



**SCHEDULE 2**

**CONDITIONS OF CONSENT**

**MODIFICATION APPLICATION NO. MOD 6072 (DA 12-2-2008 MOD 2)**

**ON-GOING USE OF LAND FOR OUTDOOR ENTERTAINMENT EVENTS  
FRIDAY FLAT, THREDBO ALPINE RESORT**

This consent is granted subject to the following:

**PART A APPROVED DEVELOPMENT**

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**A1 *Development in Accordance Plans***

The development shall be carried out in accordance with Development Application No. 12-2-2008 submitted by Kosciusko Thredbo Pty Ltd on 28 February 2008, Modification Application No. 75-12-2008 MOD 1 submitted by Dabyne Planning Pty Ltd on 23 December 2008, Modification Application No. 6072 MOD 2 submitted by Dabyne Planning Pty Ltd on 31 July 2013 and in accordance with the supporting documentation submitted with each application, except as amended by the following conditions:

**A2 *Limit of Consent***

The consent is for types of events that are permitted under Condition A12 of this Schedule, which is limited to a maximum of seven (7) events each year over a maximum of twenty-one (21) days each year (whichever limit is reached sooner). The events shall be held **within the months of October to May** each year.

**A3 *Maximum Number of People***

The number of patrons admitted to an event site shall not exceed 7000 at any one time.

**A4 *Inconsistency between Documents***

In the event of any inconsistency between conditions of this approval and the drawings/plans/documents referred to in Part B or Part C of the consent, the conditions of this approval prevail.

**A5 *Bump In and Bump Out Times***

Bump in time for the delivery of marquees, fencing, staging and other structural materials shall commence no earlier than five (5) days prior to the event ~~each year~~. Bump out time for the dismantling and complete removal of all materials and structures will be completed within three (3) days of the event.

**A6 *Hours of Operation***

Gates shall open to the public no earlier than 8am and close no later than 2am of each day of an event.

**A7 *Deleted***

## **A8 Advertising Signage**

Any advertising signage associated with an event that is located at the site of an event shall be installed no earlier than 28 days prior to the event and shall be completely removed no later than 14 days after the event. The maximum size of any advertising sign is limited to 25 square metres. Any variation requires written authorisation from the Director General or Nominee.

## **A9 Additional Approval or Licences**

It is the applicant's responsibility to obtain any additional approvals or licences required in order to undertake the temporary event.

## **A10 Stages**

An event shall comprise a maximum of 3 stages. The size of each stage is limited to 300 square metres and the height of each stage is limited to 15 metres. Any variation requires written authorisation from the Director General or Nominee.

## **A11 Relationship to DA 12-2-2008**

The conditions of the modified development consent supersede the previous conditions of Development Application No: DA 12-2-2008, determined by the Consent Authority, on the 11 March 2008.

## **A12 Types of Events Permitted**

Events held at the site shall be held on temporary stages and shall be limited to entertainment for the purposes of music, comedy, theatre, magic, dance or cinema, unless otherwise approved in writing by the Director-General.

## **PART BA MINIMUM OF 30 DAYS PRIOR TO COMMENCEMENT OF AN EVENT**

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### **BA1 Documentation to be Submitted to the Department of Planning**

The following documentation shall be submitted to the Department of Planning a minimum of 30 days prior to the commencement of an event:

- A site plan.
- Drawing and specifications of all temporary structures including, but not limit to, stages, marquees, tents, food stalls, fencing, seating, light towers.
- Emergency management plan including bushfire contingencies.
- Waste management plan.
- Pedestrian and traffic management plan.
- Crowd management plan.
- Contact details for the event manager i.e. the name and contact number of a responsible person who may be contacted at any time during 'bump in' and 'bump out' and during an event.

### **BA2 DECC Requirements for Temporary Food Stalls**

All food vending outlets shall comply with the requirements of the *Food Act 2003* and the NSW Food Authority "Food Handling Guidelines for Temporary Events". The following information shall be submitted to DECC Senior Environmental Health Officer a minimum of 30 days prior to the commencement of an event:

1. Floor plans and side elevation plans demonstrating compliance with the *Food Act 2003* and the NSW Food Authority's Food Handling Guidelines for Temporary Events.

