

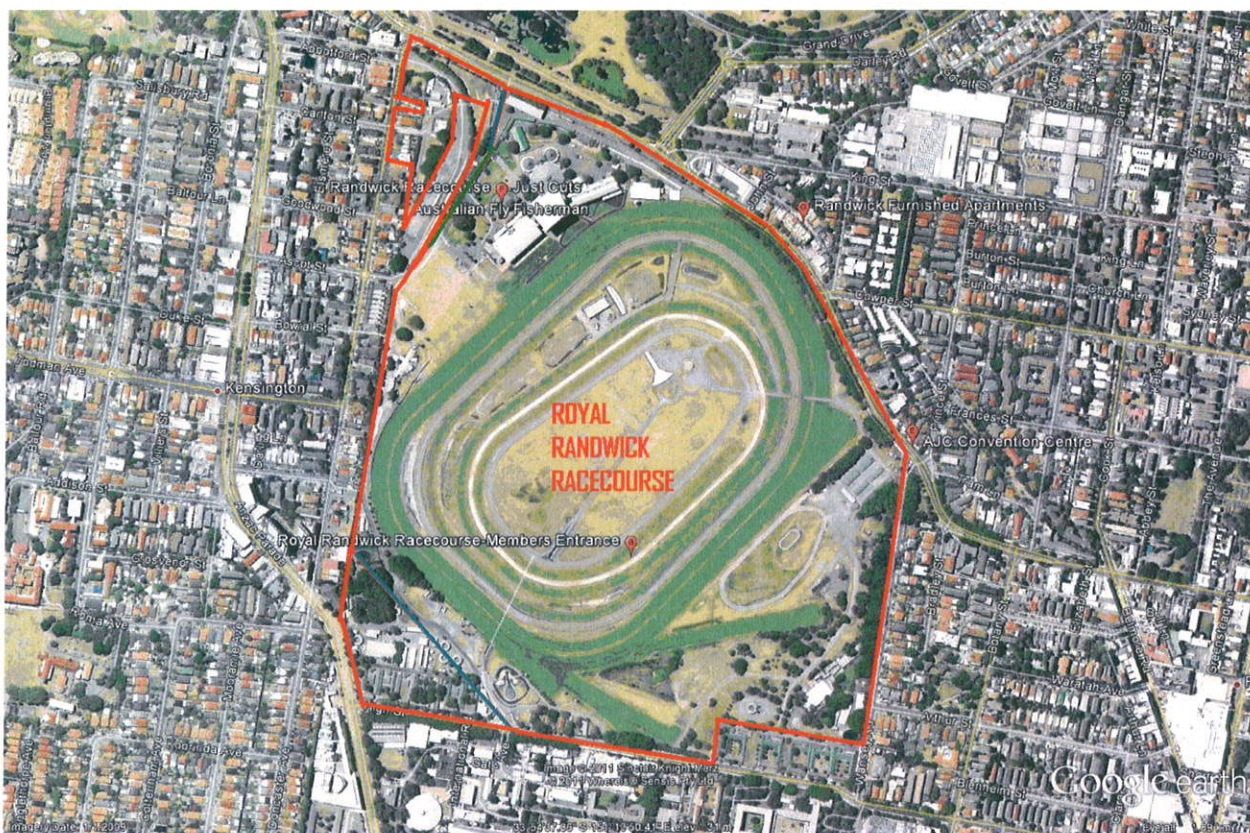


Planning &
Infrastructure

ASSESSMENT REPORT: FUTURE MUSIC FESTIVAL 2013 - TEMPORARY CHANGE OF USE FOR PUBLIC CONCERTS

**Royal Randwick Racecourse, Alison Road,
RANDWICK
(SSD 5394-2012)**

Director-General's Assessment Report



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

January 2013

ABBREVIATIONS

Applicant	Australian Turf Club, 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 2013, dated November 2012
EP&A Act	Environmental Planning and Assessment Act 1979
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
RMS	Roads and Maritime Services
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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Published January 2013

NSW Department of Planning & Infrastructure

www.planning.nsw.gov.au

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EXECUTIVE SUMMARY

The Australian Turf Club 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 seven years under approvals previously issued by Randwick City Council and the Department of Planning and Infrastructure. State Environmental Planning Policy (State and Regional Development) 2011, came into effect on 1 October 2011. Under Clause 4 of Schedule 2 of the SEPP development "*for the purposes of an event that is not a race day event*" at Royal Randwick Racecourse requires the consent of the Minister.

The application seeks approval for a one day concert event to be held on the 9 March 2013 from 12 noon to 10:00pm for approximately 50,000 patrons. The event includes:

- On site markets, food stalls, amusement facilities and associated services.
- Erection of temporary structures, including 10 stages, grandstand, toilet facilities and bar area.
- Bump-in (venue preparation) proposed on Friday 1 March 2013 and bump-out (vacate site) is proposed for Thursday 14 March 2013 for a total site occupation period of 14 days.
- Public and staff car parking 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, Randwick and is situated within the Randwick Local Government Area. The site is zoned 6A Open Space under the Randwick Local Environmental Plan 1988. The proposed event is a permissible form of development and is consistent with the zone objectives.

The application was exhibited between 14 November 2012 and 14 December 2012 (31 days). The Department received eight public submissions and three government agency submissions from NSW Police, Department of Transport and Randwick City Council. 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.

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

The Department has considered all relevant matters under Section 79C of the Environmental Planning and Assessment Act, 1979 (Act) and the objects of the Act in its assessment. Subject to conditions, the proposed event may be held as a one-off event without any unacceptable amenity, environmental or safety related impacts. The event is in the public interest and the Department recommends that it be approved subject to the following conditions:

- strict sound limits of 70dB(A) and 90 dB(C) respectively;
- noise limits and controlling measures;
- the implementation of appropriate and acceptable management plans to address transport, public safety, security, noise and patron behaviour issues; and
- 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 Executive Director, Major Projects and Assessment may determine the application on the Minister's behalf under delegation dated 14 September 2011.

