

PLANNING COMMITTEE MEETING
SUPPLEMENTARY BUSINESS PAPER

TUESDAY 9 FEBRUARY 2010

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PLANNING COMMITTEE MEETING

Notice is hereby given that a Planning Committee Meeting of the Council of the City of Randwick will be held in the Council Chamber, Town Hall, 90 Avoca Street, Randwick, on Tuesday, 9 February 2010 at 6:00pm.

Late General Manager's Report/Development Application Report

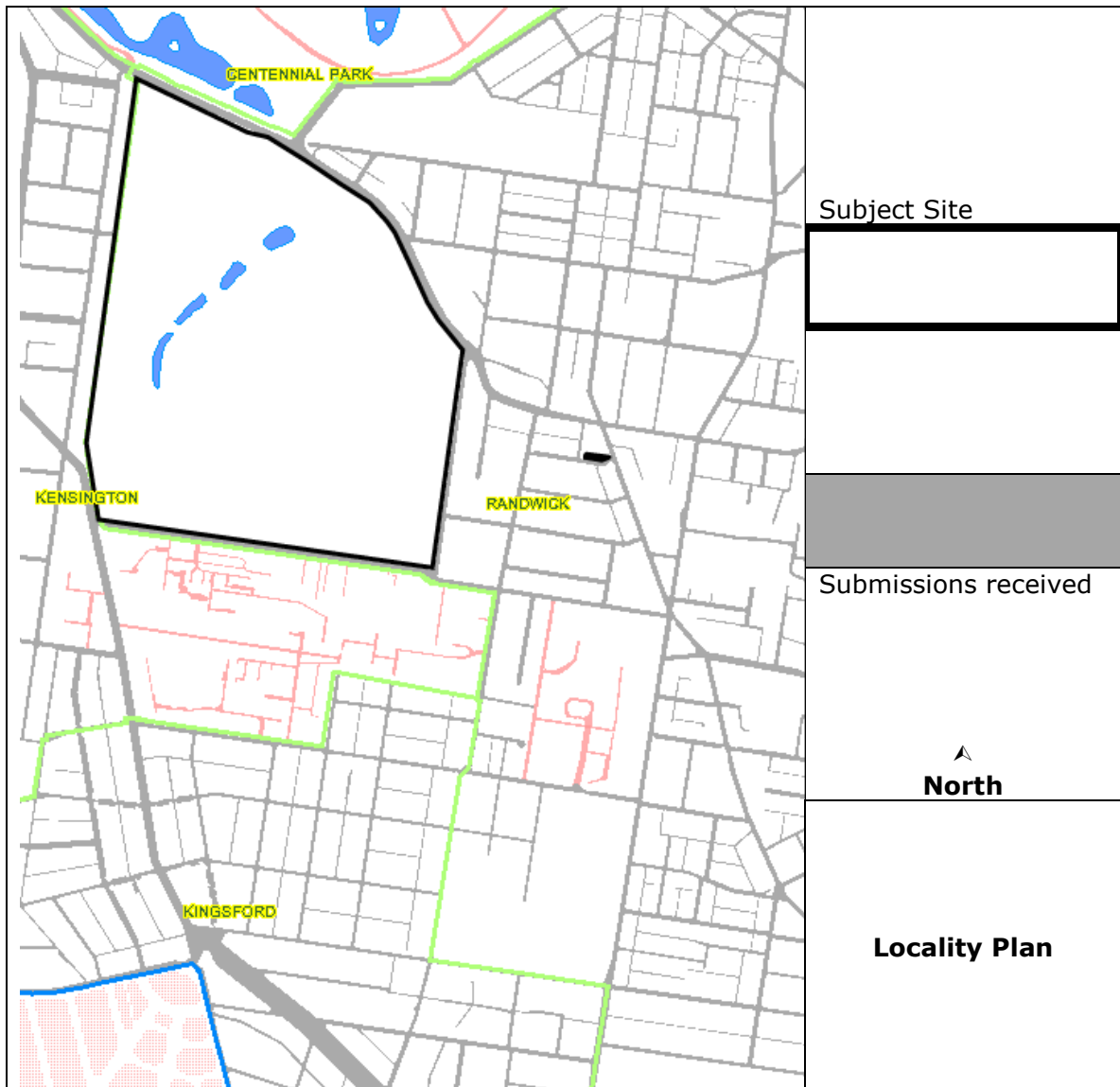
D8/10 77-97 Alison Road, Randwick1

Development Application Report No. D8/10



Subject: 77-97 Alison Road, Randwick
Folder No: DA/873/2009
Author: David Ongkili, Coordinator Major Assessment
Proposal: "Future Music Festival" at Randwick Racecourse on 6 March 2010 for approximately 38,000 people between the hours of 12 noon to 10pm (Heritage Conservation Area)
Ward: West Ward
Applicant: Mr B Robinson
Owner: Mr P F D Whelan & Mr K A Murray
Summary Recommendation: Approval

D8/10



1. Executive Summary

The application seeks consent for a one day music event at Randwick Racecourse known as The Future Music Festival. It is proposed to take place on Saturday 6 March 2010 between 12 midday and 10pm and cater for 38,000 people.

