

**Tweed Shire Council chambers Meeting with PAC 30/08/2017**

**Section 75W of the EP&A Act as modification is seeking to amend the legal pathway that applies to the Project.**

The original PAC determination constrained the operation of the Approval and gave a defined legal path forward for future applications. This modification is inconsistent with both outcomes.

According to the 2016 Judicial Review Billinudgel Property Pty Ltd Vs Minister for Planning, the 2012 PAC determination "effectively created a trial period in relation to the operation of the subject site and required that 1) the Concept Plan Approval terminate at the end of 2017 and that any outdoor events after this date be the subject of Assessment under Part 4 of the EP&A Act" p3

In that court case Billinudgel Property sought to remove Condition C1 which requires further applications to go back to be assessed under Part 4 of the EP&A Act. This waste not upheld by the Justice as it was considered that the the 5 year limited term of the approval and the requirement that any outdoor events beyond 2017 would require a further development application to be made, considered and approved under Part 4 of the EP&A Act was a determination and could not be deleted.

Justice Robson, in Point 67 of that judgement stated that Condition C1 constitutes a fundamental part of the Concept Plan Approval. It provides that nothing can be done under the Concept Plan approval after 2017. Justice Robson determined that Condition C1 should not be considered a "term" of the Concept Plan approval and as such its modification goes beyond what would constitute a modification of approval as it is more than changing the terms of the Concept Plan Approval.

IDN60231

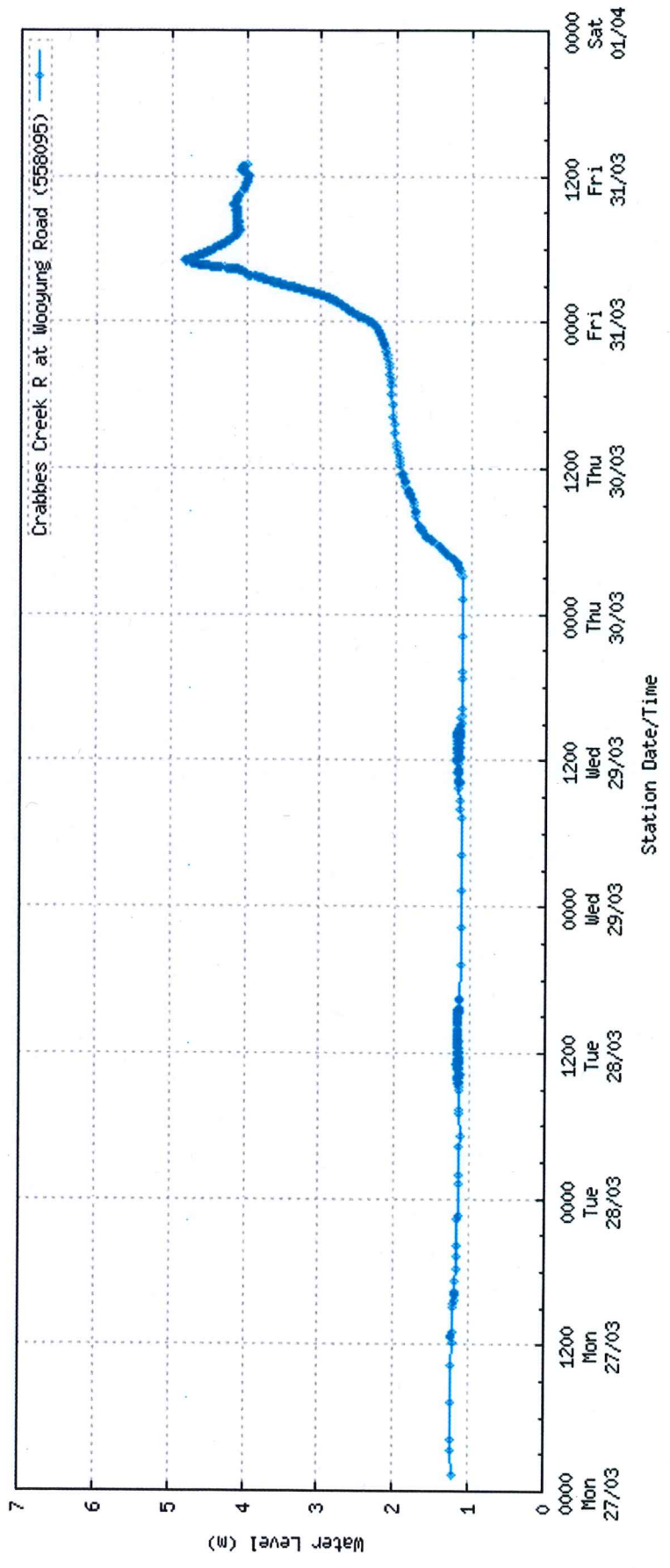
# Latest River Heights for Crabbes Creek R at Wooyung Road