TABLE OF CONTENTS

1.	BACKGROUND	1
1.1	The Site	1
2.	PROPOSED DEVELOPMENT	3
2.1.	Project Description	3
2.2.	Project Need and Justification	3
3.	STATUTORY CONTEXT	5
3.1.	State Significant Development	5
3.2.	Delegation	5
3.3.	Permissibility	5
3.4.	Environmental Planning Instruments	5
3.5.	Objects of the Act	5
3.6.	Statement of Compliance	6
4.	CONSULTATION AND SUBMISSIONS	6
4.1.	Exhibition	6
4.2.	Public Authority Submissions	7
4.3.	Public Submissions	8
4.4.	Proponent's Response to Submissions	8
5.	ASSESSMENT	9
5.1.	The Environmental Planning and Assessment Act : Section 79C	9
6.	CONCLUSION	16
7.	RECOMMENDATION	16

This is a report on State Significant Development Application (SSD 5394-2012), 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 music festival is referred to as "Future Music Festival" and the applicant is the Australian Turf Club.

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.

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

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Source : Google Earth 2012

Royal Randwick Racecourse is bounded by Alison Road, Wansey Road, High Street and the rear of predominantly residential properties fronting Doncaster Avenue. The racecourse adjoins residential areas to the east and west which contains a variety of housing types. The University of New South Wales campus is to the south and Centennial Parklands are located to the north.

The site currently accommodates the Randwick Racecourse and its associated structures, including grandstand, stabling and administration buildings. A selection of these buildings are proposed to be utilised as part of the event 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. 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**).

Figure 2: Subject Site



Source: Urbis, 2012

2. PROPOSED DEVELOPMENT

2.1 Project Description

On 23 July 2012, an application was submitted in accordance with the *Environmental Planning and Assessment Act, 1979* (EP&A Act) seeking approval to hold a stand alone concert event on the 9 March 2013 at the Royal Randwick Racecourse. The one day event will require a bump-in date on 1 March 2013 and a bump-out date on 14 March 2013 to accommodate the erection and dismantling of event structures and stages.

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 seven years by Randwick City Council and the Department of Planning and Infrastructure. The 2012 event catered for a crowd of 45,000 patrons, the 2011 event catered for 42,000 patrons and the 2010 event catered for 38,000 patrons. This indicates a gradual increase in patronage over the years.

The proposal seeks to hold a one day event accommodating up to 50,000 patrons with up to 10 temporary stages spread across the site, and associated amusement and food/bar service facilities. Pedestrian and vehicular access to the site is proposed via High Street with buses and taxi's accessing via Alison Road. The site provides an area 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

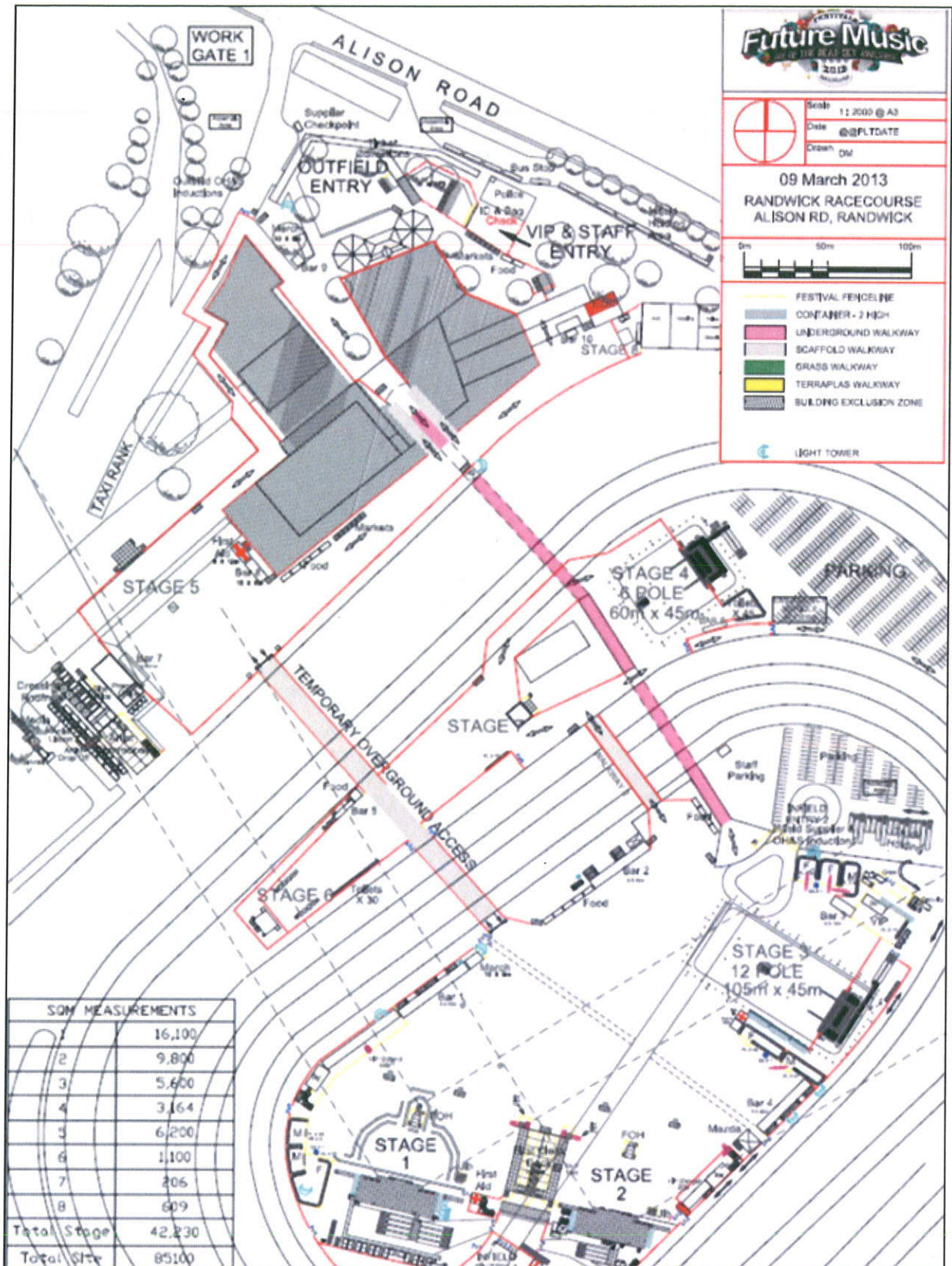
<i>Aspect</i>	<i>Description</i>
Development Summary	• One day musical event on 9 March 2013. • Bump-in 1 March 2013 • Bump-out 14 March 2013. • Accommodate a crowd of up to 50,000 persons. • Festival begins at 12 noon and finishes at 10:00pm. • Provision on site for carparking for up to 1,100 vehicles.
<i>Traffic</i>	Draft Pedestrian Transport and Traffic Management Plan being prepared in consultation with NSW Police and NSW Transport.
<i>Noise</i>	Draft Noise Management Plan prepared which includes use of 2 free roaming acoustical engineers during the musical event.
<i>Patron Behaviour</i>	Draft Security Management Plan prepared which will require final approval by the NSW Police to be an effective document for the Festival.

