

ASSESSMENT REPORT: TEMPORARY CHANGE OF USE FOR PUBLIC CONCERTS

**Royal Randwick Racecourse, Alison Road,
RANDWICK
(SSD 4995-2011)**

Director-General's Assessment Report



Director General's
Environmental Assessment Report
Section 79C of the
Environmental Planning and Assessment Act 1979

February, 2012

ABBREVIATIONS

Applicant	Future Events Pty Ltd, or any other person or persons who rely on this consent to carry out the development that is subject to this consent
CIV	Capital Investment Value
Consent	This development consent
Department	Department of Planning & Infrastructure
DGRs	Director General's environmental assessment requirements
Director General	Director General of the Department
EIS	Environmental Impact Statement titled Future Music festival, dated November 2011
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
Minister	Minister for Planning & Infrastructure
NOW	NSW Office of Water
OEH	Office of Environment and Heritage
PAC	Planning Assessment Commission
PFM	Planning Focus Meeting
RTA	Roads and Traffic Authority
RtS	Response to Submissions
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State significant development

Cover Photograph: Aerial View of Royal Randwick Racecourse (Google 2012)

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EXECUTIVE SUMMARY

Future Events Pty Ltd has lodged a State Significant Development Application for the staging of the "Future Music Festival" event at Royal Randwick Racecourse on 77-79 Alison Road, Randwick.

This event has been staged at the Racecourse venue over the past six (6) years under approvals previously issued by Randwick City Council. On the 1 October, 2011 the State Environmental Planning Policy (State and Regional Development) 2011 came into effect and under Clause 4 of Schedule 2 of the SEPP development *"for the purposes of an event that is not a race day event"* requires the consent of the Minister for Planning and Infrastructure.

The application seeks approval for:

One day concert event held on the 10 March 2012 from 12 noon to 10:00pm for approximately 45,000 patrons and includes:

- on site markets, food stalls, amusement facilities and associated services.
- erection of associated temporary structures, including ten (10) stages, grandstand, toilet facilities and bar area.
- bump-in (venue preparation) proposed on Thursday 1 March 2012 and bump-out (vacate site) is proposed for 15 March 2012 for a total site occupation period of 12 days.
- public and staff carparking on site for 1,100 vehicles.
- pedestrian access/egress from Alison Road and High Street.
- bus parking and patron queuing for transport predominantly from High Street.

Royal Randwick Racecourse is located off Alison Road in Randwick and is situated within the Randwick Local Government Area. The site is zoned 6A Open Space under the Randwick Local Environmental Plan 1988 (LEP1988). The proposed event is a permissible form of development and is considered to be consistent with the zone objectives.

The application was exhibited between 16 November 2011 and 16 December 2011 (31 days). The Department received 6 public submissions and 4 government agency submissions from NSW Police, Department of Transport, Randwick City Council and Office of Environment and Heritage. The key issues raised in these submissions included how the event would safely and efficiently operate, increased patronage, public safety, traffic management, transport planning, noise and patron behaviour.

In response to the issues raised, the Applicant submitted a formal response which provided advice on the issues and clarified particular matters.

The Department is satisfied that it has considered all relevant matters under Section 79C, the objects of the Act and ecologically sustainable development in its assessment and, subject to conditions, the proposed event may be held as a one-off event without any unacceptable amenity, environmental or safety related impacts. The Department considers that, on balance, the proposal is in the public interest and recommends that it be conditionally approved requiring in particular:

- strict sound limits of 70dB(A) and 90 dB(C) respectively; and
- the implementation of appropriate and acceptable management plans to address transport, public safety, security, noise and patron behaviour issues.

The Department further recommends conditions of consent to enforce the recommended noise limits and controlling measures, and to require that all management plans be approved/supported by relevant government agencies prior to the Festival being held.

The Minister for Planning and Infrastructure is the consent authority for the proposal. However, the Planning Assessment Commission may determine the application on the Minister's behalf under delegation dated 28 September 2011 as the proposal involves a political donation as disclosed by the Australian Jockey Club.

