

Wollongong Local Planning Panel Assessment Report | 11 May 2021

WLPP No.	Item No. 3
DA No.	DA-2020/620
Proposal	Major event application for temporary events to a maximum of 52 days in any 12-month period
Property	J.J. Kelly Park Wollongong
Applicant	Wollongong City Council
Responsible Team	Development Assessment and Certification - City Centre Major Development (BH)
Development cost	NIL
Lodgement date	25 June 2020
Prior WLPP meeting	1 December 2020

ASSESSMENT REPORT AND RECOMMENDATION

Executive Summary

Reason for consideration by Local Planning Panel - Determination

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 30 June 2020, as the applicant and landowner is Council.

Proposal

The development application seeks approval for conducting Major Events to take place at J.J. Kelly park, Wollongong. The application is generic in nature and will provide a framework for future development applications for specific events to operate in accordance with an approved Events Management Plan and standard conditions of development consent.

Permissibility

The site is zoned RE1 Public Recreation pursuant to Wollongong Local Environmental Plan 2009. The proposal is permissible in accordance with the temporary use of land provisions under Clause 2.8 of Wollongong Local Environmental Plan 2009. No change to the primary existing use of the site is proposed.

Consultation

The proposal was notified in accordance with Council's Notification Policy and received three (3) submissions which are discussed at section 1.6 of the assessment report.

Main Issues

The main issues are noise, parking and traffic impacts.

RECOMMENDATION

It is recommended that the application be approved subject to the imposition of conditions contained in Attachment 7.

1 APPLICATION OVERVIEW

1.1 PLANNING CONTROLS

State Environmental Planning Policies:

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

Local Environmental Planning Policies:

- Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

- Wollongong Development Control Plan 2009

Other policies

- Wollongong City Wide Development Contributions Plan 2019
- Wollongong Community Participation Plan 2019
- Plan of management

1.2 DETAILED DESCRIPTION OF PROPOSAL

The subject development application seeks approval to allow Major Events to take place at JJ Kelly Park, Wollongong. The proposed events include the following:

- Events for a maximum of 52 days per year in a 12-month period.
- A maximum of 3 x Tier 1 events, 6 x Tier 2 events, 10 x Tier 3 events and all Tier 4 events (to a maximum of 52 per year) – Tiers Table located at Appendix 1.
- Event hours between 7am and 11pm Sunday to Thursday and 7.00am to midnight Friday and Saturday. Bump-in and Bump-out in accordance with Event Management Plan.
- Additional event related development including temporary structures and signage.
- Event Management Plan to inform the requirements for different events depending on the size, genre and expected impact.
- Event holders are not permitted to benefit from this consent without first gaining an event approval from Council's Events Team. Any Licence required under the Local Government Act or Crown Lands Management Act will be confirmed as part of the event application process. Compliance with any conditions of consent will also be confirmed as part of the Event Application.

The purpose of the generic EMP is to allow consents issued by Council for a variety of events to contain standard conditions of consent in respect to compliance with the EMP. This will enable event proposals which will vary from event to event depending on the type, scale, genre and impact of events to operate within the terms of the EMP without the need to seek separate development consents. This will also allow Council to amend the EMP (as best practice improves and requirements from other stakeholders such as police and ambulance change) without the need to modify development consents.

The proposed events at the subject location will, like other event approvals, operate in accordance with an adopted Event Management Plan (EMP). This plan forms Attachment 5. In summary, the purpose of the EMP is to:

- Ensure the information required from event organisers is consistent with the size and nature of events.
- Provide submission requirements to event organisers in a simple to read document.
- Ensure consistency in the assessment of Event Applications, by having more specific detail on the requirements for events of different sizes.
- Create a simple development consent which can be readily enforced by not including any event specific requirements (which may not apply to all events taking place on the site) in the consent conditions.
- Ensure the EMP can be updated as necessary to reflect changes in legislation, Council policies and industry best practice. It is envisaged that this document will be updated periodically as changes occur without the need for a modification application.

1.3 BACKGROUND

Wollongong City Council currently has approximately 10 generic event approvals applying to several parks across the city. As part of Council's Events Strategy, several new sites are proposed to be added. The subject application forms part of a suite of applications lodged by Council's Events Teams to include additional sites and to modify existing Generic Event Approvals.

The subject application together with another two generic event applications on the current agenda were initially considered by the WLPP at its meeting held on 1 December 2020.

The Panel determined to defer the development application at the request of the applicant. The Panel supported the applicant's view that additional information would assist to clarify the application and its potential impacts. No other specific recommendations were made by the panel and the audio recording does not shed any further light on this. However, the audio recording does contain questions from the panel to the applicant where it was clarified that there would be a maximum of three major events within any given year with the vast majority of events being of a small community-based scale. In addition, the applicant clarified that the intent would never be to have 52 weekends of events, simply a total of 52 days per year rather than 52 individual events, this would include set up and disassembly.

The applicant (Council) chose to withdraw each of the three event DA's from consideration at that meeting, having regard to issues raised by the Panel at the site inspection. The main issue being that the applications may not meet statutory requirements in relation to consideration by Transport for NSW (TfNSW) under the provisions of the Infrastructure SEPP. Further consideration of this aspect of the proposal has been given in light of advice provided by TfNSW in relation to another Event DA's considered by the Panel at its meeting of 10 December 2020. Further comment in relation to this matter is provided in this report (Section 1.7.2 of this report).

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 Development Consent 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 Development Consent 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.

1.4 COMMUNITY ENGAGEMENT

Community engagement was carried out by the applicant (for this and other Event Development applications) prior to preparation and lodgement of the Development Application. Engagement consisted of the following:

- Councillor Briefings

- Meeting with Neighbourhood Forums
- Online Survey, FAQs and information
- Mail out to approximately 2,500 different addresses, including all addresses within 100m of any proposed event site
- 3 x in person pop-up information/feedback sessions at Thirroul Community centre, Port Kembla Community Centre and JJ Kelly Park
- Engagement with all open businesses along Wentworth Street Port Kembla
- Posters at libraries throughout LGA
- Meeting at Motorlife museum with licence holders of Integral Energy Park
- Meetings/site visits with colleagues associated with works at Greenhouse Park
- Emails/information supplied to regular event holders
- Meetings with police/ambulance/health providers
- Meetings with Destination Wollongong

The information gathered during the engagement process has informed the details of the proposal.

Customer service actions

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

1.5 SITE DESCRIPTION

The site is located at J.J. Kelly Park and the title reference is:

- Lot 59 DP 18874 – Public land under the ownership of Wollongong City Council
- Lot 101 DP 847615 – Public land under the ownership of Wollongong City Council.

