

APPLICATION BY A PERMIT HOLDER TO CANCEL OR AMEND A PERMIT

VCAT reference number (Office use only): P

WHAT YOU CAN APPLY FOR

If you are a permit holder, owner or occupier of land, or someone entitled to use or develop land, you can apply to cancel or amend a permit under section 87 or 87A of the *Planning and Environment Act 1987*.

An application to amend a permit can only be made under section 87A if the permit, or a previously amended permit, was issued at VCAT's direction.

WHAT DO YOU WANT VCAT TO DO?

1. What do you want VCAT to do?

Amend a permit

2. Which section of the *Planning and Environment Act 1987* are you applying under?

Section 87A(2)(a) of the Planning and Environment Act 1987 - Application by the owner or occupier of the land concerned to cancel or amend a permit issued at the direction of the Tribunal

WHO IS MAKING THIS APPLICATION?

If there is more than one applicant, you can add joint applicant/s at the bottom of this page.

3. Who is making this application?

A company

4. Full name of the individual, body corporate, company or authority making this application.

Gippsland Field Days Pty Ltd

5. Are you?

- Owner of the land
- Occupier of the land
- Person entitled to use or develop the land

6. Do you wish to be identified as a person of Aboriginal and/or Torres Strait Islander descent?

No

7. What is your address?

This will be the address VCAT uses to correspond with you. It must be an address in Victoria. If you have a representative, we will send all our notices to your representative's address instead.

Street address 155 Burnt Store Road

Suburb

Lardner

State

VIC

Postcode

3821

Phone number 56261373

Email

8. Is this a joint application?

No

IS SOMEONE REPRESENTING YOU?

If you nominate a representative, we will send all our correspondences to your representative's address instead of your address. It must be an address in Victoria.

9. Is someone representing you? If No, skip to Question 11.

Yes

10. Details of your representative:

Organisation name (if applicable) Kinetica

Full name of representative Jane Witham

Street address 25/500 Collins Street, Melbourne

Suburb Melbourne State VIC Postcode 3000

Phone number +61438753782

Email janew@kinetica.net.au

ABOUT THE PERMIT TO BE AMENDED OR CANCELLED

11. Address of the land the permit relates to:

155 Burnt Store Road, Lardner

12. Permit number:

PLA0046/20

13. Date the permit was issued:

24/11/2021

14. If relevant, date the permit was previously amended:

15. Name of responsible authority:

Baw Baw Shire Council

16. If relevant, the name of any referral authority that was required to be given a copy of the application for the permit or application to amend the permit:

CFA

17. Was the permit, or previously amended permit, issued at the direction of VCAT? If No, skip to Question 19.

Yes

18. If yes, what was the VCAT reference number and/or AUSTLII citation?

P134/2021

19. When does the permit expire?

24/11/2030

20. Do you want to cancel the permit as a condition in another permit?

No

21. What is the development's estimated cost (s87A applications only)?

The estimated cost determines the application fee you must pay. For more details, go to www.vcat.vic.gov.au/planningfees.

Enter the cost in dollars. Do not include commas (,), nor the dollar sign (\$).

\$0.00

22. If you are applying under section 87 of the *Planning and Environment Act 1987*, do you believe that you are adversely affected by any of the following?

- a material mis-statement or concealment of fact about the permit application
- any substantial failure to comply with conditions of the permit
- any material mistake in the grant of the permit
- any material change in circumstances
- any failure to give notice
- any failure to comply with section 55, 61(2) or 62(1) of the *Planning and Environment Act 1987*

23. Why do you want the permit cancelled or amended?

To remove reference to 'Beyond the Valley' within the Planning Permit conditions.

Specifically:

1. Amend Condition 2 to remove wording 'Beyond the Valley' and replace with 'Live music event'.
 2. Amend Condition 13 to remove the wording 'Beyond the Valley'.
- See attachments for more information.

24. Give the name and address of other persons who may have an interest in the outcome of this application.

If you need more space, attach another document. You can add any attachments at the bottom of this form.