1. BACKGROUND

This is a report on State Significant Development application SSD 4995-2011, seeking consent for a one-off, temporary use of land at Royal Randwick Racecourse, Alison Road, Randwick for the staging of a music festival. The applicant is Future Events Pty Ltd.

Under Clause 89D of the Environmental Planning and Assessment Act, 1979 the Minister for Planning and Infrastructure is the consent authority for State Significant Development (SSD). The subject proposal is a SSD as it falls under the provisions of Clause 4 of Schedule 2 of the State Environmental Planning Policy (State and Regional Development) 2011.

1.1 The Site

The site is located at the Royal Randwick Racecourse off Alison Road in Randwick (**Figure 1**) and is situated within the Randwick Local Government Area. It has an area of 80 hectares and is predominantly vacant apart from the existing racecourse buildings and track.

Figure 1: Regional Context



Royal Randwick Racecourse is bounded by Alison Road, Wansey Road, High Street and the rear of predominantly residential properties fronting Doncaster Avenue. The racecourse is bounded to the east and west by residential area containing a broad spectrum of housing types. The University of NSW campus is to the south and Centennial parklands are to the north.

The site currently accommodates the Randwick Racecourse and its associated infrastructure, including grandstand, stabling and administration buildings. Some of these buildings are proposed to be utilised as part of the music festival operations. Access and egress infrastructure includes a bus way and taxi terminal designed and constructed to accommodate a crowd of up to 55,000 persons predominantly via Alison Road and High Street. The main access to the site is via Alison Road which has recently been upgraded to provide a distinctive face to the racecourse and to improve safety and accessibility generally. Pedestrian and vehicular access to the site is also available from High Street to the south, Doncaster Avenue to the west and Wansey Road to the east.

Figure 2: Existing Site Layout



Site Analysis Plan
RANDWICK RACECOURSE, RANDWICK

0 0.5 1 2
Kilometres



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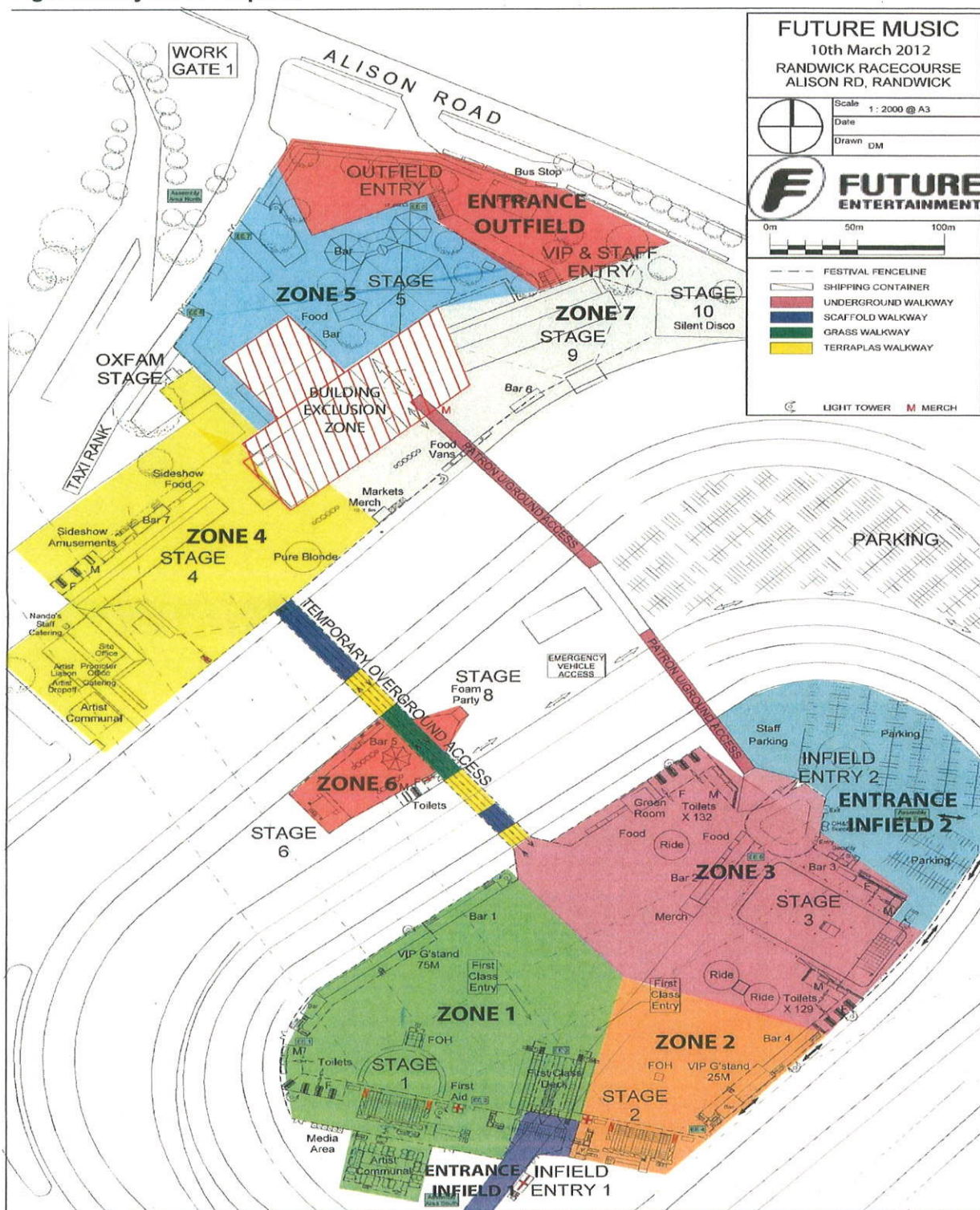