The application was lodged on 25 November 2009 and notified to the surrounding properties and advertised in the press for 14 days from 9 December to 23 December 2009. Six submissions were received raising predominantly issues relating to the organisation of the event based upon experience from last year's event. These included requests for better traffic and transport arrangements, better deterrence of event goers moving on to Coogee and other town centres and venues after the event, better co-ordination of post-event clean-up, and similar conditions of alcohol service as the previous 2009 event. To a lesser degree, concerns regarding noise, rowdy drunken and drug-affected behaviour, vandalism, trespassing, intimidation, and other general anti-social behaviour have been raised. Conditions to address these concerns will be applied in addition to plans and strategies already in place to further improve the security and control of the event.

The event for 2010 is proposed with a crowd capacity of 38,000 compared with the restriction of 35,000 people for the 2009 event. The applicant advises that the increase in numbers is necessary for the following reasons:

- It allows for additional income required to fund the traffic, transportation, pedestrian and resident action plans for the event, which, while being of a high standard and operational improvement, is extremely costly to the event.
- There have been significant infrastructure improvements to the Racecourse since the 2009 event including a new taxi terminus and new bus terminus such that better crowd management on Alison Road can be facilitated through the quicker dispersion of crowds and therefore reducing the impact on the local community.
- A crowd of 38,000 for The Future Music event will be consistent with other similar music events at Centennial Park (such as Good Vibrations in February and Parklife in October) which operate to a capacity of 38,000.

Having regard to the applicant's reasons, the increase in number is considered reasonable and acceptable for the following additional reasons:

- The increase is not considered excessive amounting to an additional 3,000 people who can be catered for under improved operational measures proposed for the 2010 event as discussed in the report below.
- In an event de-brief held after the 2009 event, it was generally noted that the comprehensive traffic, transportation, pedestrian and resident action plans put in place for the 2009 event resulted in significant improvements in security, traffic and crowd behaviour over that of previous years such that an increase of 3,000 people under similar and improved measures for the 2010 event can be accommodated.
- No objections have been raised to the increase in numbers in resident submission, with the Randwick Precinct Committee requesting that the same provisions applicable to the last event be applied to the current proposal subject to, amongst other things, "maximum event numbers of 38,000".

The application was referred externally to both the NSW Police Service (Eastern Beaches) and the RTA for comments. All comments have been received and

appropriate conditions will be applied in line with these and other internal comments should approval be granted for the event. In particular, the police have requested for additional new/improved strategies to be included as conditions of consent for this year's event to ensure that security is improved and potential criminal activities minimised.

The recommendation is for approval with conditions including new and improved measures to traffic, transportation and security.

2. The Proposal

The proposal is for a music festival for approximately 38,000 people at the Royal Randwick Racecourse grounds on Saturday, 6 March 2010, commencing from 12.00noon to 10.00pm. The application is only for the one designated day in 2010.

The proposal also involves the erection of temporary structures comprising primarily performance stages. It is not proposed to carry out any permanent building works.

3. The Subject Site and Surrounding Area

Randwick Racecourse is bounded by Alison Road, Wansey Road, High Street and the rear of predominately residential properties fronting Doncaster Avenue. The Racecourse is surrounded by residential areas containing the broad spectrum of housing types. The main University of NSW campus and Centennial Park are also in close proximity to the site. **Figure 1** is an aerial view of the subject site and surrounding area.



Figure 1 is an aerial view of the subject site and surrounding area

4. Site History

A large number of Development Applications concerning the various parts of the Racecourse have been submitted and approved in the last decade. The following previous music events are noted:

D8/10

- Development Application No. 771/2000 for a major Olympic promotional activity (Coca Cola Redfest) for maximum of 30,500 people including installation of temporary works on 15 September 2000 from 3pm to 11pm was approved under delegated authority on 11 September 2000.
- Development Application No. 904/2005 for a music festival with approximately 10,000 people was approved under delegated authority on 2 February 2006 subject to conditions.
- Development Application No. 74/2007 for a music festival with approximately 15,000 people was approved under delegated authority on 14 March 2007 subject to conditions.
- Development Application No. 987/2007 for a music festival with approximately 35,000 people was approved under delegated authority on 5 March 2008 subject to conditions.
- Development Application No. 694/2008 for a music festival with approximately 35,000 people was approved under by the Land and Environment Court on 25 February 2009 subject to conditions.

