

# Development Consent

## Section 89E of the *Environmental Planning & Assessment Act 1979*

Under the Minister for Planning and Infrastructure's delegation of 14 September 2011, and as members of the Planning Assessment Commission, we approve the development application referred to in schedule 1, subject to the conditions in schedule 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



Lindsay Kelly  
Member of the Commission



Gabrielle Kibble AO  
Member of the Commission

Sydney

8 February 2012

### SCHEDULE 1

#### PART A – TABLE

<b>Application made by:</b>	Future Events Pty Ltd.
<b>Application made to:</b>	Minister for Planning and Infrastructure.
<b>Development Application:</b>	SSD 4995-2011
<b>On land comprising:</b>	Royal Randwick Racecourse at 77-79 Alison Road, Randwick
<b>Local Government Area</b>	Randwick
<b>For the carrying out of:</b>	Temporary Music Festival and associated works comprising: <ul style="list-style-type: none"><li>• one day event from noon –10pm on 10 March 2012;</li><li>• capacity crowd of 45,000 persons;</li><li>• commencement of preparations from 1 March 2012 and removal of all structures by 15 March 2012; and;</li><li>• ten (10) performance stages, amusement rides, public bars, essential services and carparking for 1,100 vehicles.</li></ul>
<b>Estimated Cost of Works</b>	\$305,501.88.
<b>S.119 Public inquiry held:</b>	No.
<b>BCA building class:</b>	Class 9b, 10a, 10b.
<b>Determination made on:</b>	
<b>Determination:</b>	Development consent is granted subject to the conditions in the attached Schedule 2.
<b>Date consent commencement:</b>	Date determination was made – see above.

## **PART B—NOTES RELATING TO THE DETERMINATION OF SSD 4995 - 2011**

### ***Responsibility for other approvals / agreements***

The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

### ***Appeals***

The Applicant has the right to appeal to the Land and Environment Court under section 97 of the *Environmental Planning and Assessment Act 1979*. The right to appeal is only valid, for a development application, within 6 months after the date on which the Applicant received this notice.

### ***Legal notices***

Any advice or notice to the consent authority shall be served on the Director-General.

Before granting consent to development as allowed by this clause, the consent authority must be satisfied that the development will cease within such time as the consent authority stipulates.

DA Approval for the 2012 Event

## DEFINITIONS

**Act** means the *Environmental Planning and Assessment Act 1979* (as amended).

**Advisory Notes** means advisory information relating to the approved development but do not form a part of this consent.

**Applicant** means *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*

**Approval Body** has the same meaning as within Division 5 of Part 4 of the Act.

**BCA** means the Building Code of Australia.

**Consent** means *this development consent*

**Council** means Randwick City Council.

**Department** means the Department of Planning and Infrastructure or its successors.

**Development** means the development to which SSD 4995-2011 applies.

**Director-General** means the Director-General of the Department of Planning and Infrastructure or any nominee.

**EIS** means the *Environmental Impact Statement titled Future Music festival, dated November 2011*

**Minister** means the Minister for Planning and Infrastructure.

**Regulations** means the *Environmental Planning and Assessment Regulation 2000* (as amended).

**Site** has the same meaning as the land identified in *Part A -Table* of this schedule and all buildings on this land.

**SRD SEPP** means the *State Environmental Planning Policy (State and Regional Development) 2011*

**SSD** means *State significant development*

**Works** means works undertaken during the construction, performances and rectification phases.

## SCHEDULE 2

### **PART A - ADMINISTRATIVE CONDITIONS**

#### **A1. Proposal Description**

Consent is granted only for temporary construction of the associated works, including performance stage, stands, toilet facilities, and the like, and restoration of the site after completion of the Festival as described by the Applicant's Statement of Environmental Effects, prepared by URBIS Pty Ltd, November 2011, and all documentation submitted in support of the application, as amended and approved under Part A of this consent, including but not limited to:

- 1) Security Management Plan prepared by Future Entertainment;
- 2) Risk Assessment Plan prepared by Future Entertainment;
- 3) Traffic Management Plan prepared by Event & Sports Project Australia Pty Ltd.
- 4) Noise Management Plan prepared by Noise Consulting and Management Pty Ltd;
- 5) Emergency Management procedures prepared by Riskworks Pty Ltd;
- 6) Waste Management Plan prepared by Commingle Recycling; and
- 7) Organised Crime Management Plan prepared Future Events Pty Ltd.

#### **A2 Development in Accordance with Plans**

Drawing No.	Revision	Prepared By	Name of Plan	Date
Future Music (DM)	Nil	Future Entertainment	Proposed Event Layout	Date stamped 24/10/2011

except for:

- 1) any modifications as may be necessary for the purpose of compliance with any Australian Standards incorporated in the BCA; or
- 2) otherwise provided by the conditions of this consent.

#### **A3 Inconsistency between documents**

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

#### **A4 Duration of Consent**

The consent expires on 30 June 2012.

#### **A5 Prescribed Conditions**

The Applicant shall comply with the prescribed conditions of this consent in accordance with clause 98 of the Regulations.