2. PROPOSED DEVELOPMENT

2.1 Project Description

The layout of the proposed development is shown in **Figure 3**. The key components are listed in Table 1.

Figure 3: Layout of Proposal



On 2 November 2011, an application was submitted in accordance with the *Environmental Planning and Assessment Act, 1979* (the Act) seeking approval to hold a stand alone concert event on the 10 March, 2012 at the Royal Randwick Racecourse. The activity, although only being a one day event will require a Bump-In date of 1 March 2012 and a Bump-Out date of 15 March, 2012 to accommodate the erection and dismantling of essential structures and stages. The original application sort a Bump-In date of 4 March, however, by letter dated 25 January 2012 the Applicant has formally sought the Bump-In date to be brought forward to the 1 March in order to minimise impacts on local road networks by spreading truck deliveries over a slightly longer period. This issue had been raised with Council Officers through the Traffic Planning Meetings held between the Applicant and government stakeholders, at which Council has not indicated any concern with this operational modification.

The Future Music Festival is now an established musical event on the Sydney calendar, having been approved to operate at the racecourse for the past six (6) years by Randwick City Council. The 2011 Festival catered for a crowd of 42,000 patrons, the 2010 for 38,000 patrons and the 2009 for 35,000 patrons, indicating a gradual increase in patronage as part of approvals issued by the Land & Environment Court and Randwick City Council.

The proposal seeks to stage a one day event accommodating up to 45,000 patrons, with associated amusement and food/bar service facilities whilst utilising up to ten (10) temporary stages spread across the site. Pedestrian and vehicular access to the site is proposed via High Street with buses and taxi's accessing via Alison Road. The subject land will provide an area adequate to accommodate 1,100 patron vehicles as well as police and staff vehicles, however, it is envisaged that the majority of patrons will use public bus services to access the site.

Table 1: Key Components of Development

Aspect	Description
Development Summary	• One day musical event on 10 March 2012. • Bump-in 1 March 2012 and Bump-out 15 March 2012-01-04. • Accommodate a crowd of up to 45,000 persons. • Festival begins at 12 noon and finishes at 10:00pm
Traffic	Draft Transport Management Plan being prepared in consultation with NSW Police and NSW Transport.
Noise	Draft Sound Management Plan prepared which includes use of 2 free roaming acoustical engineers during the musical event.
Patron Behaviour	Draft Security Management Plan prepared which will require final approval by the NSW Police to be an effective document for the Festival.

