



**STATE SIGNIFICANT DEVELOPMENT ASSESSMENT:  
Two Day Music Festival  
SSD 6134**



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

March 2014

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

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Published March 2014  
NSW Planning & Infrastructure  
[www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

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## Executive Summary

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The Australian Turf Club (the applicant) has lodged a State Significant Development Application for the purposes of holding an annual two day music festival event at Royal Randwick Racecourse.

The application seeks development consent for a two (2) day music festival event to be held on the second weekend of March every year on an ongoing basis for a total of 10 years. The event includes one (1) Saturday music festival operating from 12 noon until 10.30pm with a capacity of 50,000 patrons; and one (1) Sunday music festival operating from 12 noon until 8.00pm with a capacity of 20,000 patrons. The proposal also involves the assembly of temporary structures associated with the event; commencement of preparations ('bump-in') 10 days prior; and removal of all structures ('bump-out') 10 days afterwards.

The proposed Saturday music festival has been held at the racecourse venue over the past eight years under approvals previously issued by Randwick City Council (six (6) years) as well as Planning and Infrastructure (two (2) years). Under clause 4 of Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011*, development for the purposes of an event that is not a race day event at Royal Randwick Racecourse requires the consent of the Minister for Planning and Infrastructure.

The site is zoned RE2 Private Recreation under the *Randwick Local Environmental Plan 2012*. The proposed event is a permissible form of development and is consistent with the zone objectives.

The application was exhibited between 20 November 2013 and 20 December 2013 (30 days). The agency received four (4) public submissions and six (6) government agency submissions which included submissions from NSW Police, Transport for NSW, Roads & Maritime Services, Transport Management Centre, State Transit Authority and Randwick City Council. The key issues raised in these submissions included potential clashes with other events; performance monitoring and evaluation; public safety and impacts on residential amenity; and noise issues.

The applicant submitted a formal response to the issues raised and provided advice and a number of mitigation measures relating to stakeholder engagement, noise management and community consultation.

The agency has considered all relevant matters under section 79C of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the objects of the EP&A Act in its assessment. The agency's assessment concludes that, subject to conditions, the proposed event may be held as an annual event for 10 years without any unacceptable amenity, environmental or public safety related impacts. The event is in the public interest and the agency recommends that it be **approved** subject to requiring strict sound limits of 70dB(A) and 90 dB(C) during the events; noise abatement measures; the implementation of event management plans; and an obligation to gain separate approval for the event should base parameters upon which consent (as issued) change.

With the recommended conditions of consent, the agency is satisfied that the conditions provide a rigorous process to monitor and measure the performance of each event over a period of 10 years.

The Minister for Planning and Infrastructure is the consent authority for the proposal. However, the Executive Director, Development Assessment Systems & Approvals may determine the application on the Minister's behalf under delegation.



## 1. BACKGROUND

### 1.1 Background

The Australian Turf Club (the applicant) is seeking consent for the temporary use of land at Royal Randwick Racecourse, for the purpose of holding an annual two day music festival event in the second weekend of March every year for a total of 10 years.

The proposed Saturday festival (known as the 'Future Music Festival') has been approved to operate at the Randwick Racecourse for the past eight years under previous approvals granted by Randwick City Council (six years) and the agency (two years). The 2013 event catered for a crowd of 50,000. The proposed Sunday festival ('Goodlife Festival') is an emerging youth event in its third year of existence which in 2013 catered for 15,000.

### 1.2 Site Description

The site is located at the Royal Randwick Racecourse, which is located at 77-79 Alison Road, Randwick and is situated within the Randwick local government area (**Figure 1**). The site has an area of around 80 hectares and is predominantly occupied by the existing racecourse buildings and track.



Figure 1: Locality Context (Source: Google.com)

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 contain a variety of housing types. The University of New South Wales campus is located to the south and Centennial Parklands are located to the north.

The site is predominantly used for horse racing events and currently accommodates the Randwick Racecourse and its associated structures, including grandstands (one listed as a heritage item), stabling and administration buildings. A selection of these buildings (namely hospitality facilities) is proposed to be utilised as part of the event operations. Racing events are predominately held every two to three weeks during the Autumn (February-May) and Spring (August-December) racing carnivals.

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. The main access to the site is via Alison Road which has recently been upgraded to provide a distinctive appearance to the racecourse and 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**).

### 1.3 Previous Approvals

Of the previous event approvals, Randwick Council assessed six development applications whilst the Minister was the consent authority for the previous two applications in 2012 and 2013 due to certain development at Royal Randwick Racecourse being classified under in the *State Environmental Planning Policy (State and Regional Development) 2011*. **Table 1** provides further details of the previous approvals for the event.