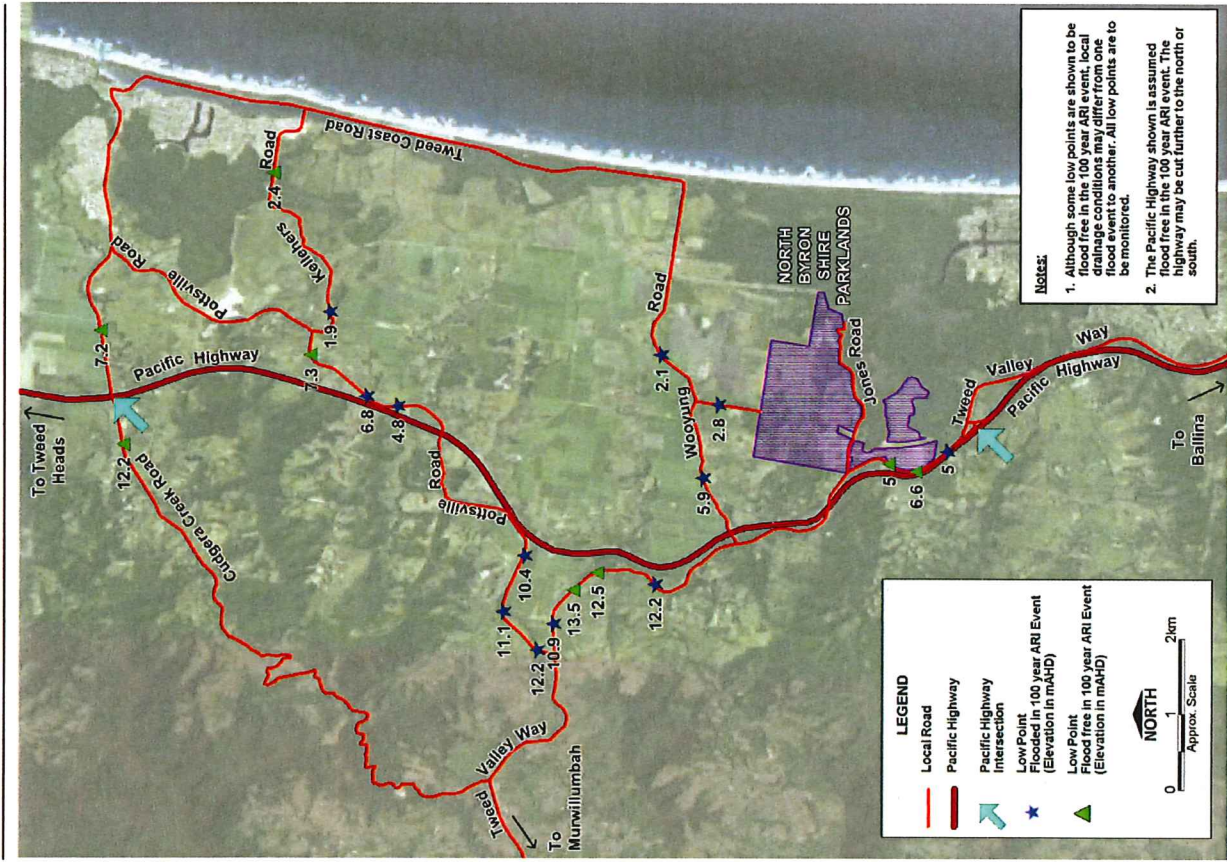
Issued at 3:15 pm EDT Friday 31 March 2017

[About river height plots](#) | [About this Plot](#)

**Station details:** Station Number: 558095 Name: Crabbes Creek R at Wooyung Road

Data from the previous 4 days.





