

# Wollongong Local Planning Panel Assessment Report | 10 December 2020

<b>WLPP No.</b>	Item 1	
<b>DA No.</b>	DA-2020/615	
<b>Proposal</b>	Major event application for temporary events to a maximum of 52 days in any 12-month period - Thirroul Beach Reserve and foreshore	
<b>Property</b>	<b>Address</b>	<b>Lot and DP</b>
	North Thirroul Beach The Esplanade THIRROUL NSW 2515	Lot 9 DP 1165992
	North Thirroul Beach Cliff Parade THIRROUL NSW 2515	Lot 7316 Crown DP 1165555
	Thirroul Beach Cliff Parade THIRROUL NSW 2515	Lot 7317 Crown DP 1165555
	Thirroul Beach Cliff Parade THIRROUL NSW 2515	Reserve R89099
	Thirroul Kiosk 23 Cliff Parade THIRROUL NSW 2515	Lot 30 Sec 3 DP 2185
	Thirroul Kiosk 23 Cliff Parade THIRROUL NSW 2515	Lot 31 Sec 3 DP 2185
	Thirroul SLSC 25 Cliff Parade THIRROUL NSW 2515	Lot 32 Sec 3 DP 2185
	Thirroul SLSC 25 Cliff Parade THIRROUL NSW 2515	Lot 33 Sec 3 DP 2185
	Thirroul Pool 21 Cliff Parade THIRROUL NSW 2515	Lot 405 DP 881119
	Lot 1 The Esplanade THIRROUL NSW 2515	Lot 1 DP 964636
	Thirroul Beach Cliff Parade THIRROUL NSW 2515	Lot 7317 Crown DP 1165555
<b>Applicant</b>	Wollongong City Council – Susan Wardle	
<b>Responsible Team</b>	Development Assessment & Certification - City Wide Planning Team (SG)	

## ASSESSMENT REPORT AND RECOMMENDATION

### Executive Summary

#### Reason for consideration by Local Planning Panel

The proposal has been referred to Local Planning Panel **for determination** pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Schedule 2 Clause 1 (a) of the Local Planning Panels Direction of 1 March 2018, the land is owned by Council, and the State of NSW, but is in the care and control of Council and Council is the applicant.

#### Proposal

The proposal is for events at the subject site. The proposal seeks consent for up to 52 events in a 12 month period comprising a maximum of 2 x 'Tier 2' events, 6 x 'Tier 3' events and unlimited 'Tier 4' events up to a maximum of 52 events in a 12 month period.

#### Permissibility

The site is zoned RE1 Public Recreation pursuant to the Wollongong Local Environment Plan 2009. The proposal does not seek to change the primary use of the site as a recreation area, however, proposes

the use of the site for events, pursuant to clause 2.8 of the WLEP 2009. The use of the site for events is considered ancillary to the primary use of the site as a recreation area.

### **Consultation**

The proposal was notified in accordance with Council's Community Participation Plan and received one (1) submission.

The proposal was referred to Councils Stormwater, Traffic, Environment, Health, Community Services, Community Lands Management, SCAT, Property, BCA, Recreation and Heritage Officers and conditionally satisfactory referral advice has been provided in each instance.

### **Conclusion**

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

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

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.

### **RECOMMENDATION**

Development Application DA-2020/615 be **approved** subject to the conditions contained in Attachment 4.

# 1 APPLICATION OVERVIEW

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## 1.1 PLANNING CONTROLS

The following planning controls apply to the proposal:

Relevant Acts of Legislation:

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

State Environmental Planning Policies:

- SEPP No. 55 – Remediation of Land
- SEPP (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 (WDCP) 2009

Other policies

- Wollongong City-Wide Development Contributions Plan 2019 (section 7.12 of EP&A Act 1979)
- Wollongong Community Participation Plan 2019
- Coastal Management Act 2016.

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

## 1.2 DETAILED DESCRIPTION OF PROPOSAL

The proposal comprises the following:

The application proposes the use of the site for a maximum of 52 events in any 12-month period.

The subject application is part of a broader Council strategy whereby 10 generic event development applications have been lodged at different parks and open space areas across the LGA. These DA's allow a more consistent and streamlined process for events to be held on certain areas of Council land for both applicants and Council. The Generic Approvals aim to simplify the process of holding events in Wollongong.

Once a site is granted a generic events DA, Councils Event Team are able to direct event organisers to the 'event toolkit'. Conditions are recommended in this regard. The toolkit outlines the requirements and restrictions on the different event sites, and where an enquiry is received in relation to holding an event on that land, an event licence is issued by Councils Events team. This event licence essentially combines the DA process and ensuring that that the event is consistent with the conditions of the applicable DA, the booking of the park, any other legislative requirements such as leases or licences under the Crown Lands Act 1989 or Local Government Act 1993 and Activity Approval.

Event holders are not permitted to benefit from this consent without first gaining an Event Approval from Council's Events Team. All applications relate to land which Council either owns or is responsible

for managing. Any licence required under the LG Act or CL Act will be confirmed as part of the Event Application process.

The event toolkit refers to events in four 'Tiers', as per the following:

Tier 1	<ul style="list-style-type: none"> <li>• &gt;10,000 paying participants/spectators or more than 40,000 free participants</li> <li>• Dedicated television broadcast</li> <li>• International exposure</li> <li>• More than \$4 million economic impact</li> <li>• Example: World Series Extreme Rallycross</li> <li>• 1-2 events per year</li> </ul>
Tier 2	<ul style="list-style-type: none"> <li>• &gt;5,000 paying participants/spectators or more than 20,000 free participants</li> <li>• Dedicated television broadcast of national/state reporting</li> <li>• Typical multi-day festival</li> <li>• \$2 – 4 million economic impact</li> <li>• Example: Illawarra Folk Festival</li> <li>• 3-6 events per year</li> </ul>
Tier 3	<ul style="list-style-type: none"> <li>• &gt;1,000 paying participants/spectators or more than 8,000 free participants</li> <li>• Blanket regional coverage</li> <li>• \$500,000 - \$2 million economic impact</li> <li>• Aligned to local organisation and/or community group</li> <li>• Example: Subset Cinema/University Games</li> <li>• 5-15 events per year</li> </ul>
Tier 4	<ul style="list-style-type: none"> <li>• Typically low level sponsorship with primarily Value in Kind components</li> <li>• Loyal but limited following</li> <li>• Driven by local groups</li> <li>• Local and/or sector specific interest</li> <li>• Example: Greenacres mountain to mountain challenge</li> </ul>

The subject proposal at Thirroul Foreshore requests consent for a maximum of 2 'Tier 2' events, 6 'Tier 3' and unlimited 'Tier 4' events (to the maximum of 52 events per year). No 'Tier 1' events are proposed at the site.

The hours of operation for the events are proposed from 7am to 11am Sunday to Thursday and 7am to 12 midnight Friday and Saturday. Bump in and Bump out is proposed to be in accordance with the submitted event management plan which provides for a range of different circumstances, as follows:

- Bump in prior to 7am will only be permitted where it can be demonstrated that there will not be unacceptable impacts and will usually only be considered for early starting events that require a single morning for bump in. Event organisers must detail what work is proposed prior to 7am, including details of any tools expected to be required.