J.J Kelly park is situated south of the Wollongong City Centre and is bounded by Keira Street, Swan Street and Springhill Road. To the north of the site is land zoned R2 Low Density Residential and B6 – Enterprise Corridor. To the east is land zoned R2 Low Density Residential and IN1 – General Industrial and to the east and south of the site is land zoned RE-1 Public Recreation and SP-2 Infrastructure.

Property constraints

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

- Filled Land – No building works are proposed.
- Contaminated land – No building works are proposed.
- Acid sulphate soils: No earthworks are proposed.
- Flooding: The site is identified as being located within an uncategorised flood risk precinct.

There are no restrictions on the title that are relevant to the proposal.



Figure 1: Aerial view of JJ Kelly Park

1.6 SUBMISSIONS

The application was notified in accordance with Council's Community Participation Plan 2019 from 10-29 July 2020. Three (3) submissions were received, one (1) in support and two (2) objections (identical submissions from the same household). The issues raised are identified and discussed below.

Table 1: Submissions

Concern	Comment
<p>1. Concerns are raised by a resident of Evans Street who has previously suffered noise impacts from concert events at McCabe Park. A considerable amount of noise also carries from the amplified music and announcements on soccer game days from JJ Kelly Park. That is only one day a week (during the day) throughout the winter months and community sport is a very positive event.</p> <p>However, concern is raised about amplified events occurring in JJ Kelly Park, especially if an event is held over 3 days and nights - the noise will be unrelenting and cannot be escaped when inside our house even with all doors and windows closed. We are even unable to hear the TV!</p> <p>The objectors also have significant concerns about traffic - (a) increased event traffic using Evans street, and (b) parking in Evans Street (which is difficult on most weekdays and often weekends). Overflow traffic parking occurs when events are held at WIN Stadium.</p> <p>Noise from patrons arriving and especially leaving the event late at night will no doubt</p>	<p>Whilst the holding of events will inevitably give rise to some amenity issues for nearby residents in relation to noise, traffic and parking, these are able to be managed as evidenced in the operation of other approved generic events DAs. Events will be limited in number and both Council's environment officer and traffic engineer have not raised any concerns with the proposal. Conditions of consent will require event holders to address these issues and further assessment by Council's event management team will ensure controls are in place in accordance with Council's generic Event Management Plan.</p> <p>The DA for Greenhouse Park is reported to this WLPP meeting..</p>

Concern	Comment
<p>occur and rubbish littering the street as has happened in the past following events in McCabe Park.</p> <p>The objector notes that there is also a DA for Greenhouse Park, and should this DA be approved, they consider that they will potentially be affected by event noise, parking and crowds, every weekend. This is unfair and unacceptable. We deserve quiet enjoyment of our property.</p>	
2. Neighbourhood Forum 5 has indicated its support for the proposal.	Noted.

1.7 CONSULTATION

1.7.1 INTERNAL CONSULTATION

Council's Stormwater, traffic, environment and community services officers have reviewed the application and given a satisfactory referral subject to conditions of consent.

Community services have advised that JJ Kelly Park has four (4) current long-term licensees on the site

- Coniston Football Club
- Collegians Rugby League Football Club
- Vikings Rugby Club
- Illawarra Dog Training Club

The current licensed areas take up a large proportion of the park and the use of the licensed areas is managed by the individual Licensees who are responsible for maintaining the licensed area including the playing surfaces, lighting and buildings. JJ Kelly Park is highly used by the licensees and park booking sporting groups and any additional use could impact on the playability of the playing surface.

If the application is approved, they recommend that the current licensed areas be excluded from the event area otherwise negotiation with the current licensees for the use of the licensed area would need to take place.

Comment:

Given the approval process embodied within the Event Approval process it is considered unlikely that conflicts with existing licensees would affect the conducting of events which can be scheduled to avoid conflicts with existing park users.

1.7.2 EXTERNAL CONSULTATION

Whilst the subject application was not considered to require referral to TfNSW under the Infrastructure SEPP, having regard to potential concerns raised by the Panel on 1 December 2020, TfNSW was contacted in relation to a further Event DA (DA-2020/615 - Thirroul Beach Reserve and foreshore) seeking advice as to its approach in relation to DA's where the specific traffic generation and parking requirements would vary from event to event.

TfNSW advised that when Traffic Management Plans (TMP) for specific events have been produced/submitted and it is identified that there may be greater than 200 vehicles per hour associated with an event these specific events and associated TMP's can be referred to TfNSW for comment.

The panel of 10 December 2021 approved DA-2020/615 subject to amending condition 2c to read: Multiple events can be conducted on the site concurrently provided the events management licence limits the

maximum number attending. Amending condition number 3 to include compliance with the Wollongong Events Management Plan 2020.

A similar condition of consent is proposed to enable the requirements of Clause 104 of the SEPP to be satisfied. This will enable any comments received by TfNSW to be addressed, if applicable, prior to the separate event approval being issued by Council's Events Management team.

2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Application of Part 7 of Biodiversity Conservation Act 2016 and Part 7A of Fisheries Management Act 1994

This Act has effect subject to the provisions of Part 7 of the Biodiversity Conservation Act 2016 and Part 7A of the Fisheries Management Act 1994 that relate to the operation of this Act in connection with the terrestrial and aquatic environment.

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.

Clause 7.2 of the Biodiversity Conservation Regulation 2017 provides the minimum lot size and area threshold criteria for when the clearing of native vegetation triggers entry of a proposed development into the NSW Biodiversity offsets scheme. For the subject site, entry into the offset scheme would be triggered by clearing of an area greater than 0.25 hectares based upon the minimum lot size of the WLEP 2009 R2 zoned land (i.e. less than 1 hectare minimum lot size).

No native vegetation is proposed to be cleared for the development. Therefore, the proposal does not trigger the requirement for a biodiversity offset scheme. The event site excludes any areas of high biodiversity value on the Biodiversity Values Map.

Council's Environmental Assessment Officer has concluded that the proposal to hold events at J.J. Kelly Park is not expected to affect threatened species or ecological communities, or their habitats. The development proposed would not be considered a key threatened process.

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

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

Council records do indicate that the land has a history of contamination, hence its use and zoning as parkland is suitable for recreation. There are no earthworks proposed and the proposal does not comprise a change of use. The proposal is considered to be consistent with park usage. No concerns are raised regarding contamination as relates to the intended use of the land and the requirements of clause 7.