5. Community Consultation

The proposal has been notified in accordance with the DCP – Public Notification 1998 and six submissions were received raising the following issues (many of the issues raised are shared between the individual objections and will be grouped below to avoid repetition):

Issue	Comment
<p>Closing time of 9:30 pm preferred to allow earlier dispersal of crowds.</p>	<p>The current proposal is not seeking an increase in closing time to that granted for the event in previous years. Additional emphasis has been provided in the current proposal to improve egress strategy after the event including:</p> <ul style="list-style-type: none"> • Use of an Integrated Ticket Transport Strategy to encourage use of public transport to and from the event and thus minimise impact/exposure to local residential area. • Traffic management planning to manage all event generated pedestrian movements, event generated bus movements and private vehicles and non-event generated traffic flows to allow for smooth and safe egress • Use of the bus lane along Anzac Parade as a pedestrian corridor to allow a greater ability to direct and move people from the site towards the City by foot after the event. • General crowd management plans that aim to significantly moderate behaviour and reduce nuisance to residents.

D8/10

Issue	Comment
<p>Disturbance caused by people flocking to the event and milling about the streets as well as people</p>	<p>This issue can be addressed by measures to facilitate expedient egress of crowds away from the local residential areas around the racecourse post-event should approval be granted for the DA including:</p> <ul style="list-style-type: none"> • Use of an Integrated Ticket Transport Strategy to encourage use of public transport to and from the event and thus minimise impact/exposure to local residential area. • Traffic management planning to manage all event generated pedestrian movements, event generated bus movements and private vehicles and non-event generated traffic flows to allow for smooth and safe egress • Use of the bus lane along Anzac Parade as a pedestrian corridor to allow a greater ability to direct and move people from the site towards the City by foot after the event. • General crowd management plans that aim to significantly moderate behaviour and reduce nuisance to residents.
<p>Noise levels still unsatisfactory</p>	<p>An acoustic report has been submitted with the application which includes recommendations to ensure relevant standards and acoustic amenity is maintained during the event. Council's Environmental Health Officer has assessed the report and advises that the report is acceptable subject to appropriate conditions to ensure the noise associated with the proposal is maintained at a reasonable level and that the nearby likely affected residents are provided with the details of the proposal including the appropriate contact details should they wish to make any complaints or have any further enquires regarding the proposed event.</p>
<p>Crowds moving onto other venues in surrounding suburbs during and after the event causing disturbance and anti-social behaviour.</p>	<p>The applicant advises that the proposed event will further refine the crowd ingress and egress measures to minimise impacts on surrounding residential areas including increasing public awareness of the dedicated High Street and Alison Road access points and use of the bus lane along Anzac Parade as a pedestrian corridor to allow a greater ability to direct and move people from the site towards the City by foot after the event.</p>

D8/10

D8/10

Issue	Comment
Control of alcohol sales required including cessation of alcohol service at 9pm and use on non-glass containers.	Conditions will be imposed upon any consent including limiting alcohol sales to 2 drinks per person per sale and terminating alcohol sales one hour before closing (ie 9pm). This will be in addition to other controls established as a matter of course by the applicable liquor license.
Parking spaces available on-site are significantly inadequate to deal with the parking demand with overflow expected on nearby residential streets in excess of their capacity to absorb it.	The application proposes integrated ticketing which provides pre-paid integrated public transport in the ticket price. This should assist in addressing this issue.
Pedestrian movement impact upon traffic needs to be better managed especially crowds crossing Alison Road at ingress and egress times.	Conditions can be applied should approval be granted for the DA to reinforce the proposed pedestrian/traffic management that which does not involve the closure of Alison Road and that uses the bus lane along Anzac Parade as a pedestrian corridor to allow a greater ability to direct and move people from the site towards the City by foot after the event.
Anti social behaviour including (including, public urination, vandalism and public fornication) in residential areas.	As required in the 2009 event, the applicant can be required to provide improved measures including better toilet facilities not permitted for "pass-outs"; limitation of alcohol sales, increased mobile patrol, restriction of hours and elimination of "pass-outs" should approval be granted for the DA. More significant concerns have been raised by the NSW Police regarding criminal activity arising in the event that would warrant refusal of the DA as discussed below.

A number of measures raised in submissions will be applied by conditions of consent should approval be granted for the DA including measures agreed to by the project manager for the event in a meeting with Council officers on 27 January 2010, namely, that all Traffic Control Plans (TCPs) be adopted at identified intersections for the event; additional Venue Messaging Sign (VMS) be installed on Alison Road facing east-bound traffic to direct patrons driving to the event to turn right at Wansey Road to access event parking; and use of AJC water truck to spray infield roadway to minimise dust generated by vehicles along the infield road.

6. Technical Officers and external authority comments

The application has been referred to the relevant technical officers, including where necessary, external bodies.

