

Assessment Report

Section 96(1A)

Two Day Music Festival, Australian Turf Club (SSD 6134 MOD 1)

1. BACKGROUND

This report is an assessment of a modification application lodged by Altree Consulting on behalf of the Australian Turf Club (the Applicant) which seeks approval to modify the development consent for the annual two-day music festival at Royal Randwick Racecourse (SSD 6134 MOD 1). The application has been made under Section 96(1A) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act). The application seeks approval to modify the development description to provide flexibility as to when the event is held each year. No change is proposed to the number of events held each year (one event each year).

The Applicant operates the Royal Randwick Racecourse (the Racecourse) located at 77-79 Alison Road, Randwick located within the Randwick local government area (**Figure 1**).



Figure 1: Locality Map

1.1 Site and Surrounding Land Uses

The site is legally described as Lot 2009 in Deposited Plan 1169042 and is located at 77-70 Alison Road, Randwick. The site is located in the eastern suburbs of Sydney.

The site has an area of approximately 80 hectares (ha) and is predominantly occupied by the existing racecourse buildings and track. The Racecourse is bound 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 contain a variety of housing types. The University of New South Wales campus is located to the south and Centennial Parklands is located to the north.

The site is predominantly used for horse racing events and currently accommodates the Racecourse and its associated structures including: grandstands, stabling, hospitality facilities and administration buildings.

Access and egress infrastructure includes a bus way and taxi terminal designed and constructed to accommodate up to 55,000 persons predominantly via Alison Road and High Street. 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 (see **Figure 2**).



Figure 2: Site Access Points

1.2 Previous Approvals

On 5 March 2014, development consent was granted by the Executive Director, Development Assessment Systems and Approvals, as delegate of the then Minister for Planning for a two-day music festival event on the second weekend of March every year for a total of 10 years.

The event includes one Saturday music festival with a capacity of 50,000 patrons, and one Sunday music festival with a capacity of 20,000 patrons. The development consent also allows the assembly of temporary structures associated with the event, commencement of preparations ('bump-in') 10 days prior to the event, and the removal of all structures ('bump-out') for up to 10 days following the event.

A Saturday music festival has been held at the Racecourse venue over the past eight years under approvals previously issued by Randwick City Council (Council) and the then Minister for Planning.

The Sunday festival ('Goodlife Festival') is an emerging youth event in its fourth year of existence, which in 2014 catered for 20,000 patrons. **Table 1** below identifies the previous approvals for the event.

Table 1: Previous Approvals

Application No.	Determined	Capacity	Operating Hours
DA 904/2005	1 February 2006	10,000	12 noon until 10pm
DA 74/2007	14 March 2007	15,000	12 noon until 10pm
DA 987/2007	5 March 2008	35,000	12 noon until 10pm
DA 694/2008	19 February 2009	35,000	12 noon until 10pm
DA 873/2009	9 February 2010	38,000	12 noon until 10pm
DA 851/2010	7 December 2010	42,000	12 noon until 10pm
SSD 4995	8 February 2012	45,000	12 noon until 10pm
SSD 5394	1 February 2013	50,000	12 noon until 10pm
SSD 5394 MOD 1	6 March 2013 (Goodlife Festival)	15,000	12 noon until 8pm

2. PROPOSED MODIFICATION AND JUSTIFICATION

The application seeks approval to modify the description of the consent in Schedule 1 to allow greater flexibility in relation to which weekend the event can be held each year. The modification seeks to amend the project description from 'a two day music festival for the second weekend of March every year for a total of ten (10) years' to 'a two day music festival event about the beginning of March every year for a total of ten (10) years'. This would still require the event to be held around the same time each year, but not necessarily restricting the event to the second weekend of March each year.

The Applicant has advised that as a result of further investigations into the scheduling of events in the Moore Park to Randwick entertainment corridor (such as Mardi Gras and the World Cup Cricket) greater flexibility is required to ensure conflicts with other events can be avoided. Further, the applicant has advised that avoiding conflict with other events will reduce cumulative impacts on transport and community services in the region, and amenity impacts on the local community.

The modification does not seek to amend any other conditions and would not materially change any other aspect of the development consent.

3. STATUTORY CONTEXT

3.1 Approval Authority

The consent for the two-day music festival was granted under Section 89E, Part 4, Division 4.1 of the EP&A Act. Therefore, the Minister for Planning is the consent authority for the modification.