**Table 1:** Previous approvals for the event.

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



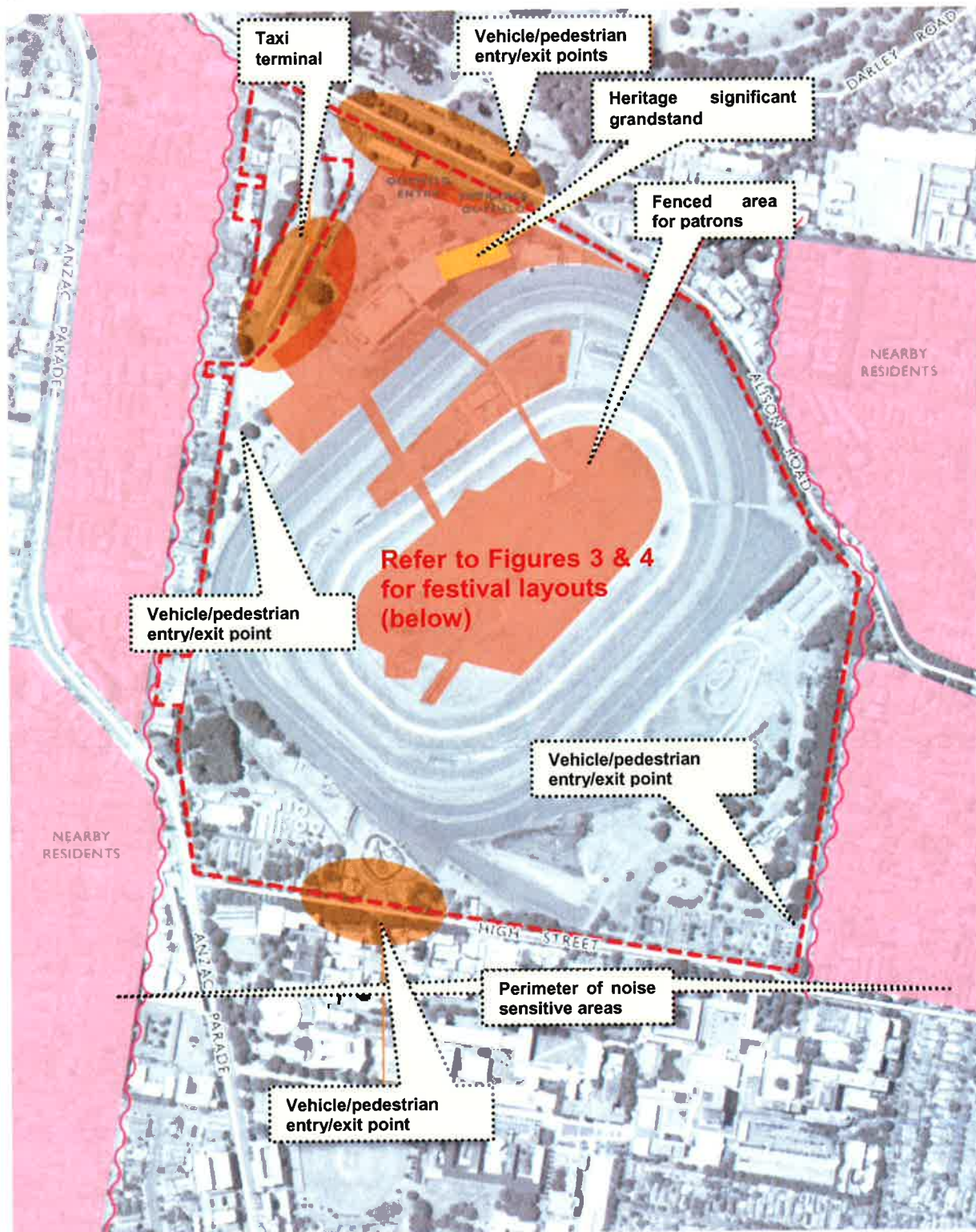


Figure 2: Subject Site (Source: EIS)

## 2. PROPOSED DEVELOPMENT

### 2.1 Development Need

The proposed Saturday festival (known as the Future Music festival) has established a national image as a major open-air performance and cultural event for the calendar year, in a similar vein to the Big Day Out Festival, and has over the past eight years been held successfully at Randwick Racecourse.

It is a temporary one-off event that utilises the site's existing facilities for one weekend a year with site operations returning to normal for the remainder of the year.

Rather than lodge an individual development application every year for the event, the applicant has proposed a 10 year consent, with relevant event management plans to be prepared every year. The need for a 10 year consent has emulated from the extended history of holding this event at Randwick which has allowed for ongoing improvements in logistics and understanding the site's characteristics for achieving acceptable levels of environmental performance.

The applicant leads an extensive stakeholder consultation process every year which has enabled the event to be fine-tuned and improved over time. Event management plans have evolved in response to addressing environmental issues and matters raised by stakeholders that include NSW Police, State Transit Authority and Transport for NSW, Randwick Council and the community.

The event has effectively had an eight year trial period to resolve relevant management issues and key government agencies are very familiar with strengths and weaknesses associated with the event.

For these reasons, the applicant contends that the site, with its purpose built entertainment facilities and quality transport infrastructure designed to manage major events, is suitable to hold events of this nature for up to 10 years without the need for further development assessment.

## 2.1 Project Description

On 12 November 2013, an application was submitted in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) seeking development consent to hold an annual music festival event on the second weekend of March every year for a total of 10 years at the Royal Randwick Racecourse. The event comprises:

- one Saturday 'over-eighteens' music festival operating from 12 noon until 10.30pm with a capacity of 50,000 patrons;
- one Sunday 'under-eighteens' music festival operating from 12 noon until 8.00pm with a capacity of 20,000 patrons;
- the assembly of temporary structures associated with the event including nine stages, fencing, toilet facilities, food outlets, bars, merchandise and amenities areas (refer to **Table 2**);
- commencement of preparations ('bump-in') 10 days prior and removal of all structures ('bump-out') 10 days after for a total site occupation period of 22 days;
- public and staff car parking on site for 900 vehicles;
- vehicle/pedestrian access/egress from Alison Road and High Street; and,
- bus parking and patron queuing for transport predominantly from High Street.

**Figure 2** (previous page) displays an aerial photo with key features of the event overlayed.

The major components of the development are summarised in **Table 2** below, and depicted in **Figures 3** and **4**. The Development is described in full in Atree Consulting's Environmental Impact Statement (EIS), which is attached as **Appendix D**.

**Table 2: Key Components of Development**

Aspect	Description
Saturday festival	<p>Hours of operation</p> <ul style="list-style-type: none"> <li>• 12.00 noon until 10.30pm;</li> </ul> <p>Patrons</p> <ul style="list-style-type: none"> <li>• 50,000 people;</li> </ul> <p>Infield Area</p> <ul style="list-style-type: none"> <li>• two main stages sized approximately 15,500m<sup>2</sup> and 10,000m<sup>2</sup> with an elevated VIP deck separating these stages. The two main stages are orientated to the north toward the adjacent Centennial Park open space area;</li> <li>• 90 x 45m<sup>2</sup> 10 pole tent stage;</li> <li>• bars, food outlets, merchandise, amenities areas; and</li> <li>• infield parking for approximately 400 motor vehicles and supplier delivery trucks.</li> </ul> <p>Inner Track Area</p> <ul style="list-style-type: none"> <li>• three smaller stages sized approximately 2,500m<sup>2</sup>, 1,500m<sup>2</sup> and 250m<sup>2</sup>;</li> <li>• food outlets and bars; and</li> </ul>