The layout of the event is shown in **Figure 3**.

2.2 Project Need and Justification

The proposed event 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 has over the past seven years been held successfully at Randwick Racecourse. The event has evolved over this period and is supported by NSW Police, State Transit Authority and Transport for NSW as a suitably managed event. Musical events traditionally are loud and obtrusive by nature for surrounding landowners, however this is a temporary one-off event which will be completed by 10pm. On this basis it is considered that the Festival is an appropriate event on a well serviced recreational and entertainment focused venue.

Figure 3: Event layout



Source: Urbis, 2012

3. STATUTORY CONTEXT

3.1 State Significant Development

The proposal is State Significant Development (SSD) under Part 4 of the Act because it is development at the Royal Randwick Racecourse 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.

Five public submissions objecting to the proposed development were received during the exhibition period and three late submissions were received. Council does not object to the proposed development.

3.2 Delegation

The Minister has delegated his functions to determine SSD development applications to the Department where:

- the Council has not made an objection; and
- there are less than 10 public submissions objecting to the proposal; and
- a political disclosure statement has been made in relation to the application (where an application has been made by persons other than by or on behalf of a public authority).

Randwick City Council did not object to the proposal, but raised concerns over a number of issues including amenity impacts, design impacts and transportation. Council requested that these issues be considered and addressed when assessing the application. The Department has received eight public submissions (including three late submissions), in the form of objections.

A political disclosure statement has been made by the Applicant that specifies that no donations have been made during the previous two years.

Accordingly, the application is able to be determined by the Executive Director, Major Projects and Assessments, under the delegation for Section 89E determinations under the Act.

3.3 Permissibility

The Royal Randwick Racecourse is zoned 6A Open Space under the Randwick Local Environmental Plan 1988 (RLEP). The proposed development is defined as a "*Recreational Facility*" under the RLEP and is a permissible form of land use 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 a location 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 predominantly used 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 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 SSD application publicly available for at least 30 days. After accepting the EIS the Department publicly exhibited it from 14 November 2012 until 14 December 2012 (31 days) on the Department's website, and at the exhibition locations.

The Department also advertised the public exhibition in the Daily Telegraph and Sydney Morning Herald newspapers on 14 November 2012 and notified nearby landholders, local community groups and relevant State and local government authorities in writing.

The Department received eight submissions during the exhibition of the EA including three submissions from public authorities and five submissions from the general public and special interest

groups. A further three submissions were received from the general public after completion of the exhibition period.

4.2 Public Authority Submissions

The public authority submissions are summarised below:

Randwick City Council

Randwick City Council has reviewed the EIS and raised a number of matters requiring consideration or conditions of consent to be adequately addressed:

- protection of built form and heritage items should be in accordance with conditions recommended by Council;
- proposed road closures are likely to result in traffic management issues for local traffic;
- increased crowd patronage will result in problems with accessibility and crowd control;
- food stalls are required to be registered with Council;
- noise remains an issue for such events and Council seeks the applicant to pay for a noise consultant to be engaged by Council to monitor the event; and
- adequate public consultation and notification of the event is required.

The Department addresses these issues in Section 5 of this report or has recommended the imposition of appropriate conditions of consent. In particular the matters relating to protection of heritage items, food stall registration and adequate public consultation are to be adequately addressed through appropriate conditions of approval.

It is noted that in 2012 the event generated a more positive response to noise impacts following the implementation of preventative measures by the applicant with the Department receiving three public submissions and a report by the Randwick Precinct Committee raising specific noise objections. It is considered that the applicant is appropriately responding to this issue and, although residents in King Street were the most impacted during the 2012 event, the applicant is considering appropriate noise abatement measures, such as stage orientation and music system limiters, to improve this issue. The Noise Management Plan predicts that the noise levels along King Street will comply with the noise levels limits to be imposed.

Council has separately sought that the applicant be required to undertake a local car parking study during the operation of the event to determine the extent of on-street car parking used by patrons. This requirement appears to be an excessive requirement for a one day event being held on the site and is not considered to be warranted. However, such a requirement is considered to be a reasonable request where multiple events are proposed as is the case with SSD5310-2012 which seeks approval for general Non-Race Day Events at the racecourse. On this basis Council's request for such a study will be considered as part of the assessment of SSD5310-2012.

NSW Police

NSW Police reviewed the EIS and raised no objection to the SSD application. NSW Police recommended a number of conditions to ensure the safety and effective operation of the event. The Department has considered these recommendations and has included them as part of the conditions of consent.

Transport for NSW

Transport for NSW reviewed the EIS and raised no objections to the SSD application but stated the following concerns:

- the safe and viable egress of 50,000 patrons from Royal Randwick Racecourse;
- segregation of vehicular and pedestrian routes, particularly during peak egress;
- road network management;
- the number and frequency of public transport modes to and from the event;
- achievement of an internal split of 50,000 patrons between Alison Road and High Street;
- wayfinding and signage;

The Department acknowledges these issues and has recommended the imposition of conditions to ensure transport requirements are achieved. These matters have been addressed in Section 5 of this report.

4.3 Public Submissions

A total of eight submissions have been received from the public all of which objected to the proposal. The key issues raised in public submissions are listed in **Table 3**. The Department has fully considered the issues raised in submissions in its assessment of the proposal in **Section 5** of this Report.