2. A copy of the menu listing all foods intended to be sold during an event.

**Note:** It is not necessary to advise each type of confectionary, alcoholic drinks, soft drinks or ice cream available for sale. An overall descriptor will suffice for these types of foods.

*Advisory Note:*

Failure to comply with food or workplace safety may lead to enforcement actions which could include service of penalty notices. Examples or areas of concern include, but are not limited to, the use of non potable water, incorrect temperature controls of foods, various potential cross contamination issues, inadequate hands washing facilities, poorly constructed stalls (sloping and or uncovered floors), failure of food handling equipment due to electrical supply problems and fire or other workplace hazards.

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**PART BB MINIMUM OF 7 DAYS PRIOR TO COMMENCEMENT OF AN EVENT**

***BB1 Documentation to be Submitted to the Department of Planning***

The following documentation shall be submitted to the Department of Planning a minimum of 7 days prior to the commencement of an event:

- Annual fire safety statements for Friday Flat Base Station and Thredboland buildings.
- OH&S details including relevant insurance certificates
- Details of any public transport provided as part of an event i.e. any shuttle bus services or the like.
- Noise management statement
- Public toilet facilities statement i.e. the number of facilities to be provided during an event.

***BB2 Notification to Emergency Services***

The applicant shall notify emergency services including Police, Fire Brigade and Ambulance Service of the proposed event including site layout, entry & exit points and the emergency management plan a minimum of 7 days prior to the commencement of an event.

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**PART BC DURING BUMP-IN AND PRIOR TO COMMENCEMENT OF AN EVENT**

***BC1 Construction Site Signage***

Appropriate safety signage associated with the erection of event structures shall be installed during 'bump in' and must be removed prior to the commencement of an event.

***BC2 Temporary Structures***

All proposed structures shall be structurally sound and erected in accordance with manufacturer's specifications and/or advice from a suitably qualified engineer, to meet relevant requirements of the Building Code of Australia, Codes of Practices and applicable Australian Standards prior to the commencement of an event.

***BC3 Positioning of Temporary Structures***

The applicant shall ensure that all the temporary structures are positioned on a level, stable surface and sufficiently weighted to ensure stability at all times. Any pegs or stakes used for stability of the temporary structure are required to be protected to ensure the safety of the public.

#### **BC4 Structural Certification of Temporary Structures**

Following the erection of the temporary structures and prior to the commencement of an event, a certificate prepared and signed by an appropriately qualified person, indicating that the structures have been erected in accordance with the specifications, shall be submitted to the Department.

#### **BC5 Temporary Fencing**

The applicant shall submit to the Department, certification that the temporary fencing has been erected in accordance with the relevant standards prior to the commencement of an event.

#### **BC6 Stage**

The stage shall resist loads determined in accordance with the Australian and New Zealand Standards entitled:

- (i) AS/NZS 1170.0:2002, *Structural design actions—General principles*, and
- (ii) AS/NZS 1170.1:2002, *Structural design actions—Permanent, imposed and other actions*, and
- (iii) AS/NZS 1170.2:2002, *Structural design actions—Wind actions*.

Following the erection of the stage and prior to the commencement of an event, a certificate, prepared and signed by an appropriately qualified person, indicating that the stage complies with the standards shall be submitted to the Department.

#### **BC7 General Event information Signage**

A sign shall be displayed in a prominent position in the venue that specifies the following:

- (a) the maximum number of persons, as specified in the development consent, that are permitted in the venue at any one time,
- (b) the address and telephone number of the Department of Planning, and
- (c) the name and business telephone number of the manager of an event.

The sign shall be erected prior to the commencement of an event and maintained during an event.

