

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

The Independent Planning Commission of New South Wales (the Commission), as the declared consent authority under clause 8A of the *State Environmental Planning Policy (State and Regional Development) 2011* and section 4.5(a) of the *Environmental Planning and Assessment Act 1979*, approves the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.

Prof Richard Mackay, AM (Chair)
Member of the Commission

Steve O'Connor
Member of the Commission

Sydney

17 September 2019

File: EF19/16548

SCHEDULE 1

Consent No:	SSD 8169
Applicant:	Billinudgel Property Pty Ltd
Consent Authority:	Independent Planning Commission of NSW
Development:	Construction and operation of the North Byron Parklands Cultural Events Site, comprising the following: <ul style="list-style-type: none">• ongoing use of the cultural events site for cultural, educational and outdoor events with ancillary camping and car parking;• ongoing use of existing site infrastructure;• construction and operation of additional site infrastructure to support the cultural events site; and• construction and operation of a conference centre with associated accommodation.
Date of Original Consent:	13 March 2019
Modification:	SSD 8169 MOD 1 – Amendment to Conditions A7 and D45

SCHEDULE 2

1. Delete the definitions of Department and Minister and insert the following definitions:

Department	Department of Planning, Industry and Environment
Modification Assessments	The document assessing the environmental impact of a proposed modification of this consent and any other information submitted with the following modification applications made under the EP&A Act:

- SSD 8169 MOD 1 – Statement of Environmental Effects titled *North Byron Parklands Cultural Events Site (SSD 8169) – Section 4.55 Modification (MOD 1)*, prepared by PJEP Environmental Planning and dated 29 April 2019 and *North Byron Parklands Cultural Events Site – Section 4.55(1A) Modification (SSD 8169 MOD 1) – Additional Information*, prepared by PJEP Environmental Planning and dated 11 June 2019

In Schedule 2: Part A – Administrative Conditions

2. In Condition A2(e), delete the word “and” after the semicolon.
3. In Condition A2(f), delete the period after the words “Appendix 2” and replace with “; and”.
4. Insert new condition A2(g) as follows:
 - (g) in accordance with any Modification Assessments
5. In Condition A7, insert the words “**and/or** the large summer event at a capacity of 30,000 patrons,” after the words “42,500 patrons,”.
6. In Condition A7, delete condition A7(a) and replace with the following:
 - (a) the Applicant has previously held an event at the site with a capacity of:
 - i. 35,000 patrons for the large winter event; or
 - ii. 25,000 patrons for the large summer event;

In Schedule 2: Part D – Conditions Relating to the Carrying Out of Events

7. Delete Condition D45, and replace with the following:

D45. Prior to the first outdoor event, the Applicant must prepare a Drinking Water Quality Assurance Program to be implemented for the life of the development. The Applicant must:

 - a) ensure the Quality Assurance Program complies with the Public Health Regulation 2012;
 - b) comply with its Quality Assurance Program;
 - c) provide a copy of the Quality Assurance Program, and any subsequent amendments, to NSW Health (North Coast Public Health Unit); and
 - d) address any feedback provided by NSW Health on its Quality Assurance Program.

A copy of the Quality Assurance Program, and any subsequent amendments, must also be submitted to the Planning Secretary.