Table 3: Summary of Issues Raised in Public Submissions

Issue	Proportion of submissions (%)
Impacts to residential amenity	100%
Anti-social behaviour	88%
Waste management issues	75%
Lack of security	63%
Traffic and parking disruptions	57%
Noise impacts	50%
Earlier completion time	13%
Stabilise patronage numbers	13%

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:

- a further modified Pedestrian Transport and Traffic Management Plan, dated 14 December, 2012 has been drafted which updates the earlier version and responds to many traffic and transport related issues raised by Council and the Transport for NSW;
- majority of issues raised by Council are agreed to as they can be accommodated conditionally, in similar manner to the 2012 approval, and/or through adoption of the final management plans;
- although a general fireworks display is not proposed as part of the event, it has been advised that individual performers may use pyro-technic displays on stage as part of their performances. This is noted and such displays are acceptable where they are confined to the stage area;
- retention of the STA busway for bus access/egress is now the preferred operation by the relevant authorities notwithstanding the previous use of the busway as a pedestrian corridor in 2012;
- noise management concerns are considered to be adequately addressed through noise mitigation measures proposed, including orientation of stages and speakers away from residential areas and direct contact between noise consultants and stage managers to adjust volume levels, particularly with regard to previous noise issues raised by King Street residents;
- programmed police and security presence is proposed which will assist response times for anti-social and disorderly behaviour by patrons in residential areas and this will be subject to approval by the NSW Police; and
- the applicant does not support an earlier closing time for the event or to restrict the total patronage to 45,000 persons as it is considered that the security, noise and traffic management plans will adequately respond to amenity issues and these plans are evolving as issues become apparent.

The responses provided by the applicant to issues raised by government agencies and the general public, are appropriate responses and the actions proposed will assist in alleviating potential impacts for the local community.

The issues raised by submissions and the responses proposed by the applicant 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 consistent with the aims, objectives and provisions of the instruments. A detailed assessment of the application against the documents is available at Appendix D.

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).***

Draft Randwick Local Environmental Plan 2012 completed public exhibition in April 2012 and Council has forwarded the instrument to the Department for gazettal. The Department is preparing a Section 59 report on the draft instrument and gazettal of the instrument is imminent. The Draft Instrument seeks to zone the land Public Recreation (RE1). Under the Draft Randwick LEP the proposed use is defined as "Recreational Facility (major)" and is a permissible use in the RE1 zone.

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 likely impacts of the development are as follows:

- public safety security and patron control;
- transport and traffic management;
- noise and acoustics;
- community consultation and awareness; and
- waste management.

Public Safety, Security and Patron Behaviour

The operation of a large scale music festival raises the issue of public safety and the management of anti-social behaviour. In previous years local residents have indicated that the festival's operation has increased the incidence of illegal activity. However, the NSW Police deemed that in 2012 the event was a success as no harmful criminal act occurred. In 2012 festival organisers provided 400 police officers and 600 security personnel to provide security for the event and a similar presence is proposed for the 2013 event.

Public safety has improved progressively throughout the festival's seven year history and it has been demonstrated that an appropriate NSW Police enforcement management plan can be implemented to ensure public safety is upheld. An updated Emergency Management Plan and Security Management Plan, prepared in conjunction with NSW Police, Council and Transport for NSW, will respond to the increase in patronage numbers (an additional 5000 patrons on the 2012 event) with the implementation of additional security staff and NSW Police, as well as adoption of clear mitigation measures and security procedures.

Particular issues raised by the general public and Council, relating to past years events included:

- altercations between patrons, patrons and local residents and patrons and security staff;
- acts of public indecency due to inebriation;
- trespass onto privately owned lands and resultant confrontations; and
- general litter and community damage resulting from adverse patron behaviour.

The applicant is aware of these issues, via the community debriefing meetings held with residents and government agencies following the 2012 event, and believes that these issues are being addressed through the evolving and modified emergency, security and transport management plans.

The application is supplemented by the following documents:

- "Security Management Plan";
- "Risk Management Plan";
- "Emergency Management Procedures"; and
- "Organised Crime Gangs Management Plan" (referred to in the SMP).

The Department notes that these plans are only in draft form and will be required to be finalised prior to the commencement of the bump-in of the event and will be subject to the agreement of the NSW Police. NSW Police representatives have indicated that the Future Music Festival has developed into one of the better operated examples of music events with high security presence and reasonable response timing to issues, both during and after the event.

The Department is satisfied that suitable measures are proposed to promote patron on-site safety, control patron behaviour and to restrict potential for conflicts on site or in the local community after the event, including:

- alcoholic beverages will be served only until 9pm (site closing time 10pm);
- maximum of 50,000 patrons to attend based on sale of numbered tickets;
- event perimeter is to be suitably policed to prevent unrestricted access;
- local residents will be suitably advised of Festival Hotline should a noise/security/behavioural issue arise in their locality;

- adequate NSW Police officer and private security guard presence based upon the requirements of the security management plan; and
- suitable contact details are to be provided for emergency situations and also for direct contact should external issues arise, i.e. patron misbehaviour along transport/pedestrian routes or complication with transport routes, such as a traffic accident.

In addition to the above measures it is recommended that the following provisions be implemented through the appropriate management plans:

- the applicant shall prepare an operations management plan which specifies the basic operations for the event, including, but not limited to, the hours of sale of alcohol, the promoters commitment to arrest patrons dealing in illicit drugs, NSW Police presence to arrest patrons committing unruly behaviour within the racecourse or nearby public streets, and the like;
- a maximum of 2 drinks per person, served in a plastic cup or aluminium can, free water available, and all drinks opened at bar area; and
- as part of any ticketing arrangement the patrons will be suitably informed of the event hours of operation, 9pm cease of trade of alcoholic beverages and provided a copy of the Festival Operations Management Plan, as part of ticket and/or at the entry to the event.

The security measures proposed for the event will ensure that the patrons can be properly instructed and suitably directed should an issue arise. It is recommended that the proposal be approved conditionally subject to the relevant management plans being finalised prior to the commencement of on-site works.

Given the satisfactory levels of public safety associated with past festivals and the ongoing support of NSW Police and Transport for NSW, it is considered that there are appropriate means to ensure a safe and effective environment for the patrons, employees and local residents.