2.1.2 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

Clause 20 General requirements for exempt development

It is expected most of the signage used as part of events will be exempt from requiring development consent in accordance with the Infrastructure SEPP or the Exempt and Complying SEPP.

The applicant has advised that signage will relate to the approved use only and that no third-party advertising will be permitted. Location of signage will be provided as part of the submission of the Event Specific Site plan, as per the Event Management Plan specific to the event.

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, Subdivision 11 Temporary Events would be required to seek separate approval.

Clause 104 Traffic Generating Development

The proposal is not considered to be a new premises of the relevant size or capacity or an enlargement or extension of existing premises. However, as discussed above, Traffic Management Plans for specific events will be submitted as part of the individual event approvals and if there is a likelihood of greater than 200 vehicles per hour associated with the event these will be referred to TfNSW for comment. A condition has been recommended to enable the requirements of this clause to be met and ensure that any comments received by Transport for NSW can be addressed, if applicable, prior to the separate event approval being issued by Council's Events Management team.

2.1.2 STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018

The site is located within the Coastal Environment and Coastal Use area.

Division 3 clause 13 applies to coastal environment areas. Consent must not be granted unless the consent authority has considered matters set out in subclause 1 and 2. These matters include impacts on vegetation, marine life and water quality, vegetation, Aboriginal heritage and community access. All matters detailed in subclause 1 and 2 are considered satisfactory subject to compliance with proposed conditions of consent. Development is temporary in nature, and the site will be returned to the pre-event state following each event.

Division 4 clause 14 applies to coastal use areas. Consent must not be granted unless the consent authority has considered matters set out in subclause 1 and 2. These matters include impacts on safe public access, overshadowing, wind funneling, and loss of views, visual amenity, Aboriginal heritage and cultural and built environment heritage. The development can be managed (via conditions) to avoid an adverse impact referred to in subclause 1, subclause 2 is not applicable. All matters detailed in clause 1 are considered satisfactory.

Division 5 includes general provisions for development in the coastal zone. Clause 16 applies to development in the coastal zone generally and states that development consent must not be granted to development on land within the coastal zone (other than land to which clause 13 applies) unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

As detailed elsewhere within this report, due the nature of the proposal being temporary events only and the recommended conditions of consent, it is not expected to increase the risk of coastal hazards on the subject land or any other land.

NSW Coastal Management Act 2016 and Wollongong Coastal Zone Management Plan

On 30 October 2017, Council endorsed the final draft of the Wollongong Coastal Zone Management Plan for resubmission to the NSW Minister for Environment for certification. The draft Plan was certified on 20 December 2017.

At Council's meeting on 19 February 2018, Council resolved that the certified final draft be adopted. Council's Notice was published in the NSW Gazette No 25 of 9 March 2018 and a community briefing on the implications arising from Council adopting and gazetting the plan have been undertaken.

The NSW Coastal Management Act 2016 came into force on 3 April 2018. Under the Act any existing certified CZMP's continue in force until 31 December 2021.

A review of Council's associated CZMP coastal hazard mapping extents identifies that the subject site is not impacted by coastal inundation, coastal geotechnical risk, reduced foundation capacity at the 2010/2015/2100 timeline.

The proposal is therefore considered satisfactory regarding the aims outlined in clause 3 of this policy and the matters outlined for consideration.

2.1.3 STATE ENVIRONMENTAL PLANNING POLICY (KOALA HABITAT PROTECTION) 2019

The SEPP was adopted on 1 March 2020, Wollongong LGA is mapped as a Koala management area. Council does not have an approved koala plan of management.

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 16 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.

Part 3 (The Development Assessment Process Under the SEPP) of the Guideline applies if the land:

- a. contains core koala habitat (determined using Appendix C), and
- b. has an area of more than 1 hectare.

Appendix C identifies survey methods to identify the presence of core koala habitat for Tier 2 development applications.

The Tier 1 process is for development which can be demonstrated to have low or no impact on koalas or koala habitat as follows:

1. onsite or aerial photography is sufficient evidence to demonstrate that the development does not involve and will not result in clearing of regionally relevant trees of the species listed in Schedule 2 of the Koala SEPP, and
2. the development is below the Biodiversity Offsets Scheme threshold under the BC Act, or
3. council agrees the proposed development will have low or no impact on koalas or koala habitat on a case by case basis.

(3) Council is satisfied that the development the proposal is Tier 1 development as it is likely to have no impact on koalas or koala habitat as there is no vegetation removal and is below the Biodiversity Offsets Scheme threshold (triggered by clearing of an area greater than 0.25 hectares based upon the minimum lot size of the WLEP 2009).

2.1.4 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

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.

Clause 2.3 – Zone objectives and land use table

The objectives of the zone are:

- 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 regarding the above objectives.

The land use table permits the following uses in the zone.

Aquaculture; Boat sheds; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Helipads; Information and education facilities; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Signage; Take away food and drink premises; Water recreation structures

Clause 2.8 Temporary use of land

Event approvals are permissible in accordance with the provisions of Clause 2.8 Temporary Use of Land under WLEP 2009. The site is zoned RE1 Public recreation, and the granting of consent for the temporary use of the park for special events will not prevent the potential future use of the site for other permissible uses or for the wider public's use of the site. The provisions of this clause are considered below.

(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.

Comment:

Subject to suitable conditions of consent, the proposal will not compromise future development of the land or have detrimental economic, social, amenity or environmental effects on the land. The objectives of this clause are satisfied.

(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.

Comment:

The consent is conditioned to limit the number of days to a maximum of 52 per annum, which includes set up and pack down activities. A condition has been added to clarify that the 52 day period includes set up and pack down activities.

(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

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

(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

(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.

Comment:

In relation to subclause (a), the special events are temporary and will not prejudice the future development of the land.

In relation to subclause (b), suitable conditions regarding noise, parking, traffic, waste management, hours of operation are included on the consent to protect the amenity of adjoining land and the neighbourhood. It is recognised that short term inconveniences and impacts arising from the temporary use of the site for special events are likely, however these impacts are not considered to be significant to warrant refusal of the application.

In relation to subclauses (c) and (d), suitable conditions are recommended regarding environmental impacts and reinstating the park grounds to Council's satisfaction following the event. Regarding natural hazards, the site is flood affected and appropriate risk management procedures will be required to manage or cancel events due to extreme weather conditions. A condition is proposed in this regard.

(4) Despite subclause (2), the temporary use of a dwelling as a sales office for a new release area or a new housing estate may exceed the maximum number of days specified in that subclause.

N/A

(5) Subclause (3) (d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4).