HEARING ARRANGEMENTS

You can ask to have your case heard in the Major Cases List (section 87A only) and/or Short Cases List. You can also ask for a practice day hearing or preliminary hearing. We will decide if it is appropriate to grant your request.

Find out more about the [Major Cases List](#) and [Short Cases List](#).

25. Are you applying for any of the following? If you select Short Cases List, skip to Question 27.

- Major Cases List (section 87A only)
- Short Cases List

26. Are you applying for a practice day hearing or preliminary hearing?

Practice day hearing

If you selected practice day hearing or preliminary hearing, explain why you want this below:

We intend to remove the reference to the commercial entity name 'Beyond the Valley' and replace with 'live music event'. We consider this an administrative amendment and one that can be settled without proceeding to a hearing.

27. Tell us if there is anything else you want us to consider when we arrange a hearing.

For example, provide details of any related current VCAT cases or ask for the hearing to take place at a specific VCAT venue.

PRESENTING YOUR CASE

28. How much time will you need to present your entire case at a final hearing?

Estimate the time you need to present, including time needed by any expert witnesses you will call.

0.25

hours

minutes

29. How many expert witnesses will you call?

0

30. List the areas of expertise for your expert witnesses.

Nil

HEARING ASSISTANCE

If you are concerned about being in the same room as someone who will attend the hearing, we can make special arrangements to ensure your safety.

We can also arrange to have an interpreter for anyone who needs to attend the hearing or assist people with disability (eg. hearing loops).

These special arrangements are free.

31. Does anyone attending the hearing need an interpreter?

No

If yes, tell us who needs an interpreter and in what language/dialect:

32. Does anyone attending the hearing require any other type of special assistance?

E.g. Hearing loop, wheelchair access, additional arrangements for personal safety.

No

If yes, tell us who needs any other type of special assistance and what they require:

ACKNOWLEDGEMENT

By completing this application, I understand and acknowledge that:

- To the best of my knowledge, all information provided in this application is true and correct.
- It is an offence under section 136 of the *Victorian Civil and Administrative Tribunal Act 1998* to knowingly give false or misleading information to VCAT.

Full name of person completing this form:

Jane Witham

Date of acknowledgement:

15/02/2022

ATTACH THESE DOCUMENTS TO YOUR APPLICATION

You must attach the following:

- Copy of the title to the land, of not more than 14 days old
- Copy of the permit and a tracked-changed version of amendments asked for, if relevant
- Copy of the current endorsed plans, if relevant
- Copy of the proposed amended plans highlighting changes proposed, if relevant
- Copy of the permit that contains a condition requiring the cancellation or amendment of the permit, if relevant
- Copy of the VicPlan Planning Property Report that details the planning controls that apply to the land (such as zoning and overlays) and whether the land is in an area of Aboriginal Cultural Heritage Sensitivity or is identified as being bushfire prone

- If a cultural heritage management plan (CHMP) under the *Aboriginal Heritage Act 2006* is required, attach the approved CHMP
- If a cultural heritage management plan (CHMP) under the *Aboriginal Heritage Act 2006* is not required, attach a certified preliminary Aboriginal heritage test or other statement of reasons about why a CHMP is not required. This may include a copy of a due diligence statement prepared by an Aboriginal heritage consultant
- Copy of the VCAT decision relating to the permit, if relevant.

In addition to the above, please attach any other documents in support of your application.

Keep a copy of these documents for your records.

Attachments to this application:

Title	File Name
PLA0046_20 Amended Planning Permit	2. PLA0046_20 Amended Planning Permit.pdf
PLA0046_20 Amended Planning Permit - track changed version	3. PLA0046_20 Amended Planning Permit - track changed version.pdf
Vicplan Planning Property Report	4. 155-Burnt-Store-Road-Lardner-(ID427739023)-Vicplan-Planning-Property-Report.pdf
CHMP	5. CHMP17772.pdf
VCAT consent order	6. VCAT consent order - P134 2021 Gippsland Field Days Pty Ltd v Baw Baw SC Corrected.docx
Cover letter - Section 87a	Letter to VCAT - 155 Burnt Store Road, Lardner Park - Section 87A.pdf
Title documentation	1. Title documentation.pdf

Large files

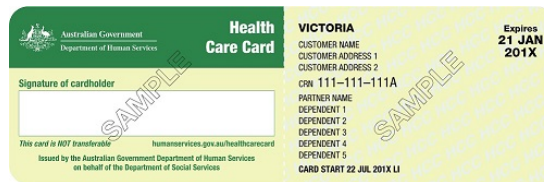
For any file larger than 128MB a sharing link is required.