- Bump in for larger events more than 48 hours prior will be considered where suitable justification is provided. A bump in schedule will be required to be provided as part of the Event Application detailing what work is proposed as part of the bump in. Hours for bump in will usually be restricted to between 7am and 7pm. Additional conditions may be imposed by Councils Events team if necessary.
- Bump out will be conditioned as part of the Event approval. A bump-out schedule is required to be provided as part of the Event application which considers the efficient removal of items from the site and any ground restoration works. The schedule will be required to consider other licenced users of the site. Additional conditions may be imposed by Councils Events team if necessary.

The subject proposal does not include any provision for public camping to be set up as part of an event.

### **1.3 BACKGROUND**

The development history of the site is as follows:

The subject sites have a mixed development history relating to alterations and additions to the existing Pavilion and Pool Area, the use of the land for fitness training activities, surf school activities and a range of event and Local Government Act applications relating to the Thirroul Seaside & Arts Festival, Community Car Boot sales, Community Markets, Second hand book sales, Christmas Carols, Outdoor movies and charity walks.

DA-2019/1130 relating to the use and completion of alterations and additions to the Thirroul Surf Life Saving Club on Lots 32 and 33 Sec 3 DP 2185 has recently been approved.

No pre-lodgement meeting was held for the proposal.

#### Customer service actions

There are no outstanding customer service requests of relevance to the development at the time of preparing this report.

### **1.4 SITE DESCRIPTION**

The site is known as the Thirroul Foreshore Area. The site identified as part of the subject application comprises 11 separate Lots as described above and stretches from Flanagan's Creek in the north to 15 Cliff Parade in the south. Cliff Parade and the Esplanade roads form the western boundary and the extent of the proposed site area is identified in yellow at Figure 1 below. The area comprises the Thirroul Surf Lifesaving Club, Thirroul Beach Kiosk, public toilet and amenities, Thirroul Ocean Pool children's playground area, Tingara Park and the surrounding Thirroul Beach Reserve area.



**Figure 1:** DA-2020/615 site area (yellow dotted line).

The ownership of the subject lots is as follows:

Owned by Wollongong City Council

- Lot 405 DP 881119
- Lot 1 DP 964636
- Lot 9 DP 1165992 (part)

Crown Land – Wollongong City Council appointed Crown Land Manager

- Lots 30, 31, 32 and 33 DP 2185 (Reserve R89099)
- Lot 7018 DP 1076630 (Reserve R89099)

Crown Land (not managed by Council)

- Lot 7316 Crown DP 1165555 (part)
- Lot 7317 Crown DP 1165555 (part)

Lot 405 DP 881119 is identified as a road within Councils Mapping system. This appears historic and whilst containing part of a car parking area, the Lot also comprises part of the Park area and the beach area.

#### Property constraints

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

- Acid sulphate soils: classes 3, 4 and 5.
- Flooding
- Coastal Hazards: 2010, 2050 and 2100 ocean inundation. A small area at the south of the site is also identified as coastal geotechnical risk.

There are no restrictions on the title. Lot 405 contains areas of road reserve associated with a historic subdivision pattern in the area. In reality, these areas of road reserve form part of the park.

## **1.5 SUBMISSIONS**

The proposal was exhibited in accordance with the Community Participation Plan 2019. A total of (1) submission was received during this period the issues are discussed below;

**Table 1: Submissions**

Concern	Comment
<p>1. The proposal would result in adverse impacts on existing leased premises in the area.</p> <p>The proposal seeks consent for the use of the site for 52 days per year which could mean every weekend. Parking is already insufficient in the area and events in the past have impeded access to other businesses within the site.</p>	<p>The proposal has been reviewed by Councils Traffic Officer and conditions have been recommended which require that event organisers maintain reasonable access to existing businesses within the site. This will be considered on a case by case basis as part of the event application process.</p> <p>The impact of events on nearby businesses is not strictly a planning consideration.</p>

## **1.6 CONSULTATION**

### **1.6.1 INTERNAL CONSULTATION**

#### **Stormwater Officer**

Council's Stormwater Officer has reviewed the application submission with regards to stormwater matters and provided conditionally satisfactory advice.

#### **Environment Officer**

Council's Environment Officer has reviewed the application submission and requested additional information in relation to proximity to existing vegetation. A revised event area boundary was provided. This information has been reviewed and a conditionally satisfactory advice has been provided.

#### **Health Officer**

Council's Health Officer has reviewed the application submission and provided conditionally satisfactory advice.

**Heritage Officer**

Council's Heritage Officer has reviewed the application and provided satisfactory advice.

**Recreation Officer**

Council's Recreation Officer has reviewed the application and provided satisfactory advice.

**Community Services Officer**

Council's CSO Officer has reviewed the application and provided conditionally satisfactory advice.

**Community Land Management Officer**

Council's Community Land Management Officer has reviewed the application, there is no specific Plan of Management (POM) for the site however Council's generic POM applies to all Council reserves. Satisfactory advice has been provided regarding the application.

**BCA Officer**

Council's BCA Officer has reviewed the application and provided a conditionally satisfactory advice.

**Traffic Officer**

Council's Traffic Office has reviewed the application and provided conditionally satisfactory advice.

**1.6.2 EXTERNAL CONSULTATION**

None required.

**2 OTHER ACTS OF LEGISLATION**

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**2.1 CROWN LAND MANAGEMENT ACT 2016**

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

**2.2 NSW BIODIVERSITY CONSERVATION ACT 2016**

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

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

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.

Small areas of the site are identified on the Biodiversity Values Map, however, correspond to the water area or areas of the property outside of the site area. See Figure 2 below.

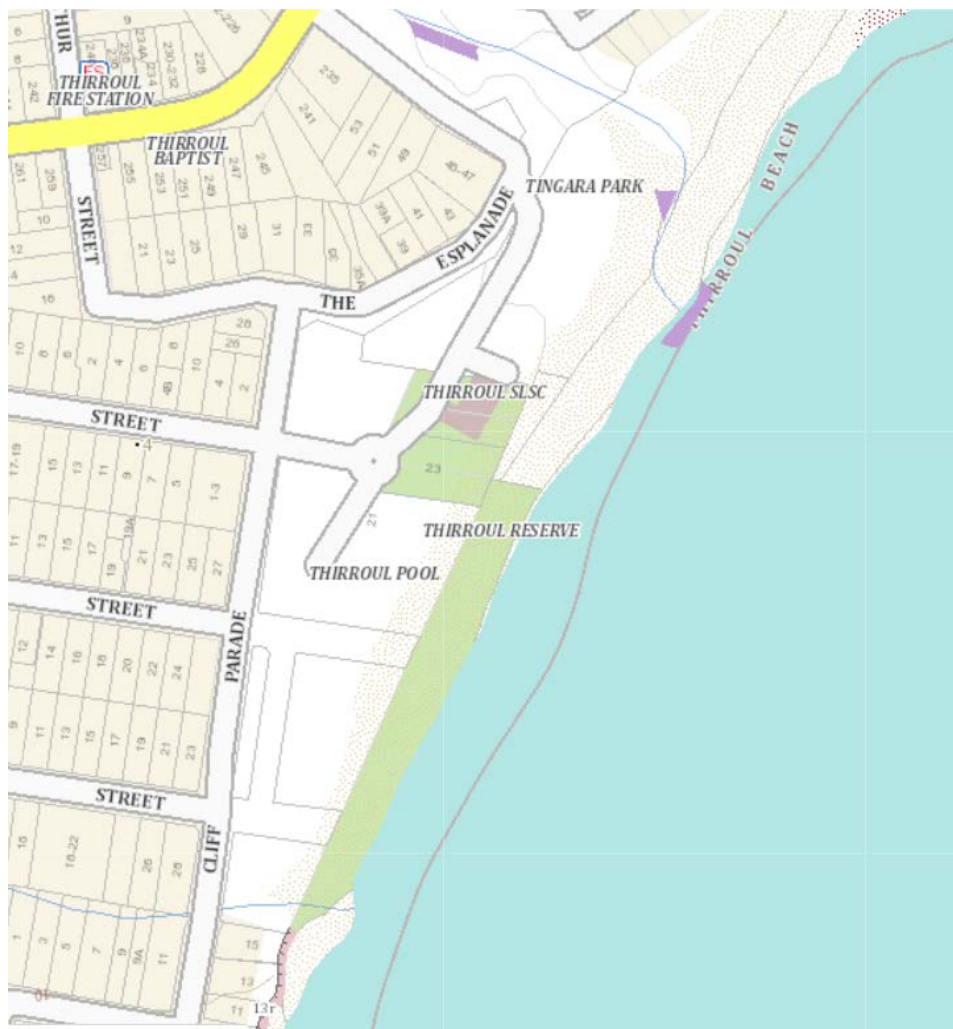
Council's Environmental Assessment Officer has considered whether the development site would potentially provide suitable habitat for any threatened species and the test of significance and has concluded that the proposed development is not expected to likely significantly affect threatened