N/A

Part 4 Principal development standards

There are no principal development standards that are applicable to the proposal.

Part 7 Local provisions – general

7.1 Public Utility Infrastructure

The site is fully serviced and is considered to have the required infrastructure to host major events.

7.2 Natural Resource Sensitivity – Biodiversity

The overall site of J.J. Kelly Park is mapped as containing biodiversity, adjacent to the riparian corridor however the event site itself excludes the riparian corridor. Due to the temporary nature of the proposal, and the requirement for the site to be returned to its previous state following events, no impact on biodiversity is expected. In addition, all events are required to have suitable waste management plans and will be required to pay a bond to ensure no long-term impact on the site. Council's environment officer has not raised any concerns in relation to environmental impacts.

7.3 Flood Planning

The site is identified as flood prone. No long-term impacts on flood flows are expected given the temporary nature of events. An emergency plan is required to be prepared for all events in accordance with the EMP. As such, it is considered any flood risk can be effectively mitigated through appropriate management. Council's stormwater engineer has provided a satisfactory referral and recommended a condition of consent allowing events to be cancelled in the event of extreme weather.

7.4 Riparian Lands

No long-term impacts on the site are proposed as part of the development application. As such, the proposal is considered acceptable in accordance with the requirements of this Clause.

Natural Resource Access Regulator has confirmed development applications for events do not generally require a controlled activity approval in accordance with the Water Management Act as no permanent works are proposed. The application will not constitute Integrated Development.

7.5 Acid Sulfate Soils

The site contains Class 1, Class 3 and Class 5 Acid Sulfate Soils. The development is limited to temporary events and no works or excavation is proposed. Therefore, no impact on the acid sulfate soils is anticipated.

Part 8 Local provisions—Wollongong city centre

There are no provisions in Part 8 that are applicable to the proposal.

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

Not applicable.

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

2.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

An assessment of the proposal under the relevant provisions of the DCP is outlined in Attachment 6

2.3.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN 2019

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

2.4 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.

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

92 What additional matters must a consent authority take into consideration in determining a development application?

Not applicable.

93 Fire safety and other considerations

Not applicable.

94 Consent authority may require buildings to be upgraded

Not applicable.

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

There are not expected to be adverse environmental impacts on either the natural or built environments or any adverse social or economic impacts in the locality.

This is demonstrated through the following:

- The proposal is satisfactory regarding the applicable planning controls as detailed in the body of this report.
- Submissions raised following notification would not preclude the development.
- Internal referrals are satisfactory subject to appropriate conditions of consent

2.7 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 provisions of Clause 2.8 of WLEP 2009 which allows any use of the land notwithstanding the zoning of the site up to a maximum of 52 occasions in any 12 month period and is not expected to have any negative impacts on the amenity of the locality or adjoining developments subject to conditions.

Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal.

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

Submissions have been addressed in Section 1.6 of this report.

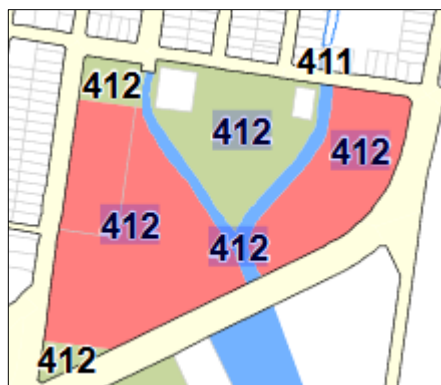
2.9 SECTION 4.15(1)(E) THE PUBLIC INTEREST

The application is not expected to have any unreasonable impacts on the environment or the amenity of the locality noting adequate measures to mitigate short term impacts from events at JJ Kelly Park are addressed through conditions of consent and the associated Event Management Plan. It is considered appropriate with consideration to the zoning and the character of the area and is considered to be in the public interest.

LOCAL GOVERNMENT ACT 1992

Division 2 Use and Management of Community Land

The Wollongong City Council Generic Plan of Management 2018 (POM) for the site identifies the site as area 5 with the primary use of JJ Kelly Park (412) as parkland (green) and sportsground (red). The use of the site for events is generally consistent with the core objectives for the site in accordance with Sections 36F and 36G of the Act.



The POM identifies Community Activities and Short-Term Casual Purposes in accordance with the Regulations as permissible on parklands and sportsgrounds. Events are generally community activities and consistent with the short-term casual purposes identified in Section 116 of the Regulations as follows:

116 Leases, licences and other estates in respect of community land

A lease to be issued by Council's Property Unit is required to use community land for the event. Any requirements under this Section are confirmed by Council's Property Unit upon referral during the Event Application process. A Licence for the occupation of the land will form part of the event approval.

Section 68 What activities, generally, require the approval of the Council?

Some events may require an approval from Council if certain activities as identified in the table of this Section are proposed as part of the event. The Section 68 approval is required to be sought for each applicable event. For sites with existing Generic Event Approvals, this approval forms part of the Event Application process. This is not proposed to change.

3 CONCLUSION

This application has been assessed having regard to the Heads of Consideration under Section S4.15(1) of the Environmental Planning and Assessment Act 1979, the provisions of Wollongong Local Environmental Plan 2009 and all relevant Council DCPs, Codes and Policies.

Temporary events are permitted in the RE1 Recreation Areas land use zone with development consent pursuant to the WLEP 2009. The proposal relates to a temporary use of the site for major events over a 12-month period. Providing additional and beneficial use of the space for the benefit of the public.

This is another application in a Council suite of approved generic applications in the LGA which have been operating for approximately 6 years without significant community opposition or complaints regarding the events held. The proposed conditions will ensure minimal impact on amenity of the surrounding area of the event site. The conditions will be consistent with other approved generic consents in that it will maintain requirements to minimise amenity impacts (e.g noise, traffic/parking, public access, and the like), and streamline the events approval process by outlining specific event detail within an Events Management Plan that is tailored to the range of event sizes and types that operate under the consent.

Submissions have been considered in the assessment of the application and the issues raised do not preclude approval and where applicable. Internal referrals are satisfactory subject to conditions. The recommendations of the WLPP of 1 December 2020 have been adequately addressed. It is considered that the proposed development is unlikely to result in adverse impacts on the character or amenity of the surrounding area,

environment and adjoining development. The proposal is considered acceptable regarding the likely impacts and is considered supportable in its current form.

4 RECOMMENDATION

It is recommended that the development application be approved subject to appropriate conditions of consent provided in Attachment 7.