Please list (by line) the name of each file that is bigger than 128MB followed by the hyperlink.

ABOUT VCAT FEES

VCAT fees are charged according to three levels:

- **corporate fees** for businesses and companies with a turnover of more than \$200,000 in the previous financial year, corporate entities and government agencies
- **standard fees** for individuals, not-for-profit organisations, and small businesses and companies with a turnover of less than \$200,000 in the previous financial year. Companies must provide a statutory declaration to support this claim
- **concession fees** for people who hold the Australian Government Health Care Card. You must provide a copy of your card with your application. We do not accept Pensioner Concession Cards or Department of Veteran Affairs health cards.



To find out if you need to pay an application fee and how much it costs, go to www.vcat.vic.gov.au/fees.

Which fee category are you applying for?

Corporate

FEE RELIEF

We can reduce or not charge (waive) a VCAT fee in certain circumstances.

Some people are automatically entitled to a full fee waiver. You can also apply for fee relief if paying the fee would cause you financial hardship. For more information about fee relief, go to www.vcat.vic.gov.au/feerelief.

If you are applying for fee relief, complete the [Fee Relief form](#) below. **If there is more than one applicant seeking a fee waiver or reduction, each applicant must fill out a separate form for your fee waiver application to be assessed.**

Are you applying for fee relief?

No

WHAT HAPPENS NEXT

If you have provided your email address, you will shortly receive an email from us with instructions about next steps including how to make payment (if applicable). If you have not provided an email address and payment is required, VCAT will contact you by telephone about making payment.

After we receive your application and open a VCAT case, we will send you and all other parties an order setting out what happens next, including dates to come to VCAT. The order will tell you the venue, time and date you must go to VCAT.

The order will also have your VCAT reference number. The number starts with 'P' and ends with the year the application was lodged (eg. P1/2020). Quote the reference number in all correspondences and documents about your case.

Contact us if you do not hear from us within two weeks of submitting your application.

NEED HELP WITH YOUR APPLICATION?

If you have any questions about completing this form, contact our Customer Service team:

- email admin@vcat.vic.gov.au
- call 1300 01 8228 (1300 01 VCAT) between 9 am and 4.30 pm Monday to Friday
- go to the Victorian Civil and Administrative Tribunal, Ground Floor, 55 King Street, Melbourne VIC 3000. We are open Monday to Friday from 8.30 am to 4.30 pm.

PRIVACY INFORMATION

For a copy of VCAT's privacy statement, go to www.vcat.vic.gov.au/privacy.

**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

VOLUME 11055 FOLIO 598

Security no : 124095505367W
Produced 15/02/2022 09:48 AM

LAND DESCRIPTION

Lot 4 on Plan of Subdivision 548936H.
PARENT TITLE Volume 10954 Folio 327
Created by instrument PS548936H 05/03/2008

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
THE GIPPSLAND FIELD DAYS of "LARDNER PARK" BURNT STORE ROAD WARRAGUL VIC
3280
PS548936H 05/03/2008

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AE635162A 29/09/2006
COMMONWEALTH BANK OF AUSTRALIA

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

AGREEMENT as to part Section 173 Planning and Environment Act 1987
T985234U 04/12/1995

AGREEMENT Section 173 Planning and Environment Act 1987
AF064027E 14/05/2007

DIAGRAM LOCATION

SEE PS548936H FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N COMMONWEALTH BANK OF AUSTRALIA
Effective from 23/10/2016

DOCUMENT END



Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Victorian Land Registry Services.

Document Type	Plan
Document Identification	PS548936H
Number of Pages (excluding this cover sheet)	2
Document Assembled	15/02/2022 09:49

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The document is invalid if this cover sheet is removed or altered.