Aspect	Description
	<ul style="list-style-type: none"> <li>patron car parking for approximately 500 motor vehicles.</li> </ul> <p>Spectator Precinct</p> <ul style="list-style-type: none"> <li>three stages sized approximately 2,000m<sup>2</sup>, 4,000m<sup>2</sup> and 1,000m<sup>2</sup>;</li> <li>food outlets, bars, merchandise and amenities areas; and,</li> <li>two rides.</li> </ul> <p>Parking (total)</p> <ul style="list-style-type: none"> <li>900 spaces.</li> </ul> <p>(Refer to <b>Figure 3</b>).</p> <p>Noise limits</p> <ul style="list-style-type: none"> <li>L<sub>Amax</sub> 70dB(A), L<sub>max</sub> 90dB(C) when measured at affected residences.</li> </ul>
Sunday festival	<p>Hours of operation</p> <ul style="list-style-type: none"> <li>12.00 noon until 8:00pm;</li> </ul> <p>Patrons</p> <ul style="list-style-type: none"> <li>20,000 people;</li> </ul> <p>Infield Area</p> <ul style="list-style-type: none"> <li>two main stages sized approximately 15,500m<sup>2</sup> and 10,000m<sup>2</sup> with an elevated VIP area separating these stages. The two main stages are orientated to the north toward the adjacent Centennial Park open space area;</li> <li>one (1) 90 x 45m<sup>2</sup> 10 pole tent stage;</li> <li>food and drink outlets, merchandise, amenities areas;</li> <li>infield parking for approximately 400 motor vehicles and supplier delivery trucks;</li> </ul> <p>Inner Track Area</p> <ul style="list-style-type: none"> <li>one smaller stage sized approximately 250m<sup>2</sup>;</li> <li>waterslide area and food and drink outlet; and,</li> <li>patron car parking for approximately 500 motor vehicles;</li> </ul> <p>Spectator Precinct</p> <ul style="list-style-type: none"> <li>no stages; and,</li> <li>entrance and event operation centre.</li> </ul> <p>Parking (total)</p> <ul style="list-style-type: none"> <li>900 spaces.</li> </ul> <p>(Refer to <b>Figure 4</b>)</p> <p>Noise limits</p> <ul style="list-style-type: none"> <li>L<sub>Amax</sub> 70dB(A), L<sub>max</sub> 90dB(C) when measured at affected residences.</li> </ul>
Preparation and removal	<p>Bump-in (before)</p> <ul style="list-style-type: none"> <li>10 days</li> </ul> <p>Bump-out (after)</p> <ul style="list-style-type: none"> <li>10 days</li> </ul>
Traffic	Pedestrian Transport and Traffic Management Plan being prepared in consultation with NSW Police and transport agencies.
Noise	Noise Management Plan prepared which includes use of two (2) free roaming acoustical engineers during the musical event.
Public safety	Security Management Plan prepared which will require final approval by the NSW Police to be an effective document for the event.
CIV	\$3,055,010.00

The layout of the event is shown in **Figures 3 and 4** (below).



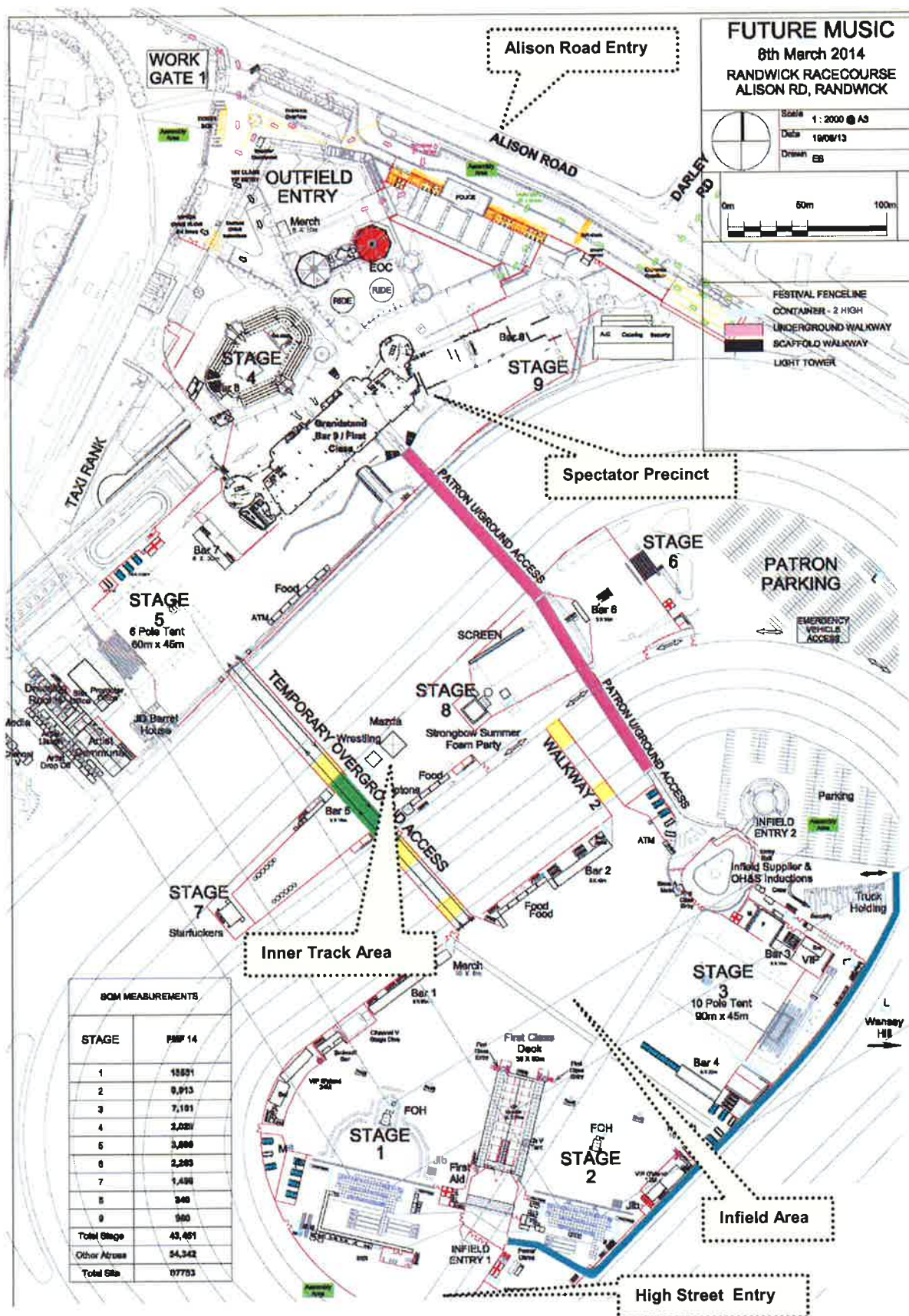


Figure 3: Event Layout for Saturday Festival (Source: EIS)