The application has been referred to the relevant technical officers, including where necessary, external bodies and the following comments have been provided:-

6.1 Development Engineers

The application has been referred to the Development Engineer for comment, conditions have been provided for inclusion with any consent granted. The following comments were received:

"The application seeks consent for a one day music event at Randwick Racecourse known as The Future Music Festival. It is proposed to take place on Saturday 6 March 2010 between noon and 10pm and cater for 38,000 people. This event has occurred at this site annually since 2006 but with increasing numbers of patrons.

A Traffic, Transport and Pedestrian Management Plan prepared by Julian Sanderson and Andrew Sturday of Events & Sports Projects Australia (project manager of the event) has been lodged with the DA. Discussions were held with the project manager on 27 January 2010 to address a range of potential transportation and traffic issue. At this meeting, the project manager clarified the transportation and traffic measures that would be applied to ensure smooth ingress and egress movements for the event as well as to include new measures requested in submissions from the Precinct Committees (namely, adopt all Traffic Control Plans (TCPs) for the event; install additional Venue Messaging Sign (VMS); and dust reduction measures in the infield road). The project manager advice included an undertaking to update the submitted traffic plan into a Final Version of the Traffic Management Plan for the Future Music Event 2010 Sydney as contained in the following e-mail to Council's Development Engineer:

"Please find below a summary of operational items that have been consulted with various agencies and are currently being redrafted into the Final Version of the 2010 Sydney FMF TMP.

Consultations

The final agreed operational strategy for the TMP has been developed in consultation with the following agencies;

Brett Robinson (Future Entertainment), the Event Owner and Promoter
Adam Smith (AJC)
Karen Griffiths (NSW Police, Eastern Beaches LCA)
Michael Flanagan (RTA operations, TMC)
John Flanagan (Randwick Council, Senior Traffic Engineer)
Raymond Carroll (STA Bus Operations, TMC)
Additional consultations via MEOG to SFS, Mardi Gras, Centennial Park Trust

Overview of Transport Plan

Integrated Ticket to be implemented across Rail, Bus and Ferry for ticketed patrons to and from the event and until 4am as per 2009,
40 STA charter buses to be used for ingress from Eddy Ave to Randwick Racecourse (High St Entry), Note all forward journey from Eddy Ave/ Central to disembark at High St Entry,
95 STA charter buses to be used for egress, 58 allocated to Alison rd Pick-up and 37 allocated to High St pick-up,
Alison Rd Egress and Bus Loading to use New AJC Busway and additional fencing to maintain Alison rd Clear of Pedestrians (5 bus bay loading plan)
High St Egress and Bus Loading (from Venue side of road), with additional fencing to maintain High St Clear of Peds (3 bus bay loading plan)
High St Pick-up to Eddy Ave suggested Route to be; eastbound along High St, then Right at Botany Rd, then Right into Barker, then Right into Anzac Pde to proceed to Central Station

D8/10

New AJC Taxiway to be utilized and utilize 2 x Taxi Council Security
 Special Event Clearways to be implemented in specific areas to help facilitate the layover and movement of buses,
 Detailed bus layover, loading and movement plan to be included in Final TMP in consultation with STA

Overview of Traffic Control Plan

All Traffic Control Plans (TCP's) have been adopted by Police through consultation process

TCP's resources by NSW Police and assisted by event Security

Venue Access Points to be resources by event security

Infrastructure for TCP's supplied by Event Organiser

Temporary Closure of Doncaster Rd at Abbotford St required during egress, managed by Police & Security

Temporary Lane closures required on Alison road, between Doncaster Av and Darley Rd during egress, to facilitate a balance and control between pedestrian movements across and vehicles traveling along Alison rd.

RTA Network Controller to be ordered to be on site at Alison/ Doncaster, and agreed by Police,

Peds to City will be directed to exit via Doncaster Ave and over Alison Rd onto STA Bus Lane, to allow for clear egress of patrons leaving event and Alison Rd to continue to operate, under controlled trimming of traffic signals,

Bus Lane between Doncaster and Lang Rd to be closed to all bus services by 6pm,

Bus Lane between Lang and Moore Park Rd, to remain open and free from Pedestrians, for SFS egress operations from Super 14's event,

Additional Police to be deployed to Lang/ Anzac for egress, to facilitate movement of Peds away from Bus Lane north of Lang Rd.

Additional security x 4, to be deployed to Lang / Anzac for Egress to assist police at this point.

Special Event Clearways (SEC)

Special Event Clearways will be kept to a minimum so as not to disrupt the non-event community and displace local parking spaces to other areas unless absolutely required.