#### **A6 Statutory Requirements**

The Applicant shall ensure that all licences, permits and approvals are obtained and maintained as required throughout the life of the project. No condition of this approval removes the obligation of the Proponent to obtain, renew or comply with such licences, permits or approvals.

#### **A7 Patron Number Control**

The number of patrons in attendance at any one time during the event must be made available to Council officers upon request. Numbered tickets must be issued in order to calculate the number of persons permitted at the event so as not to exceed the authorised capacity. Records of the number of tickets issued shall be provided to Council within 7 days of the event.

#### **A8 Operational Procedures**

- Advertising and marketing of the activity/event shall promote the use of public transport to the activity.
- The use of fireworks, firearms, explosives or lighting of fires is not permitted.
- There is to be no unauthorised placement of promotional/advertising posters or brochures for this event in the Randwick City area.
- The applicant shall meet the costs of policing (crowd control & traffic management) for the event.
- The applicant shall implement all strategies required by the NSW Police – Eastern Beaches Local Area Command to ensure that security is improved and criminal activities are minimised.
- Mandatory bag inspections are to be carried out prior to entry of patrons on to the site.
- The installation of temporary facilities including barricades, fencing, signage, toilets, lighting vending outlets is to be carried out to ensure that there is no damage to the site, including built structures and landscape elements

#### **A9 Management Plans Finalisation**

Copies of all final management plans, with supporting documentation from any relevant government agency, referred to at **Condition A1**, shall be submitted to the Department a minimum of twenty (20) days prior to the staging of the Festival event.

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## ENVIRONMENTAL PERFORMANCE CONDITIONS

### PART B - PRIOR TO COMMENCEMENT OF WORKS

#### **B1 Long Service Levy**

In accordance with Section 34 of the Building and Construction Industry Long Service Payments Act 1986, the applicant must pay a long service levy at the prescribed rate of 0.0035 of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$25,000 or more. The Long Service Levy is payable prior to the commencement of works.

#### **B2 Noise Management Plan**

A final Noise Management Plan must be submitted and approved by the Department prior to the commencement of works. The Noise Management Plan must address:-

- (a) Details of site supervision, hours of operation, night management;
- (b) Details on restrictions to amplified music, operating time and general use;
- (c) Details about patron attendance times;
- (d) Details about any signage to inform patrons of approved closure hours;
- (e) Details on training guidelines for staff;
- (f) Details on the process for community consultation and dealing with noise complaints from residents including the management of noise related complaints during events;
- (g) A review process for the noise management plan; and
- (h) compliance with the requirements of **Condition B3**, below.

The Noise Management Plan must also include detail of the siting/direction of the stage and speakers, the size and power output of speakers and instructions to engineers for sound control. This plan shall identify that the SPLnet monitoring system shall be used. The noise management plan is to be on site and made available upon request.

#### **B3 Noise - Festival Event**

- (a) The temporary Festival must not result in the transmission of "offensive noise" as defined in the Protection of the Environment Operations Act 1997 at the nearest affected receiver. During the test(s), rehearsal(s) and Festival, the sound pressure level measured must not exceed:
  - (i) LAmax 70 dB(A) between Midday – 10:00pm on 10 March 2012;
  - (ii) Lmax 90 dB(C) between Midday – 10:00pm on 10 March, 2012;
- (b) Noise Limiters:
  - (i) All amplification equipment used at the event must be controlled by a root mean square (RMS) noise limiter, calibrated by an acoustic engineer. The equipment must be tamper proof and only be operable by the management or their nominee.
  - (ii) All on-stage and front of house sound equipment must be connected in such a manner to the one system so that the noise levels produced can be effectively controlled by the noise limiter referred to above and the house mixer/sound engineer.
- (c) The total combined duration of event rehearsals and sound tests that are audible beyond the racecourse must be kept to an absolute minimum, and must not exceed three (3) hours. Rehearsals must not commence before 9:00am and shall be restricted to the day of the Festival. This time is to be used to obtain a relationship between noise at the venue (e.g. mixing desk) and at residential locations.
- (d) An exceedance of the noise level limit by a maximum of 5 dB(A) and/or 5 dB(C) during a single five (5) minute period during the first fifteen (15) minutes of the performance of each new separate band or act will not be taken to be a breach of these conditions. The exceedances permitted by this condition must be kept to an absolute minimum.
- (e) On-site Anemometer

A device capable of recording wind speed and direction at 10 minute increments is required to be installed on site for the Festival event. Data from such a device will be accessible before, during and after the event. This will be used to better understand the influence of wind on sound propagation and hence preempt enhancement of noise. The benefits yielded from such data will include, amongst other things, informing of noise monitoring locations such that the worst affected residences are captured. This will result in better management of noise emissions during the event.

(f) Sound Amplification Equipment

- i) Any sound amplification equipment used at any time on the lands will be installed in such a way as to minimise the noise impact on residential premises or sensitive receivers.
- ii) The sound amplification equipment will be maintained in a proper and efficient condition so as to minimise the noise impact on residential premises or sensitive receivers.
- iii) The sound amplification equipment will be operated in a proper and efficient manner so as to minimise the noise impact on residential premises or sensitive receivers.