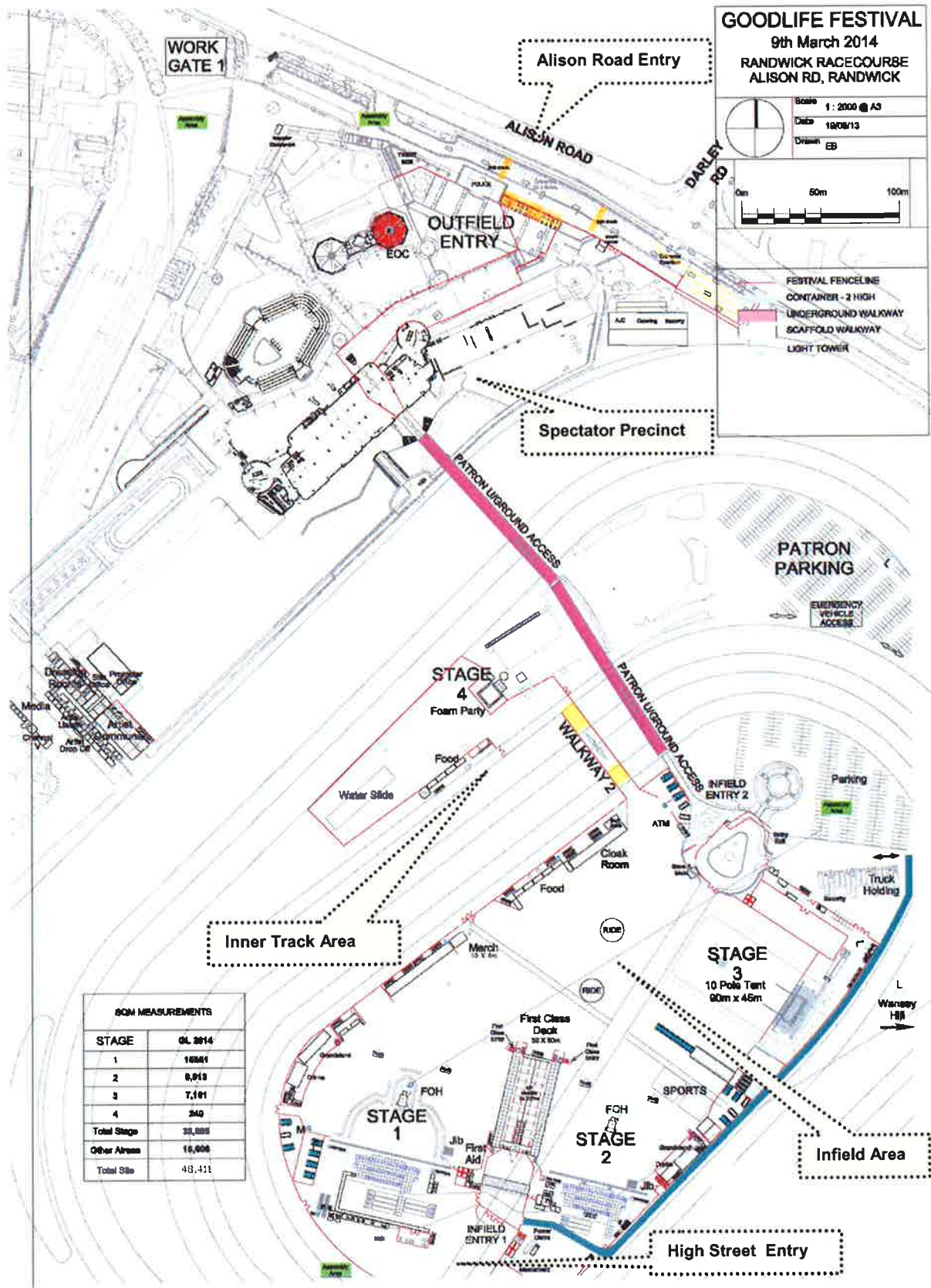


Figure 4: Event Layout for Sunday Festival (Source: EIS)

### 3. STATUTORY CONTEXT AND STATUTORY CONTEXT

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#### 3.1 State Significant Development

The proposal is classified as State Significant Development (SSD) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A 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" as described under clause 4 of Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011*. Therefore, the Minister for Planning & Infrastructure is the consent authority under clause 89D of the EP&A Act.

#### 3.2 Consent Authority

The Minister has delegated his functions to determine SSD development applications to the agency 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, transportation and future consultation. Council requested that these issues be considered and addressed when assessing the application. The agency has received four (4) public submissions (including one late submission), 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, Development Assessment Systems & Approvals, in accordance with the Instrument of Delegation dated 27 February 2013.

#### 3.3 Permissibility

The Royal Randwick Racecourse is zoned RE1 Public Recreation under the *Randwick Local Environmental Plan 2012* (RLEP). The proposed development is defined as a "recreational facility (major)" under the RLEP and is permissible with consent on the site.

#### 3.4 Exhibition and Notification

Under section 89F(1)(a) of the EP&A Act the Director General is required to make the development application and accompanying information of an SSD application publicly available for at least 30 days. After accepting the Environmental Impact Statement (EIS) for the proposal the agency:

- publicly exhibited the EIS from 20 November 2013 until 20 December 2013 (30 days):
  - on the agency's website;
  - at the agency's Information Centre, 23-33 Bridge Street, Sydney;
  - at Randwick Council (council) Customer Service Centre, 30 Frances St, Randwick; and
  - at the Randwick Branch Library, Level 1, Royal Randwick Shopping Centre, Randwick.
- notified all residents and/or landowners near the Randwick Racecourse about the exhibition period by letter;
- notified relevant State government agencies and council by letter; and
- advertised the public exhibition in the *Southern Courier* on 19 November 2013 as well as the *Daily Telegraph* and *Sydney Morning Herald* newspapers on 20 November 2013.