**NORTH BYRON PARKLANDS  
EVACUATION ROUTE LOW POINTS**

**Figure 3-2**



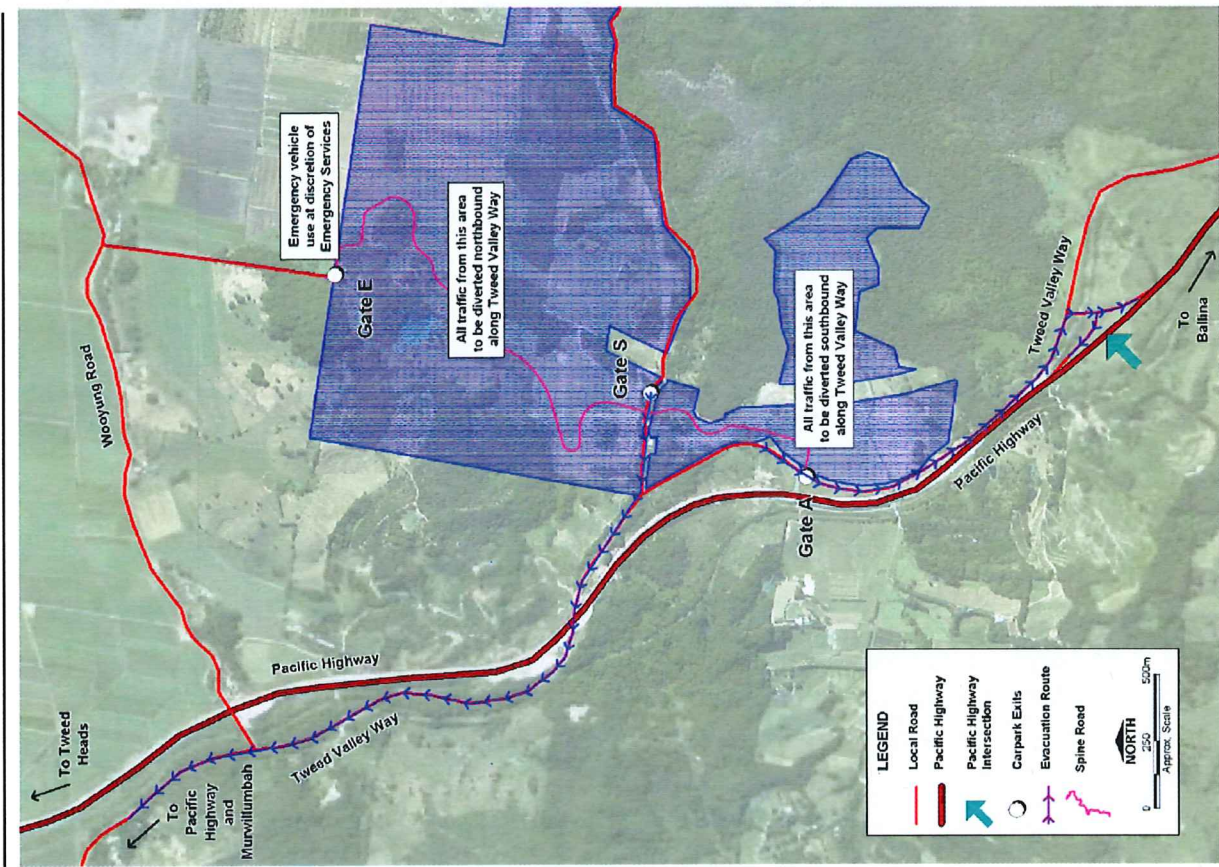




Flood assembly



Figure 17: Flood Emergency Assembly Area



NORTH BYRON PARKLANDS  
SITE EVACUATION ROUTES

Figure 3-1





22/7/2016.





NorDaw esac<sup>h</sup>  
Route

22/7/2016



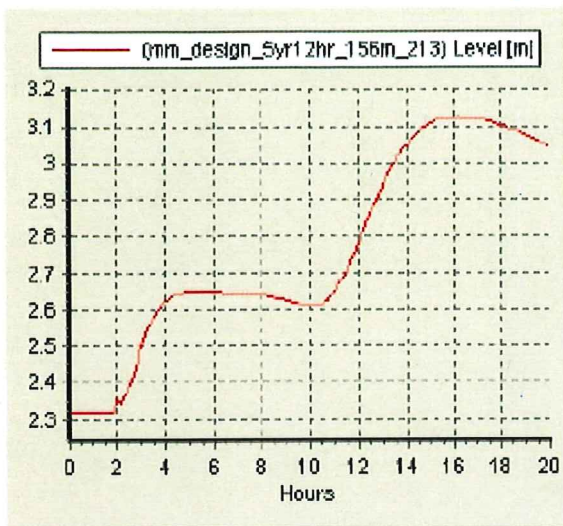


Figure 12: 5yr flood event hydrograph – camping area (2.3m terrain)