(g) Complaints management:

A Complaints and Inquiry Procedure for the Festival is to be prepared and include, as a minimum, the provision of a 24 hour complaints hotline. Establishment of a 1800 number to record complaints covering the periods including sound testing, event, and post event periods. At a minimum the 1800 number should be staffed during business hours but critically it must be staffed during and immediately following the Festival event. This would ensure that where required, immediate action can be taken with regard to a complaint. Formal written response to all calls logged from one day prior to one day post the festival event should be undertaken within 48 hours following the event.

(h) Reporting to the Community:

A preliminary data findings report should be prepared and made available to the public within five working days of the completion of the Festival event. The Applicant will publish on its website the final report summary results of noise monitoring conducted by the acoustic consultant. Copies of the final document are to be made available to the Department and Council, and to the general public through those agencies within 30 days of the Festival completion. The summary report will set out:

- i) Compliance or non-compliance with noise and time limits;
- ii) The times and duration of any occasions where there were exceedances of the noise and time limits and;
- iii) What measures were implemented to ensure that the exceedance(s) did not reoccur.

The report should summarise the noise monitoring results outlining in plain English the number of exceedances and the measures taken to manage these.

#### **B4 Soil and Water Management Plan**

Prior to the commencement of works the Applicant shall develop a Soil and Water Management Plan that is to be implemented during the works. The Plan shall address, but is not limited to the following issues:

- 1) minimise the area of soils exposed at any one time;
- 2) identify and protect proposed stockpile locations;
- 3) preserve any existing vegetation except weeds;
- 4) prevent soil, sand, sediments leaving the site in an uncontrolled manner;
- 5) Control surface water flows through the site in a manner that:
  - i) diverts clean run-off around disturbed areas;
  - ii) minimises slope gradient and flow distance within disturbed areas;
  - iii) ensures surface run-off occurs at non erodible velocities; and
  - iv) ensures disturbed areas are promptly rehabilitated.

- 6) provide measures to stop materials being tracked onto the road by vehicles entering or leaving the site.
- 7) Implement suitable Dust Suppression measures, particularly where heavy vehicles (greater than one tonne) are entering and leaving the site.

Sediment and erosion control measures are to be in place prior to commencement of works.

#### **B5 Waste Management**

Prior to the commencement of the works the Applicant shall finalise, and submit to the Department for approval, a Waste Management Plan which is to be implemented during the works. The Plan is to identify methods for the following:

- 1) the temporary on site storage of waste generated from these works;
- 2) the on site reuse/recycling of waste generated from these works; and
- 3) the off site disposal of waste generated from these works.

All off site waste disposal is to occur at an appropriately licensed waste management facility.

#### **B6 Community Consultation**

Prior to the commencement of the works Council, Police and residents and businesses located adjacent to the site are to be notified by letter box 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.

Prior to the activity/event, the Applicant shall distribute a notice to the nearby likely affected residents and other nearby premises advising of the activity/event and providing the following details:

- Details of the activity/event
- time and date when the activity/event will occur,
- the name and relevant details of the applicant and organiser of the activity/event
- contact details for the relevant person to whom further enquiries can be obtained,
- contact details for the making of complaints/enquiries in regard to the set up, operation of the event and post event nuisance, traffic and clean up concerns (including contact details for complaints to be lodged at least up to 24 hours before and after the event,
- any other information that may be required to properly and fully describe the event, including any measures to maintain reasonable levels of amenity and safety.

This notice is to be distributed to the effected parties no less than 3 days and no more than 7 days prior to the staging of the event.

#### **B7 Site Condition Report**

Prior to the commencement of the works the Applicant shall prepare and issue to the relevant authority a **Site Condition Report** that assesses the current condition of the site. This report is to be prepared by a suitably qualified person.

#### **B8 Signage**

Prior to the commencement of works, a sign must be erected in a prominent position on the site on which the proposal is being carried out. The sign shall state:

- 1) unauthorised entry to the work site is prohibited; and
- 2) the name of the principal contractor (or person in charge of the site) and a telephone number at which that person may be contacted at any time for business purposes and outside working hours.

Any such sign must be maintained while the work is being carried out, but must be removed when the work has been completed.

## **B9 Emergency Management Committee**

An Emergency Management Committee is to be established by the event organisers involving the NSW Police Force (representatives from the Major Events & Incidents Group, Event Commander and other senior police), Transport Management Centre, Fire & Rescue NSW, NSW Ambulance, the medical provider, the event risk management consultant, and other government agencies as deemed necessary. The Applicants emergency plans in relation to this committee are to be submitted 28 days prior to the event and sufficient meetings held to consider and exercise the plans as required.

A detailed emergency evacuation plan is to be approved by the Emergency Management Committee and shall entail:

- identification of emergency evacuation assembly areas, and
- these plans MUST be tested with emergency services no later than 14 days prior to the event occurring.

## **B10 Verification of Support for Loads**

A certificate from a qualified practicing structural engineer (National Engineering Registration Board) must be submitted to the Certifying Authority prior to a commencement of works for the proposed stages and any grand stand facilities to be erected. The certificate must state that the structures are adequate to support the projected loads and that the design will comply with the relevant Australian Standards adopted by the Building Code of Australia.