#### 3.5 Considerations under Section 79C of the EP&A Act

Under section 79C of the EP&A Act, in determining a development application, a consent authority is required to take a number of matters into consideration in relation to a proposed development. The agency has given due consideration to the matters prescribed by section 79C.

The agency's detailed consideration of the proposed development against the provisions of section 79C of the EP&A Act is contained within **Appendix B** of this report.

#### 3.6 Objects of the EP&A Act

Under section 79C of the EP&A Act, the consent authority, when determining a development application, must take into consideration the provisions of any environmental planning instrument (EPI) and draft EPI (that has been subject to public consultation and notified under the EP&A Act). The agency has considered the development against the relevant provisions of several key EPIs including:



- *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 2012.*

The agency is satisfied that, subject to the implementation of the recommended conditions of consent, the development is generally consistent with the aims and objectives of the relevant EPIs. The agency's detailed consideration of these instruments is contained within **Appendix C** of this report.

### 3.7 Environmental Planning Instruments

In determining the application, the consent authority should consider whether the proposal is consistent with relevant objects of the EP&A 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 agency has fully considered the objects of the EP&A Act, including the encouragement of Ecologically Sustainable Development (ESD), in its assessment of the application.

The agency considers that objects 5(a)(i), 5(a)(ii), 5(a)(vi) and 5(a)(vii) are most relevant to the merit assessment of this application. The agency has given due consideration of these objects in its assessment of the proposal (see **Table 3** below).

**Table 3: 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 of Sydney 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 with conditions of consent to ensure that local amenity is safeguarded. The festival is a two 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 temporary and will be fully managed to ensure acceptable levels of amenity, environmental protection and safety in both the short and long term.

### 3.8 Ecologically Sustainable Development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and

environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) *the precautionary principle;*
- (b) *inter-generational equity;*
- (c) *conservation of biological diversity and ecological integrity; and*
- (d) *improved valuation, pricing and incentive mechanisms.*

The potential environmental impacts of the development have been assessed and, where potential impacts have been identified, mitigation measures and environmental safeguards have been recommended.

As demonstrated in the agency's assessment in **Section 5** of this report, the development is not anticipated to have any adverse impacts on native flora or fauna, including threatened species, populations and ecological communities, and their habitats. As such, the agency considers that the proposal would not adversely impact the environment and is consistent with the objectives of the EP&A Act and the principles of ESD.

### 3.9 Other approvals

While the EP&A Act provides the framework for planning and development approvals in NSW, there are a number of other State Acts and Regulations that are of relevance to the proposal. In this instance, the proposal may require separate approval, new licence or variation to an existing licence under the following legislation:

- *Food Act 2003; and*
- *Liquor Act 2007.*

In the EIS and its accompanying documentation, the applicant has committed to ensuring all necessary approvals, licences, and/or licence variations have been obtained, prior to the relevant development works commencing.

### 3.10 Statement of Compliance

In accordance with section 89H of the EP&A Act, the agency is satisfied that the Director-General's environmental assessment requirements have been complied with.

## 4. CONSULTATION

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During the exhibition period, the agency received 10 submissions during the exhibition (and immediately after completion of the exhibition period) of the EIS comprising six submissions from public authorities and four submissions from the general public and special interest groups.

A summary of the issues raised in submissions is provided below. A full copy of these submissions is attached in **Appendix F**.

### 4.1 Public Authority Submissions

The public authority submissions are summarised below:

**Randwick City Council** (council) raised a number of matters requiring consideration and/or conditions of consent to be adequately addressed:

- protection of lawn areas and heritage listed grandstand;
- bump-in and bump-out traffic movements and illegal parking in residential streets;
- traffic management for on-site car park and buses during patron ingress/egress;
- proposed road closures to be subject to consultation with council;
- requirement for the Transport Management Plan to be prepared and submitted for approval on a yearly basis in consultation with the key stakeholders;
- need for mechanism to prevent conflicts with other major events and new developments such as the light rail project;
- requirement for Moore Park to be maintained as a pick-up drop-off area for the Good Life Festival;
- the Security Management Plan should be reviewed on a yearly basis;
- compliance with noise criteria during previous events;
- updated Noise Management Plan should be provided every year in consultation with council prior to each event;

- cumulative acoustic impact on surrounding residential neighbours from additional Sunday event not documented; and
- requirement for agency to coordinate ongoing consultation with community stakeholders on an annual basis.

The issues raised by council have been addressed in Chapter 5 of this report or recommendations have been made for the imposition of appropriate conditions of consent. In particular the matters relating to protection of the heritage grandstand, traffic management and public consultation have been addressed through the imposition of appropriate conditions of approval (A9).

**NSW Police** (police) reviewed the EIS and raised no objection to the proposal. However, given that a 10 year consent is being applied for, the police identified a need for a condition of consent requiring a comprehensive review and debrief between all event stakeholders to be facilitated each year within the consent framework. The agency has addressed this issue in Chapter 5 of this report (performance monitoring and evaluation) by recommending a condition requiring the formation of key stakeholder group.

**Transport for NSW** (TfNSW) raised the following matters requiring consideration or conditions of consent:

- a need for further consultation with the State Transit Authority in order to maintain effective public transport services and minimise route disruption to general services; and
- a need for ongoing consultation prior to the event every year to ensure the event does not disrupt other transport projects included construction of the proposed light rail to Randwick.

The agency acknowledges these issues and has recommended the imposition of conditions to ensure transport requirements are achieved. The issues of transport management and performance monitoring are discussed further in **Section 5** of this report.

**Roads and Maritime Services** (RMS) reviewed the EIS and raised no objections subject to the implementation of a Transport Management Plan. The agency has incorporated this requirement as part of its recommended conditions of consent (A2).

The **Transport Management Centre** (TMC) reviewed the EIS and raised the following issues:

- impact on traffic and transport services due to a major event clash on Saturday 8 March 2014; and
- the need for 10.30pm finishing time for Saturday festival to allow for efficient egress of patrons.

The issue of event clashes along with the need for a later finish time for the Saturday festival are discussed in **Section 5** of this report. The agency has recommended the imposition of conditions to ensure that disruption on traffic and transport services is minimised (A10, A11, A12).