#### **BC8 Electrical Installations**

All electrical or other cabling on ground shall be covered by cable trays that meet current Australian Standards, taped or tied to existing structures and not fixed in any other manner. Otherwise electricity or other cable is to be removed from general public access. No electrical cables shall be laid across trafficable areas such as roadways. Electrical services serving the stages and associates structures shall meet with the requirements of AS/NZS 3000 and 3002.

Following the completion of all electrical installations and prior to the commencement of an event, a certificate, prepared and signed by an appropriately qualified person, indicating that all electrical installations complies with the relevant standards shall be submitted to the Department.

#### **BC9 Emergency Evacuation Plans for Buildings**

An emergency evacuation plan for Friday Flat Base Station building and Thredboland building shall be prepared, maintained and implemented prior to the commencement of an event.

**Note:** The emergency evacuation plan for the buildings shall specify the following:

- (a) the location of all exits, and fire protection and safety equipment, for any part of the building used by the public;
- (b) the number of any fire safety officers that are to be present during an event; and
- (c) how the public are to be evacuated from the building in the event of a fire or other emergency.

**Note:** Any fire safety officers appointed to be present during an event must have appropriate training in evacuating persons from the building in the event of a fire or other emergency.

**BC10 Inspection by DECC Senior Environmental Health Officer (SEHO)**

All food vending premises shall be inspected by DECC Senior Environmental Health Officer (SEHO) or his/her delegate prior to selling any food to the public.

*Advisory Note:*

These inspections are confidential between the vendor and the regulatory authority. Third parties can only be present with permission of the vendor. Each food business will be required under section 37 of the *Food Act 2003*, to provide to the (SEHO) at the time of the inspection a copy of their Notification and Food Safety Information System (NAFSIS) number required by section 100 of the *Food Act 2003*. If the food business desires the copy of the NAFSIS notification taken by the SEHO, it will be returned to them by post.

**BC11 Friday Flat Base Station Building**

A sign shall be displayed in a prominent position in the building for the period of an event. The sign must specify the following:

- (a) the maximum number of persons, as specified in the development consent, that are permitted in any part of the building,
- (b) the address and telephone number of the Department of Planning, and
- (c) the name and business telephone number of the manager of the building.

**BC12 Declaration by representative of Kosciuszko Thredbo**

The declaration in Attachment A shall be completed and signed by a representative of Kosciuszko Thredbo Pty Ltd and submitted to the Department prior to the commence of an event.

**PART C DURING AN EVENT**

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**C1 Emergency Exits and Emergency Services Corridor**

The applicant shall ensure that all emergency exits, as marked on the site plan, including a 5 metre emergency services corridor along the entire southern boundary fence to Friday Drive, are to be kept unobstructed at all times during an event and including during bump in and bump out.

**C2 Emergency and Public Access**

Emergency and public access within an event area shall be maintained at all times.

**C3 Deleted**

**C4 Secure Positioning of Temporary Structures**

The temporary structures are to be erected and supported in a secure manner for safety purposes. Should adverse weather conditions (strong winds and the like) arise during an event the applicant must mitigate potential safety concerns by removing the temporary structures from the public domain.

**C5 Operation of Temporary Structures**

The applicant shall ensure that all works associated with the erection, operation, and dismantling of the structures is done in accordance with manufacturer's specifications, safe work practices, meeting relevant Australian Standards and Work Cover requirements.

**C6 Location of Temporary Structures**

All temporary structures, equipment, and furniture associated with an event are to be wholly located within the approved areas shown on the site plan.

**C7 Stamped Plans and Certification**

The applicant is to ensure that a copies of each of the documents referred to in Part B and Part C of this consent and all subsequent certification referred to in Part D are available on site at an event and on request by officers of the Department of Planning, Police, Fire Brigade and Ambulance Service throughout the period of an event.

**C8 Loading and Unloading of Vehicles**

All loading and unloading of vehicles associated with the setting up and running an event shall be undertaken in such a manner so as to ensure the safety of the public.

**C9 Exit Doors**

All exit doors leading from restaurant/bar level of the Friday Flat Base Station to which the public must have access must remain open whenever the public is in attendance during an event.

