPWS for each respective event. Applicants can obtain information on how to apply for an event on Park via <https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies/events-functions-and-venues>

Prior to the Use of Site

- 26 **National Parks and Wildlife Conditions**
All event holders are to notify Royal Area NPWS of any Tier 1-4 events held on the Helensburgh parks via email to npws.royal@environment.nsw.gov.au one (1) week before the event.
- 27 **Activity Application**
An Activity Application pursuant to Section 68 to the Local Government Act, 1993 is required for any:
- a installation and operation of any mechanical amusement device or rides (e.g. dodgem cars, Ferris wheel, roller coaster etc).
 - b The construction of a temporary enclosure for the purpose of entertainment (e.g. temporary animal enclosure) on community land.
 - c The use of any loudspeakers or other sound amplifying device on community land.
 - d Any theatrical, musical or other form of entertainment for the public on community land.
 - e Any public address system or holding of a religious service or public meeting on community land.
 - f The playing of a musical instrument or singing on community land for a fee or reward.
 - g Use of a standing vehicle or any article for the purpose of selling a product in a public place.
- 28 **Amusement Devices**
Each amusement device must have:
- a Current NSW Workcover Authority registration.
 - b Public liability insurance cover of a minimum \$20 million for Tier 1 and 2 events and \$10 million for Tier 3 and 4 events.
 - c Current technical manual for installation and operation.
- 29 **Consultation with Local Sporting Clubs**
Prior to the lodgement of any Event Application, evidence of consultation and concurrence from relevant local sporting group or district association with licence or park booking covering the event period must be provided. In line with the core objectives of the land as a sports field, the current and future sporting activities occurring onsite will take precedence over any proposed event.
- 30 **Compliance with the Requirements of other Authorities and Legislation**
- a The person authorised to conduct an event must abide by SafeWork NSW Regulations. Any electrical leads used are to be no more than four (4) metres in length when laid on the ground. Any electrical items used should be tested and tagged by a qualified electrician. All

- temporary structures (such as tents, marquees, stages, grandstand seating and the like) shall satisfy the requirements of SafeWork NSW and shall be certified by a structural engineer.
- b The person responsible for conducting the event is responsible for ensuring compliance with the Workplace Health and Safety Act 2012 for the health, safety and welfare of people attending the event even if those staff are not directly employed by the person responsible for conducting the event and includes volunteers, competitors, visitors, spectators, participants and persons passing through the event venue.
 - c The person responsible for conducting the event must ensure compliance with the requirements of the Protection of the Environment Operations Act, 1997 particularly (but not limited to) the control of potential pollutant emissions including odours, smoke and gases, liquid discharges, oils and greases and solid wastes.
- 31 **Structural Soundness Certification (for all Structures)**
Prior to the commencement of the event, the event organiser is to obtain a report from a suitably qualified and experienced structural engineer verifying that temporary structures erected as part of the special event have structural capacity appropriate to the use of the structure, and the ground or other surface on which the structure is erected on is sufficiently firm and level to sustain the structure while in use.
- 32 **Noise Management Plan**
When required by Council's Event Management Plan, the event holder must submit a Noise Management Plan including the results of noise prediction modelling used to predict the noise with the application for the event licence. A suitable software package must be used to predict the range of noise and its acoustics evaluation and pollution impacts on surrounding residents. The output of noise modelling results should be in colour contour maps.
- 33 **Temporary Events Registration**
The food business is required to be registered with Council. A Food Business Notification Form must be submitted prior to business operations commencing. The appropriate form can be completed on Council's web page by visiting:
<https://wollongong.nsw.gov.au/business-in-wollongong/business-permits-and-regulations/food-businesses>
Alternatively, contact Council's Regulation and Enforcement Division on (02) 4227 7737 to obtain a registration form.
- Food Outlets**
Food outlets shall comply with Council's *Guidelines for Food Handling at Temporary Events*. This document can be found at:
<https://wollongong.nsw.gov.au/business-in-wollongong/business-permits-and-regulations/food-businesses>
Alternatively, contact Council's Regulation and Enforcement Division on (02) 4227 7737 to obtain a copy.
- 34 **Works in Road Reserve - Minor Works**
Approval, under Section 138 of the Roads Act must be obtained from Wollongong City Council's Development Engineering Team prior to any works commencing or any proposed interruption to pedestrian and/or vehicular traffic within the road reserve caused by the construction of this development.