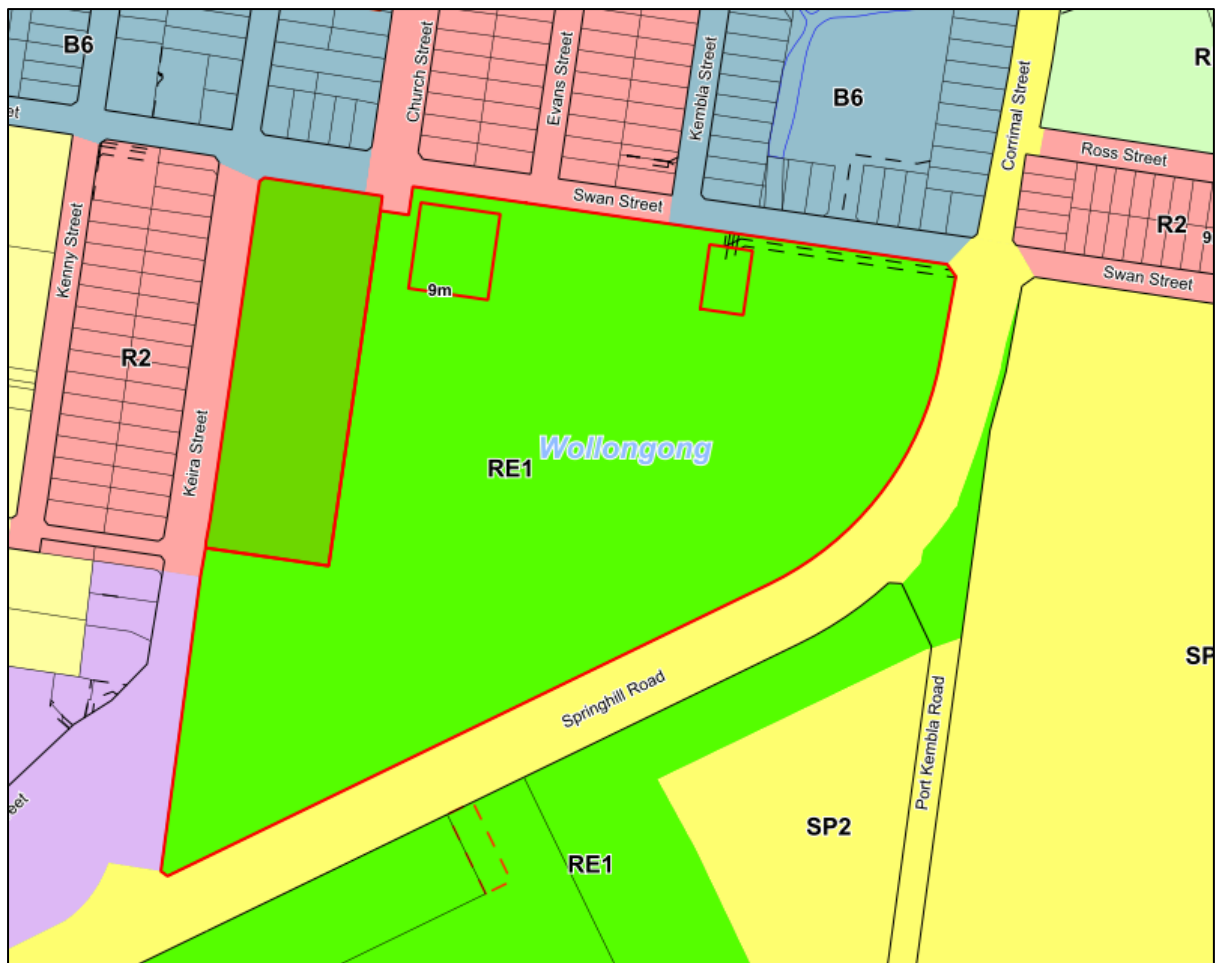
5 ATTACHMENTS

1. Aerial photograph
2. WLEP zoning map
3. Plans
4. Description of Tiers
5. Event Management Plan
6. WDCP compliance table
7. Draft conditions of consent

ATTACHMENT 1



ATTACHMENT 2





Imagery © Jacobs & Aerometrex (2018)



JJ Kelly Park

--- Proposed major event boundary



GIS ref.: gi12071_01P

Printed: 11/11/2020

Aerial Photography: 2018

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ATTACHMENT 4

	TIER 1	TIER 2	TIER 3	TIER 4
Reputational Impact	<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"> • Dedicated television broadcast • International exposure • Distinct engagement or enhancement opportunities <p>Social media of 1000,000+</p>	<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"> • Dedicated television broadcast • International exposure • Distinct engagement or enhancement opportunities <p>Social media of 100,000+</p>
Economic Impact	More than \$4 million economic impact from third year or as a one-off event	\$2 - \$4 million economic impact from third year	Typically \$500,000 to \$2 million economic impact from third year (estimated)	Typically a not-for-profit with no major financial objectives
Community and Business Engagement	<ul style="list-style-type: none"> • International and national sponsors • Demonstrated corporate partnering and cross-promotional strategy • Potential global or national business networking <p>Includes opportunities for local suppliers</p>	<ul style="list-style-type: none"> • National sponsorship • Demonstrated corporate partnering and cross-promotional strategy <p>Includes opportunities for local suppliers</p>	<ul style="list-style-type: none"> • Strong stable of local sponsors • May include a charity component • Aligned to local organisations and/or community groups <p>Maximises opportunities for local suppliers</p>	<ul style="list-style-type: none"> • Driven by local groups
Participant and Spectator Numbers	<ul style="list-style-type: none"> • More than 10,000 paying participants / spectators OR • More than 40,000 free participants <p>Target of 30% out-of-region</p>	<ul style="list-style-type: none"> • More than 5,000 paying participants / spectators OR • More than 20,000 free participants <p>Target of 20% out-of-region</p>	<ul style="list-style-type: none"> • More than 1,000 paying participants / spectators OR <p>More than 8,000 free participants</p>	<ul style="list-style-type: none"> • Loyal but limited following
Sustainability	<ul style="list-style-type: none"> • Ability to attract more than \$200,000 corporate sponsorship <p>Ability to attract more than \$100,000 State Government support</p>	<ul style="list-style-type: none"> • Ability to attract more than \$100,000 corporate sponsorship <p>Ability to attract more than \$25,000 State Government support</p>	<ul style="list-style-type: none"> • Ability to attract more than \$30,000 corporate sponsorship <p>Typically, sanctioning, VIK and logistical support via national body</p>	Typically low level sponsorship with primarily VIK components
Lifecycle and Legacy	<ul style="list-style-type: none"> • Need for seed funding or one-off support • Potentially act as catalyst for major legacy project 	<ul style="list-style-type: none"> • Typically strong regional affiliation <p>Typically strong potential to enhance</p>	<ul style="list-style-type: none"> • Strong stable of local sponsors • Typically demonstrates 	<ul style="list-style-type: none"> • Locally entrenched