The Department recommends that the NSW Police and Transport for NSW requirements be adopted as conditions of consent to:

- ensure an adequate Emergency Management Plan is adopted;
- ensure an adequate Security Management Plan is adopted; and
- ensure suitable measures are in place to mollify unacceptable patron behaviour, within the site and in the neighbouring locality.

Public submissions have also suggested that should the event proceed that the numbers should be restricted below 50,000 patrons and that the event should conclude at 9pm rather than 10pm.

The applicant contends that the Randwick Racecourse is designed to accommodate events of up to 55,000 patrons and has done so in the past. These events are infrequent and properly managed by the NSW Police and Transport for NSW. The 10pm festival finish provides an opportunity for night time presentations.

Overall, the Department considers that the mitigation measures proposed by the Applicant are positively responding to issues that have been raised. NSW Police have acknowledged the security and patron control measures implemented by the Applicant as promoting a well managed event.

Transport and Traffic Management

The transportation and movement of patrons to and from the site, vehicles and public transport has been identified as a key issue for the event. The event will require special transport services and an alteration to existing road conditions.

The applicant has submitted a draft pedestrian transport and traffic management plan which aims to address these issues. The plan will build upon the 2012 document and recommends the following:

- continued use of fully integrated ticketing;
- use of 56 dedicated shuttle buses from Central Station to access the site and a total of 124 buses for egress from the site;
- identification of special event clearways for the festival;
- temporary closure of particular roads around the site;
- identification of temporary bus zones for the festival;
- retention of pedestrian barrier fencing and other pedestrian control infrastructure;

- allocation of special traffic controller teams deployed for venue access points;
- pedestrian egress control point to be on western side of Doncaster Avenue; and
- provision for 1,100 visitor car spaces within the racecourse infield and parking for staff/police.

The operation of the event will result in temporary disruptions to the existing road traffic network around the site. The 2013 event proposes the closure of the following roads on 9 March 2013:

- Abbotford Street, between Carlton Lane and Doncaster Avenue (4pm to 12midnight);
- Doncaster Avenue, between Alison Road and Carlton Street (4pm to 12 midnight);
- Doncaster Avenue, between Todman Avenue and Bowral Street (4pm to 12 midnight);
- High Street, between Anzac Parade and Wansey Road (4pm to 2am);
- Carlton Street, between Anzac Parade and Doncaster Avenue (5pm to 12midnight);
- Goodwood Street, between Anzac Parade and Doncaster Avenue (5pm to 12midnight); and
- Alison Road, between Anzac Parade and Barker Street (9pm to 11:30pm).

The applicant has indicated that these road closures will ensure that patrons are efficiently removed from the site and directed towards existing transport links. The temporary nature of the road closures, the installation of warning signs and the presence of police/security/traffic controllers will mitigate the impact on drivers in the surrounding area.

A car parking area is identified on the infield of the racecourse and will be predominantly accessed off High Street. This area will accommodate 1,100 car parking spaces and is considered acceptable for an event of this scale. The applicant has advised that they will be actively promoting patron use of the infield car park area in order to reduce pressure for car parking on local streets. The existing traffic management in this locality will not be adversely impacted considering the temporary nature of the proposal.

Transport for NSW has raised concerns over the event's capability to cater for an additional 5,000 patrons. Transport for NSW has highlighted a number of transport related issues that need to be addressed including the segregation of vehicular and pedestrian routes; road network management; supply and frequency of public transport modes; and the achievement of an internal split of 50,000 patrons to Alison Road and High Street. These matters are resolvable as part of the final adopted Pedestrian Transport and Traffic Management Plan. It is proposed to stage events and time the release of sections of the crowd to ensure controlled and safe pedestrian movement.

Therefore, the Department recommends that suitable conditions of consent be imposed which respond to these issues and provide for a final Pedestrian Transport and Traffic Management Plan to be adopted by Transport for NSW, Council and NSW Police prior to the event occurring, (see **Conditions A9, B12, D4, D5, D11, D18 and D25**).

Noise and Acoustics Management

The applicant has submitted an updated Noise Management Plan which identifies potential noise issues and recommendations to mitigate acoustic impacts on local residents and surrounding uses.

The applicant has recommended the following noise level restrictions:

- no higher than 70dB(A), representing the weighted normal human hearing range;
- no higher than 90dB(C), representing low frequencies; and
- an exceedance of up to 5 decibel during a 5 minute period in the first 15 minutes of each new act.

During the 2011 event, concerns were raised by local residents and Council relating to the noise generated by the festival. As a result of these complaints Council recommended a number of conditions to ensure noise impacts were minimised. During the 2012 event a number of noise control measures were successfully adopted including an improved complaints hotline, remote sound level loggers and music limiters. These measures will continue to be implemented during the 2013 event.

During the 2012 event, there was one noise exceedance of 1 decibel measured at Wansey Road. This was due to an act changeover on Stage 2. Levels were reduced to achieve compliance after this. The applicant has proposed that sound level metres indicating the allowed music levels be displayed at each stage and the allocation of sound engineers to monitor and restrict to permitted music levels.

The Department has given consideration to other similar outdoor entertainment venue controls in Sydney including:

- The 70dB(A) and 90dB(C) level controls have been imposed on the event for the past 3 years by Randwick City Council;
- Glebe Island 2011 New Years Eve concert approval 75dB(A) and 95dB(C) prior to midnight, being an open field venue;
- Sydney Football Stadium 80 dB(A) and 100 dB(C), for a rock concert in December 2010, representing a generally enclosed venue; and
- Moore Park fields 65 dB(A) and 85 dB(C) for "Parklife" event, involving multiple stages, as this represents an open field venue similar in nature to the subject land.

Due to the satisfactory compliance with noise levels during the 2012 event, it is considered that the noise level limits will ensure that the one-day event will have adequate volume for patron concert satisfaction whilst creating generally acceptable noise levels. The conditions of consent require that a Noise Management Plan (NMP) be finalised prior to the event and shall require demonstrated compliance with the noise limits prior to the events commencing. The NMP will specify the monitoring and management procedures to be implemented.

Community Consultation and Awareness

The planning and operation of the 2013 event has been refined to respond to community feedback requiring better lead notice of the event, suitable public contact options and complaint response management. In terms of on-going consultation, the local community has been notified through the exhibition of the current proposal and will be informed via the usual communications protocols that follow, including pre-event notification, complaints hotline throughout the running of the event and post-event debrief.