## **B11 Structural Certification for Design - BCA**

Prior to the commencement of works, structural details and a Structural Certificate for Design of any temporary structures by a qualified practising structural engineer and in accordance with Clause A2.2(a)(iii) of the Building Code of Australia (applicable to class 2-9 building) and Clause 1.2.2(iii) of Volume 2 of the BCA (applicable to Class 1 and 10 buildings) must be submitted to the satisfaction of the Department or the relevant certifying authority.

## **B12 Traffic Management Plan Requirements**

The Applicant (Future Events Pty Ltd) must prepare a revised/amended operational traffic management plan (TMP). This plan must be submitted to NSW Police and NSW Transport for approval, and to Council for consideration, prior to the commencement of works or prior to 25 February 2012 which ever comes first. The revised / amended TMP shall be generally in accordance with the TMP submitted with the application as amended by the following:

1. Consideration of specific improved operational measures to cater for the increase in patron numbers. Details of a comprehensive traffic, transportation, pedestrian and resident action plans are to be provided.
2. Provisions for strict compliance by truck operators of the "bump in" and "bump out" arrangements on Alison Road and enforcement measures.
3. Clear acknowledgement that no B-double mode of transport shall be used for the event and no B-double mode of transport shall form part of the Traffic Management Plan.
4. Provisions for clear chains of command and well established communication links to be put in place between the event organiser and the trucking contractors to compel the latter to adhere to all traffic management measures.
5. Provisions for making the access to, and exit from, the designated on-site car park clear, easy and efficient so as to minimise illegal parking in residential streets.
6. Provisions for making the boarding of buses clear, easy and efficient so as to minimise transportation delays and bottle-necks.
7. Deployment of relevant personnel on the ground to enforce traffic management measures.
8. Details shall be provided on the proposed disabled carpark locations;

9. All costs associated with traffic control and pedestrian control before, during and after the Festival are to be met by the Proponent.
10. Provisions for full Integrated Transport / Gate ticketing arrangement to be put in place before the event.
11. Provisions for public pedestrian and cyclist access to be maintained to the Alison Road and Wansey Road shared bicycle / pedestrian paths.
12. Provisions for increasing the number of buses servicing the event by 7% (increasing from 45 buses to 50 buses for ingress and 115 buses to 124 buses for egress) so as to maintain the level of service provided to patrons who choose public transport in view of the proposed increase in the scale of the event by 7% (42,000 to 45,000 patrons).
13. Provision of full details of all proposed clearways for the event.
14. The use of the State Transit Authority' (STA) bus roadway, parallel to Anzac Parade, as a pedestrian corridor during egress from the event, must be approved by the State Transit Authority. Details of the STA's approval must be provided to Department prior to the event.

The Applicant must liaise with Council's Manager Integrated Transport and Development Engineer Coordinator regarding the above requirements prior to preparation of the amended TMP.

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## **PART C - CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF FESTIVAL**

### **C1 Structural Details**

Prior to the commencement of the Festival a certificate is to be provided by a suitably qualified person(s), certifying that:

- 1) the fire protection and structural capacity of temporary structures referred to in documents described under condition A1 are appropriate for the proposed use of the structure; and
- 2) the ground or other surface on which the structure is to be erected is sufficiently firm and level to sustain the structure while in use.

A copy of this certification shall be provided to the Department prior to the commencement of the Festival.

### **C2 Certification of Acoustic Standards**

A certificate must be submitted to and approved by the Department prior to the commencement of the use, from an accredited acoustic consultant certifying that the recommendations in the approved noise management plan have been complied with.

### **C3 Noise Control Verification**

The Applicant must ensure that a statement from an accredited acoustic consultant certifying that the acoustic mitigation measures identified in the noise management plan prepared by Noise Consulting and Management Pty Ltd, and as modified in **conditions B2 & B3**, are suitably incorporated into the development, and the noise criteria in the subject report have been met prior to the event occurring.

### **C4 Security Management Plan Requirements**

The event organiser shall implement all measures listed under the relevant sections contained in the Security Management Plan to ensure minimal impacts to adjoining and surrounding residents from unruly patrons of the Festival, including, but not limited to, trespassing, breaking and entering of and/or through private property (unless otherwise directed by the Police/authorised City Ranger or as modified by these conditions).

### **C5 Site and Locality Cleaning**

A damage/cleanup security deposit of \$50,000 must be paid to Council at least two days prior to the event as security for making good any damage caused to the roadway, footway, verge or any public place; and as security for cleanup that in the reasonable opinion of Council was connected to the event.

The applicant is to thoroughly clean the surrounding area within 24 hours of the termination of the event. This is to include the area bounded by Anzac Parade, Boronia Street, Salisbury Road, Kensington Road, Roma Avenue, High Street, Botany Street, Cook Street, Cowper Street, Wentworth Street, Darley Road and Alison Road.

The damage/ cleanup security deposit may be provided by way of a cash or cheque with the Council and is refundable upon a satisfactory inspection by Council upon the completion of the event which confirms that there has been no damage to Council property and that the cleanup has been satisfactorily executed. Any costs borne by Council for additional cleanup resulting from the event shall be deducted from this amount.