species or ecological communities, or their habitats. The development proposed would not be considered a key threatened process.

None of the trees on the site were identified as containing hollows.

The development would therefore not be considered to result in adverse impacts on biodiversity and is consistent with the provisions of the Biodiversity Conservation Act 2016.

Notwithstanding, conditions are recommended which require consideration of fauna during the tree removal works.



**Figure 2:** Biodiversity Values Map extract

### **3 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – 4.15 EVALUATION**

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#### **3.1 SECTION 4.15(1)(A)(1) ANY ENVIRONMENTAL PLANNING INSTRUMENT**

##### **3.1.1 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND**

###### **7 Contamination and remediation to be considered in determining development application**

- (1) A consent authority must not consent to the carrying out of any development on land unless:
  - (a) it has considered whether the land is contaminated, and

- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

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

The site is therefore considered suitable for the proposed development and consistent with the assessment considerations of SEPP 55.

### 3.1.2 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

#### Clause 104 Traffic Generating Development

The proposal is not considered to be new premises of the relevant size or capacity or an enlargement or extension of existing premises. However, as the Traffic Management Plans for specific events have not yet been produced/ submitted and there may be a likelihood of greater than 200 vehicles per hour associated with the event in the locality a condition has been imposed to enable the requirements of this clause; including any comments received by Transport for NSW can be met, if applicable, prior to the separate event approval being issued by Council's Events Management team.

### 3.1.3 STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018

#### 3 Aim of Policy

The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by:

- (a) managing development in the coastal zone and protecting the environmental assets of the coast, and
- (b) establishing a framework for land use planning to guide decision-making in the coastal zone, and
- (c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.

*Comment:* the development would not be considered inconsistent with the aims of this policy.

#### 5 Land to which Policy applies

This Policy applies to land within the coastal zone.





**Figure 3:** Coastal Management SEPP (2018) map extract and approximate site boundaries in yellow  
The subject site is located within the overlapping coastal environment and coastal use mapped areas.

## **Part 2 Development controls for coastal management areas**

### Division 1 Coastal wetlands and littoral rainforests area

#### 10 Development on certain land within coastal wetlands and littoral rainforests area

*Comment:* The subject site is not identified within the SEPP maps as containing coastal wetlands or littoral rainforest areas. As such, this part does not apply to the subject development.

#### 11 Development on land in proximity to coastal wetlands or littoral rainforest

*Comment:* The subject site is not identified as being within the proximity area of either the coastal wetland or littoral rainforest area. As such, this part does not apply to the subject development.

### **Division 2 Coastal vulnerability area**

*Comment:* At the commencement of this Policy and lodgement of the subject application, no Coastal Vulnerability Area Map was adopted and therefore no coastal vulnerability area has been identified. As such, this part does not apply to the subject development.

### **Division 3 Coastal environment area**

#### 13 Development on land within the coastal environment area

- (1) *Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:*

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
- (b) coastal environmental values and natural coastal processes,*
- (c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
- (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
- (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (f) Aboriginal cultural heritage, practices and places,*
- (g) the use of the surf zone.*

*Comment:* The subject site is located within the overlapping Coastal Environment and Use area, therefore this clause applies to the proposal. The proposed temporary use is not expected to result in adverse impacts on the integrity and resilience of the ecological environment, the coastal environmental values, natural processes, water quality, marine vegetation, habitats or headlands or rock platforms, public open space and access to that public open space, aboriginal cultural heritage or the use of the surf zone. Councils Environment and Heritage Officers have considered the proposal and recommended conditions relating to protection and management of the site.

It is noted that the development application relates to the temporary use of the land only. No permanent structures are required or proposed. The proposal would not be expected to result in increased instability.

- (2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*
  - (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or*
  - (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
  - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

*Comment:* As discussed above, generally, the proposal has been designed and sited to avoid potential impacts to the coastal environment. A small part of the subject site is identified as being within a coastal geotechnical risk area. As such, it is considered that the potential impact resulting from the proximity to the coast is able to be managed, subject to conditions which will be included as part of any consent granted.

- (3) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.*

*Comment:* The subject site is not located within the Foreshores and Waterways Area.

#### **Division 4 Coastal use area**

##### **14 Development on land within the coastal use area**

- (1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:*
  - (a) has considered whether the proposed development is likely to cause an adverse impact on the following:*



- (i) *existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (ii) *overshadowing, wind funnelling and the loss of views from public places to foreshores,*
- (iii) *the visual amenity and scenic qualities of the coast, including coastal headlands,*
- (iv) *Aboriginal cultural heritage, practices and places,*
- (v) *cultural and built environment heritage, and*
- (b) *is satisfied that:*
  - (i) *the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
  - (ii) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
  - (iii) *if that impact cannot be minimised—the development will be managed to mitigate that impact, and*
- (c) *has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*

*Comment:* The proposed events may result in temporary changes in public access to the foreshore area but would not be likely to cause an adverse impact on access to the foreshore area, overshadowing of the foreshore area, impacts on the visual amenity of the coast, Aboriginal cultural heritage or cultural or built environmental heritage.

*(2) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.*

*Comment:* The subject site is not located within the Foreshores and Waterways Area.

## **Division 5 General**

### 15 Development in coastal zone generally—development not to increase risk of coastal hazards

*Development consent must not be granted to development on land within the coastal zone 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.*

*Comment:* Council is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on the subject land or any other land.

### 16 Development in coastal zone generally— coastal management programs to be considered

*Development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.*

*Comment:* 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. This Plan identifies that the site is partly affected by Coastal Geotechnical Risk and the entirety of the site is affected by potential coastal inundation, and the site has been subsequently mapped according and considered as discussed throughout this report. There are no other provisions of the Plan which apply to the subject land.

### 17 Other development controls not affected

*Subject to clause 7, for the avoidance of doubt, nothing in this Part:*

- (a) *permits the carrying out of development that is prohibited development under another environmental planning instrument, or*

- (b) *permits the carrying out of development without development consent where another environmental planning instrument provides that the development may be carried out only with development consent.*

*Comment:* noted

#### 18 Hierarchy of development controls if overlapping

*If a single parcel of land is identified by this Policy as being within more than one coastal management area and the development controls of those coastal management areas are inconsistent, the development controls of the highest of the following coastal management areas (set out highest to lowest) prevail to the extent of the inconsistency:*

- (a) the coastal wetlands and littoral rainforests area,*
- (b) the coastal vulnerability area,*
- (c) the coastal environment area,*
- (d) the coastal use area.*

*Comment:* The subject site is located within the overlapping Coastal and Environment Use areas. There is no inconsistency between the controls as discussed above.