2.2 Project Need and Justification

The proposed development has established a national image as a major open-air performance and cultural event for the calendar year, in similar vein to Big Day Out or Homebake and over the past 6 years has been held successfully at Randwick racecourse. The event has evolved over this period and appears to be supported by NSW Police, State Transit Authority and NSW Transport as a suitably managed event. Musical events traditionally are loud and obtrusive by nature for surrounding landowners, however the event is of only one day duration and will be completed by 10pm. On this basis it is considered that the Festival is an appropriate undertaking on a well serviced and event focused venue.

3. STATUTORY CONTEXT

3.1 State Significant Development

The proposal is State significant development under Part 4 of the Act because it is development that "is for the purpose of an event that is not a race day event" under clause 4 of Schedule 2 of State

Environmental Planning Policy (State and Regional Development) 2011. Therefore the Minister for Planning & Infrastructure is the approval authority.

Six (6) public submissions objecting to the proposed development were received during exhibition. Council does not object.

3.2 Determination Under Delegation

The Minister has delegated his functions to determine SSD development applications to the Planning Assessment Commission (PAC) where an application has been made by persons other than by or on behalf of a public authority.

The application is being referred to the PAC for determination as a political disclosure statement has been made from the Australian Jockey Club who is the owner of the land and therefore has an interest in the application.

As the application has been made by a private organisation it is able to be determined by the PAC under delegation from the Minister.

3.3 Permissibility

The Royal Randwick Racecourse is zoned 6A Open Space under the Randwick local Environmental Plan 1988 (RLEP). The proposed development is considered to be defined as a "**Recreational Facility**" under the terminology of the RLEP and is a permissible form of landuse within the 6A Open Space zone.

3.4 Environmental Planning Instruments

Under Section 79C of the Act, the Director-General's report for a project is required to include a copy of, or reference to, the provisions of any State Environmental Planning Policy (SEPP) that substantially governs the carrying out of the project, and the provisions of any environmental planning instruments (EPI) that substantially govern the carrying out of the project and that have been taken into consideration in the assessment of the project.

The Department's consideration of relevant SEPPs and EPIs is provided in Appendix D.

3.5 Objects of the EP&A Act

Decision-makers are required to consider the objects of the Act when making decisions under the Act. These objects are detailed in Section 5 of the Act, and include:

- (a) *to encourage:*
 - (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
 - (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
 - (iii) *the protection, provision and co-ordination of communication and utility services,*
 - (iv) *the provision of land for public purposes,*
 - (v) *the provision and co-ordination of community services and facilities, and*
 - (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
 - (vii) *ecologically sustainable development, and*
 - (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The objects of most relevance for consideration of the proposed development are 5(a)(i), 5(a)(ii), 5(a)(vi) and 5(a)(vii). The Department has given due consideration of these objects in its assessment of the proposal (see Table 2 below).

Table 2: Objects of the EP&A Act and relevance to the development

Object	Consideration
5(a)(i)	The proposal provides an annual music festival to showcase Australian musical talent and promote the City as an effective venue to stage such events.
5(a)(ii)	The Royal Randwick Racecourse is an 80ha private open space holding within the centre of Sydney which is generally limited to use for horse racing activities. The on-going support of the music festival provides for a wider range of entertainment activities to be utilised on this important site.
5(a)(vi)	The operation of the musical festival is to be controlled conditionally to ensure that local amenity is safeguarded. The festival is a one day event and is unlikely to result in any long term impacts on local habitats.
5(a)(vii)	The proposal is considered to be consistent with the ecologically sustainable development principles as the proposal is a one-off event which will be fully serviced and properly managed to ensure acceptable levels of amenity, environmental protection and safety in both the short and long term.

3.6 Statement of Compliance

In accordance with Section 89H of the the Act, the Department is satisfied that the Director-General's environmental assessment requirements have been complied with.