The application form for Works within the Road Reserve – Section 138 Roads Act can be found on Council's website. The form outlines the requirements to be submitted with the application, to give approval to commence works under the roads act. It is advised that all applications are submitted and fees paid, five (5) days prior to the works within the road reserve are intended to commence. The Applicant is responsible for the restoration of all Council assets within the road reserve which are impacted by the works/occupation. Restoration must be in accordance with the following requirements:

- a All restorations are at the cost of the Applicant and must be undertaken in accordance with Council's standard document, "Specification for work within Council's Road reserve".
- b Any existing damage within the immediate work area or caused as a result of the work/occupation, must also be restored with the final works.

35 **Service Locations within the Public Footpath and Road Reserve**

The person authorised to conduct the event is to investigate services locations (Dial Before You Dig) before the event commencement date to ensure that the movement of heavy vehicles and the erection of structures does not affect underground or overhead services.

36 **Council Inspection**

The person authorised to conduct the event must arrange for Officers from the Property and Recreation, Open Space and Environmental Services, and City Works Division to undertake an inspection of the site and the adjoining public road and footpath reserve both before and after the event commencement date. The purpose of these inspections is to determine whether the event has had any negative impacts on the ground surface or Council's assets. Bookings can be made by contacting Council's Customer Service Centre on 4227 7111. The post-event inspection should be booked within two (2) calendar days of the completion of the event. The person authorised to conduct the event is responsible for reimbursing Council for the costs of restoration works to the ground surface or the repair of Council's assets as a result of any damage caused during the event.

In addition to a pre and post site inspection, Council at its discretion may request the event operator to provide a dilapidation survey report to support its activities.

37 **Waste Minimisation and Management Plan**

As required by Council's Event Management Plan, the event holder must submit a Waste Minimisation and Management Plan with the application for the event licence.

38 **Occupation Certificate Temporary Structures used as Entertainment Venue**

Where the development is not exempt development under Statement Environmental Planning Policy (Exempt and Complying Development Codes) 2008, pursuant to clauses 156(1)(b) and 268(A) of the *Environmental Planning and Assessment Regulation, 2000*, appoint and obtain from a Principal Certifier an Occupation Certificate prior to the occupation of temporary structures, being a booth, tent or other temporary enclosure (whether or not part of the booth, tent or enclosure is permanent); or a mobile structure that is used as an entertainment venue, as defined by the *Environmental Planning and Assessment Regulation 2000* being a cinema, theatre or concert hall or an indoor sports stadium.

39 **Vehicle Management Plan Required**

A Vehicle Management Plan is required for all events where movement of vehicles onsite are proposed. Irrespective, vehicle movements on sportsfields must be minimised to limit damage to playing surfaces and infrastructure. All vehicle movements on sports fields pre, during and post event are restricted to a protective temporary built supportive road membrane.

40 **Bond or Bank Guarantee**

Council requires a \$50,000.00 bond or bank guarantee to be made a minimum of 10 days prior to the 'setting-up' of a Tier 1 or 2 event. This will be released at the completion of the event. The money will be fully refunded except in the following circumstances where additional cost maybe incurred:

- Damage to Council-owned/managed land or property (this includes damage to the ground surface as a result of the proposed activity. If the event is held in wet weather the applicant/event holder will be responsible for the reimbursement to Council for the full costs of all restoration works irrespective of bond held;
- Failure to return any of Council property;
- Non-compliance with conditions of consent; and
- Failure to leave premises in a clean and tidy condition and all waste generated from the event is removed from the site. The applicant is to ensure that any paved surfaces are clean and that barbeques or vehicles (such as mobile food vans) entering the area do not discharge or leak any substances onto Council's paved areas.

41 **Site Remediation Fee for Tier 1 and 2 Events**

The applicant provides Council \$40,000+ GST prior to the bump in period to meet all projected costs associated with the best-case scenario six-week remediation works (comprising aeration of sports fields, top dressing and turfing, fertilising, irrigation and contract labour costs). The Site Remediation Fee will be indexed on an annual basis at CPI.

42 **Fees**

All applications made under this development consent are responsible for paying all relevant Council fees and charges applicable to the operation of the event including (but not limited to):

- Site remediation fees as deemed appropriate for each sports field;
- Park Damage bonds;
- park or reserve hire fees;
- Car parking licensing;
- Inspections attended by Council staff;
- Public and business Notification, Use of power within a park or reserve;
- Advertising of a commercial nature;
- Waste management;
- Energy and water usage;
- Late or urgent applications; and
- Referral to emergency services and other government agencies.

43 **Venue Booking**

The venue must be booked by the event applicant through Council's Park Booking Officer prior to the event commencement date. The person authorised to conduct the event shall enter into the appropriate lease/licence agreement and pay the necessary booking fees as directed by Council.

44 **Waste Minimisation and Management Plan**

As required by Council's Event Management Plan, the event holder must submit a Waste Minimisation and Management Plan with the application for the event licence.