The **State Transit Authority** (STA) reviewed the EIS and raised the following issues:

- impact on public transport services due to a major event clash on Saturday 8 March 2014; and
- need for 10.30pm finishing time for Saturday festival to allow for increased service reliability, reduced waiting times and separate crowd movements.

The agency acknowledges these issues and has recommended the imposition of conditions to ensure adequate public transport services are delivered (A10, A11, A12). These matters are discussed in **Section 5** of this report.

## 4.2 Public Submissions

A total of four submissions have been received from the public all of which objected to the proposal or raised issues. The key issues raised in public submissions are listed in **Table 4** overleaf. The agency has fully considered the issues raised in submissions in its assessment of the proposal in **Section 5** of this report.



**Table 4: Summary of Issues Raised in Public Submissions**

<b>Issue</b>	<b>Proportion of submissions (%)</b>
Public safety concerns from anti-social behaviour	100%
Impacts on residential amenity	50%
Waste management issues	50%
Excessive noise	50%
Illegally parked cars	50%
Opposed to 10 year consent	50%
Inadequate patron transport	50%
Inadequacy of transport plan	25%
No consideration for light rail	25%
Event clash	25%
Previous breaches of consent	25%
Lighting	25%
10pm closure be maintained	25%

### 4.3 Response to Submissions

The applicant provided a response to the issues raised in submissions which has been made publicly available on the agency's website (see Appendix E).

The Response to Submissions (RTS) report addressed most of the issues raised by Council and agencies identified in **Section 4.1** above and clarified particular matters as follows:

#### *Performance Monitoring & Evaluation*

- Introduction of a mechanism requiring the applicant to gain in-principle endorsement of event management plans by council, TMC (on behalf of TfNSW and RMS), STA, the police and the Moore Park Events Operations Groups six months prior to each annual event. Breaches of consent and issues with events held previously will be addressed as part of such a process; and
- commitment to informing the Director-General of any changes to base parameters upon which the original development was assessed at least six months prior to each annual event, and lodging a new development application for the event that year if support of key agencies cannot be gained.

#### *Event Clash*

- Confirmation of 10.30pm finish for Saturday festival with revised Acoustic Management Plan, dated 15 January 2014 and revised Pedestrian Transport and Traffic Management Plan, dated 20 January 2014, to reflect 10.30pm finish for Saturday festival and respond to concerns raised by council, TfNSW, TMC and STA regarding impact on traffic and transport services;
- majority of issues raised by council are agreed to as they can be accommodated conditionally, in a similar manner to the 2013 approval, and/or through adoption of the final management plans; and
- closing 10.30pm time for the event is required to stagger egress from this event and others in the precinct. Acoustics measures will be implemented with performance monitoring considered as part of the planning for each year's event.

#### *Security Management*

- Anti-social behaviour by patrons to be addressed by implementing the proposed security management plan as well as programming police and security presence to monitor anti-social/disorderly behaviour in residential areas.

#### *Noise Impact*

- Noise impacts are considered to be adequately addressed through the noise mitigation measures proposed, which include the orientation of stages and speakers away from residential areas, direct

contact between noise consultants and stage managers to adjust volume and permitting only Stages 1 and 2 to operate from 12:00pm-10.30pm.

#### *Waste Management*

- The waste management plan is to be implemented as per previous years and can be enforced by a condition of consent.

#### *Illegal Parking*

- As most patrons travel to the event via public transport, illegal parking is considered to only cause temporary inconvenience that can be policed separately by parking officers.

#### *Special Effects Lighting*

- Impact from special effects lighting will be limited due to an existing dense 15-20m high vegetation row that borders the racecourse and distance between residences of Wansey Rd (450m from Stage 2) and Alison Rd (330m from Stage 3). A condition recommending lighting be positioned to face north away from any residential areas has been recommended (A9).

The RTS was referred to council for comment and in response council indicated its support for the proposal subject to conditions.

The agency has considered the issues raised in submissions, and the applicant's responses to these issues, in its assessment of the development.

## **5. ASSESSMENT**

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The agency has considered the Environmental Impact Assessment (EIS), the issues raised in submissions and the applicant's response to these issues in its assessment of the development. The agency considers the key issues to be Potential Clashes with Other Major Events; Monitoring and Evaluation; Public Safety and Residential Amenity; and Noise. These issues are addressed further in **Section 5** below.

### **5.1 Potential Clashes with Other Major Events**

#### Issue

An A-League football match is scheduled to take place at nearby Moore Park (approximately 4.5 kilometres north of the site) on 8 March 2014 – the same day as the proposed Saturday 'over-eighteens' festival. This football match will be of a similar size (up to 45,500 patrons) to the Saturday festival and will commence at 7.45pm with an expected finish time of 10.00pm. In previous years, the Saturday festival finished at 10.00pm. However, the applicant is seeking an extended finish time of 10.30pm for this year and the subsequent nine years under this application.

The event clash is potentially problematic as both major events are highly dependent on sufficient traffic flow for efficient patron egress. Upon closure of the Saturday festival, the Pedestrian Transport and Traffic Management Plan makes provision for a theoretical egress capacity of 26,000 patrons with approximately 400 bus movements (servicing the site) over two hours.

Comments received from key transport agencies State Transit Authority (STA) and Transport for NSW in conjunction with the Transport Management Centre (TMC) indicate support for the proposed 10.30pm close in order to enable the egress of A-League patrons to commence half an hour before that of the music festival. For the purpose of easing traffic and transport congestion, NSW Police (the police) also expressed support for a 10.30pm closure instead of 10.00pm.

In its initial response to the exhibition, Randwick Council (council) indicated a preference for the festival to conclude at 10.00pm (as per the 2013 finish time), due to concerns related to noise impacts. Nonetheless, given the inherent traffic issues related to the event clash council has since clarified that the 10.30pm finish is acceptable, subject to the hours of operation being reviewed yearly. However, council did request that no extension be granted beyond 10.30pm without future approval.

#### Consideration

The agency notes that concerts held at the adjacent Centennial Park and Moore Park Trust must not finish after 10.30pm on any day whilst the 2014 Big Day Out festival at Sydney showground also finishes at

10.30pm. A 10.30pm finish for the 2014 event (and the proceeding nine years of this application), would also provide a consistent position with other major annual outdoor events in Sydney.