The following Special Event Clearways have been requested;

On Eastern Side Wansey Rd (opposite to Randwick Racecourse Gate 10) for a total of 80m (40m either side of entry), to facilitate truck movements to and from infield, from 7am 28 February until 7pm 9 March. (TBC with organiser, council, RTA)

On Northern side of High St for 100m east of High St Entry Gate, from 10am until 12midnight on Sat 6 March,

On Darley Rd, both sides of road between Alison Rd and Roundabout at Randwick Gates, Centennial Park (approx. 160m in total), to facilitate area for bus layover prior to egress, suggest starting from 10am to give an opportunity for residents to re-park their vehicles. We can also tape over the parking metres at 9:45am so no additional people park in this area, and continue until 12midnight.

On Alison Rd, western side between John St and Cowper St (approx. 200m in length), to facilitate area for bus layover prior to egress, 10am until 12midnight on Sat 6 March,

On Pitt Street - same SEC as 2009 event, For the forward bus operations STA requires a SEC on the Eastern side of Pitt Street between Eddy Avenue and Hay Street. This facilitates the lay-up of buses between trips. This will be required between 10am and 5.00pm, based on Gates opening for start of event at 12noon.

VMS Plan

D8/10

14 x VMS have been proposed in draft Plan to Council to assist with traffic controls, advanced notifications and pedestrian control

1 x additional VMS is proposed by Council on Alison Rd facing eastbound traffic, to direct patrons driving to the event to turn right at Wansey Rd for event parking (recommend this suggestion to adopted by Event Organiser), All VMS to be pre-programmed, with event Traffic & Transport Manager having real time access to change messages as required,

Notifications

Letter box drop to be implemented as per draft TMP to Businesses and residents 7-10 days prior to event,

Event organiser continually consulting with community and resident groups in order to provide operational solution for any outstanding concerns,

Other Considerations

Event organiser to request use of AJC water truck to spray infield roadway as required from start of bump-in to completion of bump-out in order to minimize dust generated by vehicles along infield rd.

Additional roaming security requested by Council during ingress around John St and Cowper St to direct event patrons driving to the event to the Free infield parking available from Wansey rd,

Event shuttle buses on forward journey from Eddy Ave drop-off patrons at High St on venue side of road to avoid patrons crossing any roads,

Event shuttle buses on return journey from both High St and Alison rd pick-up patrons from venue side of road to avoid patrons crossing any roads,

TCP's that have been identified on the TCP Overview Plan in grey colour are drawn-up as non manned points with no current controls required, but included and noted in TMP as locations where additional infrastructure or Police personnel may be deployed if requested at a later date,

Static and VMS signage to be used to direct patrons to Alison Rd and High St Entry Points"

Conditions will be applied for the above-listed measures detailed in the project manager's advice to be incorporated into a final comprehensive traffic management plan as discussed further below.

The Development Engineer raises no objections to the increase in number of patrons from 35,000 in the 2009 event to 38,000 in the proposed 2010 event, however any TMP or egress plan must make provision for extra capacity in the proposed transfer of exiting patrons by buses. Conditions will be applied accordingly.

*Consistent with conditions imposed in the consent granted for the 2009 event (DA 694/2008), conditions requiring the submission of a comprehensive traffic management plan (TMP) will be applied which will incorporate all measures detailed in the e-mail dated 29 January 2010 from Julian Sanderson to Council's Development Engineer, John Flanigan. Such plan also must not include the closure of Alison Road. Full details of any clearway required as approved by Council's Local Traffic Committee must be included in the traffic management plan. The traffic management plan must be submitted to Council, for approval by Council, the NSW Police Force and the RTA's Transport Management Centre prior to **26 February 2010**. The applicant must fully comply with the approved TMP. Note: any TMP for this event must significantly increase the capacity of the buses for egress of the event as proposed in the "2009 Future Music Festival – Site Plan Proposed Egress Operations", (it is recommended that the capacity be increased from the proposed 12000 to 18000 as a minimum).*

*The applicant must prepare a comprehensive egress plan for the event. The egress plan must be submitted to Council, for approval by Council and the NSW Police Force prior to **26 February 2010**. The applicant must fully comply with the approved*

D8/10

egress plan. Note: any egress plan for this event must significantly increase the capacity of the buses for egress of the event as proposed in the "2009 Future Music Festival – Site Plan Proposed Egress Operations", (it is recommended that the capacity be increased from the proposed 12000 to 18000 as a minimum).

RTA Comments

The application was referred to the RTA for comments and a response has been received. Conditions will be applied in accordance with the RTA's advice in the determination of the application."

6.2 Environmental Health Services

The application has been referred to Environmental Health Services for comment, conditions have been provided for inclusion with any consent granted. The following comments were received:

"The Proposal

Application has been received for a music event to be held at the AJC on 6th March 2010 for 38,000 patrons.

Key Issues

Previous event

A debrief document was prepared after the 2009 event. It is referred to the assessing planner's attention for consideration during the assessment of this application. D00777984.

Food Safety

All temporary food stalls shall be registered with Council. Suggested conditions are listed below for inclusion on any proposed approval.