To obtain a refund of relevant deposits, a Security Deposit Refund Form is to be forwarded to Council's Director of City Services upon completion of the event.

## **PART D - DURING CONSTRUCTION, FESTIVAL AND RESTORATION**

### **D1 Approved Plans to be On-site and complied with**

During the course of the approved development a copy of this development consent, any approved or certified plans and any management plans, shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department and Council.

All management or other plans approved under these conditions must be complied with during the carrying out of the approved development.

### **D2 Hours of Work**

- 1) The hours of work for construction and rectification works including the movement of materials to and from the site, shall be restricted to between 7:00am and 7:00pm, Mondays to Sundays inclusive; for the period of 1 March, 2012 to 15 March, 2012 inclusive.
- 2) The hours of the Festival event shall be restricted to 12:00pm Midday to 10:00pm for the 10 March, 2012. Works may be undertaken outside these hours under the following circumstances:
  - i) if the delivery of materials is required outside these hours by the Police or other authorities; and
  - ii) if it is required in an emergency to avoid the loss of life, damage to property, prevent traffic conflicts and/or to prevent environmental harm.

### **D3 Neighbourhood Amenity**

- 1) Signs must be placed in clearly visible positions within the site requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area.
- 2) The Applicant must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, the Applicant must be responsible for the control of noise and litter generated by patrons of the premises and must ensure that patrons leave the vicinity of the premises in an orderly manner. The Applicant is to employ private security staff to ensure that this condition is complied with.

### **D4 Construction and Event Day Traffic**

1. Vehicles associated with the works shall not gather in the vicinity of the site earlier than 15 minutes prior to the daily commencement of construction hours.
2. The Applicant shall co-operate with any State agency or the Council to maintain efficient traffic flows and the safety of other road users.
3. Access to the site shall be via Alison Road for heavy vehicles (exceeding one tonne) and High Street and Wansey Road for other vehicles in accordance with the Traffic Management Plan. The access shall be controlled by a certified traffic controller to manage vehicles entering and exiting the site.

### **D5 Parking and Access**

All construction and delivery vehicles associated with the works shall park on site in accordance with documentation submitted with the application and not on the surrounding street network.

### **D6 Lighting**

During the performance Festival Lights are to be shuttered, directed inward onto the site and there are to be no lights directed at any nearby residences.

**D7 Dust Control**

Dust control measures shall be implemented to ensure that work does not cause an unreasonable dust nuisance to surrounding residents, businesses, the public or the local environment. These measures shall be implemented as part of the final waste management plan.

**D8 Heritage**

No permanent works are permitted to be carried out that will alter the fabric of the racecourse heritage listed item, Members Stand, and this item shall be protected through allocation of appropriate security officers, in accordance with the Security Management Plan, to prevent graffiti and vandalism occurring.

**D9 Pollution of Waters**

The Applicant shall comply with section 120 of the *Protection of the Environment Operations Act 1997* which prohibits the pollution of waters as a result of these works and activities.

**D10 No materials on footpath**

No materials, machinery, signs or vehicles used in or resulting from the works shall be stored or placed on Council's footpath, nature strip or roadway. Footpaths, nature strips or roadways shall not be impeded.

**D11 Loading and Unloading During Construction**

All loading and unloading associated with works must be carried out on site, and not in the public road way. All loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times and must not obstruct other properties/residences or any public way.

**D12 Site Security**

To protect the safety of work personnel and the public, the work site shall be adequately secured to prevent access by unauthorised personnel.

**D13 Health and Safety**

The applicant or another party acting upon the consent must comply with the relevant WorkCover Authority requirements and Occupational Health and Safety and Construction Safety Regulations during works.

**D14 Contact Telephone Number**

Prior to the commencement of the works the Applicant shall forward to the Department and Council a 24 hour telephone number to be used for the duration of the works which may be the same number required for noise control in accordance with **condition B3**. This phone number is to be attended during all times. The approved hours of work and the telephone number must be prominently displayed at all times at the site and must be visible to the public from public roads.

**D15 Restoration**

The Applicant must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's footpath, kerb & gutter, nature strip etc. which have been damaged due to activities directly related to the proposed development.

## **D16 Emergency Access**

Access to any fire exits, utilities or emergency vehicle access must not be impeded.

## **D17 Licensed Premises - Operational Controls**

- a) Security officers employed by the Proponent must move on any intoxicated persons or persons drinking alcohol or behaving inappropriately in the immediate vicinity of the premises so as to prevent noise emissions from impacting on the nearby neighbouring residences in the area.
- b) Any patrons waiting outside to enter the premises must queue along the frontage of the property and must be maintained in a quiet and orderly manner by security officers. The queue must not obstruct any entrance to adjoining premises / fire exits.
- c) All patrons waiting to board buses must queue in the clearly sign-posted and allocated areas and must be maintained in a quiet and orderly manner by security officers. The queue must not obstruct any roadways or the entrance to adjoining premises / fire exits.

## **D18 Traffic Works**

Any proposals for alterations to the public road, involving traffic and parking arrangements, must be designed in accordance with RTA Technical Directives and must be referred to and agreed to by NSW Department of Transport prior to any work commencing on site.