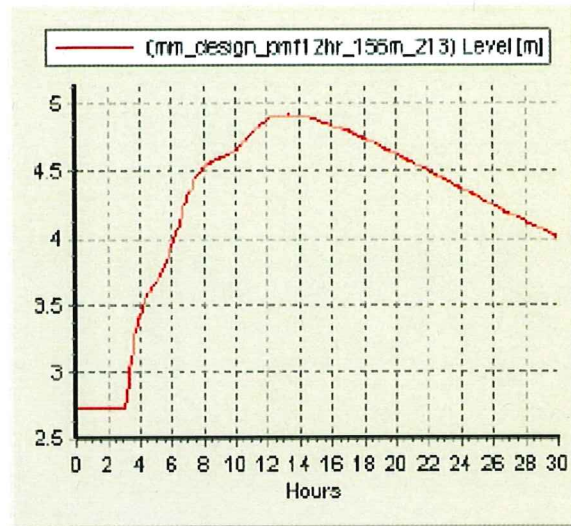


Figure 15: PMF flood event hydrograph – carpark area (2.9m terrain)

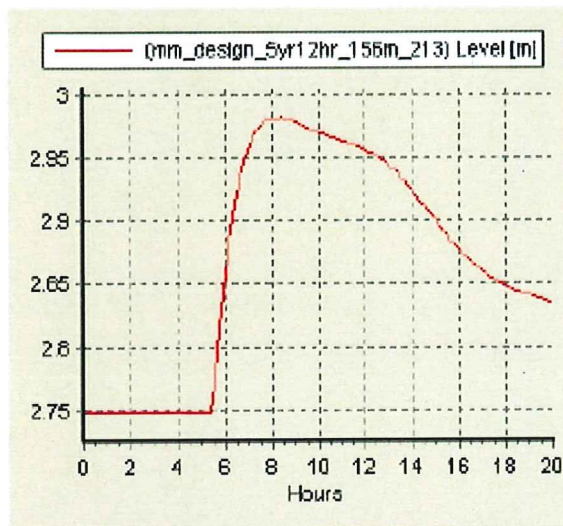


Figure 13: 5yr flood event hydrograph – carpark area (2.9m terrain)

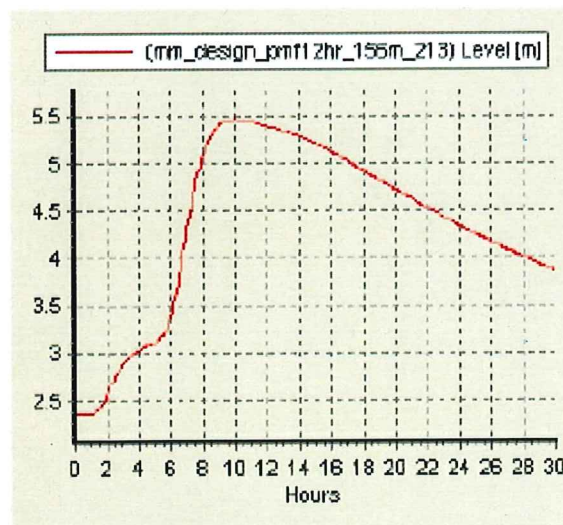


Figure 14: PMF flood event hydrograph – camping area (2.3m terrain)