#### **NSW Coastal Management Act 2016 and Wollongong Coastal Zone Management Plan**

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 December 2020.

A review of Council's associated CZMP coastal hazard mapping extents identifies that the subject site is partly affected by coastal hazard geotechnical risk and ocean inundation.

Minimal adverse impact on the coastal environment is anticipated as a result of the proposed development and its temporary nature of the events.

Minimal adverse impacts on the development are expected as a result of coastal processes. Conditions are recommended requiring consideration of the weather prior to the holding of an event at the site.

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

#### **3.1.4 STATE ENVIRONMENTAL PLANNING POLICY (KOALA HABITAT PROTECTION) 2019**

The City of Wollongong is identified within Schedule 1 as land to which this Policy applies. Wollongong is located within the South Coast Koala Management Area.

The Koala SEPP applies to development applications considered by councils on land over 1 hectare in size or on land if it is included in an approved council Koala Plan of Management. The lot size is greater than 1 hectare, however no tree removal is proposed as the proposal is for temporary events any temporary structures would be situated within already cleared portions of the site and Council does not have an approved Koala Plan of Management for the land at the time of preparing this report. As such, no further consideration of this SEPP is required.

#### **3.1.5 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009**

##### **Part 1 Preliminary**

##### Clause 1.4 Definitions

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

- (a) a children's playground, or

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

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

## Part 2 Permitted or prohibited development

### Clause 2.2 – Zoning of land to which Plan applies

The zoning map identifies the land as being zoned RE1 Public Recreation/W1 Natural Waterways. The extent of the area the subject of the application does not extend to the W1 zoned area of the site.



**Figure 4:** WLEP 2009 Zoning Map.

### Clause 2.3 – Zone objectives and land use table

The objectives of the RE1 Public Recreation zone are as follows:

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

The proposal is satisfactory with regard to the above objectives.

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

The proposal is categorised as temporary events which could be considered ancillary to the primary use of the site as a recreation area as defined above. The events are also presented as temporary uses of land, pursuant to clause 2.8 below.

#### Clause 2.8 Temporary use of land

<i>(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.</i>	The proposal for a generic events DA at the Thirroul Foreshore Area would be consistent with the objective of this control. The proposal would not compromise the future development of the land, or have detrimental impacts on the economic, social, amenity or environmental aspects of the land.
<i>(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.</i>	Consent is sought for the use of the site for events, covering a maximum of 52 days in any 12 month period. A condition is recommended which clarifies that the period of any event includes any days required for set-up and dismantling of any equipment, stalls, temporary structures and any other temporary site works or traffic management works.
<i>(3) Development consent must not be granted unless the consent authority is satisfied that—</i>	
<i>(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</i>	The temporary use would not prejudice the subsequent carrying out of development on the land in accordance with this plan or any other applicable EPI. Conditions are recommended requiring that existing public access routes through the site are maintained and also requiring that the following the conclusion of the use, that the site be returned to its previous state.
<i>(b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and</i>	Conditions are recommended with regard to managing impacts on adjoining land and the surrounding neighbourhood, with regard to noise, traffic generation, lighting, access and egress, waste management, loading/unloading and security.
<i>(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</i>	The site area has been amended throughout the assessment period to minimise the potential for impacts on surrounding sensitive lands.

<i>increase the risk of natural hazards that may affect the land, and</i>	
<i>(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.</i>	<p>Conditions are recommended (and Council has in place adopted Fees and Charges) which facilitate the holding of an appropriate Bond or payment of security to cover the cost of any repairs or restoration required to public places and assets.</p> <p>Conditions are recommended that all areas used for the events be restored to the pre-event condition as well as for implementation of waste minimisation plans and site management plans to protect and maintain the event site in good order.</p>
<i>(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.</i>	The proposal does not relate to any use of a dwelling house as a sales office.
<i>(5) Subclause (3) (d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4).</i>	The proposal does not relate to any use of a dwelling house as a sales office.

## **Part 5 Miscellaneous provisions**

### Clause 5.10 Heritage conservation

The Thirroul Baths Precinct and the Landscape Area are local heritage items, demonstrated below.

Councils Heritage Officer has reviewed the proposal with regard to the provisions of this clause and provided comments indicating that the use is not expected to result in any significant heritage impacts. The events proposed are temporary in nature and any shade structures/food vans etc that may have potential visual impacts on the foreshore precinct would be in place for a finite period only. The facilitation of community events is also part of the social significance of the precinct as a recreational area, and as such, the proposal is considered satisfactory from a heritage perspective.



**Figure 5:** WLEP 2009 Local Heritage Items

## **Part 7 Local provisions – general**

### Clause 7.1 Public utility infrastructure

There are adequate services available within the reserve area. Additional power is likely to be required with the use of portable generators and conditions are recommended to ensure the use of generators does not cause a nuisance and will not obstruct paths of movement for emergency vehicles and pedestrians.

### Clause 7.2 Natural resource sensitivity – biodiversity

A small area in the northern section of the site is mapped as being within the mapped “Natural Resource Sensitivity – Biodiversity”. The application was referred to Council’s Environment Division to assess likely impacts of the proposal in this regard. Satisfactory comment was provided after additional information was received and appropriate conditions of consent have been recommended.

### Clause 7.3 Flood planning area

The site is flood affected and part of the land is identified as being below the “flood planning level”, being the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metres freeboard. Councils Stormwater Engineer has considered the proposal and provided conditionally satisfactory referral advice.

In this instance as the proposal relates to the temporary use of the land for events only, the proposal would not be considered likely to adversely affect flood behaviour or alter flow distributions. Conditions have been recommended by Councils Environment Officer in relation to consideration of weather conditions. The Event Management Plan includes a site emergency response and safety procedure which specifically addresses flood prone land and flood emergency responses. Conditions are recommended in this regard.



#### Clause 7.4 Riparian lands

The northern and southern extents of the site area are affected by riparian corridors, both in the form of category 3 corridors. Council's Environment Officer has reviewed the application in this regard and has not raised any objections subject to appropriate conditions of consent.



**Figure 6:** Riparian Land Mapping

#### Clause 7.5 Acid Sulfate Soils

No significant excavation, soil disturbance or changes to the groundwater table are anticipated as part of the proposed temporary uses.

#### Clause 7.6 Earthworks

The proposal relates to the temporary use of land. No significant ground disturbance is expected.

#### Clause 7.7 Foreshore building line

Part of the site is located within the mapped "foreshore building line", as demonstrated by Figure 7 below.