PLAN OF SUBDIVISION

Stage No. /

LR use only

EDITION 1

PS 548936H

Location of Land

Parish: LONGWARRY
 Township: _____
 Section: _____
 Part Crown Allotments: 5, 6 & 7
 Crown Portion: _____

Title References: VOL 10954 FOL 327

Last Plan Reference: PS 546839R (LOT 2)

Postal Address: 1250 LARDNERS TRACK
 LARDNER, 3818

MGA Co-ordinates: E 401500 Zone 55
 (Of approx. centre of plan) N 5771400

Council Certification and Endorsement.

Council Name: BAW BAW SHIRE COUNCIL Ref: PLS05279

1. This plan is certified under section 6 of the Subdivision Act 1988.
- ~~2. This plan is certified under section 11(7) of the Subdivision Act 1988.
 Date of original certification under section 6: / /~~
- ~~3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988.~~

Open Space

(i) A requirement for public open space under section 18 of the Subdivision Act 1988 ~~has / has not been made.~~

~~(ii) The requirement has been satisfied.~~

~~(iii) The requirement is to be satisfied in Stage~~

Council Delegate
 Council seal

Date 4 / 9 / 06

~~Re-certified under section 11(7) of the Subdivision Act 1988~~

~~Council Delegate
 Council seal~~

~~Date / /~~

Vesting of Roads or Reserves

Identifier	Council/Body/Person
Nil	Nil

Notations

Depth Limitation: Does not apply

Staging This is not a staged subdivision.
 Planning Permit No. PLS05279

THE LAND BEING SUBDIVIDED IS SHOWN ENCLOSED BY CONTINUOUS THICK LINES.

LOT 1 IS OMITTED FROM THIS PLAN

Survey:- This plan is based on survey.

To be completed where applicable.

This survey has been connected to permanent marks no(s). _____

In proclaimed Survey Area no. _____

Easement Information

Legend: A- Appurtenant Easement E- Encumbering Easement R- Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	POWER LINE	11	PS 546839 - SECTION 88 ELECTRICITY INDUSTRY ACT 2000.	SPI ELECTRICITY PTY LTD
E-2	WATER SUPPLY & ELECTRICITY SUPPLY	SEE DIAG	THIS PLAN	LOT 1 PS 546839R
E-3	POWER LINE	11	THIS PLAN - SECTION 88 ELECTRICITY INDUSTRY ACT 2000.	SPI ELECTRICITY PTY LTD