Acoustics

Noise from the music being played during sound tests and during the event has the potential to create an offensive noise and pollution. A noise management plan has been prepared and submitted with this application. In an effort to minimise the acoustic impacts from the music being played at the event, suggested conditions are listed below for inclusion on any proposed approval.

Should the application be recommended for approval, the following conditions are suggested to be included:

Conditions:

Recommendation

Should the application be approved, it is requested the following conditions be imposed:"

6.3 Building Services

The application has been referred to Building Services for comment, conditions have been provided for inclusion with any consent granted including that the application is

subject to the requirements of the Environmental Planning & Assessment Act 1979 and Regulations 2000, having regard to the erection of temporary structures.

6.4 Heritage

The application has been referred to Council's Heritage Planner for comment, conditions have been provided for inclusion with any consent granted. The following comments were received:

"Randwick Racecourse together with a number of properties on the eastern side of Doncaster Avenue, comprise the Randwick Racecourse Conservation Area. The Members' Stand within the site is also listed as a heritage item.

The application proposes the staging of an event within the Racecourse site. The "Future Music Festival" is to be held on 6 March, within the "Spectator Precinct" and "Midfield/Infield" areas of the site. The Midfield/Infield is in the centre of the tracks themselves. The Spectator Precinct is bounded by Alison Road, the former tramway/busway reserve and the track itself. This area includes the Members' Stand, as well as the Totaliser Building and the Tea House. The event areas are to be separated from the remainder of the site by temporary fencing, with a temporary overground access between them, across the tracks.

The application has been accompanied by an Operational Order and Emergency Response Plan, which sets out the requirements of the proposed event including installation of stages, enclosures, decking, signage, toilets, lighting, rides and vending outlets. Bar service is to be provided from the Totaliser Building and the toilets in the Tea House are to be utilised by attendees. It is noted that the staging of the event does not involve the carrying out of any works within the site. It is considered that the proposed works will not impact on the heritage significance of the Racecourse site.

The following conditions should be included in any consent:

- 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."*

6.5 NSW Roads and Traffic Authority

The application was referred to the RTA for comment and the following comments were received:

D8/10

PROPOSED 'FUTURE MUSIC FESTIVAL' AT RANDWICK RACECOURSE, 77-97 ALISON ROAD, RANDWICK TO BE HELD 6 MARCH 2010

Dear Sir/Madam

I refer to Council's letter dated 27 November 2009 (Council Ref: DA/873/2009) with regard to the abovementioned development application, which was referred to the Roads and Traffic Authority (RTA) for comment.

The RTA has reviewed the Development Application and provides the following advisory comments to Council for consideration in its determination of the development application:

1. The event organiser is to arrange with the RTA's Transport Management Centre (TMC) for any required Road Occupancy Licence for the event and associated impact on traffic flows on the road network, particularly Alison Road during the music festival. Contact details for the TMC are:

Manager Network Operations
Transport Management Centre
35 Garden Street
Everleigh NSW 2015

Ph: 8396 1510
Fax: 8396 1525

2. The Traffic Management Plan (TMP) submitted with the application has been referred to the Traffic Management Centre for review. The applicant will be advised of any amendments required to be made to the TMP following this review.

If required the Planned Incident Unit at the RTA's Transport Management Centre can be contacted on Ph: 8396 1513 or Fax: 8396 1530

3. Any local traffic issues of the event should be dealt with through the Local Traffic Committee.
4. All costs associated with traffic management and traffic control for the proposed music festival shall be at no cost the RTA.

6.6 NSW Police Service – Eastern Beaches Local Command Area

The application has been referred to the NSW Police for comment. The following comments were received on 2 February 2010:

"Since the circulation of the initial Police response to the development application for the Future Music Festival at Randwick Race Course (dated 14 January 2010) there has been significant discussion between the promoter, Brett Robinson, representatives of the Australian Jockey Club including Darren Pearce, Adam Smith and Shane Brady, and the Eastern Beaches Local Area Command represented by Superintendent Allan Sicard and Chief Inspector David McBeath.