4. CONSULTATION AND SUBMISSIONS

4.1 Exhibition

Under Section 89F(1)(a) of the Act, the Director General is required to make the EIS of a State Significant Development application publicly available for at least 30 days. After accepting the EIS the Department publicly exhibited it from 16 November 2011 until 16 December 2011 (31 days) on the Department's website, and at the exhibition locations. The Department also advertised the public exhibition in the Southern Courier, Daily Telegraph and Sydney Morning Herald newspapers on 16 November 2011 and notified nearby landholders, local community groups and relevant State and local government authorities in writing.

The Department received 10 submissions during the exhibition of the EA - 4 submissions from public authorities and 6 submissions from the general public and special interest groups.

Public Authority submissions were received from NSW Police, Department of Transport, Randwick City Council, and Department of Environment and Heritage.

A summary of the issues raised in submissions is provided below.

4.2 Public Authority Submissions

NSW Police, NSW Transport and the Office of Environment and Heritage all made submissions on the proposal, generally in support subject to conditions. Randwick City Council did not object to the development but raised a number of issues. The submissions raised the following matters:

NSW Police does not object to the proposal and raised matters relating to security, traffic (vehicular and pedestrian) and safety.

Office of Environment and Heritage does not object to the proposal and raised matters relating to noise control and community consultation strategies.

NSW Transport does not object to the proposal and raised matters relating to traffic/transport management, community consultation, emergency management, occupational health & safety plan and risk management.

Randwick City Council does not object to the proposal and raised matters relating to heritage, transport, accessibility, environmental and residential amenity, noise, public health and safety, building compliance and safety and contributions.

These matters have been addressed in Section 5 of this report.

4.3 Public Submissions

Six (6) submissions were received from the public. This included submissions from the Randwick Precinct Committee (see Appendix B).

Of the six (6) public submissions, five (5) objected to the proposal and one did not object but raised concerns. The key issues raised in public submissions are listed in Table 3.

Table 3: Summary of Issues Raised in Public Submissions

Issue	Proportion of submissions (%)
Inadequate traffic control and management	100
Inadequate noise control and management	100
Unacceptable Anti-social behaviour by patrons;	83
Unacceptable crowd capacity of 45,000	83
Necessity for an effective security and risk management control	100
Necessity for a dust minimisation plan	66
Necessity for a community action plan and complaints hotline	66

The Department has fully considered the issues raised in submissions in its assessment of the proposal as part of Section 5 of this Report.

4.4 Response to Submissions

In response to the issues raised, the applicant submitted a formal response which provided advice on the issues and clarified particular matters as follows:

- The Applicant accepted that appropriate conditions of consent may be required to ensure final acceptance of management plans.
- With regard to the increased crowd numbers the Applicant considers that the proposed crowd capacity of 45,000 is appropriate due to the suitability of the site, considering its long and successful association with staging cultural and sporting events of a similar scale, up to a capacity of 55,000, including race days and music festivals dating back to the Beatles in 1965.
- The Applicant accepts that an improved community consultation procedure should be pursued and generally agrees to measures proposed by council and the Department.
- The Applicant agrees that no trucks will be permitted to use High Street and Wansey Road for entry.
- The Applicant agrees that Gate 1 is the primary entry point for heavy vehicles to the site and thus trucks will not queue in surrounding streets prior to 9am but will be on site in the existing taxi rank area prior to 9am, when horse training activity reduces.
- No B-Double semi-trailer vehicles will be utilised as part of the event.
- The Applicant submits that past experience and the modified Management Plans will generally address issues related to traffic and patron behaviour.

These matters are considered further in Section 5.

5. ASSESSMENT

In accordance with Section 89H of the Act an assessment of the proposal against the principles identified under Section 79C is required as follows:

5.1 The Environmental Planning & Assessment Act Section 79C

The likely impacts of the development, the suitability of the site for the proposed development and the public interest have been considered in accordance with Section 79C as follows.

5.1.1 ***Section 79C(1)(a) the provisions of: (i) any environmental planning instrument, and***

The Department has identified the following environmental planning instruments as being applicable to the assessment of the proposal:

- State Environmental Planning Policy (State and Regional Development) 2011;
- State Environmental Planning Policy No.55 – Remediation of Land;
- State Environmental Planning Policy (Temporary Structures) 2007;
- State Environmental Planning Policy (Infrastructure) 2007; and
- Randwick Local Environmental Plan 1988.