Note 1: Council's Single Use Plastics Management Policy applies to all Council run events on Council land and public spaces. Event organisers of non-Council run events on Council land and public spaces are encouraged to follow Council's Single Use Plastics Management Policy (available on Council's website).

Note 2: Council is developing a Sustainable Events Guide for all non-Council and Council events held on Council managed or owned land or facilities. Use of the Sustainable Events Guide will be voluntary, but encouraged. Once developed, the Sustainable Events Guide will be placed on Council's website.

45 **Lighting**

Lighting must comply with the requirements of Australian/New Zealand Standard AS/NZS 1158 Lighting for Roads and Public Spaces. All additional lighting installed for the event shall be directed away from nearby dwellings and native bushland. Additional lighting shall cease by 10.30 pm. Exceptions are New Year's Eve and Australia Day.

46 **Fireworks**

No fireworks are permitted in association with any event, unless separate approval is granted by the National Parks and Wildlife Service and Rural Fire Service. Written evidence from the NPWS and RFS must be submitted to Council prior to the event.

Use of the Site

47 **Sale and Service of Alcohol**

The serving and/or sale of alcohol at any event is prohibited unless an appropriate liquor licence has been obtained from the State Government agency responsible for issuing Liquor Licenses. It is the responsibility of the event organizer to obtain the required licence for their event.

48 **No Glass Containers**

No food or beverages are to be served in glass containers.

49 **No Camping or Overnight Stays**

There shall be no overnight stays or camping by event attendees on the site in associated with the event and this requirement shall be clearly noted on all advertising and promotional media associated with the event.

50 **Security**

Where an event involves the sales or service of alcohol and/or where an event occurs after daylight hours, the person responsible for conducting the event shall ensure qualified security personnel must be employed for the full duration of the event (including set up and pack up). Duties of security personnel are to include (but not be limited to) monitoring of entry/exit points, general surveillance to ensure safety, socially appropriate behaviour, assistance with coordination of emergency services and for the quiet and efficient movement of people to and from the site, protection of equipment and vehicles, stalls and confiscation of prohibited items (including glass containers). The persons responsible for conducting the event shall develop a Security Management Plan in consultation with the security providers to define roles and responsibilities. Security Management Plans must be consistent with the requirements of Crowded Places Guidelines and Guidelines for Music Festivals Event Organisers: Music Festival Harm Reduction published by the Federal and NSW Governments as appropriate. The Security Management Plan will address the matters listed above and make reference to the Emergency Response Plans in the Event Management Plan and the Incident Reporting Manual. The person responsible for conducting the event and the persons identified in the Security Management Plan shall have copies of and appropriately complete an Incident Reporting Manual.

51 **Incident Reporting**

The organisers must have a systematic method reporting incidents that have occurred at an event. This should include a written incident reporting manual whereby staff are required to provide written details on the exact nature of the incident and what procedures were implemented to deal with the incident. The Incident Reporting Manual is to be maintained for the duration of the event and a copy submitted to Council within two (2) weeks from the completion of the event so that Council may use the records to manage future events.

52 **Disability Discrimination Act 1992**

This consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. It is the responsibility of the applicant to guarantee compliance with the requirements of the Disability Discrimination Act 1992. The current Australian Standard AS 1428.1 – Design for Access and Mobility is recommended to be referred for specific design and construction requirements, in order to provide appropriate access to all persons within the building.

53 **Waste Management**

Waste management shall be in accordance with the event Waste Minimisation and Management Plan.

54 The applicant must refer to the RMS Guide to Transport Management for Special Events (2018) and provide satisfactory details of public transport, car parking, pedestrian access and accessibility for review by Council's Events Team.

55 Footpaths shall not be obstructed by temporary structures, staging, equipment, speakers or signage.

56 Any proposed structures adjacent to the roadway shall comply with the requirements of AS 2890.1 to provide for adequate sight distance. This includes, but is not limited to, structures such as temporary signage, stalls, registration tables etc.

57 If visitor parking is provided within the site, sufficient signage and supervision shall be provided by the operator/proprietor to ensure that parking is carried out in an orderly and safe manner. Parking and Traffic Marshals shall direct vehicles to appropriate parking areas and ensure safe vehicular and pedestrian movement. All marshals must wear reflective safety vests at all times and be positioned at the entry to the site, the parking area and throughout the event course.

Note: The above condition relates to activities on public land only. Activities outside public land and within the road reserve must be undertaken in accordance with an approved Traffic Control Plan issued under S.138 of the Roads Act a separate application. Any Marshal directing traffic within the Road Reserve must also be TfNSW Traffic Control accredited.

- 58 For the regulation of traffic or closure of local roads for events, the applicant is required to obtain approval from City of Wollongong Traffic Committee and Wollongong City Council.