LR use only _____

Statement of Compliance / Exemption Statement

Received

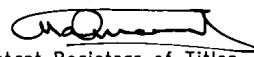
Date 24 / 12 / 07

LR use only _____

PLAN REGISTERED

TIME 9:12 AM

DATE 5 / 03 / 08


 Assistant Registrar of Titles

Sheet 1 of 2 Sheets

ROSS & WORTH PTY. LTD.
LAND & ENGINEERING SURVEYORS

* 5/61 SMITH STREET WARRAGUL 56232257
 26 CONTINGENT ST. TRAFALGAR 56331577
 213B PRINCES HIGHWAY MORWELL 51341368

LICENSED SURVEYOR GEOFFREY S FEDDERSEN

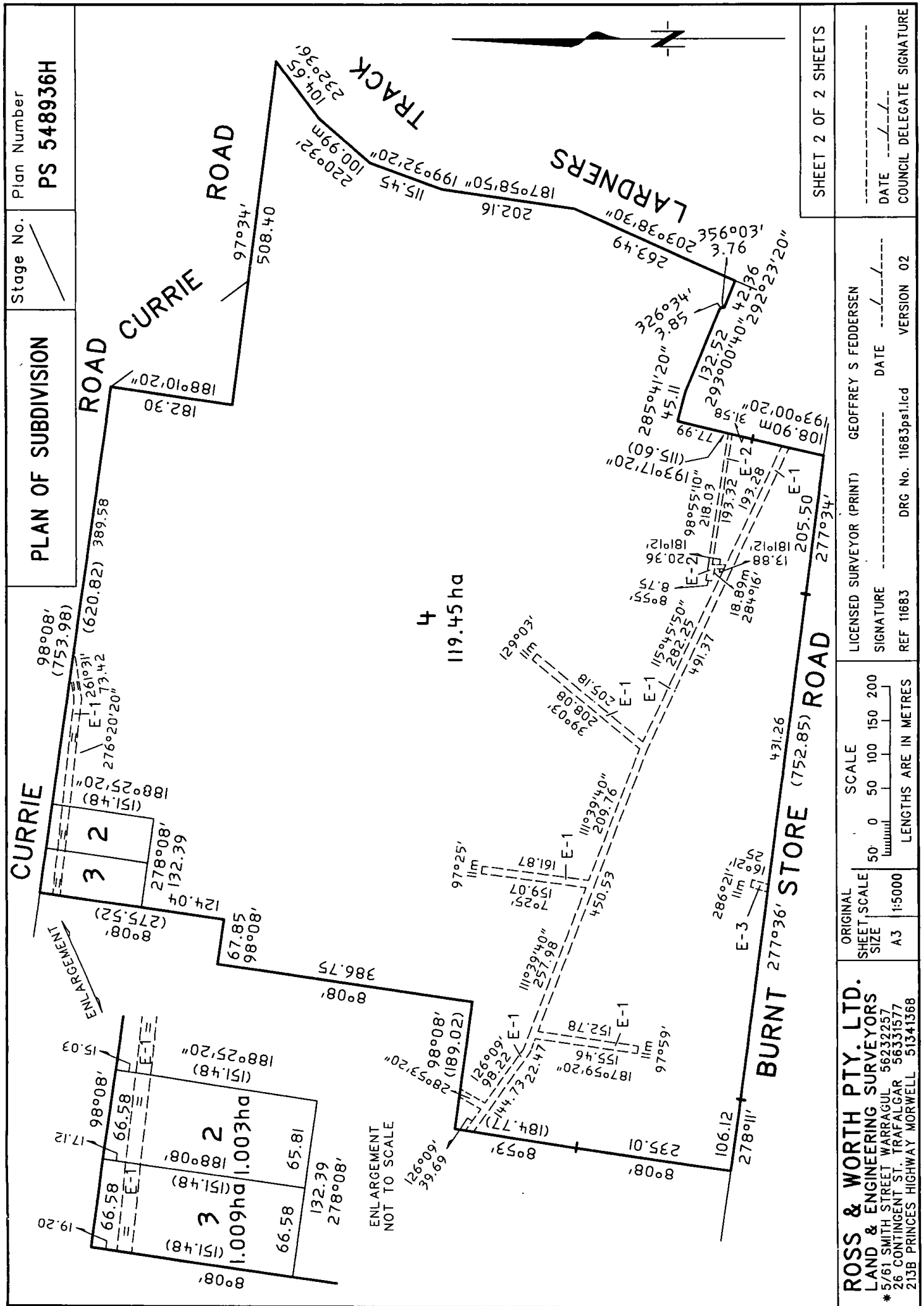
SIGNATURE _____ DATE 15 / 5 / 06

REF 11683 DRG No. 11683ps1.lcd VERSION 02

DATE 4 / 9 / 06

COUNCIL DELEGATE SIGNATURE

Original sheet size A3



PLAN OF SUBDIVISION

Stage No. /

Plan Number
PS 548936H

SHEET 2 OF 2 SHEETS

DATE / /

COUNCIL DELEGATE SIGNATURE

LICENSED SURVEYOR (PRINT) GEOFFREY S FEDDERSEN

SIGNATURE /

DATE / /

VERSION 02

DRG No. 11683ps1.lcd

REF 11683

ORIGINAL SCALE

SHEET SCALE 1:5000

SHEET SIZE A3

SCALE 50 0 50 100 150 200

LENGTHS ARE IN METRES

ROSS & WORTH PTY. LTD.