Prior to the commencement of the event, Randwick City Council, NSW Police, residents and businesses located adjacent to the site are to be notified by letter drop of the development. The notification will include details of the development, a copy of the consent conditions and also provide a contact name and phone number of the applicant.

The Department is satisfied that the proposed community consultation plan adequately notifies residents, businesses and public authorities of the festivals operation and activities.

Waste Management

The applicant has submitted a Draft Waste Management Plan which will be utilised during the construction, operation and clean up stages of the event. The Plan identifies methods for the following:

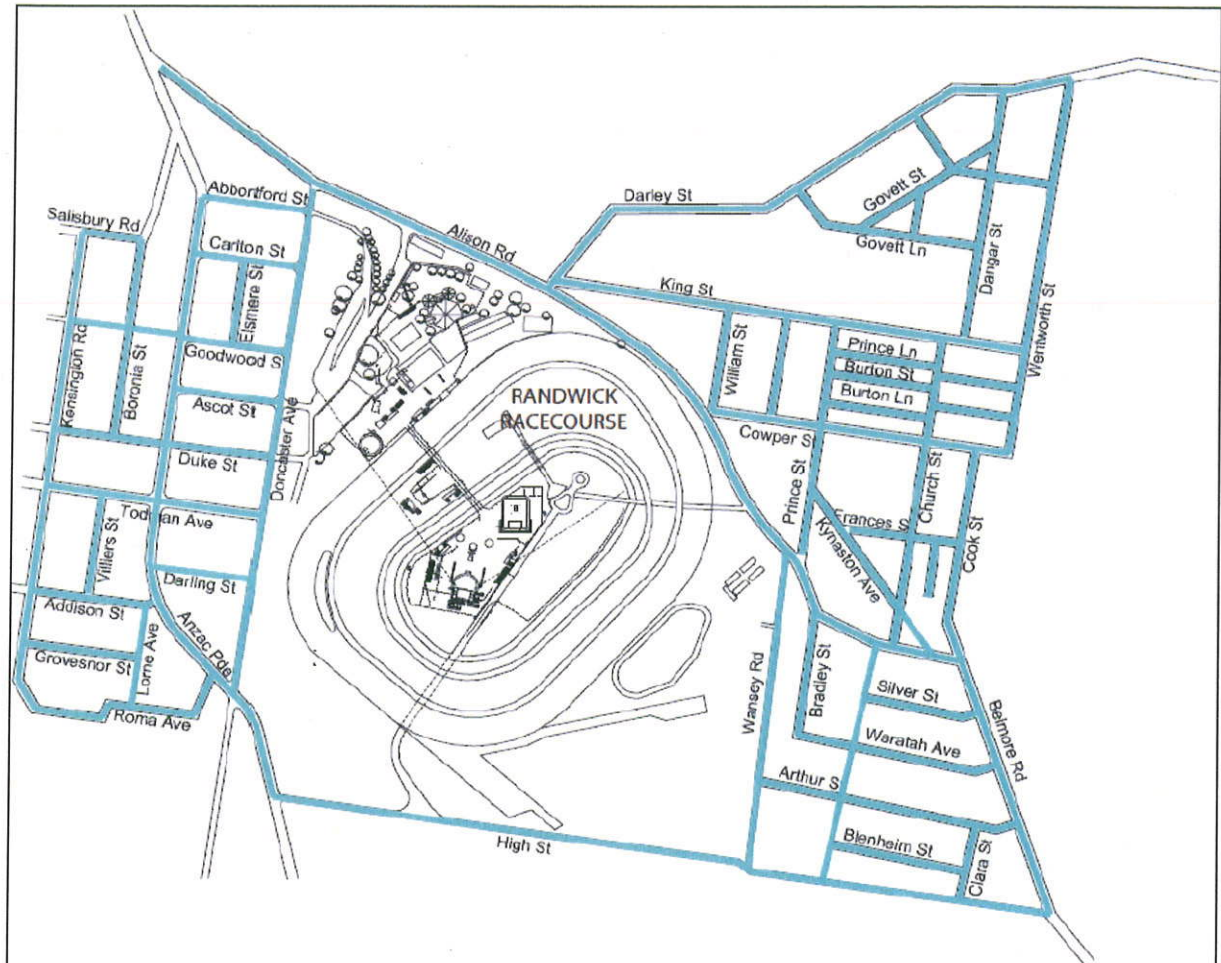
- the temporary on site storage of waste generated from the event;
- the on site reuse/recycling of waste generated from the event; and
- the off site disposal of waste generated from the event.

The initial plan indicates that the Randwick and Warwick Farm racecourses usual waste servicer, Dimeo Waste Services (DWS) will provide for waste services at the event to treat/remove 17 tonnes of mixed general waste. The waste will be accommodated in 23 x 3m³ bins and 250 x 240 litre bins.

All off site waste disposal is to occur at an appropriately licensed waste management facility. Waste disposal is proposed at the Clyde Transfer Facility, whilst recycling is proposed at Amcor Botany. Glass recycling is proposed at Recyclers of NSW, Botany. The waste management plan will be finalised prior to the commencement of the event.

The applicant has also indicated that the surrounding streets identified in **Figure 4** will be cleaned to Council's satisfaction within 24 hours of the event's completion. This requirement is in keeping with the conditional requirement for previous festival events (Condition C5 of SSD 4995-2011).

Figure 4: Cleaning of surrounding street



Source: JBA, 2012

Section 94 Contribution

Randwick City Council has sought a Section 94A developer contribution based upon the estimated cost of development. In this instance the works associated with the proposal relate to labour services only as the structures provided are temporary in nature and will be removed upon completion of the event. Hence, there is no capital outlay for the development in order to determine the developer contribution.

On the basis of this assessment a Section 94A levy cannot be imposed as there is no capital outlay associated with the temporary performance based development. This was also the determination under SSD 4995-2011 for the 2012 event.

5.1.8 Section 79C(1)(c) the suitability of the site for the development,

The Department considers that the proposed use is suitable for the site considering the site's position, orientation, stage positioning and proximity to the City and its transport services.