The Applicant must comply with all directions of the NSW Police and the Roads & Traffic Authority with respect to traffic and crowd control prior to, during and after the Festival.

## **D19 Demolition, Excavation and Construction Management**

- (a) Prior to the commencement of any demolition, construction and/or excavation work the following details must be submitted to and be approved by the Principal Certifying Authority, where such works are required:
  - (i) Plans and elevations showing distances of the subject building from the location of adjoining and common/party walls, and (where applicable) the proposed method of façade retention.
  - (ii) A Demolition Work Method Statement prepared by a licensed demolisher who is registered with the Work Cover Authority. (The demolition by induced collapse, the use of explosives or on-site burning is not permitted.)
  - (iii) An Excavation Work Method Statement prepared by an appropriately qualified person.
  - (iv) A Waste Management Plan for the demolition and or excavation of the proposed development.
- (b) Such plans and statements must, where applicable, be in compliance with AS2601-1991 Demolition of Structures, the Occupational Health and Safety Act 2000 and Regulation; and the Waste Minimisation and Management Act 1995, and all other relevant acts and regulations and must include provisions for:
  - (i) A Materials Handling Statement for the removal of refuse from the site in accordance with the *Waste Minimisation and Management Act 1995*.
  - (ii) The name and address of the company/contractor undertaking demolition/excavation works.
  - (iii) The name and address of the company/contractor undertaking off site remediation/disposal of excavated materials.
  - (iv) The name and address of the transport contractor.
  - (v) The type and quantity of material to be removed from site.
  - (vi) Location and method of waste disposal and recycling.
  - (vii) Proposed truck routes, in accordance with this development consent.
  - (viii) Procedures to be adopted for the prevention of loose or contaminated material, spoil, dust and litter from being deposited onto the public way from trucks and associated equipment and the proposed method of cleaning surrounding roadways from such deposits. (Note: With regard to demolition of buildings, dust emission must be minimised for the full height of the building. A minimum requirement is that perimeter scaffolding, combined with chain wire and shade cloth must be used, together with continuous water spray during the demolition process. Compressed air must not be used to blow dust from the building site).
  - (ix) Measures to control noise emissions from the site.
  - (x) Measures to suppress odours.

- (xi) Enclosing and making the site safe.
  - (xii) A certificate of currency of the Public Liability Insurance for not less than \$10,000,000.
  - (xiii) Induction training for on-site personnel.
  - (xiv) Written confirmation that an appropriately qualified Occupational Hygiene Consultant has inspected the building/site for asbestos, contamination and other hazardous materials, in accordance with the procedures acceptable to Work Cover Authority.
  - (xv) An Asbestos and Hazardous Materials Clearance Certificate by a person approved by the Work Cover Authority.
  - (xvi) Disconnection of utilities.
  - (xvii) Fire Fighting. (Fire fighting services on site are to be maintained at all times during demolition work. Access to fire services in the street must not be obstructed).
  - (xviii) Access and egress. (Demolition and excavation activity must not cause damage to or adversely affect the safe access and egress of the subject building or any adjacent buildings).
  - (xix) Waterproofing of any exposed surfaces of adjoining buildings.
  - (xx) Control of water pollution and leachate and cleaning of vehicles tyres (proposals must be in accordance with the *Protection of the Environmental Operations Act 1997*).
  - (xxi) Working hours, in accordance with this development consent.
  - (xxii) Any Work Cover Authority requirements.
- (c) The approved work method statements and a waste management plan as required by this condition must be implemented in full during the period of construction.

#### **D20 Compliance with Building Code of Australia**

The proposed work must comply with the Building Code of Australia (BCA).

#### **D21 General Site Operations**

1. At all times clear access and egress for emergency vehicles is to be maintained by the event organisers.
2. The fence around the event is to be constructed/maintained in such a way as to ensure that there is no unauthorised access to the venue
3. The boundary fence around the event site is to be constantly patrolled by private security.
4. Skip bins or similar facilities are NOT to be placed in the parking lanes of any public roads.
5. The Applicant is to arrange for appropriate notices to be erected at bus shelters, up to two weeks prior to the event, to inform regular bus patrons that their bus services, and access to their regular bus stops, may be affected on the day of the event.
6. The Festival should provide a "Full Integrated Transport/Gate Ticket" for patrons which includes return public transport to and from the festival which is valid for the Sydney Metropolitan Area.
7. The activity/event shall not give rise to an unreasonable environmental health or public nuisance or affect public safety and convenience.
8. The operation of the activity/event shall not result in air, noise or water pollution offences under the *Protection of the Environment Operations Act 1997*.
9. The relevant requirements of WorkCover New South Wales and the Occupational Health and Safety Act 2000, are required to be complied with at all times.
10. Access to the event shall be provided to Council authorised officers so as to enable compliance monitoring to be undertaken

#### **D22 Complaints Recording**

The organiser of the event must keep a legible record of all complaints made to it or any employee or agent in relation to the event to which this application applies. The complaints hotline shall operate during the bump in phase, for the entire duration of the event and for the remainder of the weekend to address any unresolved complaint by nearby residents.