The agency accepts that delaying the egress of the Saturday festival to 10.30pm will mitigate disruption to traffic and transport services. The later finish will also result in better dispersal of crowds from both events which will help avoid potential public order problems resulting from football fans coming into contact with festival patrons. For the reasons outlined above the agency supports the proposed 10.30pm finish. The agency notes that the proposed 10.30pm finish is a half hour extension of the closure time compared to events held in previous years, however, the proposed finish time is considered to be acceptable for a major event of this size and consistent with other similar events held in Sydney. Conditions of consent to ensure rigorous performance evaluation that involves council, transport agencies as well as the community [have been recommended] (A10, A11, A12, and A13). In particular, Condition A12 requires the applicant to obtain in-principle endorsement of event dates by key stakeholders (that include council, transport agencies and the police) six months in advance of the event. The issue of performance evaluation is examined further in the following section (below).

## **5.2 Performance Monitoring and Evaluation**

### Issue

A number of submissions raised concerns with the capacity for ongoing performance monitoring and evaluation of event management plans (i.e. noise management plan, Traffic Management Plan) to be implemented for the 2014 event and subsequent nine years of the proposal.

The EIS proposes a suite of mitigation measures to be contained within a set of event management plans submitted to the agency for approval, along with other key agencies, prior to each event of the next year for 10 years. In order to ensure mitigation measures continue to evolve and improve from year-to-year, it is proposed to hold a 'debrief session' with key agency stakeholders at an unspecified time after each event.

Prior to the commencement of each event, residents and businesses located adjacent to the site will also be notified by letter drop of the event. 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.

In its submission, the police recommended that given a 10 year consent is being applied for, the applicant should be required to carry out a comprehensive review of event management plans and performance debrief processes with key stakeholders on a year-by-year basis.

Council's submission requested that the agency coordinate a yearly stakeholder strategy which takes into account issues raised by the community. Council also recommended a suitable mechanism be in place to prevent conflicts between different events being held on the same days as the proposed event.

TfNSW indicated a requirement for further consultation every year to ensure the proposal would not affect other transport projects in the site vicinity such as the light rail project to Randwick.

### Consideration

Whilst the EIS (p.34) purports that each year "feedback will be recorded and considered in the preparation of the event for the following year", the agency raised concerns with the applicant that such an informal consultation process would not sufficiently replicate existing statutory powers to ensure new or emerging planning issues associated with the site and/or non-compliances with the previous year's event could be adequately resolved prior to the next event.

The existing annual development assessment process provides an avenue for key stakeholders in the site vicinity to have issues raised and addressed through a rigorous and transparent statutory process. It also allows the agency to allocate efficient resources to carry out a comprehensive assessment of a major outdoor event.

The applicant was therefore requested to provide further evidence demonstrating it could adequately prepare for annual events over a 10 year horizon without the existing annual development assessment framework. The agency also suggested the applicant explore the development of a mechanism that guarantees the consent will remain relevant to the site's environmental constraints, particularly if these change over the 10 year consent period.



The applicant responded by committing to an ongoing consultation process that seeks endorsement of key agencies prior to holding the every event each year. The key agencies would include TMC (on behalf of TfNSW and RMS); STA; police; council; and the Moore Park Events Operations Group (MEOG).

The agency has recommended a number of conditions of consent that outline the process to be followed in relation to gaining in-principle agreement of key agencies as well as proposed Event Management Plans (EMP) for each year's event.

As part of the process for seeking in-principle endorsement the applicant would be required to:

- confirm the event date with MEOG at least six (6) months (180 days) prior to the event being held;
- submit an EMP tailored to each yearly event to the key agencies six (6) months for approval prior to each yearly event;
- facilitate Key Stakeholder Group (KSG) meetings as necessary in order to gain documented endorsement of the EMP by key agencies;
- facilitate debrief sessions with the KSG within thirty (30) days of holding the event and providing the minutes of the debrief to the Director-General; and
- provide evidence to the Director-General of the KSG's endorsement of proposed dates and EMPs 14 days prior to the event.

The applicant is also supportive of the inclusion of conditions requiring:

- separate approval for future events should base parameters upon which the consent was assessed change significantly e.g. alterations to the site's capacity or transport system/routes; and
- obligation to inform the Director-General of any changes to base parameters at least six months prior to every event.

The agency is satisfied that the requirement to gain separate approval within six months of an event, if base parameters of the consent alter and requiring in-principle endorsement of key agencies six months in advance will offer an appropriate mechanism to ensure the consent remains relevant to environmental constraints. Whilst council's request for the agency to coordinate the yearly stakeholder endorsement process is noted, the applicant's approach to seeking in-principle support of key stakeholders upfront is considered to be a more proactive method for monitoring problems and resolving issues. It also obligates the applicant to work with key stakeholders upfront to gain the support of key agencies for proposed management plans and to resolve issues.

Overall, with the implementation of the above suite of mitigation measures as well as Conditions A9, A10, A11, A12, A13 and A16 which reflect further requirements for establishing the KSG and ongoing requirements for ongoing performance monitoring, evaluation and consultation, the agency is satisfied that the rigour and transparency of the existing annual assessment regime can be adequately maintained over the 10 year duration of the proposed application.

### **5.3 Public Safety & Impacts on Residential Amenity**

#### Issue

The operation of a large scale music festival catering for 50,000 people followed by a smaller event for 20,000 people raises the issue of public safety and general impacts on residential amenity.

In terms of preventing anti-social behaviour the proposal is supported by the following documents:

- a Security Management Plan;
- a Risk Management Plan; and
- Emergency Management Procedures.

Particular issues raised by the general public, relating to past years events include:

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

Whilst council supports the 10.30pm closure time for 2014 it has requested ongoing consultation with community stakeholders be undertaken to ensure community issues such as those listed above are addressed on an annual basis.

In their submissions the STA, TMC and the police highlighted the importance of separate crowd movements to ensure that patrons from the Saturday festival do not clash with those from the A-League match egressing Moore Park.