LAND & ENGINEERING SURVEYORS

* 5/61 SMITH STREET WARRAGUL 56232257

26 CONTINGENT ST. TRAFALGAR 56331577

213B PRINCES HIGHWAY MORWELL 51341368

ATT Principal Registrar
Victorian Civil and
Administrative Tribunal
Planning and
Environment List
55 King Street
Melbourne VIC 3000

15 February 2022

By email only:
admin@vcat.vic.gov.au

Kinetica Studio Pty Ltd
L25 / 500 Collins Street
Melbourne / 3000
VIC / Australia

P. 03 9109 9400

E. info@kinetica.net.au

W. kinetica.net.au

ABN. 45 080 477 523

Dear Principal Registrar,

VCAT Reference P134/2021
Amendment pursuant to Section 87(A) of the *Planning and Environment Act 1987*
155 Burnt Store Road, Lardner ("Lardner Park")
Permit Application No. PLA0046/20

kinetica acts on behalf of the Permit Application/Applicant for Review.

Our client seeks an amendment to the following conditions contained in the Planning Permit PLA0046/20:

1. Amend the wording of Condition 2 to remove reference to 'Beyond the Valley', by replacing:
'Use of the land is limited to the annual 'Beyond the Valley Festival'.

with:

'Use of the land is limited to an annual live music event.'

2. Amend the wording of Condition 13 to remove reference to 'Beyond the Valley' by replacing:
'No later than 2 months prior to each annual Beyond the Valley event, a Traffic Management Plan (TMP) is to be submitted and approved by the Responsible Authority. The plan is to be to the satisfaction of the Responsible Authority.'

with:

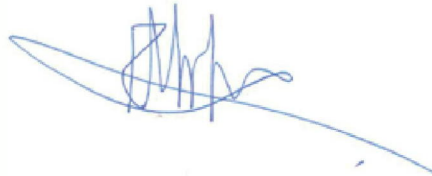
'No later than 2 months prior to each annual event, a Traffic Management Plan (TMP) is to be submitted and approved by the Responsible Authority. The plan is to be to the satisfaction of the Responsible Authority.'

The purpose of this amendment is administrative only. It seeks to remove reference to Beyond the Valley music festival. This is to enable other commercial entities to operate under the permit.

Attachments enclosed in this package include:

- A copy of the title to the land,
- A copy of the permit and a track-changed version (via PDF comments) of the amendments requested,
- VicPlan property report,
- Approved Cultural Heritage Management Plan, and
- VCAT consent order.

Yours sincerely,



Rob Milner
Principal
kinetica



BAW BAW SHIRE COUNCIL

PLANNING

PERMIT

Permit No:

PLA0046/20

Planning Scheme:

Baw Baw Planning Scheme

Responsible Authority:

Baw Baw Shire Council

ADDRESS OF THE LAND: 155 & 155A Burnt Store Road Lardner

Lot 4 PS 548936 Vol 11055 Fol 598

THE PERMIT ALLOWS: Use of the land (155 Burnt Store Road Lardner "Lardner Park") for a Place of Assembly (Live Entertainment Venue) and Camping associated with a Place of Assembly

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of Amendment	Brief description of Amendment
30 September 2021	<p>Amend the permit in accordance with the Correction Order by the Victorian Civil and Administration Tribunal (VCAT) in application P134/2021 pursuant <i>Planning and Environment Act 1987</i> by:</p> <ul style="list-style-type: none">▪ Deleting condition 1 (d).▪ Inserting conditions 26 to 30.▪ Renumbering the expiry condition from 26 to 28 to 31 to 33.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

General Conditions

- 1 Before the use starts plans drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must show:
 - (a) Removal of the Baw Baw Equestrian Centre land from any plan notations.
 - (b) Removal of the 1% AEP flood extent along the Omahoneys Creek, as defined by Melbourne Water, from any land use or access area.

Date Issued: 24 November 2020

Planning and Environment Act 1987

Page 1 of 6


Natalie O'Shea
Signature for the Responsible Authority

BAW BAW SHIRE COUNCIL

PLANNING

PERMIT

Permit No:

PLA0046/20

Planning Scheme:

Baw Baw Planning Scheme

Responsible Authority:

Baw Baw Shire Council

-
- (c) A general plan layout of the event site in relation to Lardner Park including performance areas and provide indicative locations of food outlets, temporary structures, commercial installations, event office locations, ablutions, shower facilities, potable water, food outlets and first aid points, fire facilities, temporary lighting, camping, car parking and vehicle accessways, temporary security fencing, any pick up and drop off points, staff locations car parking and bus locations.
- (d) DELETED.
- 2 Use of the land is limited to the annual 'Beyond the Valley Festival'.
- 3 The use shown on the endorsed plans must not be altered without the further written consent of the Responsible Authority.
- 4 Once the use has started it must be continued to the satisfaction of the Responsible Authority.