Note: It may take up to eight weeks for approval. An application for approval must include a Traffic Control Plan prepared by a suitably qualified person which is to include the date and times of closure and any other relevant information. The traffic control plan shall satisfy the requirements of the latest versions of Australian Standard AS1742-Traffic Control Devices for Works on Roads and the TfNSW Traffic Control at Worksites Manual.

59 **Weather Conditions**

The event must not be held where there is a risk of flooding to the site or following a heavy rainfall occurrence where the land is severely waterlogged. The person authorised to conduct the event must, on the day prior to the event commencement date, review weather forecasts and weather warnings affecting the site on the event commencement date and the dates for which the event is scheduled (if more than one day). On occasion when heavy rain is forecast or a warning for flooding has been issued (including heavy rain, flood watch, flood warning, flash flooding warning, riverine flooding warning) then the event must be cancelled.

Should a significant storm occur on the event commencement date or on any day the event is scheduled, the person authorised to conduct the event shall contact relevant weather forecasters and emergency service authorities (including the Bureau of Meteorology and the local branch of the State Emergency Service) to determine the potential severity and estimated duration of the storm. Information obtained shall be used to determine if the event can continue or should be cancelled. This determination shall be made by Council or the State Emergency Service.

The requirements of this conditions shall be reflected in each and every event approval issued under this development consent.

60 **Restricted Hours of Operation**

The hours of operation for the development shall be restricted to:

- Sunday to Thursday 7am to 11pm. All amplified noise to cease by 10pm. All activities associated with the event and all persons having vacated the site by 11pm.
- Friday and Saturday 7am to 12 midnight. All amplified noise to cease by 11pm. All activities associated with the event and all persons having vacated the site by 12 midnight.

Any alteration to the approved hours of operation will require separate Council approval.

61 **Site Set-up**

Site set-up must be undertaken no earlier than 48 hours before the commencement of the event unless the prior written approval from Council is obtained. Vehicles associated with the delivery and installation of the set-up shall not remain parked on grassed areas once unloading and installation is completed.

62 **Bump-in and Bump-out Times**

Bump-in shall be between 7am and 7pm. Bump-out times shall be as in the Event Approval.

63 **Clearance from Tree Drip Lines**

Any temporary structures and facilities erected at events and any temporary storage of materials and equipment shall be located at least (3) three metres clear of the drip line of the heritage listed trees on the site, at least (3) three metres clear of vegetation mapped as Natural Resource Sensitivity–Biodiversity and at least (1) metre clear of the drip line from any other tree not heritage listed and not mapped as Natural Resource Sensitivity–Biodiversity. No part of any tree is to be used as an anchorage point, nor are any signs, ropes, guys etc to be attached to any part of any tree.

64 **Greywater**

All greywater shall be contained and disposed of appropriately.

65 **Noise Restrictions**

The event licensee must ensure noise from the event does not create a nuisance to other park/public space users or adjoining and nearby residents. The use of public address systems, megaphones or other sound reproducing devices must be restricted so as not to cause offensive noise as defined by the Protection of the Environment Operations Act 1997.

All sound systems and amplifiers sound must comply with the following:

- L_{Aeq} (5 minutes) of 96 dB(A) at the Front of House (FOH) at 25 metres from the stage/speakers; and
- L_{Aeq} (5 minutes) of 65 dB(A) at nearest affected residential property boundary.

These noise limits apply to the performance of the special event and any sound testing prior to the event. If the FOH distance changes, the following correction factors apply:

| FOH Distance | Allowable L_{Aeq} (5 minutes) Sound Level |
|--------------|---|
| 20 metres | 98 dB(A) |
| 25 metres | 96 dB(A) |
| 30 metres | 95 dB(A) |
| 35 metres | 93 dB(A) |

66 **Noise Monitoring and Reporting**

Where a Noise Management Plan has been submitted with the application for the event licence, independent sound monitoring must be carried out at the event and a post event noise monitoring report must be submitted to Council within 21 days after the event.

The noise monitoring report should include:

- Monitoring locations;
- L_{Aeq} (5 minutes) noise loggers' data at (i) FOH and (ii) the nearest affected residential boundary for duration of the event. Note: The noise loggers used for monitoring should have a NATA calibration certificate; and
- How any non-compliances were managed.

67 **Site Left Clean and Tidy**

The event organiser shall ensure the site is left clean and tidy after use.

68 **Amenities**

There are limited amenities on site. Additional toilets, fresh drinking water must be provided in accordance with relevant NSW government guidelines. Pool toilets are not to be included in the calculation as in the December/January School Holiday period they are fully utilised for pool patrons.

69 The movement of vehicles on pathways and grassed areas should be kept to a minimum. A vehicle management plan is required for any movement of vehicles on site.