## 3.5 TIME NEEDED TO EVACUATE

### 3.5.1 Vehicular Evacuation

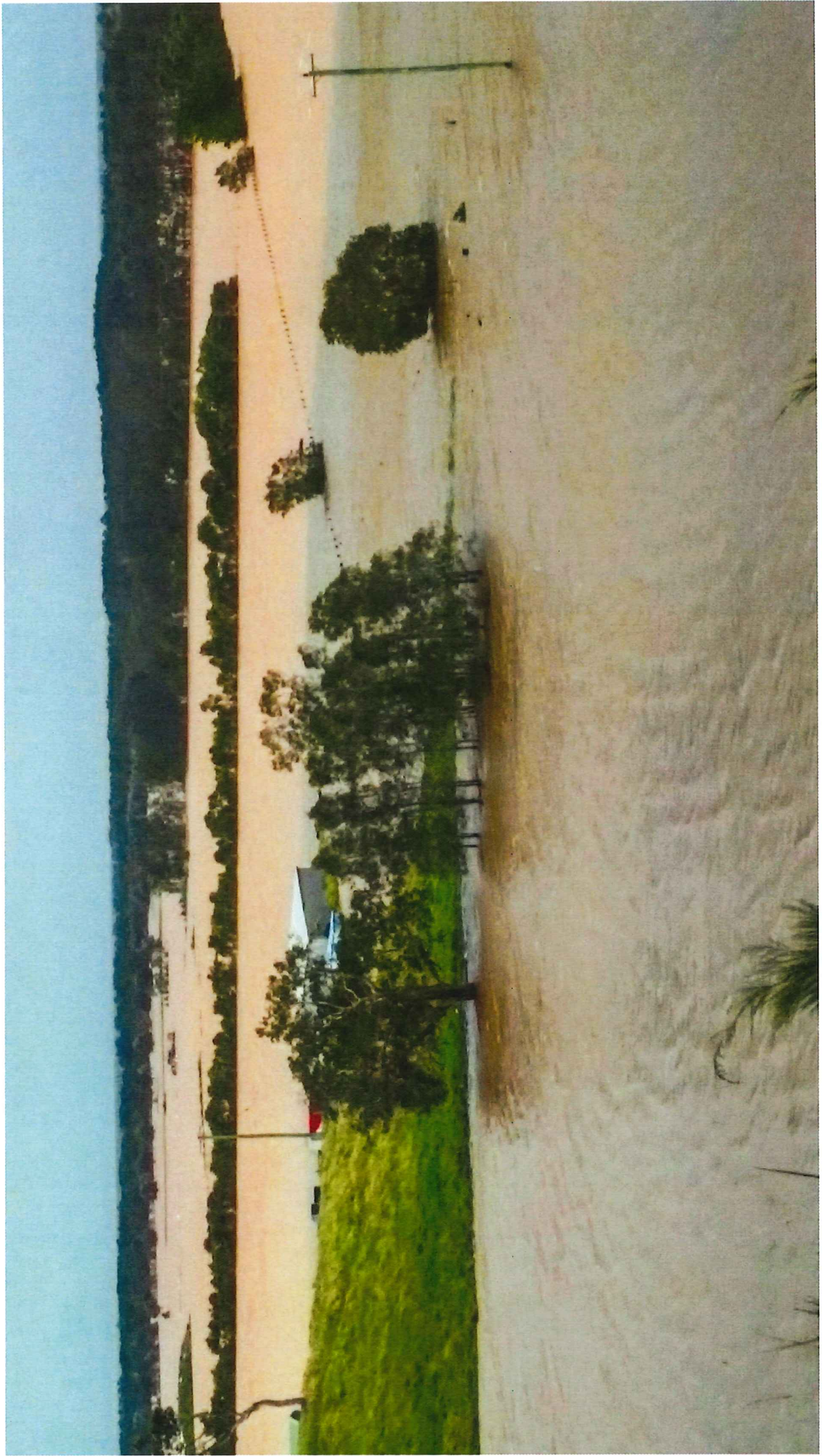
According to the Australian Standard AS 2890.1-1993 – Parking Facilities – Off Street Parking, the design rate for vehicles exiting parking facilities onto a public road is 600 vehicles per hour per lane. This also is the rate that the NSW SES recommends for estimating the flow rate of vehicles along evacuation routes during a flood (Opper, 2004).

As set out in 2.2.2, there will be about 4,750 parking spaces in the camping area and central carpark and, in a 30,000 patron event, about 3,000 in the southern car park, including about 2,430 vehicles belonging to day visitors.

Tweed Valley Way is a two lane road which connects to the Pacific Highway North and South of the site. This provides the site with a single evacuation lane heading north and a single evacuation lane heading south. It also means that there is a lane available from each direction for use by emergency service vehicles.