The complaints register must keep a record of the following:

- the date and time of the complaint;
- the method by which the complaint was made;
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- the nature of the complaint;
- the action taken by the organiser in relation to the complaint, including any follow-up contact with the complainant; and

- if no action was taken by the organiser, the reasons why no action was taken.

### **D23 Compliance with Food Act 2003**

The requirements of the *Food Act 2003* and *Food Safety Standards* must be complied with at all times.

The Applicant is required to ensure that all temporary food stalls, vendors and mobile food vendors have registered their details with Council's Environmental Health Unit, at least one week prior to the event. The required Registration Fee must be forwarded to Council with the registration details. Further details can be obtained by telephoning 9399 0973.

### **D24 Temporary Structures Controls**

- 1) The maximum number of people permitted in the temporary structures must not exceed the number of square meters of the floor area of the tent or marquee and a person must be appointed to ensure that the permissible capacity is not exceeded. A sign detailing the maximum number of people permitted in the temporary structure/s must be displayed near the entrance.
- 2) Tents and marquees must comply with the following requirements:-
  - a) The number and width of exits to any tent, marquee or booth used for the purpose of an entertainment venue must be provided in accordance with the provisions of NSW H102.4 and NSW Table H102.4.
  - b) the tent, marquee or booth resists loads determined in accordance with the Australian and New Zealand Standards entitled:
    - i) AS/NZS 1170.0:2002, *Structural design actions – General principles*, and
    - ii) AS/NZS 1170.1:2002, *Structural design actions – Permanent, imposed and other actions*, and
    - iii) AS/NZS 1170.2:2002, *Structural design actions – Wind actions*.
  - c) Written details or certification must be provided to the Principal Certifying Authority detailing compliance with the requirements of these conditions, prior to the use and occupation of the temporary structures.
- 3) Fabric that is used in the construction of a temporary structure must comply with the flammability indexes required by NSW H102.8 of the Building Code of Australia 2008.
- 4) Essential fire safety measures & equipment within the temporary structures must be provided in accordance with the provisions of NSW H102 of the Building Code of Australia, to the satisfaction of the principal certifying authority.
- 5) A notice is to be provided to each stage or platform, that indicates the actual distributed and concentrated load for which the stage or platform has been designed, located in a conspicuous position on the stage or platform.
- 6) Stages, platforms or walkways greater than 1m in height above ground level which are accessible to the public or audience, must be provided with adequate balustrading or other measures to prevent them from falling off the stage or platform.
- 7) If a tent or marquee used for the purpose of an entertainment venue has a floor area greater than 100 square meters, the erection of the tent or marquee must not commence until the provisions of Clause 268A of the Environmental Planning & Assessment Regulation 2000 (as amended), relating to the appointment of a principal certifying authority, have been met.
- 8) An Occupation Certificate must be obtained from the Principal Certifying Authority (Council or Accredited Certifier) for the temporary structures, in accordance with the provisions of the *Environmental Planning & Assessment Regulation 2000*, prior to the use and occupation of the temporary structure/s.
- 9) A statement of adequacy is to be obtained from a suitably qualified person and be submitted to Council upon the erection of any temporary structures, amusement devices and stages, which certifies that the item/s satisfy relevant requirements and standards for structural adequacy and public safety.
- 10) The operator of the activity/function must hold current public liability insurance cover of at least \$10 million.
- 11) Temporary structures must be removed/dismantled within 2 days after the conclusion of the event.
- 12) Adequate toilets, urinals, wash-hand basins and hand dryers or disposable towels (including facilities for people with a disability) must be provided for the duration of the activity/event, to the satisfaction of the Principal Certifying Authority.

- 13) The installation of temporary facilities including stages, enclosures, decking, fencing, signage, toilets, lighting, rides and vending outlets is to be carried out to ensure that there is no damage to the site, including built structures and landscape elements.

**D25 Traffic Control Management**

- 1) Hours of operation being 7am to 7pm daily from Thursday 1 March 2012 until Thursday 15 March 2012
- 2) B-Double vehicles are prohibited to be used as part of the proposed development;
- 3) No truck/heavy vehicle exceeding a carrying capacity of one tonne in weight may access the site via High Street or Wansey Road, except for an emergency situation;
- 4) Wansey Road Gate 10 entry shall be restricted to use by small vehicles, under one tonne carrying capacity, or "light" vehicles;
- 5) All vehicles exceeding one tonne carrying capacity are required to access the site via Alison Road Gate 1 entry.

**D26 Patron and Operation Behaviour**

- 1) A maximum of 2 drinks per person shall be permitted for each drink purchase;
- 2) Sale of Alcohol shall cease at 9pm;
- 3) All drinks shall be served in plastic cups or aluminium cans only;
- 4) Bottled water shall be available free of charge to patrons;
- 5) All drinks, cans/bottles, shall be opened at point of service;
- 6) Applicant shall prepare an operations management plan (maximum of two pages) for attachment to the event tickets and available at the venue, which will advise of the Festival protocols and general operation procedures;
- 7) Tickets to the Festival should provide information on the hours of operation, hours of trade for alcohol consumption, identify on-site carparking availability and promote public transport.