Under the Minister's delegation of 10 November 2014, Managers or Directors who report to the Executive Director, Infrastructure and Industry Assessments may determine a Section 96(1A) application where:

- the relevant local council has not made an objection; and
- a political disclosure statement has not been made; and
- there are no public submissions in the nature of objections

The proposal complies with the terms of the delegation as Randwick Council (Council) did not object to the proposal, a political disclosure statement has not been made in relation to the application, and no public submissions were received in the nature of objections. Accordingly, the Manager, Industry Assessments may determine the application in accordance with the Minister's delegation.

3.2 Section 96 Modification

The Department of Planning and Environment (the Department) considers that the application can be characterised as a modification to the original development consent as it satisfies the matters for consideration under section 96(1A) of the EP&A Act. The modification is substantially the same development as originally approved, and will have minor to negligible environmental impacts.

In this respect, the Department notes that there is no material change to the festival events, or the general layout of the proposal as the application only seeks approval to enable greater flexibility in event scheduling.

3.3 Consultation

The modification was made publicly available on the Department's website on 5 August 2014. The Department also invited submissions from Council, Transport for New South Wales (TNSW), Roads and Maritime Services (RMS), NSW Police, and adjoining landowners.

Consultation with other agencies was not considered necessary owing to the minimal impacts associated with the proposed modification.

Submissions were received from Council and the RMS. Neither agency objected to the application, however the Council requested event dates to be limited to those nominated by the Applicant to enable the Council to plan community events in March.

One public submission raising concern with the potential conflict between the proposed event scheduling and the Easter weekend was also received.

The Department has reviewed the submissions and has recommended re-wording the consent to specify the weekends over which the festival is permitted to operate to resolve the abovementioned issues. It should be noted that the recommended conditions will ensure the event will not occur over the Easter long weekend for the full duration of the consent.

The proposed revisions to the development consent are discussed in greater detail in Section 4 of this report.

4. ASSESSMENT

In its assessment of the modification application, the Department has considered:

- The requirements of section 96(1A) of the EP&A Act;
- the EA for the proposed modification (see **Appendix B**);
- all submissions received by the Department (see **Appendix C**); and
- the Director-General's assessment report for the original Development Application.

Based on the above, the Department considers the key issues for assessment are event scheduling and the cumulative impacts of concurrent events. An assessment of these issues is provided below.

4.1 Event Scheduling and Cumulative Impacts

The Department notes that the application seeks approval to hold the event 'about the beginning of March every year for a total of ten (10) years'. The Applicant advised that the modification has been sought to avoid multiple major events being held on the same weekend in the Moore Park to Randwick entertainment corridor.

The Department has reviewed the Applicant's justification and agrees that the proposed modification will reduce the likelihood of multiple major events occurring on the same weekend within the Moore Park to Randwick entertainment corridor. Notwithstanding, the Department does not support the event being held around 'the beginning of March' each year as this wording does not provide sufficient clarity from a regulatory perspective.

In order to provide clarity around when the event can be held, and ensure that the approved event will not be held on the same weekend as another major event in the Moore Park to Randwick entertainment corridor, the Department has recommended the following modifications to the Development Consent:

- the re-wording of the development description in Schedule 1 to specify that the event can only be held over one weekend between the last weekend in February and the second weekend in March each year; and
- the re-wording of Condition A5 to specify the timing of the event, and to require the Applicant to satisfy the key stakeholder group that there will be no conflicts with other major events in the Moore Park to Randwick entertainment corridor two months prior to the event occurring.

The Department has considered Council's concerns and has recommended that the event can only be held on specific weekends as identified in the development consent (one weekend between the last weekend in February and the second weekend in March). The Proponent has agreed to the recommended condition.

5. CONCLUSION

The Department has assessed the proposed modification in accordance with the requirements of the EP&A Act. This assessment has found that the proposed modification will result in substantially the same development as the original development consent, and will ensure that the approved event will not occur on the same weekend as another major event in the Moore Park to Randwick entertainment corridor.

Consequently the Department has concluded that the proposed modification is in the public interest and should be approved, as set out in the recommended Notice of Modification at **Appendix A**.

6. RECOMMENDATION

Under the Instrument of Delegation dated 10 November 2014, it is recommended that the Manager, Industry Assessments:

- **approve** of the proposed modification under Section 96(1A) of the Act; and
- **sign** the attached Notice of Modification (**Appendix A**).



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