As a result of those discussions and a consultation meeting a number of strategies have been put forward by all parties involved. In brief these strategies include:

- *The use of print and electronic media in advance of the event to reinforce the harm minimisation message to patrons.*
- *Strengthening the promoter's conditions of entry to the event.*
- *Agreement on a series of planning meetings between stakeholders to map plans for the security of the event (first meeting scheduled for 18 February 2010).*

- *The use of further specialist NSW Police resources at the event in concert with the application of other Policing tactics. This will represent a further increase in the User Charges Policing commitment to the event.*
- *The application of the Australia Jockey Club Act 2008 to the management of the event*
- *Various structural and space modifications to the event site*
- *Increasing the current area of CCTV coverage of the event site*
- *The agreed application of a local liquor licensing arrangement that will govern the sale and consumption of intoxicating liquor at the event (as in 2009)*
- *A comprehensive Traffic Management Plan including integrated transport ticketing.*
- *In terms of event capacity the NSW Police will resource the event commensurate with the risk and based on the crowd capacity identified as acceptable to the precinct and the site by Council.*
- *A request from the Promoter to Randwick Council to include conditions of entry as part of the development consent for the event.*

In considering these new strategies in concert with plans and strategies already in place for the management of the event, it is now appropriate for all stakeholders to move forward. NSW Police Commander Superintendent Allan Sicard acknowledges that with further detailed planning the risks detailed in previous correspondence to Council will be mitigated."

A condition will be applied requiring all the above-listed measures to be implemented for the proposed event to improve security and control of the event.

7. Relevant Environmental Planning Instruments

The Development application has been assessed in accordance with the provisions of the following relevant planning documents:

7.1 Randwick Local Environmental Plan 1998

The application was lodged on the 25 November 2009 such that the Savings provisions of the Randwick Local Environmental Plan 1998 (Consolidation) allow for the application to be assessed and determined under the Randwick Local Environmental Plan 1998.

The site is zoned 6A Open Space under Randwick Local Environmental Plan 1998 and the proposed activity is permissible with Council's consent. The following Clauses of the LEP 1998 apply to the proposal:-

Clause 43 Protection of heritage items, heritage conservation areas and relics

Clause 43 requires Council to consider the impact of proposals on, amongst other things, the heritage significance of the heritage conservation area in which a proposal is located. The proposed event will be held in the Royal Randwick Racecourse which is a heritage conservation area and the Members' Stand within the site is also listed as a heritage item. The proposal will not involve any demolition, defacing, damage, removal or alteration to the heritage conservation area and the heritage item. Council's heritage planner has assessed the proposed event and advises that the proposed use and works for the event will not impact on the heritage significance of the Racecourse site subject to condition of consent. Accordingly, the proposal satisfies the provisions of Clause 43.

Clause 40A Master Plans

Clause 40A of the RLEP states as follows:

- (1) Despite any other provisions of this plan, consent may be granted to a development application made in respect of a site area consisting of more than 4,000 square metres of land only if:
 - (a) a master plan for the development of that land has been adopted in accordance with this clause, and
 - (b) the consent authority is satisfied that the development is not inconsistent with the provisions of that master plan.

The site is subject to a Development Control Plan that guides the future development of the site and as such the Masterplan provision of LEP has been satisfied.

8. Policy Controls

Section 94A Development Contributions Plan

The Section 94A Development Contributions Plan, effective from 2 July 2007, is applicable to the proposal. In accordance with the Plan, the following monetary levy is required should approval be granted for the DA:

Category	Cost	Applicable Levy	S94A Levy
Development cost \$100,001 - \$200,000	\$120,000	0.5%	\$6,000

Development Control Plan – Royal Randwick Racecourse

The DCP – Royal Randwick Racecourse essentially aims to provide planning and design objectives and performance criteria which will optimise, amongst other things, the thoroughbred racing, training and spectator facility of RRR to the highest quality; the economic and tourism destination of the RRR; the physical, recreational and environmental quality of the RRR while respecting its heritage significance; the role of the RRR within the metropolitan and Randwick City context and its compatibility with adjoining lands; and the role of the RRR as an open space recreation facility. Whilst the DCP primarily controls the long term design of buildings, heritage conservation, traffic and transport systems, and landscape works for the RRR, the proposed event will be consistent with relevant DCP aims and attendant performance criteria attached to these aims. In particular, the proposed event will maintain the general pattern of land uses across the site as indicated in Map 2 of the DCP in so far as these relate to non-racing recreation and entertainment events, and the traffic/transport management strategies for non-racing recreation and entertainment events.

9. Environmental Assessment

The site has been inspected and the application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act, 1979, as amended.

9.1 Security and anti-social behaviour

Some concern has been raised in the resident submission in regards to anti-social behaviour. Whilst, a number of measures have been implemented in the 2009 event to minimise this concern, the NSW Police in its submission to the current DA advised that following intensive discussions with the events organisers new strategies to augment the measures implemented in the 2009 event especially to address the Police’s concerns regarding security and potential criminal activity.

The Police have indicated in their submission, that these specific concerns can now be addressed through additional and/or enhanced strategies agreed to with the event

D8/10

organisers (as listed in the Police's letter to Council dated 30 January 2010 and reproduced in Section 6.6 above). Conditions will be applied to incorporate the Police's advice should approval be granted for the DA.