Vehicles from the north and central parking areas will be directed onto Jones Road and then north along Tweed Valley Way. Those in the southern carpark will be directed south along Tweed Valley Way.





NBP behind  
Camera

31/03/2017



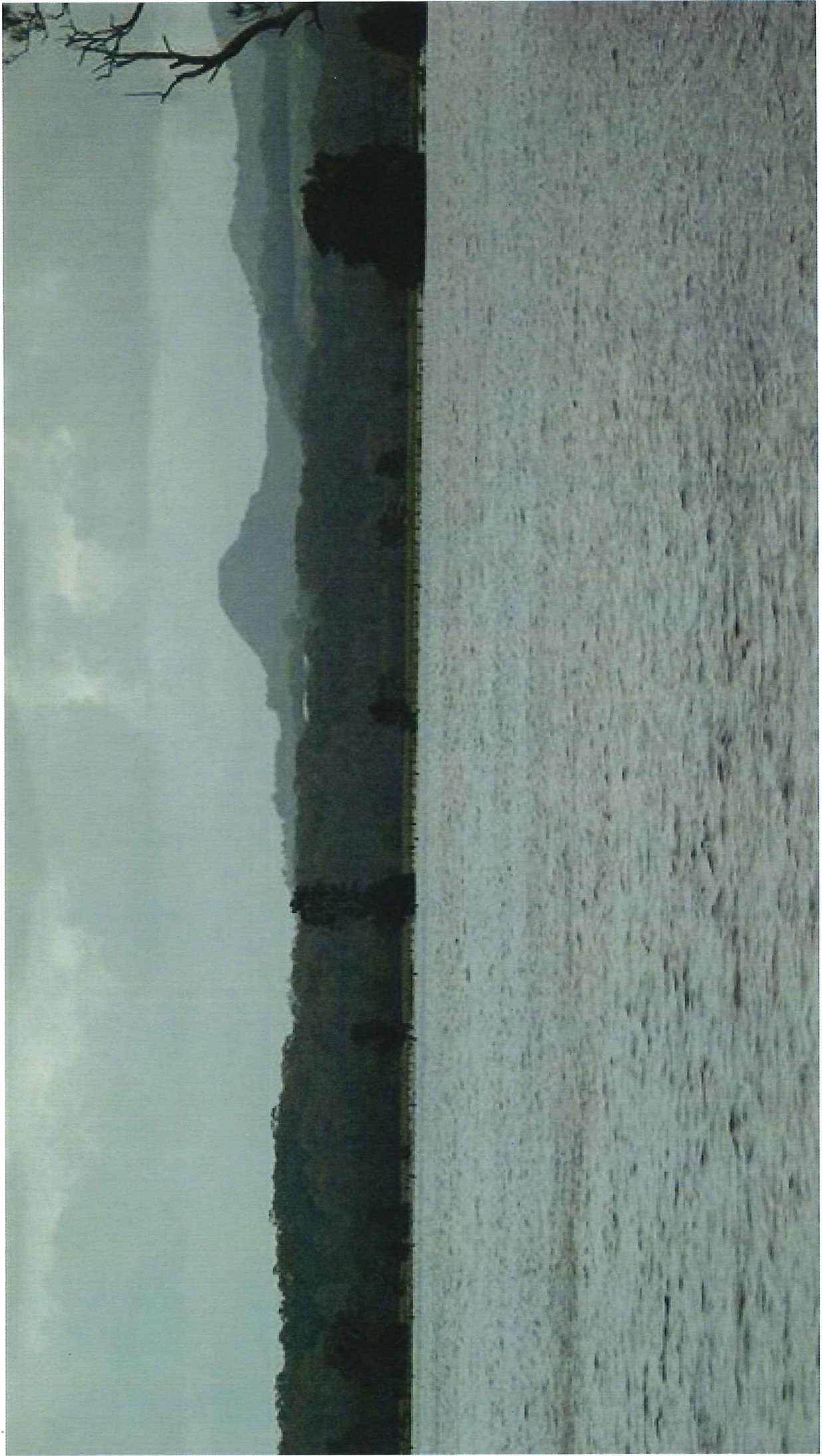
31/03/2017 NBP

Camping.

Camping  
amenities







25/01/2012 Wooyug Rd towards site



May 2009  
NBB Camp





NBP Camp 5 June 2016







31/03/2017







Ammons Street  
6/6/17



31/03/2017