Council (as the local roads authority) recommended a series of measures relating to bump-in/out traffic movements, parking and general traffic management. Council also requested that proposed road closures or clearways be carried out in consultation with its traffic committee.

#### Consideration

In view of the issues raised, the agency notes the role of the resident response team (p.31 Security Management Plan) comprising thirty security staff in four vehicles to respond to incidents at residential locations in and around the Randwick Racecourse. In particular, the response teams will address:

- loitering in, on or around private property;
- unruly behaviour (screaming yelling, urinating etc.);
- illegal activity (drug taking, fighting, drinking etc.);
- unauthorised entry onto private property; and
- property damage (vandalism).

The agency notes that throughout the eight year history of the Future Music Festival, public safety has improved progressively, with festival organisers providing 400 police officers and 600 security personnel in 2013 and similar levels of staffing proposed for 2014. The agency is confident that that with the support of the police for both festivals, general public safety can be sufficiently provided.

Overall, the agency is satisfied that with the involvement of the police to assist with resolving critical matters combined with the implementation of a number of measures (proposed by the applicant) would ensure public safety and impacts on residential amenity both during and after the event are minimised. These measures include:

- sale of alcoholic beverages to be ceased from 9pm;
- event perimeter is to be suitably policed to prevent unrestricted access;
- local residents to be suitably advised of event hotline should a noise/security/behavioural issue arise in their locality;
- adequate police officer and private security guard presence based upon the requirements of the security management plan;
- 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;
- integrated ticketing to encourage public transport resulting in lower incidents of illegal parking; and
- enforcement of waste management plan within 24 hours to council's satisfaction.

The agency notes that the proposed security, risk and emergency management plans/ procedures will need to be updated on a yearly basis and will be subject to agreement with the police.

In response to issues raised by council relating to community consultation and traffic management measures, the agency has recommended conditions A10, A11 and A12 which make provision for additional community consultation as well as an obligation to seek council's endorsement of all event management plans. Condition C5 requires the payment of a bond to council in order to guarantee adequate clean up after the event.

Given the satisfactory levels of public safety associated with past festivals and the ongoing support of council, police and transport agencies, the agency considers that there are appropriate measures in place to ensure a safe and effective environment during the event.

## **5.4 Noise Issues**

### Issue

An Acoustic Monitoring and Noise Management Plan (NMP) has been prepared by the applicant for each of the two festival days set for which identifies potential noise issues and recommendations to mitigate acoustic impacts on local residents and surrounding uses.

The NMP proposes the following noise level restrictions for limiting noise emissions for both festivals (as per the 2013 event):

- noise limit of no higher than 70dB(A) and 90dB(C); and

- an allowance of up to 5 decibel during a 5 minute period in the first 15 minutes of each new act to allow for sound adjustments to be made.

As discussed in **Section 5.1** of this report, the current application proposes to extend the finish time of the Saturday festival (from previous years) from 10.00pm to 10.30pm. The applicant contends that the proposed 10:30pm close is required to appropriately mitigate against the A-League event clash.

Despite measures put in place by the NMP, complaints over a number of years regarding increases in the event's noise levels beyond set criteria have consistently been raised as a problem by council and surrounding residents.

Council has indicated its support for the proposed 10.30pm Saturday finish, however, recommended that any decision to give consent should be done so on the basis that hours of operation are reviewed yearly and not granted beyond 10.30pm. In response to concerns regarding general impacts on residential amenity, council also requested a condition to be imposed requiring a community consultation strategy for each year's event.

#### Consideration

The agency accepts the proposed noise criteria, however, given the history of non-compliances with noise levels during previous events, it is considered that council's request for a community consultation strategy each year should be supported. Condition C5 requires an annual community consultation strategy to be carried out by the applicant. Further, Conditions A12 and A13 require ongoing performance monitoring and evaluation of event management plans and the establishment of a complaints register. In addition a series of noise abatement measures requested by council and supported by the applicant have also been recommended as conditions (B1).

In response to concerns regarding the cumulative noise impact from the event over a period of two consecutive days, council has requested that the applicant fund a noise consultant to monitor noise levels during the event. However, given existing measures in the applicant's Noise Management Plan to dedicate two acoustic specialists to monitor event noise, the agency does not consider additional monitoring is warranted.

As part of the process for seeking council's annual in-principle endorsement (see Performance Monitoring and Evaluation), the agency is satisfied that the recommended condition C5, which requires documentary evidence of the consultation strategy to be supplied to council and reporting on compliance/ non-compliance with noise restrictions, is an acceptable approach to ensuring the proposal will not have an unacceptable impact on local residents and surrounding uses.

## **6. CONCLUSION**

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The application has been considered with regard to the matters under section 79C of the *Environmental Planning & Assessment 1979*, and is considered to be an acceptable temporary use for the subject land, subject to conditions in order to attain satisfactory transport and traffic management; performance monitoring, evaluation and community consultation; public safety and residential amenity; and noise outcomes for the events.

The temporary use is consistent with the objectives of the *Randwick Local Environmental Plan 2012* and is a permissible use with consent under that plan.

In order for the event to be held in a safe and orderly manner, it is necessary for appropriate event management plans to be endorsed on a yearly basis for 10 years by way consultation with Randwick City Council, NSW Police, State Transit Authority, the Transport Management Centre (on Transport for NSW), the Moore Park Event Operations Group and the community.

With the enforcement of a number of recommended conditions of consent, the agency is satisfied that the rigour and transparency of the current statutory process that requires an annual assessment of the event can be sufficiently replicated year-by-year, with the involvement of the key stakeholder group. The agency therefore supports a 10 year consent for the event.

The requirement to gain separate approval for the event should base parameters upon which consent (as issued) change is considered to offer an appropriate mechanism to ensure the consent remains relevant to environmental constraints.



On this basis, it is recommended that development consent be **approved** subject to conditions.

## 7. RECOMMENDATION

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It is recommended that the Executive Director:

- (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 Schedule 1 (**Appendix F**).

### Endorsed by



Chris Ritchie  
**Manager**  
Industry, Key Sites & Social Projects



Dan Keary  
**Director**  
Industry, Key Sites & Social Projects

### Approved by



Chris Wilson  
**Executive Director**  
Development Assessment Systems & Approvals

**APPENDIX A:**  
**CONDITIONS OF CONSENT**

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