Royal Randwick Racecourse has hosted the Future Music Festival for the past seven years and has been subject to a number of other large scale events including frequent race meetings. The services and facilities have been constructed to service numbers of up to 55,000 patrons which is 5,000 above the patron numbers proposed for the event.

The site is adequately serviced with electricity, sewer and telephone services. Due to the temporary nature of the proposed development augmentation of these systems is not warranted or necessary.

Due to the nature of the activity, the proposal will create noise and traffic issues, which are common with large event proposals. The Department is satisfied that these can be managed to acceptable levels subject to the applicant implementing measures to minimise residential impacts.

These measures include:

- monitoring sound recording to adjust amplified music output;
- the provision of adequate security staff to appropriately direct patrons;
- the strategic positioning of amplifiers to reduce sound projection out of the venue;
- a combined transport strategy where a majority of patrons will travel to the site utilising public transport on buses; and
- marketing and sale of public transport/shuttle passes as part of event ticketing.

5.1.9 Section 79C(1)(d) any submissions made in accordance with this Act or the regulations,

This matter has been addressed in detail at Section 4 and the issues raised in the submissions have been adequately addressed in Section 5.1.7 of this report

5.1.10 Section 79C(1)(e) the public interest

The proposal is considered to be in the public interest for the following reasons:

- the proposal would utilise an existing entertainment site for a temporary recreational activity, ensuring that the site will revert back and be available for racecourse activities in the long term;
- the proposal does not raise any significant or adverse traffic or parking considerations that have not, or can not, be adequately addressed in the submitted Traffic Management Plan;
- the principles of ecologically sustainable development have been considered against the proposed development and are considered to be acceptable for this particular proposal; and
- due to the one-off nature of the proposal and the mitigation measures proposed the proposal will not have any long term negative impacts on surrounding residential development.

6. CONCLUSION

The application has been considered with regard to the matters under section 79C of the EP&A Act, 1979, and is considered to be an acceptable temporary use for the subject land, subject to conditions in order to attain satisfactory transport, security and emergency situation management outcomes for the events.

The temporary use is consistent with the objectives of the Randwick Local Environmental Plan 1988 and is a permissible use under the Plan. In order for the event to be held in a safe and orderly manner it is necessary for appropriate management plans to be finalised through on-going consultation with Randwick City Council, NSW Police and Transport for NSW.

On this basis, it is recommended that a conditional consent be granted to the temporary use which provides some flexibility in the adoption of the working management plans.

7. RECOMMENDATION

It is recommended that the Director General:

- (A) consider the recommendations of this Report;
- (B) **Approve** the development application under Section 89E of the *Environmental Planning and Assessment Act, 1979*; and
- (C) **Sign** the attached Development Consent (**Appendix F**).

Endorsed by



Karen Jones 22/1/13
Director

Metropolitan & Regional Projects South

Chris Wilson
Executive Director
Major Projects and Assessments

APPENDIX A ENVIRONMENTAL ASSESSMENT

See the Department's website at
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5394

APPENDIX B SUBMISSIONS

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5394

APPENDIX C APPLICANT'S RESPONSE TO SUBMISSIONS

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5394

APPENDIX D CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

CONSIDERATION OF STATUTORY ENVIRONMENTAL PLANNING INSTRUMENTS

Randwick Local Environmental Plan 1988

The Randwick Local Environmental Plan 1998 (RLEP) applies to the site. Pursuant to the RLEP the site is zoned 6A (Open Space Zone).

The objectives of the 6A zone are:

- *To identify publicly owned land used or capable of being used for public recreational purposes.*
- *To allow development that promotes, or is related to, the use and enjoyment of open space.*
- *To identify and protect land intended to be acquired for public open space.*
- *To identify and protect natural features that contribute to the character of the land.*
- *To enable the sustainable management of the land.*

The following uses are permissible with consent within the 6A zone:

*Buildings ordinarily incidental or ancillary to landscaping, gardening or bushfire hazard reduction, car parks, child care centres, clubs, communication facilities, community facilities, earthworks, helicopter landing sites, markets, outdoor advertising, public transport, **recreation facilities**, restaurants, roads.*

All other uses are prohibited.

The RLEP defines a "recreation facility" as follows:

A building or a work used for a sporting, exercise or leisure activity, and includes golf courses, racecourses, showgrounds, bowling greens, tennis courts and the like, including any ancillary club building.

The proposed Festival event is considered to be a work on the land for the purpose of a leisure activity and is thus a permissible activity.

The proposal includes temporary use of the racecourse site for an ancillary leisure activity and therefore the proposal is considered to be permissible in the zone with consent.

When determining an application for consent to carry out development on land within Zone No 6A, the consent authority must consider the provisions of Clause 38 of the RLEP:

- (a) *the need for the proposed development on that land, and*
- (b) *whether the proposed development promotes or is related to the use and enjoyment of open space, and*
- (c) *the impact of the proposed development on the existing or likely future use and character of the land, and*
- (d) *the need to retain the land for its existing or likely future use.*

The Applicant contends that the event is an acceptable development as it:

- meets an annual demand for a music festival of this kind;
- contributes to the wider offering of cultural and festival events within the Sydney Metropolitan area.
- is a compliant land use that compliments the open space zone.
- promotes outdoor cultural activities.
- encourages the use of open space that would otherwise be off limits to the public other than on a race day or other special events.
- has demonstrated through previous festivals that the proposed use would not impact on the existing or likely future use and character of the land. and
- is a temporary use that would not impact on the operation of the site as a race course.

Therefore, the Department considers that the proposed use is a permissible form of development on the land and is also a reasonable development to occur on the 6A Open Space zoned land.

Draft Randwick Local Environmental Plan 2012

Draft Randwick Local Environmental Plan 2012 completed public exhibition in April 2012 and Council has forwarded the instrument to the Department for gazettal. The Department is preparing a Section 59 report on the draft instrument and gazettal of the instrument is imminent. The Draft Instrument seeks to zone the land Public Recreation (RE1). Pursuant to this zoning Recreation Areas and Facilities will be permissible on the land and hence the subject proposal would be a permissible use.