	Ideally attract influencer/early adopter demographic	external perception of the city	strong growth potential	
Indicative Event	<ul style="list-style-type: none"> World Series Extreme Rallycross 	Illawarra Folk Festival	<ul style="list-style-type: none"> Sunset Cinema Eastern University Games 	Greenacres Mountain to Mountain
Funding & No. of Events	<ul style="list-style-type: none"> \$100,000 to \$200,000 1 to 2 	<ul style="list-style-type: none"> \$20,000 to \$40,000 3 to 6 	<ul style="list-style-type: none"> \$5,000 to \$20,000 5 to 15 	<ul style="list-style-type: none"> Up to \$5000 Unlimited

Notes:

a) Events may not hit thresholds in every category. For example, an event may boast strong regional exposure due to a dedicated television broadcast, but generate relatively low economic Impact due to it being elite, one-day event. Thresholds are indicative only and to be used as a guide.

b) Events should complement and reinforce the key messages promoted by Destination Wollongong and align with the strategic direction of Wollongong City Council.

c) Funding is for one-off or annual events. Repeat seasonal events, such as regular sporting fixtures, are not eligible. While all event funding will be considered on a case-by-case basis, it is not likely to support those that: involve capital works; are politically or racially themed; essentially seek a charitable donation; or are not open to the general public, such as business conventions and those restricted to members or delegates. Funding for any single entity is restricted to a maximum of two events annually, unless extenuating circumstances are established.

e) Events that will be looked upon favourably include those that: may require initial seed funding, but demonstrate strong growth potential with a view to reaching a sustainable business model over three years; can demonstrate immediate impact in regard to out-of-region visitation; are likely to help secure associated gains in regard to other events, economic development or lasting infrastructure.

EVENT MANAGEMENT PLAN

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 6

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 MANAGEMENT

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<u>3 Transport management plan & temporary road closure requirements for major events</u>	Road closures and changes require approval in accordance with the Roads Act. Approval is required from Council's Traffic Committee and/or RMS. Confirmation that any road closures have been approved will be assessed as part of the Event Application, as detailed in the EMP.	Able to comply
<u>4 Events held on council land</u>		
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.	Park Booking fees are payable for all events at JJ Kelly.	Yes
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. Therefore, Council's initial correspondence will advise that the booking is tentative, pending the final determination of any formal application.	This will occur for all events as part of the Event Application.	
<u>5 Other relevant legislation</u>		
The event organiser is to operate the event in accordance with the following legislation: <ul style="list-style-type: none">5.1 Occupational Health & Safety Act 2000	The development application does not remove any obligation for compliance with other legislation. Reference to other relevant legislation is contained in the EMP.	Yes

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<ul style="list-style-type: none"> 5.2 Protection of the Environment Operations Act 1997 <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>The Event Management Plan includes requirements for events to meet requirements based on the specifics of the event. These documents are able to be confirmed as part of the Event Application.</p> <p>The requirements in the EMP are based on Council conditions on previous event DAs, the guidelines included in the NSW Government Event Starter Guide, Crowded Places Guidelines, Music Festival Guidelines and recommendations based on the experience of Police, Ambulance, and Council's events team.</p>	Yes

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<u>7 Car parking</u>		
<ol style="list-style-type: none"> 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. 2. Promotional and advertising material must advise of the location of public car parks and nearby available parking. 3. Advertising material must also encourage the use of public transport where services are available. 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. 	<p>JJ Kelly Park is within walking distance to public transport at Coniston and Wollongong City Centre. In addition, the EMP lists requirements for Transport and Access to ensure public transport is encouraged for events, and staff and visitors are aware of transport availability ahead of the event.</p> <p>In addition to the above, the site contains several parking lots, which form part of the proposed event site.</p>	Yes
<u>8 Lighting</u>		
<ol style="list-style-type: none"> 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. 	<p>Lighting is a matter to be considered on an event to event basis depending on the time of day proposed and the type of event. Lighting is required to be shown on the Event Specific Site Plan, to be considered as part of the Event Application.</p>	Yes

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<p>3. At all times lighting must be adequate to enable the safe movement of people through the premises.</p> <p><u>9 Toilet facilities</u></p> <p>1. Adequate toilet facilities must be provided for the duration of the event. Toilet facilities for people with disabilities must also be provided.</p> <p>2. Details of existing and additional toilet facilities are to be submitted with the Development Application.</p> <p>3. The minimum number of toilet facilities to be provided at an event shall be in accordance with the following Table 1.</p> <p><u>10 Security / crowd management</u></p> <p>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.</p> <p>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.</p> <p>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.</p> <p>4. The attitude of the security staff is also important to a successful 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</p>	<p>Toilets are able to be provided on the site. Toilets are required to be shown on the site plan as per the EMP. The number of toilets provided will depend on the number of event attendees expected.</p> <p>Appropriate security will be provided for all events. Security requirements will be dictated by the specifics of each event, guided by the recommendations in the EMP, and of police and ambulance, who are required to be consulted with.</p> <p>Occasionally it may be required for security or event staff to remain on the site overnight. Therefore, it is requested any conditions referring to camping on site is clear that it may occasionally be necessary for staff to remain on site over time.</p>	<p>Yes</p> <p>Yes</p>

Controls/objectives	Comment	Compliance
<p>patrons whilst ensuring appropriate crowd control.</p> <p>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.</p> <p>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.</p> <p>7. The security staff shall remain in attendance until all patrons have left the event.</p>		
<p><u>11 Public liability insurance</u></p>		
<p>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.</p> <p>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.</p> <p>3. If the event is held on Council owned land, the applicant's insurance policy must include a provision indemnifying Council.</p> <p>4. A copy of the public liability insurance policy (certificate of currency) is to be provided to Council at least 14 days in advance of the date of commencement of the event. A receipt for payment of an insurance premium will not be accepted.</p> <p>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.</p>	<p>\$20,000,000 in public liability insurance must be taken out by event holders for all events. A condition could be imposed.</p>	<p>Yes</p>