**Figure 7:** WLEP 2009 Foreshore Building Line Map

<p>1. <i>The objective of this clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.</i></p>	<p>The proposed events are not considered inconsistent with the objective of this clause. The proposal would not be expected to result in impacts on natural foreshore processes or affect the amenity or significance of the area.</p>
<p>2. <i>Development consent must not be granted for development on land in the foreshore area except for the following purposes—</i></p> <p>(a) <i>the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area,</i></p> <p>(b) <i>the erection of a building in the foreshore area, if the levels, depth or other exceptional features of the site make it appropriate to do so,</i></p> <p>(c) <i>development for the purposes of boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or <b>other recreation facilities (outdoor).</b></i></p>	<p>The proposal relates to the temporary use of the site for events, pursuant to clause 2.8 of this Plan. The proposed use is considered generally consistent with the primary use of the site which is an outdoor recreation facility.</p>



<i>(3) Development consent must not be granted under subclause (2) unless the consent authority is satisfied that—</i>	
<i>(a) the development will contribute to achieving the objectives for the zone in which the land is located, and</i>	The proposal is considered to be consistent with the objectives of the zone, as discussed at Clause 2.3 above.
<i>(b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and</i>	The proposal relates to the temporary use of land for events. No permanent structures are proposed, and as such, no permanent change in the appearance of the land would occur. Conditions are recommended which facilitate the holding of an appropriate Bond or payment of security to cover the cost of any repairs or restoration required to public places and assets.
<i>(c) the development will not cause environmental harm such as—</i> <ul style="list-style-type: none"> <li><i>i. pollution or siltation of the waterway, or</i></li> <li><i>ii. an adverse effect on surrounding uses, marine habitat, wetland areas, flora or fauna habitats, or</i></li> <li><i>iii. an adverse effect on drainage patterns, and</i></li> </ul>	Conditions are recommended to ensure that the proposed events do not result in environmental harm.
<i>(d) the development will not cause congestion of, or generate conflicts between, people using open space areas or the waterway, and</i>	Conditions are recommended requiring that an access plan be provided as part of the event application which considers how public access is to be maintained to, from and through the site during the event.
<i>(e) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and</i>	See above.
<i>(f) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained, and</i>	The temporary use of the site is not expected to result in adverse impacts on the significance of the land.
<i>(g) in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore.</i>	The proposal does not relate to any alteration or rebuilding of a building. The proposal would not be expected to result in adverse impacts on the amenity or appearance of the foreshore.

### **3.2 SECTION 4.15(1)(A)(II) ANY PROPOSED INSTRUMENT**

None relevant.

### 3.3 SECTION 4.15(1)(A)(III) ANY DEVELOPMENT CONTROL PLAN

#### 3.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

##### CHAPTER A2 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT

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

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

##### CHAPTER E6: EVENT MANAGEMENT

Controls/objectives	Comment	Compliance
<u>Approval process</u>		
<u>2.1 Lodgement of a Development Application</u>  Under the LEP, a Development Application may be required to be lodged with the consent authority (ie Council) for certain events, even if that event is a one-off event. Accordingly, it is recommended that proponents liaise with Council's Customer Service Centre at an early part in the event planning stage, in order to determine what planning policies may apply to a specific proposed event.	The subject proposal relates to a generic event DA for the use of the site for up to 52 days per year, negating the need for each prospective event operator lodging their own separate development application.  This assessment process and recommended conditions of consent are considered to be adaptable to a wide variety of events and further information is required by conditions for event-specific matters.	Yes
<u>2.2 Lodgement of a Section 68 Activity Application</u>  The lodgement of an Activity Application pursuant to Section 68 of the Local Government Act 1993 is required for events involving any of the following:  (a) The installation and operation of any mechanical amusement device (e.g. mechanical amusement rides such as dodgem cars, Ferris wheels, roller coasters etc).  (b) The construction of a temporary enclosure for the purpose of entertainment (e.g. temporary animal enclosure) on "community land".  (c) The use of any loudspeaker or other sound amplifying device on "community land".	Conditions of consent are recommended in this regard. As part of the event application process, further details will be required to provided advising whether the event includes amusement devices, temporary enclosures, loudspeakers, entertainment, public address, playing of musical instruments or selling goods. This process is part of the Events Application.	Yes

- (d) Any theatrical, musical or other form of entertainment for the public on “community land”.
- (e) Any public address or holding of a religious service or public meeting upon “community land”.
- (f) The playing of a musical instrument or signing upon “community land” for a fee or reward.
- (g) Use of a standing vehicle or any article for the purposes of selling a good in a public place.

### 2.3 Lodgement of a Temporary Licence Application – Crown Lands Act 1989

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

Conditions are recommended in this regard. The lodgement of a temporary licence application with Crown Lands will be required for any events seeking to operate within the area of Lots 7316 and 7317 Crown DP 116555. See map below.

Yes



**Figure 8:** Crown Land not managed by Council

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

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

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

Yes

### 4 Events held on council land

<ol style="list-style-type: none"> <li>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.</li> <li>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.</li> </ol>	<p>Councils Property Department have reviewed the application and provided conditionally satisfactory referral advice. Booking and fees for the use of land will be reviewed as part of the Events Application Process.</p>	<p>Yes</p>
<p><u>5 Other relevant legislation</u></p> <p>The event organiser is to operate the event in accordance with the following legislation:</p> <ul style="list-style-type: none"> <li>• 5.1 Occupational Health &amp; Safety Act 2000</li> <li>• 5.2 Protection of the Environment Operations Act 1997</li> </ul>	<p>Conditions will be recommended in this regard.</p>	<p>Yes</p>
<p><u>6 Event management</u></p> <ol style="list-style-type: none"> <li>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.</li> </ol>	<p>Noted. This consent is intended to be generic to allow events to be conducted by persons nominated by Council to act in accordance with the consent. This may include Council staff, professional event management businesses or other persons who may nominate themselves as event coordinators.</p>	<p>Yes</p>
<p><u>7 Car parking</u></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Promotional and advertising material must advise of the location</li> </ol>	<p>No off-site car parking is proposed, however the site itself contains over 100 car parking spaces. Depending on the nature of the event, these spaces could be utilised for car parking during events.</p> <p>The subject site benefits from being within walking distance of Thirroul Train Station and Thirroul Town Centre area.</p>	<p>Yes</p>

<p>of public car parks and nearby available parking.</p> <ol style="list-style-type: none"> <li>Advertising material must also encourage the use of public transport where services are available.</li> <li>The applicant may be required to provide Traffic Marshalls to ensure safe and efficient parking of vehicles.</li> <li>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.</li> <li>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.</li> </ol>	<p>Councils Traffic Officer has reviewed the proposal and provided a list of recommended conditions. This includes the requirement for the submission of a Transport Management Plan as part of each Event Application process, specific to the proposed event.</p>	
<p><u>8 Lighting</u></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>At all times lighting must be adequate to enable the safe movement of people through the premises.</li> </ol>	<p>Conditions of consent are recommended for details of any lighting (in addition to the existing lighting) to be submitted to Council prior to the event and that this lighting be directed away from residential properties wherever possible.</p>	<p>Yes</p>
<p><u>9 Toilet facilities</u></p> <ol style="list-style-type: none"> <li>Adequate toilet facilities must be provided for the duration of the event. Toilet facilities for people</li> </ol>	<p>Conditions are recommended in this regard. The number of toilets required</p>	<p>Yes</p>

<p>with disabilities must also be provided.</p> <ol style="list-style-type: none"> <li>2. Details of existing and additional toilet facilities are to be submitted with the Development Application.</li> <li>3. The minimum number of toilet facilities to be provided at an event shall be in accordance with the following Table 1.</li> </ol>	<p>will need to be considered as part of each Event Application.</p>	
<p><u>10 Security / crowd management</u></p>		
<ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>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 patrons whilst ensuring appropriate crowd control.</li> <li>5. Other responsibilities for security staff may include cash protection</li> </ol>	<p>The submitted Statement advises that appropriate security will be provided for all events. The requirement for security will be considered on a case by case basis.</p> <p>Conditions are recommended in this regard.</p>	<p>yes</p>

for the event organiser and the various stall holders as well as protection of event equipment and / or the confiscation of any prohibited items.