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (State and Regional Development) 2011 commenced 1 October 2011. Schedule 2 of this SEPP includes the site as a State Significant Development Specified Site:

"4 Development at Royal Randwick Racecourse

Development on land identified as being within the Royal Randwick Racecourse Site on the State Significant Development Sites Map if:

- (a) it has a capital investment value of more than \$10 million, or*
- (b) it is for the purposes of an event that is not a race day event."*

The Department considers that the proposal is clearly classified as *"an event that is not a race day event"* and thus is a matter which has the Minister for Planning and Infrastructure as consent authority.

No other provisions of the SEPP directly relate to the subject application.

Consequently, the Minister is the approval authority for the proposal. However, the Executive Director, Major Projects and Assessments may determine the application on the Minister's behalf under delegation.

State Environmental Planning Policy No.55 – Remediation of Land

The proposal, being undertaken on an existing operational racecourse site, is subject to consideration of the provisions under SEPP 55. There is no evidence that the site is contaminated and this issue has not previously been raised as a concern in Randwick City Council's determinations of the previous seven events.

The existing racecourse operations currently includes the accommodation of large crowds on race days, both within the stands, on the course and in the infield areas. The subject proposal will be a similar operation to those one day racing events and thus would be suitable as a proposed temporary use. Therefore, it is considered that the site currently is, and the proposal will not significantly vary from, that type of land use, being the accommodation of large crowd events.

Conditions have been implemented to ensure the safe use of the site, including:

- Soil and Water Management Plan (**Condition B4**);
- Pollution of Waters (**Condition D9**);
- Health and Safety (**Condition D13**); and
- Demolition, Excavation and Construction Management (**Condition D19**).

There are no other matters within SEPP 55 of relevance to the proposed use.

State Environmental Planning Policy (Temporary Structures) 2007

The proposed development will involve the erection of a performance stage, temporary stands, food stalls, portable toilets and associated structures. The Temporary Structure SEPP sets out that development consent is required and consideration must be given to the issues such as patron numbers, noise impacts, hours of operation, crime minimisation and serviceability of the land.

The Department notes that the matters raised above are primary considerations for the proposal should it be approved, and some of the issues have been raised as part of public submissions. General comments are as follows:

Patron Numbers

The Applicant seeks a maximum of 50,000 patrons for the Festival, being an increase of 5000 on the 2012 approved crowd. Public submissions have raised concerns with the continual creep upwards of the crowd numbers annually. The Applicant has noted that the racecourse can generally cater for crowds up to 55,000 and thus the site capacity is adequately catered for at 50,000.

At this time it is considered that the additional crowd is acceptable as no objection has been raised to the increase by NSW Police or NSW Transport, as logistical issues, subject to the implementation of acceptable Traffic and Transport Management Plan and Security Management Plan.

Noise and Acoustics

The applicant has provided a noise management plan in support of the proposal which is addressed in Section 5.1.7 of this report. Construction work (bump-in and bump-out) associated with setting up the facilities prior to, and then dismantling after the concerts, is proposed to be restricted to 7am-7pm, 7 days per week, with no heavy vehicle operations after 6pm. These hours of operation are considered to be reasonable considering the temporary nature of the proposal, and will be imposed conditionally. This will ensure that construction and dismantling works only take place during predominantly daylight hours in the autumn.

Hours of Operation

The Festival is proposed to operate from midday to 10pm during the Festival on the 9 March, 2013. The site can operate from 7am in accordance with the bump-in/bump-out hours of operation to enable staff and performers to set up facilities on the morning of the Festival.

A condition of consent has been imposed to ensure noise level emissions are restricted to 70dB(A) and 90dB(C) when measured at the nearest residential boundaries, and that all amplified music and announcements, apart from emergency announcements, cease at 10:00pm.

Traffic and Parking

The Applicant has addressed this issue through a Draft Traffic and Transport Management Plan and various meetings with Major Event Officers of government agencies. Events of this nature will create unusual impacts upon traffic flow and pedestrian movements due to the volume of patrons attending the event. The NSW Police and Transport for NSW have reviewed the plan and consider, subject to appropriate conditions, that it will reasonably cater for the movement of patrons to and from the venue when in final approved form. This is discussed in more detail in Section 5.1.7. Further, the applicant has provided a Security Management Plan, subject to final approval prior to the commencement of operations, which will manage the direction of traffic/pedestrians as well as the behaviour of patrons in the local community that will assist in providing for a controlled and safe traffic management plan.

Security and Crime

The Applicant has prepared a Draft Security Management Plan which addresses staffing operations, identifies issues/concerns, recommends high levels of monitoring and surveillance measures and should result in the event being appropriately managed and safe for both patrons and the surrounding communities. NSW Police have reviewed this Plan and have acknowledged that it will reasonably respond to security concerns when in final form, subject to conditions. This issue is dealt with in greater detail at Section 5.1.7.

Site Suitability

The Applicant has submitted that the subject land is an ideal site for the event. The Department's consideration is discussed in detail in Section 5.1.8.

Public Facilities

Adequate toilet and washbasin facilities will be provided for the event, and have been identified on the plans. A suitable condition of consent has been imposed which requires such facilities to be provided in accordance with the requirements of the Building Code of Australia requirements.

Duration of Event

The Applicant has submitted that the temporary structures will be erected on the site from the 1 March 2013 and removed by the 14 March 2013. This arrangement is considered satisfactory when undertaken in accordance with the Security, Emergency and Risk Management Plans controls. A condition of consent is recommended requiring compliance with these requirements.

General Safety

Security, emergency and risk management plans have been prepared for the Festival proposal and will be implemented as part of any development consent. Conditions of consent are recommended as part of the consent (**Conditions A8, B9, B10, B11, C1, C4, D12, D13, D21 and D26**).

Conclusion

The Department is satisfied that the proposed Festival can be adequately controlled conditionally for the relatively short duration of the event in order to minimise amenity impacts for the surrounding locality and meet the requirements of the Temporary Structure SEPP.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

The ISEPP identifies under Schedule 3 matters which are required to be referred to the NSW Roads and Maritime Services (RMS) for comments where they are considered to be traffic generating development. It is noted that the matter has been referred to NSW Transport, including the RMS, as part of this application assessment for general traffic management comments.

APPENDIX E POLITICAL DONATION DISCLOSURES

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5394

APPENDIX F RECOMMENDED CONDITIONS OF APPROVAL