Management

- 5 The Responsible Authority is to be advised in writing whether the annual event is proceeding, three months prior to the date of the event.
- 6 The number of patrons attending the event is limited to 20,000 persons. Tickets to the event that are released, sold and/or issued by the operator must not permit a higher number of patrons.
- 7 On request, the permit applicant is to provide the Responsible Authority, with details on patron numbers within a calendar month after the event.
- 8 Event information is to be provided to patrons with their tickets and advise:
- (a) No parking is available outside the site on the surrounding road network during the event.
 - (b) All patrons must not cause a nuisance or disturbance when entering or leaving the event.
 - (c) Information where the Emergency Management Plan for the event can be viewed.
 - (d) Trespassing onto private properties adjoining and opposite the site is not permitted under any circumstances.
 - (e) No rubbish is to be left at Lardner Park.

Date Issued: 24 November 2020

Planning and Environment Act 1987

Page 2 of 6



Natalie O'Shea
Signature for the Responsible Authority

BAW BAW SHIRE COUNCIL

PLANNING

PERMIT

Permit No:

PLA0046/20

Planning Scheme:

Baw Baw Planning Scheme

Responsible Authority:

Baw Baw Shire Council

- 9 The event organisers/managers are to meet and consult with the local community no later than 2 months prior to the event with a view to discussing issues raised from the previous event. A record of the meeting is to be kept and a copy forwarded to the Responsible Authority.

Patron Management and Security Plan

- 10 A patron management and security plan is to be prepared and include consultation with Victoria Police. The plan is to include (but is not be limited to):
- (a) Personnel numbers, management structure, roles, responsibilities and powers.
 - (b) Provision of Police resources as required by Victoria Police.
 - (c) Arrangements for orderly patron and vehicle queuing.
 - (d) Details of signage to encourage responsible off-site patron behaviour.
 - (e) Staff training in terms of patron behaviour.
 - (f) Details on how security will be managed.
 - (g) Treatment and identification of property boundaries.
 - (h) Communication provisions.
 - (i) Security provisions and protocols for nearby residents and properties.
 - (j) Security lighting.
 - (k) Details of a dedicated complaints hotline for the duration of the event in relation to patron and security issues.
 - (l) Procedures for recording, investigating and actioning complaints.
- 11 Within 30 days of the completion of the event, a report is to be provided to the Responsible Authority detailing:
- (a) Details of any incidents arising in terms of security.
 - (b) Details of complaints received, and actions taken.



BAW BAW SHIRE COUNCIL

PLANNING

PERMIT

Permit No:

PLA0046/20

Planning Scheme:

Baw Baw Planning Scheme

Responsible Authority:

Baw Baw Shire Council

Noise

- 12 Subject to any separate approvals required from the Environment Protection Authority under the *Environment Protection Act 1970* (SEPPN-2), the hours music is to be played at the event is limited to:
- Day 1 12:00 noon and 10:00 pm (no main stage);
 - Day 2 12:00 noon to 2:00 am the following day;
 - Day 3 12:00 noon to 2:00 am the following day; and
 - Day 4 12:00 noon to 3:00 am the following day.

Traffic Management

- 13 No later than 2 months prior to each annual ~~Beyond the Valley~~ event, a Traffic Management Plan (TMP) is to be submitted and approved by the Responsible Authority. The plan is to be to the satisfaction of the Responsible Authority.
- 14 Prior to the next festival, permanent 'No Standing' signs/zones are to be implemented at the cost of the landowner/applicant along the roads adjacent to Lardner Park to the satisfaction of the Responsible Authority.