**C10 Security Personnel**

The applicant is to ensure that an adequate number of suitably qualified security personnel will be maintained on site at all times during an event in accordance with the Crowd Management Plan.

**C11 Cabling and Electrical Services**

Cabling and electrical services shall be maintained during an event in accordance with the requirements of AS/NZS 3000 and 3002.

All mechanical and electrical installations including generators, electrical cabling and any mobile structures, including "cool rooms", mobile light towers and the like are to be surrounded and/or covered by appropriate physical barriers so as to prevent unauthorised access by the public at all times.

Care shall be exercised throughout an event to ensure that electrical installations are not affected by water or water accumulations which may create a hazard to public safety.

**C12 Emergency Personnel and Equipment**

The applicant shall ensure that all necessary emergency associated equipment and suitably qualified emergency personnel are available on site at all times during an event to ensure the safety of participants throughout an event.

**C13 Waste Management**

The area shall be kept clean and tidy at all times and rubbish is to be removed from the immediate area during the temporary use of the approved site. Waste Management practices are to be in line with the Waste Management Plan.

**C14 Protection of Trees and Native Vegetation**

All trees and native vegetation within and adjacent the site shall be protected at all times during the operations of an event. The damage or removal of trees or native vegetation may warrant action in accordance with the *National Parks and Wildlife Act 1974* or the *Environmental Planning and Assessment Act 1979*.

**C15 Work Cover**

All operations associated with the setting up and running an event shall be carried out in accordance with current Work Cover guidelines.

**C16 Loadings of Stage and Associated Structures**

The applicant is to ensure that stage and other associated structures are not loaded in excess of those loadings recommended by the certifying engineer, suppliers and/or manufacturers.

**C17 Deleted**

**C18 Plans for Event Management**

The event shall be run and managed in accordance with the Pedestrian and Traffic Management Plan, the Crowd Management Plan and the Emergency Management Plan and any relevant Australian Standards.

**C19 Sanitary Facilities**

Adequate sanitary facilities, for use by persons with a disability, shall be provided in "accessible" locations, with adequate directional and way finding signage being displayed throughout the site. Temporary toilet facilities should be located in positions which provide hard/firm surfaces and in areas that are unlikely to be affected by excess water accumulation.

**C20 Responsible Service of Alcohol**

The applicant and liquor licensee are responsible for the compliance of the Liquor Act. No glass is permitted with the sale of alcohol. Only plastic cups, plastic bottles or aluminium cans are to be used during an event.

**C21 Fire Safety**

Appropriate portable fire extinguishers are to be provided to serve all temporary structures. Locations selected are to be unobstructed, visible and positioned to readily serve the stage, speakers and marquees.

**C22 Friday Flat Base Station Building - Maximum Number of People**

A maximum of:

- (i) 100 people are able occupy the mezzanine level of the Friday Flat Base Station building at any one time for the period of an event.
- (ii) 300 people are able occupy the restaurant/bar level of the Friday Flat Base Station building at any one time for the period of an event.

**C24 Prohibition of Hazardous Materials**

Hazardous or toxic materials or dangerous goods shall not be stored or processed on the site during an event.

**C25 Friday Flat Base Station Building - Mechanical Ventilation Systems**

Any mechanical ventilation systems shall be arranged such that the system is shut down and that any smoke dampers are activated to close automatically by smoke detectors in accordance with the BCA.

**C26 Friday Flat Base Station Building- Access to Designated Exits**

Access to all designated exits must be maintained at all times. Seating in the restaurant and bar and on the mezzanine level must not be located in paths of travel to a designated exit.

### **C27    *Offensive Noise***

The noise from an event shall comply with the Noise Management Statement. An event must not give rise to the emission of an "offensive noise" as defined under the Protection of the Environment Operations Act, 1997 to adjoining properties.