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<p>5. Examples of other insurance coverage that may also be necessary for an event include:</p> <p>(a) Public liability insurance of any sub-contractor.</p> <p>(b) Volunteer's insurance.</p> <p>(c) Worker's compensation.</p> <p>(d) Professional indemnity insurance.</p> <p>6. Each organiser of an event is recommended to seek their own legal advice as to what insurance coverage is necessary for their event.</p> <p>7. The main organiser of the event should also guarantee that any other organisations participating in an event have suitable insurance coverage in place.</p>		
<u>12 Incident reporting</u>		
<p>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.</p>	<p>Maintenance of an incident report will be required for all events. A condition could be imposed.</p>	Yes
<u>13 Emergency response plan</u>		
<p>1. A written Emergency Response Plan is to be provided for all events.</p>	<p>Section 7 of the EMP requires the completion of an Emergency Plan for all events. Requirements change depending on the size of events. For example, a risk assessment and crowded places self-assessment is required for Tier 4 events, with more onerous requirements necessary for larger events, music festivals etc.</p> <p>A singular emergency procedure which covers all potentially emergencies is considered appropriate. A previous approach on some event approvals involved conditions requesting emergency plans, flood emergency plans, bushfire plans. These documents</p>	Yes

Controls/objectives	Comment	Compliance
<p><u>14 Fireworks / pyrotechnics displays</u></p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> (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 be held personally responsible 	<p>may be prepared by different individuals, and may result in different procedures, which increases difficulty for staff, security personnel, emergency services and event patrons to respond quickly and effectively.</p> <p>A single emergency plan which is communicated to all security, staff and emergency services is considered likely to result in a better outcome and is consistent with the best practice guidelines contained in the Event Starter Guide and Crowded Places guidelines.</p> <p>Council is not the consent authority for fireworks. Approvals for fireworks are issued by SafeWork NSW. A section in the EMP outlines this requirement. Council can comment and set any conditions as part of Safe Work NSW's consultation process, prior to them issuing a consent.</p> <p>Event applicants are required to include any firework details as part of the event notification process.</p>	<p>Yes</p>

Controls/objectives	Comment	Compliance
<p>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 using fireworks without a permit.</p> <p>4. The event organiser is required to advise the following organisations:</p> <p>(a) NSW WorkCover Authority.</p> <p>(b) Local Area Command of the NSW Police Service.</p> <p>(c) Local NSW Fire Brigades.</p> <p>(d) Council's Corporate Governance Section of the Technology & Administration Division (where the subject site is a Council owned or controlled parcel of land).</p> <p>(e) NSW Ambulance Service.</p> <p>(f) Any other relevant agencies such as the NSW Roads & Traffic Authority, RailCorp, Ministry for Transport etc.</p> <p>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.</p> <p>6. Any fireworks display upon land owned or controlled by Council will require separate approval of Council, prior to the event.</p>		
<p><u>15 Amusement devices & temporary structures (including stages)</u></p>		
<p>1. If the event includes the provision of amusement devices, the following information must be in place, prior to the use of each amusement device:</p>	<p>Most structures and stages are able to be constructed as Exempt Development.</p>	<p>Yes</p>

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<p>(a) Current NSW WorkCover Authority registration in place for the amusement device.</p> <p>(b) Public liability insurance cover in place for each amusement (Minimum \$10 million public liability insurance).</p> <p>(c) The installation of the amusement device in accordance with the procedures and specifications contained in any written technical manual / instructions.</p> <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><u>16 Food stalls /mobile food vans</u></p> <p>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.</p> <p>2. The NSW Food Act 2003 may be viewed at the following website: www.austlii.edu.au/au/legi/nsw/consolidated_act/fa200357/</p> <p>3. Temporary food outlets must also comply with Council's -</p> <p>(a) Food Premises Code.</p> <p>(b) Temporary Food Premises Code.</p> <p>(c) Food Vending Vehicles Code, as applicable.</p> <p>4. Copies of Council's Food Codes are available from Council's Regulation &</p>	<p>Any structures which are not exempt will be required to have a structural soundness certificate issued by an engineer.</p> <p>In addition, approvals for the placement of structures on public land is required in accordance with Section 68 of the Local Government Act.</p> <p>All food vendors are required to be registered with Council. There is a link available on the website for registration.</p> <p>Note: Contrary to Clause 1 food vendors are NOT required to register with NSW Food Authority.</p>	
		Yes

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<p>Enforcement Division (Health and Ranger Services Section).</p> <p>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.</p> <p><u>17 Accessibility to the event by people with a disability</u></p> <p>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.</p> <p>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.</p> <p><u>18 Copyright issues – live or pre-recorded music</u></p> <p>1. Music is generally protected by copyright. Accordingly, if an event proposes to use live music or pre-recorded music, then appropriate licensing may be required to be obtained.</p> <p>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</p>	<p>Requirements relating to accessibility are included within the Transport and Access Requirements and Site Plan section of the EMP.</p> <p>In addition, events must be consistent with several additional laws and regulations relating to accessibility, which are unaffected by this proposal.</p> <p>Requirements for relevant copyright requirements are contained within the additional licences and approvals section in the EMP. This process is separate to any approval given and must be complied with by Event holders.</p>	<p>Yes</p> <p>Yes</p>

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<p>Phonographic Performance Company of Australia (PPCA).</p> <p>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.</p> <p>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.</p> <p><u>19 Fundraising events</u></p> <p>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.</p> <p>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</p> <p><u>20 Alcohol free zones</u></p> <p>1. The suspension or variation of designated Alcohol Free Zones requires a specific resolution of Council</p> <p><u>21 Trading licence</u></p> <p>1. Sale of food or merchandise at the event requires the purchase of a trading licence from Council.</p>	<p>Contained within the additional licences and approvals section in the EMP. This approval issued by The NSW Office of Fair Trading is separate to the DA and EA process.</p> <p>Liquor licences are issued by NSW Office of Liquor and Gaming. Alcohol Free Zones only apply to public roads and footpaths (not parks). Council has several exemptions to the requirement for a Council resolution for events depending on the site. Suspension of alcohol prohibitions on parks does not require a Council resolution, but can be carried out under delegation of Council staff. These details have been included in the EMP.</p> <p>Trading Licences are not issued. Only food premises are required to register with council. There is no</p>	<p>Yes</p> <p>Able to comply</p> <p>No, but requirement is outdated</p>

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
2. Details, including location, number and type of market stalls, are to be provided with the Development Application. Markets must be ancillary to the proposed event.	reference to trading licences on Council's website or the Office of Fair Trading.	
<u>22 Waste management / recycling</u>		
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.	A waste management plan is required for all events as detailed in the EMP. This is to ensure consistency with Council's sustainable events policy, which requires wastage be reduced at events.	Yes
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.		

CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY

There are a range of federal and state legislation that apply to all events and compliance with the Disability Discrimination Act is required.

The EMP contains specific provisions for disability access to be considered and accessible amenities to be provided. It is noted that events proposed on a park may not always be fully accessible, however providing accessible parking and amenities aims to overcome a large barrier for people with disabilities to attend events.

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

Council's Traffic Engineer has reviewed the proposal and advised that the site has been used for Tier 2 and Tier 4 events in the past without any significant traffic and car parking issues being raised.

If road closures are included, they will require approval from Council via the Traffic Committee process which has a lead time of up to 8 weeks.

The RMS Guide to Transport Management for Special Events (2018) outlines the requirements for each Class of event (1-4). Details as outlined in this Guide with respect to transport, pedestrian access and accessibility, will need to be submitted to Council's Events Team as part of each individual Event Management Application.

CHAPTER E7: WASTE MANAGEMENT

Waste management will be assessed as part of the EA application. The EMP contains details on waste management plan required for all events, which is considered to meet the requirements of Chapter E7. chapter.

Smaller events are expected to generate less waste compared to large events, and this is reflected in the waste requirements outlined in the EMP. The guidelines in the EMP are designed to meet Council's adopted waste minimisation policies and Waste Wise events program.

CHAPTER E13 FLOODPLAIN MANAGEMENT

Part of the overall site is identified as being located within an uncategorised precinct. 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 E18 THREATENED SPECIES

A portion of the site is mapped as containing endangered ecological communities, however the mapped portion of the overall site is excluded from the event area and no concerns are raised in relation to any impacts on threatened species.

CHAPTER E20 CONTAMINATED LAND MANAGEMENT

The nature of the application which pertains only to temporary events does not give rise to any concern in relation to contaminated land.

CHAPTER E23 RIPARIAN LAND MANAGEMENT

The site contains riparian land, however the proposed site area excludes the riparian land. The proposed development is not considered to require a Controlled Activity Approval from NRAR under the Water Management Act 2000, as the application does not involve 'the erection of a building or the carrying out of a work', the removal of material or vegetation, excavation, deposition of material or any other activity which may impact water quality.

No permanent work is proposed as part of this application, and the site will be required to be returned to its original state following any event, enforced through the collection of a bond. As such, no impacts on riparian land is expected.

ATTACHMENT 7

Approved Plans and Specifications

- 1 The development shall be implemented substantially in accordance with the details and specifications set out on Drawing JJ Kelly Park GIS ref: gi12071_01P dated 11 November 2020 prepared by Wollongong City Council 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 Event Details

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

a Tiers

- 3 x Tier 1.
- 6 x Tier 2.
- 10 x Tier 3.
- All x Tier 4.

b Number of Days

The overall number of events in any Tier must not exceed 52 days per annum 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 Capacity

Multiple events can be conducted on the site concurrently provided that the maximum number of people (paying or non-paying) does not exceed 38,500 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.

3 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.

4 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 December 2019, as amended from time to time.

5 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.

6 **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*.

7 **Public Liability Insurance**

The person authorised to conduct an event must hold current public liability insurance for an amount of \$20,000,000 noting the Council as an interested party at all times.

8 **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.

9 **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.

10 **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.

11 **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.

12 **Amusement Devices**

Each amusement device must have:

- a Current SafeWork NSW Workcover Authority registration;

- b Public liability insurance cover of a minimum \$10 million;
- c Current technical manual for installation and operation.

13 **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.

14 **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.

15 **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.

16 **Inspection of the Site Pre and Post Event**

The person authorised to conduct the event must arrange for an Officer from the 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.

17 **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.

18 **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 as a consequence of any event.

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.

Prior to Use of Site/Occupation

- 19 Pursuant to clauses 156(1)(b) and 268(A) of the *Environmental Planning and Assessment Regulation, 2000*, appoint and obtain from a Registered 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.

Use of the Site

- 20 The applicant must refer to the Transport for NSW (TfNSW) 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.
- 21 Footpaths shall not be obstructed by temporary structures, staging, equipment, speakers or signage.
- 22 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.
- 23 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.

- 24 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 (8) 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 AS 1742-Traffic Control Devices for Works on Roads and the TfNSW Traffic Control at Worksites Manual.

25 Restricted Hours of Operation

The hours of operation for any event 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.

- 26 **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.
- 27 **Bump-in and Bump-out Times**
Bump-in shall be between 7am and 7pm. Bump-out times shall be as in the Event Approval.
- 28 **Location of Temporary Structures and Facilities**
Any temporary structures and facilities erected at events and any temporary storage of materials and equipment shall be located at least 10 metres from the top of the bank of the watercourses on the site.
- 29 **No Obstruction of Footpaths**
Footpaths shall not be obstructed by temporary structures, staging, equipment, speakers or signage.
- 30 **Sight Distance**
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.
- 31 **Works within Road Reserve**
All works within the road reserve are to be at the applicant's cost and all signage is to be in accordance with the TfNSW Traffic Control at Worksites Manual and the TfNSW Interim Guide to Signs and Markings.
- 32 **Publicly Accessible Toilets**
Adequate toilet and hand-washing facilities (including accessible facilities) must be provided for the event.
- 33 **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 three (3) metres clear of the drip line of trees and vegetation 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.
- 34 **Greywater**
All greywater shall be contained and disposed of appropriately.
- 35 **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)

36 **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) Front of House 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.

37 **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 10.30pm. Exceptions are New Year's Eve and Australia Day.

38 **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.

39 **No Glass Containers**

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

40 **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.

41 **Food Stalls**

All food stalls for the event must:

- a Comply with the NSW Food Act 2003, NSW Food Regulation, Food Safety Standards and NSW Food Authority – Food Handling Guidelines for Temporary events. This document is available on the NSW Food Authority website.
- b The applicant/coordinator of the event must ensure all food outlets operating at an event have appropriately registered their food business with Council.
- c Register with Council's Regulation and Enforcement Division.

42 **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.

43 **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.

44 **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.

45 **Waste Management**

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

46 **Site Left Clean and Tidy**

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

47 **Extreme Weather Conditions**

The event must not be held where there is a likelihood of extreme weather events including 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 occasions when extreme weather or heavy rain is forecast or any warning has been issued (including heavy rain, flood watch, flood warning, flash flooding warning, riverine flooding warning) then the event must be cancelled.

Should an extreme weather event 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 extreme weather event. Information obtained shall be used to determine if the event can continue or be cancelled. Council's Events Team must be informed of any decisions to cancel the event.