DA Approval for the 2012 Event

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## SCHEDULE 3

### ADVISORY NOTES

#### **AN1 Requirements of Public Authorities for Connection to Services**

The Applicant shall comply with the requirements of any public authorities (e.g. Energy Australia, Sydney Water, Telstra Australia, AGL, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the Applicant.

#### **AN2 Requirements of the NSW Police Service for the provision of Services**

The event organiser is required to engage police in accordance with the NSWPF Cost Recovery and User Charges Policy. The exact number of police required and subsequent cost will be determined by the NSW Police Force taking into consideration other security arrangements and risk mitigation strategies proposed. Full payment for such services is to be made to the NSW Police Force at least 30 days prior to the event. The police deployment may include, but not be limited to the following resources:

- An adequate number of Command personnel relative to the scale and scope of the event;
- A deployment of crowd control police within the venue and at the temporary wharf;
- A deployment of licensing police to monitor alcohol services (as deemed necessary by the event commander);
- A contingent of police to be present and monitor crowds at the Festival site;
- A contingent of police to control traffic and pedestrians event (on ingress);
- A contingent of police to control traffic and pedestrians between Central Railway Station, and the festival site (on ingress and egress);
- A contingent of police to control traffic between the event site and Central Railway Station (on egress); and

#### **AN3 Requirements of the NSW Transport Management Centre**

For Transport for NSW to support this event the conditions outlined below must be addressed in writing and encapsulated in a satisfactory TMP by the event organiser prior to any approval being granted.

1. To carry out letterbox drops to the affected tenants, occupants and building managements in the area in which the changed traffic conditions (eg. closure and/or clearway) and any other streets, including detour routes that are affected by the changed traffic conditions.
2. To carry out the letterbox drops at least one week prior to the commencement of the changed traffic conditions (eg. closure and/or clearway), and to resolve, to the satisfaction of Council and the TMC all representations made by the affected motorists, pedestrians, cyclists, tenants, occupants and building managements,
3. To obtain written agreement from all the affected car park operators for any proposed closure, and that the local council and TMC being indemnified against all claims of revenue loss as a result of the road closure.
4. To close the roads in accordance with the AS1742.3, unless otherwise directed by Police.
5. Not to occupy the carriageway or footway of the road by representatives of the applicant until the road closure has been implemented.
6. The applicant must provide a 4 metre wide emergency lane along the proposed road closure at all times.
7. To provide and maintain appropriate and adequate traffic measures (including detour signs and traffic controllers) for the safe movements of traffic and pedestrians.
8. At all times, to provide access to adjoining premises in the proposed street closure to the satisfaction of the Emergency Services, All services (fire hydrants etc.) shall be kept free of any obstructions.
9. To advise emergency services (namely Police, Fire Brigade and St John Ambulance) of any , proposed temporary road closure,

10. To remove all barriers and signs associated with the road closure at the times nominated to reopen the street to traffic,
11. To indemnify the local council and the Roads and Maritime Services against all claims for damage or injury that may result from the activity or occupation of part of the public way during the activity.
12. The applicant must provide documentary evidence Of public risk insurance cover minimum of \$20,000,000 indemnifying Council.
- 13, To reimburse the local council for the cost of repair of any damage caused to the public way, or as a result of the activities,
14. To comply with any reasonable directive of Police, TMC, and the Council Rangers.
15. To provide a telephone number of the supervisor on\*site responsible for the traffic management of the proposed event to the TMC.
16. To comply the local councils Code of Practice for Construction Hours/ Noise.
17. To re-imburse the TMC for placement of an advertisement in two Sydney metropolitan newspapers advising of the changed traffic conditions and potential traffic impacts. The advertisement must appear at least 7 days before any changed traffic conditions. Agreement to pay must be signed prior to issue of the Road Occupancy License by the TMC.
18. To meet all or any costs associated with changed traffic conditions, and shall pay fees In accordance with the TMC's and Council's current Fees and Charges.
- 19, The applicant to have received 6n approved Road Occupancy License from the TMC.
- 20, The applicant must ensure a suitable Occupational Health & Safety Plan is in place for all personnel working at the site.
21. Any variation on the approved date and conditions of approval will require the matter to be submitted to the TMC for resolution,
22. The applicant must not block a driveway or footpath access to any premises unless a written approval from the owner/occupants is first obtained.
23. The applicant must provide a Risk Management Plan for any road closure.
24. In the event of a traffic incident or emergency, the Police will take control of all traffic and pedestrian arrangements
- 25, The applicant is to arrange for User Paid police to present at each traffic control point;
- 26, If the closure is on a bus route, the applicant must notify State Transit Authority prior to each closure and pay any associated costs for rerouting services and/or moving bus stops during each closure;
27. The applicant is to advise car share operators of the approved closure 7 days prior to the closure if a shared vehicle is based in the street

#### **AN4 Requirements for additional Approvals.**

The Applicant should satisfy themselves that all legally required approvals have been sought to enable the Festival proposal to proceed, including but not limited to:

- Any liquor licensing requirements form the Liquor Licensing Board of NSW; and
- Any changed traffic conditions, including road signs, clearways, road closures or changed road conditions, being approved by NSW Transport and/or the Randwick City Council Local Traffic Committee.