6. The event organiser and the lead security provider must adequately brief all of the security staff as to each of their respective individual roles throughout the course of the event.
7. The security staff shall remain in attendance until all patrons have left the event.

#### 11 Public liability insurance

1. In the event that formal development consent is granted for the event by Council, a condition of consent will be imposed requiring the provision of suitable public liability insurance coverage for the event.
2. The minimum public liability insurance cover required for an event will be \$10,000,000. However, large scale events or those held on Council property may require greater insurance cover.
3. If the event is held on Council owned land, the applicant's insurance policy must include a provision indemnifying Council.
4. A copy of the public liability insurance policy (certificate of currency) is to be provided to Council at least 14 days in advance of the date of commencement of the event. A receipt for payment of an insurance premium will not be accepted.

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

\$20,000,000 in public liability insurance must be taken out by event holders for all events. A condition is recommended in this regard.

Yes

<p>5. Examples of other insurance coverage that may also be necessary for an event include:</p> <ul style="list-style-type: none"> <li>(a) Public liability insurance of any sub-contractor.</li> <li>(b) Volunteer's insurance.</li> <li>(c) Worker's compensation.</li> <li>(d) Professional indemnity insurance.</li> </ul> <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>Conditions are recommended in this regard. Incident reporting is required as part of the Event Management Plan.</p>	<p>Yes</p>
<u>13 Emergency response plan</u>		
<p>1. A written Emergency Response Plan is to be provided for all events.</p>	<p>Conditions are recommended in this regard. The provision of an Emergency Management Plan is required as part of the Event Management Plan for all tiers of events.</p>	<p>Yes</p>
<u>14 Fireworks / pyrotechnics displays</u>		
<p>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.</p> <p>2. An authorised display by a licenced Pyrotechnician may only be held</p>	<p>Conditions are recommended in this regard. Separate approvals are required via WorkCover for any fireworks or pyrotechnic displays.</p>	<p>Yes</p>



where a “legitimate reason” is demonstrated such as:

- (a) Organised public displays such as a community event which is open to the public (whether or not for a fee) and is run by Council, community or private organisation. Types of community events include shows, fetes, carnivals and other cultural, religious or sporting events.
  - (b) Theatrical displays such as film and television special effects, indoor or outdoor theatrical events such as concerts and performing arts special effects.
  - (c) Technical fireworks used for industrial or agricultural purposes.
3. Fireworks cannot be used for private functions. If a person is intending to use fireworks illegally, they should be aware that they will held personally responsible for any injuries or damages caused by the fireworks since public liability insurance does not cover illegal fireworks displays. Additionally, the court may impose significant penalties and / or jail for persons using fireworks without a permit.
4. The event organiser is required to advise the following organisations:
- (a) NSW WorkCover Authority.
  - (b) Local Area Command of the NSW Police Service.
  - (c) Local NSW Fire Brigades.
  - (d) Council’s Corporate Governance Section of the Technology & Administration Division (where the subject site is a Council owned or controlled parcel of land).
  - (e) NSW Ambulance Service.
  - (f) Any other relevant agencies such as the NSW Roads &

Traffic Authority, RailCorp,  
Ministry for Transport etc.

5. For further information regarding the licensing of firework displays, contact should be made directly with the Hazardous Activities Hotline on 02 4321 5499 or the WorkCover Assistance Service on 13 10 50. Additionally, the following WorkCover Authority website [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au) may be viewed for the licensing requirements for firework displays. Once in the WorkCover Authority website, click on FAQs and type fireworks into the search engine.
6. Any fireworks display upon land owned or controlled by Council will require separate approval of Council, prior to the event.

15 Amusement devices & temporary structures (including stages)

1. If the event includes the provision of amusement devices, the following information must be in place, prior to the use of each amusement device:
  - (a) Current NSW WorkCover Authority registration in place for the amusement device.
  - (b) Public liability insurance cover in place for each amusement (Minimum \$10 million public liability insurance).
  - (c) The installation of the amusement device in accordance with the procedures and specifications contained in any written technical manual / instructions.
2. Appropriate public safety precautions being put in place to minimise any potential public safety issue during the operation of amusement rides or devices.
3. Applicants are also advised to check the requirements of the NSW WorkCover Authority for any

Conditions are recommended in this regard. As part of the Event Application Process, if any event proposes to construct any temporary structures or includes amusement devices, an approval under section 68 of the Local Government Act 1993 is required. This is managed by Councils Event Team as part of the Event Application process.

Yes

temporary structures, including stages.

#### 16 Food stalls /mobile food vans

1. Under the Food Act 2003, all food handling businesses including food stall holders at temporary, periodic and / or one-off events in NSW are required to notify the NSW Food Authority of their business details. However, food handling businesses which are directly licensed by the NSW Food Authority are exempt from the notification process.
2. The NSW Food Act 2003 may be viewed at the following website: [www.austlii.edu.au/au/legi/nsw/consol\\_act/fa200357/](http://www.austlii.edu.au/au/legi/nsw/consol_act/fa200357/)
3. Temporary food outlets must also comply with Council's -
  - (a) Food Premises Code.
  - (b) Temporary Food Premises Code.
  - (c) Food Vending Vehicles Code, as applicable.
4. Copies of Council's Food Codes are available from Council's Regulation & Enforcement Division (Health and Ranger Services Section).
5. All outlets shall be established and available for inspection by Council's Regulation & Enforcement Division, 24 hours prior to the event. The inspection of all food handling business outlets by Council staff will be subject to an appropriate inspection charge, in accordance with Council's adopted Fees and Charges.

#### 17 Accessibility to the event by people with a disability

1. All events should be designed to ensure accessibility to the event by people with a disability. Accordingly, the provision of special parking areas for disabled people and the provision of special viewing areas and accessible facilities such

Conditions are recommended in this regard. Any food stalls or food vans are required to be registered with Councils Health Department. This is managed by Councils Event Team as part of the Event Application process.

Yes

Conditions are recommended in this regard.

Yes

as toilets and food and drink counters is required.

2. The provision of hearing loops or Auslan (sign language) interpreters for people with a disability impairment may be appropriate for larger community events or public events. The provision of information in large print and / or Braille for people with a visual impairment is also recommended for community or public events.

#### 18 Copyright issues – live or pre-recorded music

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

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

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

#### 19 Fundraising events

Conditions are recommended in this regard.

Yes

<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: <a href="http://www.olgr.nsw.gov.au">www.olgr.nsw.gov.au</a></p>	<p>Fundraising is addressed within the submitted Event Management Plan and notes that separate approval from the Department of Fair Trading may be required. A condition is recommended to reflect this.</p>	<p>Yes</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>The Thirroul Beach area is an alcohol prohibited area which has different requirements than an alcohol free zone. Council has standard exemptions for alcohol prohibited areas to permit a certain number of alcohol permitted events per year. This is managed as part of the Event Application Process. Conditions are also recommended in this regard.</p>	<p>Yes</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>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.</p>	<p>Council no longer issues trading licences. This requirement no longer applies.</p>	<p>N/A</p>
<p><u>22 Waste management / recycling</u></p>		
<p>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.</p> <p>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</p>	<p>Conditions are recommended in this regard.</p>	<p>Yes</p>

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

The submitted Event Management Plan contains specific provisions for accessibility corresponding to the tier of event proposed. Conditions have been recommended in this regard and will be managed as part of the Event Application Process.

## CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

<i>Control/objective</i>	<i>Comment</i>	<i>Compliance</i>
<u>3.1 Lighting</u>	Conditions are recommended with regard to lighting of events and details to be submitted as part of the Event Application Process.	Yes
<u>3.2 Natural surveillance and sightlines</u>	Conditions are recommended in this regard. Sightlines are required to be considered as part of the Event Application Process.	Yes
<u>3.3 Signage</u>	Conditions are recommended in this regard. Any signage which would not be considered as exempt development pursuant to SEPP (Exempt and Complying Development Codes) 2008, Subdivision 11 Temporary Events would be required to seek separate approval.	Yes
<u>3.4 Building design</u>	No permanent structures are proposed.	N/A
<u>3.5 Landscaping</u>	No change to the existing site landscaping is proposed as part of the application.	N/A
<u>3.6 Public open space and parks.</u>	The proposal does not seek any changes to the design of the open space area.	N/A
<u>3.7 Community facilities and public amenities</u>	No community facilities or permanent public amenities are proposed.	N/A

3.8 Bus stops and taxi ranks	There are multiple bus stops located on Lawrence Hargrave Drive, Thirroul within walking distance of the subject site.	Yes
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### **CHAPTER E3: CAR PARKING, ACCESS, SERVICING/LOADING FACILITIES AND TRAFFIC MANAGEMENT**

There are no car parking rates which relate to events within Schedule 1 of this Chapter. The submitted application refers to the requirement for a Traffic Management Plan for larger events, and the proximity of the site to Thirroul Train Station and several bus stops. The site has been used for events including the Thirroul Sea-Side and Arts Festival and Outdoor Movie Screenings with no records of complaints being received in relation to car parking.

Councils Traffic Engineer has reviewed the proposal and provided a conditionally satisfactory referral response. These conditions include requirements relating to structures near the roadway, consideration of the RMS Guide to Transport Management for Special Events (2018) as part of the Event Application process and road closures. The need for a Traffic Management Plan and/or road closures will be considered as part of the Event Application Process, with input from Councils Engineering staff.

### **CHAPTER E7: WASTE MANAGEMENT**

The Event Management Plan includes discussion regarding waste management and the requirement for a Waste Management Plan to be submitted to Councils Event Team as part of the Event Application Process. Conditions are recommended in this regard shown in Attachment 4.

### **CHAPTER E11 HERITAGE CONSERVATION**

Councils Heritage Officer has reviewed the proposal with regard to impacts on heritage items as discussed at section 2.1.3 above. The officer provided comments indicating that the use is not expected to result in any significant heritage impacts. The events proposed are temporary in nature and any shade structures/food vans etc that may have potential visual impacts on the foreshore precinct would be in place for a finite period only. The facilitation of community events is also part of the social significance of the precinct as a recreational area, and as such, the proposal is considered satisfactory from a heritage perspective.

### **CHAPTER E13 FLOODPLAIN MANAGEMENT**

The subject site is identified within Councils record management system as being flood affected. The proposal has been reviewed by Councils Stormwater Engineer who has indicated no objections to the use of the site for events, subject to conditions. This includes the requirement for events to not be held where there is a risk of flooding to the site following heavy rainfall or when the land is waterlogged.

### **CHAPTER E23: RIPARIAN LAND MANAGEMENT**

The northern and southern extents of the site area are affected by riparian corridors, both in the form of category 3 corridors. Council's Environment Officer has reviewed the application in this regard and has not raised any objections subject to appropriate conditions of consent.

## **3.3.2 WOLLONGONG CITY-WIDE DEVELOPMENT CONTRIBUTIONS PLAN 2019**

The estimated cost of works is less than \$100,000.00 and a levy is not applicable under this plan as the threshold value is \$100,000.00.

### **3.4 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.

### **3.5 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?

The proposal does not include demolition.

The site is located within the Coastal Zone as discussed above at 3.1.2.

93 Fire safety and other considerations

Council's BCA Officer has assessed the application submission.

94 Consent authority may require buildings to be upgraded

The proposal would not trigger building upgrades.

### **3.6 SECTION 4.15(1)(B) THE LIKELY IMPACTS OF DEVELOPMENT**

#### Context and Setting:

It is considered that the proposed temporary use of sites is appropriate given the nature and characteristics of the site and is unlikely to result in significant adverse impacts on the character or amenity of the surrounding area.

#### Access, Transport and Traffic:

The proposed development does not alter the approved parking. The proposal is unlikely to impact the wider traffic network. Additional permits will be required and have been suitably conditioned as shown in Attachment 4.

#### Public Domain:

The development is considered to be consistent with the amenity of the locality, the development is not considered to result in significant impact on the public domain or nearby Heritage items.

#### Utilities:

The proposal is not envisaged to place an unreasonable demand on utilities supply. Existing utilities can be augmented to service the proposal.

#### Heritage:

Council records indicate that locally significant heritage items (WLEP2009 Heritage Items 6171 – Thirroul Beach Reserve and 61030 Thirroul baths precinct) are located on the subject site. Details of the application submission were referred to Council's Heritage Officer for assessment. Advice received indicates there are no issues with the proposal and its temporary nature.

#### Other land resources:

The proposal is considered to contribute to orderly development of the site and is not envisaged to impact upon valuable land resources.



Water:

The site is presently serviced by Sydney Water. The proposal is not envisaged to have unreasonable water consumption.

Soils:

It is expected that, with the use of appropriate erosion and sedimentation controls during construction, soil impacts will not be unreasonably adverse.

The soil profile is considered to be acceptable for the construction of the proposed development.

Air and Microclimate:

The proposed modification is not expected to result in negative impact on air or microclimate. Conditions regarding noise and events has been included in condition shown at Attachment 4.

Flora and Fauna:

No tree removal is proposed with this application. The proposal is not expected to adversely impact fauna. Council's Environment Officer has reviewed the application submission. Advice received is that the application is considered conditionally satisfactory.

Waste:

Waste management during events can be managed through proper arrangements. A condition is proposed requiring the use of an appropriate receptacles for waste and recycling generated during events.

Energy:

The proposed modification is not expected to have unreasonable energy consumption.

Noise and vibration:

Minor noise during setup, running and pack up of events are unavoidable. If the development is approved, conditions are recommended for imposition (see Attachment 4) to minimise nuisance during set up and events.

Natural hazards:

There are no natural hazards affecting the site that would prevent the proposal.

Council records list the site as being flood affected and subject to ocean inundation. Council's Stormwater Officer has assessed the application submission in this regard and has not raised any objections subject to conditions.

Technological hazards:

There are no technological hazards affecting the site that would prevent the proposal.

The proposal is identified as being affected by class 4 and 5 acid sulphate soils. However as there is no earthworks proposed it is considered that there is minimal impact. As such no special conditions are required in relation to Acid Sulphate Soils.

Safety, Security and Crime Prevention:

This application does not result in greater opportunities for criminal or antisocial behaviour.

Social Impact:

The proposal is not expected to create negative social impacts.

<p><u>Economic Impact:</u></p> <p>The proposal is not expected to create negative economic impacts.</p>
<p><u>Site Design and Internal Design:</u></p> <p>The application does not result in any departures from development standards or variations to Council's development control plans.</p>
<p><u>Construction:</u></p> <p>Conditions of consent are recommended in relation to temporary structures erected. A condition will be attached to any consent granted that all works are to be in compliance with the Building Code of Australia.</p>
<p><u>Cumulative Impacts:</u></p> <p>Considering the matters outlined in this report, the proposed modification is considered unlikely to result in adverse cumulative impacts.</p>

### **3.7 SECTION 4.15(1)(C) THE SUITABILITY OF THE SITE FOR DEVELOPMENT**

#### Does the proposal fit in the locality?

The design of the proposal is considered an appropriate response to the site constraints and is not expected to result in increased adverse impacts on the character of the locality or amenity of adjoining developments.

#### Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal.

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

See section 1.5 above.

### **3.9 SECTION 4.15(1)(E) THE PUBLIC INTEREST**

The application is not expected to result in unreasonable impacts on the environment or the amenity of the locality. It is considered appropriate with consideration to the zoning and the character of the area and is considered to be in the public interest.

#### **Wollongong Generic Plan of Management 2018**

The subject land is identified as Site 160 'Tingara Park' within the Wollongong Generic Plan of Management 2018. The site contains a mix of Natural Area Foreshore land, Park land, areas of Cultural Significance and Crown Land. The majority of the site is identified as being within the area nominated as 'Cultural Significance'.

The Generic Plan of Management identifies that where the site is identified as an area of Cultural Significance, that a specific plan of management is required, and the land is not covered by this Generic Plan of Management. There is no specific Plan of Management for the subject land.

Both the Local Government Act 1993 and the CLM Act provide for temporary uses such as this and there is an ability to issue park bookings, short term casual uses such as this up to 12 months.

## **4 CONCLUSION**

The proposed development has been assessed with regard to the relevant prescribed matters for consideration outlined in Section 4.15 of the Environmental Planning & 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 development is consistent with the applicable provisions of the relevant planning instruments including Wollongong LEP 2009.

The development is considered appropriate with regard to the controls outlined in the Wollongong DCP 2009. All internal referrals are satisfactory and there are no outstanding issues.

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.

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.

## 5 RECOMMENDATION

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Development Application DA-2020/615 be **approved**, subject to the conditions contained in Attachment 4.

## 6 ATTACHMENTS

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- 1 Description of Event Tiers
- 2 Event Management Plan
- 3 Event Site Plan
- 4 Conditions

## Attachment 1

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

		\$25,000 State Government support	and logistical support via national body	
<b>Lifecycle and Legacy</b>	<ul style="list-style-type: none"> <li>• Need for seed funding or one-off support</li> <li>• Potentially act as catalyst for major legacy project</li> <li>• Ideally attract influencer/early adopter demographic</li> </ul>	<ul style="list-style-type: none"> <li>• Typically, strong regional affiliation</li> <li>• Typically, strong potential to enhance external perception of the city</li> </ul>	<ul style="list-style-type: none"> <li>• Strong stable of local sponsors</li> <li>• Typically demonstrates strong growth potential</li> </ul>	<ul style="list-style-type: none"> <li>• Locally entrenched</li> </ul>
<b>Indicative Event</b>	<ul style="list-style-type: none"> <li>• World Series Extreme Rallycross</li> </ul>	<ul style="list-style-type: none"> <li>• Illawarra Folk Festival</li> </ul>	<ul style="list-style-type: none"> <li>• Sunset Cinema</li> <li>• Eastern University Games</li> </ul>	<ul style="list-style-type: none"> <li>• Greenacres Mountain to Mountain</li> </ul>
<b>Funding &amp; No. of Events</b>	<ul style="list-style-type: none"> <li>• \$100,000 to \$200,000</li> <li>• 1 to 2</li> </ul>	<ul style="list-style-type: none"> <li>• \$20,000 to \$40,000</li> <li>• 3 to 6</li> </ul>	<ul style="list-style-type: none"> <li>• \$5,000 to \$20,000</li> <li>• 5 to 15</li> </ul>	<ul style="list-style-type: none"> <li>• Up to \$5000</li> <li>• Unlimited</li> </ul>

**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

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MARCH 2020

WOLLONGONG CITY COUNCIL  
EVENTS TEAM





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# 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.

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# SECTION 1

## LODGEMENT OF EVENT APPLICATION

Event Applications should be lodged as per the following table.

<b>Tier 4 Events</b>	<b>Tier 3 Events</b>	<b>Tier 2 Events</b>	<b>Tier 1 Events</b>
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



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#### 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

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# 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.

- 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.

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## 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.

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# 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

- **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.
- **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](http://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.

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## 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.



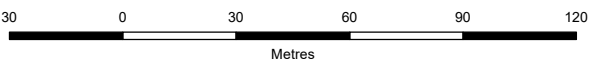


Imagery © Jacobs & Aerometrex (2018)



# Thirroul Beach Reserve

— — — Proposed major event boundary



GIS ref.: gi12354\_01P  
Printed: 22/09/2020  
Aerial Photography: 2018



## ATTACHEMENT 4 - DRAFT CONDITIONS FOR: DA-2020/615

- 1 The development shall be implemented substantially in accordance with the details and specifications set out on Drawing Thirroul Beach Reserve GIS ref: gi12354\_01P dated 22 September 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

- 2 x Tier 2.
- 6 x Tier 3, and
- 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 17,500 within the park and foreshore area 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.

**Prior to the Use of Site / Occupation**

11 **Activity Application**

An Activity Application pursuant to Section 68 to the Local Government Act, 1993 is required for any:

- a installation and operation of any mechanical amusement device or rides (e.g. dodgem cars, Ferris wheel, roller coaster etc).
- b The construction of a temporary enclosure for the purpose of entertainment (e.g. temporary animal enclosure) on community land.
- c The use of any loudspeakers or other sound amplifying device on community land.
- d Any theatrical, musical or other form of entertainment for the public on community land.
- e any public address system or holding of a religious service or public meeting on community land.
- f The playing of a musical instrument or singing on community land for a fee or reward.
- g Use of a standing vehicle or any article for the purpose of selling a product in a public place.

12 **Amusement Devices**

Each amusement device must have:

- a current NSW Workcover Authority registration.



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

13 **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.

14 **Structural Soundness Certification (for all Structures)**

A report from a suitably qualified and experience 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 special event (including temporary structures) can withstand the potential uses associated with the event and potential wind loading.

15 **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.

16 **Temporary Events**

a **Registration**

The food business is required to be registered with Council. A Food Business Notification Form must be submitted prior to business operations commencing. The appropriate form can be completed on Councils' web page by visiting:

<https://wollongong.nsw.gov.au/business-in-wollongong/business-permits-and-regulations/food-businesses>

Alternatively, contact Council's Regulation and Enforcement Division on (02) 4227 7737 to obtain a registration form.

b **Food Outlets**

Food outlets shall comply with Council's *Guidelines for Food Handling at Temporary Events*. This document can be found at:

<https://wollongong.nsw.gov.au/business-in-wollongong/business-permits-and-regulations/food-businesses>

Alternatively, contact Council's Regulation and Enforcement Division on (02) 4227 7737 to obtain a copy.

17 **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.

18 **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.

19 **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.

20 **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.

21 **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.

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

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

- 23 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.
- 24 Footpaths shall not be obstructed by temporary structures, staging, equipment, speakers or signage.
- 25 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.
- 26 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.

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

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

### 28 Weather Conditions

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

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

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

### 29 Restricted Hours of Operation

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

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

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

30 **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.

31 **Bump-in and Bump-out Times**

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

32 **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 watercourse near the southern event boundary.

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 (3) three metres clear of the drip line of trees and at least (3) three metres clear of dune vegetation. 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     **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.
- 42     **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.
- 43     **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.

44      **Waste Management**

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

45      **Site Left Clean and Tidy**

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