The application has been assessed against the provisions of these environmental planning instruments and is considered to be consistent with the aims, objectives and provisions of the instruments. A detailed assessment of the application against the documents is available at Appendix D. On this basis the application is considered to be acceptable subject to the recommended conditions of consent.

5.1.2 ***Section 79C(1)(a)(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and***

No draft instrument applies.

5.1.3 ***Section 79C(1)(a)(iii) any development control plan, and***

The Department has not identified any development control plans relevant to the subject proposal.

5.1.4 ***Section 79C(1)(a)(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and***

No Planning Agreement has been lodged by the Applicant and no agreement has been sought pursuant to section 93F.

5.1.5 ***Section 79C(1)(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and***

There are no specific provisions within the Regulations which require consideration as part of the subject application.

5.1.6 ***Section 79C(1)(a)(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,***

The subject site is not affected by any coastal zone management plan.

5.1.7 ***Section 79C (1)(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,***

The Department considers that the key issues are as follows:

- public safety;
- transport and traffic management;

- noise and acoustics;
- security and patron control;
- community consultation and awareness; and
- waste management.

Public Safety

Public safety is raised as an issue by local residents due to the potential for illegal activities, drug dealing and break/enter activities that may be associated with patrons attending the Festival. Past examples illustrate that the festival can result in arrests for various criminal activities. It is noted that the 2011 festival was considered a success by the NSW Police as no harmful criminal act occurred, although there were arrests associated with criminal behaviour, including drug associated arrests.

General public safety has been improved as the festival has continued and it has been demonstrated that an appropriate NSW Police enforcement management plan can be implemented.

On the basis of the conditional support of NSW Police and NSW Transport, and given demonstrated satisfactory levels of public safety associated with past events, it is considered that there are the means to ensure a safe and effective environment for the patrons, local residents and employees. In accordance with the conditions recommended by these agencies the Department recommends that further details be provided on:

- a security management plan dealing with safety precautions on and off Randwick Racecourse and general patron behaviour control measures; and
- an emergency management and incident response plan which will detail the precautionary actions to be taken in the case of a major occurrence and the marshalling of patrons.

The Department recommends that this information be approved by NSW Police and NSW Transport as conditions of consent which can also have regard to ticketing information on patron transport mode preferences. These measures will be implemented through **Conditions B9, B10, B11, C4, D12 & D26**.

Transport and Traffic Management

A draft transport and traffic management plan has been submitted to accompany the application which recommends the following:

- Use of fully integrated ticketing, including promotion of use of public transport;
- Use of 45 buses for access to site and 115 buses to remove patrons from site;
- Identification of special event clearways for the festival;
- Identification of temporary bus zones for the festival;
- Provision for 1,100 visitor carspaces within the racecourse infield and parking for staff/police; and
- Identification of temporary taxi ranks for the festival.

This issue has been identified both by public agencies and local residents as a key issue for the festival. Matters of on-going concern for the local residents is the use of B-Double semi-trailers to service the site, hours of operation for truck deliveries, truck access to the site via High Street and dust suppression concerns. These matters are considered to be satisfactorily addressed through the draft plan and proposed conditions of consent, including prohibiting use of B-Doubles and restricting access points to the site by heavy vehicles.

Proposed traffic management arrangements have been agreed to in principle (and will be finalised prior to the holding of the events) by the NSW Police and NSW Transport as part of the consultation process. However, these agencies have sought further details within these plans and have agreed that this can be resolved conditionally. The Department considers that transport and traffic are key issues in the success of the event for patron management. The final management plan, currently being fine tuned by the Applicant and government authorities, is required to be approved by the NSW Police and NSW Transport prior to the event occurring as part of a conditional consent.

Bus providers have indicated that adequate buses can be provided. It is generally accepted that the crowd associated with the 2011 festival was relatively swiftly dispersed by buses at the conclusion of the event, although some patrons loitered in surrounding residential streets and this will be addressed in the security management plan for the 2012 festival. The Department recommends that the availability of the required buses be confirmed as part of the final traffic management plan.