### **C28    *Dangerous Entertainment***

Public Entertainment must not involve:

- (a) the discharge of ammunition from a firearm, or
- (b) the use of any material or thing giving off a level of heat or toxicity that poses a threat of harm to patrons or members of the audience, or
- (c) the use of fireworks unless the use of the fireworks is in accordance with a licence granted under the *Explosives Act 2003*, or
- (d) the use of a sharp implement in a manner that poses a threat of harm to patrons or members of the audience, or
- (e) the screening of a nitrate film.

### **C29    *Complaints registration and management***

The applicant is responsible for implementing a system to minimise and manage complaints. The Director General or nominee shall be notified of all complaints and how the complaints were dealt with.

## **PART D    *COMPLETION OF AN EVENT***

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### **D1    *Bump Out***

Bump out for the dismantling and complete removal of all materials and structures shall be completed within three (3) days of the end of an event. Appropriate safety signage associated with the dismantling and removal of an event structures shall be installed during 'bump out'.

### **D2    *Site Clean Up***

The subject site shall be cleaned up and appropriately rehabilitated to its original condition, subject to any changes as part of the approval to the satisfaction of the Director-General or nominee. The site clean up shall include but is not limited to the removal of any waste generated by an event and the restoration of equivalent ski slope soil and/or vegetation (if disturbed) as a result of an event.



**ATTACHMENT A – DECLARATION BY KOSCIUSZKO THREDBO PTY LTD**

CONDITION NUMBER	CONDITION NAME	CONDITION REQUIREMENT	YES	NO
<b>BA1</b>	<b><i>Documentation to be Submitted to the Department of Planning</i></b>	Has the following documentation been submitted to the Department of Planning? <ul style="list-style-type: none"> <li>• A site plan.</li> <li>• Drawing and specifications of all temporary structures including, but not limit to, stages, marquees, tents, food stalls, fencing, seating, light towers.</li> <li>• Emergency management plan.</li> <li>• Waste management plan</li> <li>• Pedestrian and traffic management plan</li> <li>• Crowd management plan</li> <li>• Contact details for the event manager i.e. the name and contact number of a responsible person who may be contacted at any time during 'bump in' and 'bump out' and during an event.</li> </ul>		
<b>BB1</b>	<b><i>Documentation to be Submitted to the Department of Planning</i></b>	Has the following documentation been submitted to the Department of Planning? <ul style="list-style-type: none"> <li>• Annual fire safety statement for Friday Flat Base Station and Thredboland buildings.</li> <li>• OH&amp;S details including relevant insurance certificates</li> <li>• Details of any public transport provided as part of an event i.e. any shuttle bus services or the like.</li> <li>• Noise management statement</li> <li>• Public toilet facilities statement i.e. the number of facilities to be provided during an event.</li> </ul>		
<b>BB2</b>	<b><i>Notification to Emergency Services</i></b>	Have emergency services including Police, Fire Brigade and Ambulance Service been notified of an event?		

<b>BC3</b>	<b>Positioning of Temporary Structures</b>	Are all the temporary structures positioned on a level ground?		
<b>BC4</b>	<b>Structural Certification of Temporary Structures</b>	Has structural certification of temporary structures been submitted to the Department?		
<b>BC5</b>	<b>Temporary Fencing</b>	Has certification of temporary fencing been submitted to the Department?		
<b>BC6</b>	<b>Stage</b>	Has structural certification of the stage been submitted to the Department?		
<b>BC7</b>	<b>General Event information Signage</b>	Has a sign been displayed?		
<b>BC8</b>	<b>Electrical Installations</b>	Has electrical services certification been submitted to the Department?		
<b>BC9</b>	<b>Emergency Evacuation Plans for Buildings</b>	Are emergency evacuation plans for Friday Flat Base Station building and Thredboland building in place?		
<b>BC11</b>	<b>Friday Flat Base Station Building</b>	Has a sign been displayed?		

Declaration:

I, \_\_\_\_\_, \_\_\_\_\_ of Kosciuszko Thredbo Pty Ltd, declare that the above conditions of consent have been satisfied.

(name) (position)

Signature: .....

Date: .....