Emergency Management Plan

- 15 The event manager must notify emergency services (Victoria Police, CFA, VicSES and Ambulance Victoria) the event is proceeding 3 months prior to the event.
- 16 A suitably qualified risk management practitioner is to prepare an Emergency Management Plan (EMP) to the satisfaction of the Responsible Authority. The EMP needs to address the following areas but is not limited to:
- Maximum number of people in attendance.
 - The duration of the event.
 - The demographic of attendees.
 - Whether food and/or alcohol will be consumed or sold.
 - The time of year (i.e. Fire Danger Period, flooding etc.)
 - Assessments of fire, flooding and other emergencies onsite and possible external threats to the site.
 - Identification of risks, planning for safety of event staff, contractors and patrons – in the event of an emergency.



BAW BAW SHIRE COUNCIL

PLANNING

PERMIT

Permit No:

PLA0046/20

Planning Scheme:

Baw Baw Planning Scheme

Responsible Authority:

Baw Baw Shire Council

- Risk treatments to mitigate any identified risks.
 - Prominently detail assembly areas, vehicular traffic, paths of access and egress and parking which are not to impinge on responding fire response vehicles.
- 17 The EMP is to be prepared in consultation with the Baw Baw MEMPC (multiagency committee), and be finalised no less than one month prior to the proposed event.
- 18 The EMP is to reflect the 1% AEP flood extent associated with the Omahoneys Creek with key emergency access and egress points, camping and temporary structures located outside the flood extent.

Waste Management

- 19 A Waste Management Plan (WMP) is to be submitted no later than a month prior to the commencement of each annual event. The WMP shall provide for:
- (a) An assessment of waste streams likely to be created on-site.
 - (b) Management methods for dealing with each waste streams including the method of collection of garbage and recyclables arising from the event.
 - (c) Appropriate areas of bin storage on-site during the event;
 - (d) Detailed measures to minimise the impact of waste upon local amenity. This is to include specific measures to address rubbish left in the area proximate to site boundaries and along roads in the vicinity and the times measures will be undertaken in a timely manner as soon as possible after the event has finished.
- 20 The WMP is to be to the satisfaction of the Responsible Authority.

Health

- 21 Any places on the premises that sells food must be registered with Council as a Food Premises under the *Food Act 1984*.
- 22 The premises is required to be registered with Council as a Caravan Park under the *Residential Tenancies (caravan parks and moveable dwellings registration and standards) Regulations 2010*.
- 23 Any use of the premises must not exceed the capacity of the septic systems on the property or cause any conditions which are considered a nuisance or offensive.
- 24 A contact person for all food related matters must be nominated for each event and that detail provided to the responsible authority two months prior to the event.



BAW BAW SHIRE COUNCIL

PLANNING

PERMIT

Permit No:

PLA0046/20

Planning Scheme:

Baw Baw Planning Scheme

Responsible Authority:

Baw Baw Shire Council

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- 25 No food retailer is to be permitted on the premises unless they provide evidence of approval being given by Baw Baw Shire Health section to trade at the event (Stretrader statement of trade approval).

Cultural Heritage Management

- 26 The approved Cultural Heritage Management Plan No.17772 forms part of the permit.
- 27 The use and associated buildings and works must be carried out in accordance with Part 1 - Cultural Heritage Management Conditions of the approved Cultural Heritage Management Plan No.17772.
- 28 Activities conducted on the site must be undertaken in accordance with Schedule 1, unless an alternative schedule is approved in writing by the Responsible Authority.
- 29 Aboriginal cultural heritage is located within the Activity Area. Failure to comply with a condition of the approved Cultural Heritage Management Plan No.17772 is an offence under Section 67A of the Aboriginal Heritage Act 2006.
- 30 The approved Cultural Heritage Management Plan No.17772 must be readily available to the sponsor and their employees and contractors when carrying out the activities approved under this permit.

Expiry

- 31 In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if the use is not started before 2 years from the date of issue.
- 32 In accordance with section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend this period if a request is made in writing before the permit expires, or within six months afterwards.
- 33 The permit will expire 10 years from the date of the permit.



IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**)

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit; or
- if no date is specified, from—
 - (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
 - (ii) the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within five years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.