9.2 Noise

An acoustic report has been submitted with this application which includes recommendations to ensure relevant standards and acoustic amenity is maintained during the event. Council's Environmental Health Officer has assessed the report and advises that the report is acceptable subject to appropriate conditions to ensure the noise associated with the proposal is maintained at a reasonable level and that the nearby likely affected residents are provided with the details of the proposal including the appropriate contact details should they wish to make any complaints or have any further enquires regarding the proposed event should approval be granted for the DA.

9.3 Traffic

Council's Development Engineer has reviewed the Traffic Management Plan and does not object to approval of the application subject to conditions should approval be granted for the DA.

9.4 Waste Management

The venue and surrounding area will be cleaned prior, after and during the event. An event contract cleaner will be appointed and a waste management plan has been submitted with the application.

A condition can be applied requiring a security deposit bond to be lodged with Council to ensure satisfactory compliance with the submitted Waste Management Plan and satisfactory cleaning of the surrounding area within 24 hours of the close of the event should approval be granted for the DA.

Relationship to City Plan

The relationship with the City Plan is as follows:

Outcome 6: A liveable City.

Direction 6b: Our town centres, beaches, public places and streets are safe inviting, clean and support a recognisable image of our city.

Financial Impact Statement

Approval of the application has the potential to place significant financial burden upon the Council, particularly in respect of event monitoring and additional cleanup and monitoring of the event. Conditions of consent, including security bonds, will need to be applied to minimise this should approval be granted for the DA.

Conclusion

The proposed development is permissible in the zone. Whilst the intensity of the temporary use is likely to be greater than the use of the Racecourse on race days as it will feature live music bands, appropriate conditions for the implementation of a range of measures and management strategies can be applied to ensure that any adverse impact upon local residents is minimised. In particular, the proposed event will have improved transportation and traffic measures to ensure smooth ingress and egress movements for the event, and improved security controls and arrangements recommended by the Police following intensive discussions between the Police and event organisers. The heritage significance of the site will not be affected and any adverse amenity impact in terms of noise and traffic are of limited duration.

The DA is recommended for approval subject to conditions.

D8/10

Recommendation

That Council, as the consent authority, grant development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No. DA/873/2009 for the proposed Future Music Festival to be held on Saturday 28 February 2009 at Randwick Racecourse at 77-97 Alison Road, Randwick subject to the following conditions:

1. The development must be implemented substantially in accordance with the details set out in the application form and accompanying submission received by Council on 25 November 2009, Noise Management Plan prepared by Andrew Rogers, dated 15 June 2009 and Traffic Management Plan prepared by Julian Sanderson & Andrew Sturday, dated 23 November 2009, all received by Council on 25 November 2009 and any other supporting information received with the application, except as may be amended by the following conditions:

The following conditions are applied to satisfy the provisions of section 79C of the Environmental Planning and Assessment Act 1979 and to maintain reasonable levels of environmental amenity:

2. The applicant must ensure that vehicles related to the event do not obstruct emergency entry/exit points, thoroughfares or fire hydrants.
3. The spill of artificial lighting is to be restricted so as not to illuminate areas beyond the perimeter of the site.
4. The activity/event is restricted to the following period and numbers:

Date	6 March 2010
Times	12 Midday till 10.00pm
Maximum Patron Numbers	38,000

The following conditions are applied at the Recommendation of the NSW Police Service to maintain standards of public safety.

5. The applicant shall meet the costs of policing (crowd control & traffic management) for the event as follows: 173 Police.
6. The applicant shall implement all strategies listed in the letter from the NSW Police – Eastern Beaches Local Area Command to Council dated 30 January 2010 to ensure that security is improved and criminal activities are minimised.
7. The applicant must prepare a comprehensive traffic management plan (TMP), incorporating, but not limited to, all measures detailed in the e-mail dated 29 January 2010 from Julian Sanderson to Council’s Development Engineer, John Flanigan. Such plan also must not include the closure of Alison Road. Full details of any clearway required as approved by Council’s Local Traffic Committee must be included in the traffic management plan. The traffic management plan must be submitted to Council, for approval by Council, the NSW Police Force and the RTA’s Transport Management Centre prior to **26 February 2010**. The applicant must fully comply with the approved TMP. Note: any TMP for this event must significantly increase the capacity of the buses for egress of the event as proposed in the “2009 Future Music Festival – Site Plan Proposed Egress Operations”, (it is recommended that the capacity be increased from the proposed 12000 to 18000 as a minimum).

D8/10

8. The applicant must prepare a comprehensive egress plan for the event. The egress plan must be submitted to Council, for approval by Council and the NSW Police Force prior to **26 February 2010**. The applicant must fully comply with the approved egress plan. Note: any egress plan for this event must significantly increase the capacity of the buses for egress of the event as proposed in the "2009 Future Music Festival – Site Plan Proposed Egress Operations", (it is recommended that the capacity be increased from the proposed 12000 to 18000 as a minimum).
9. A limit of 2 alcoholic drinks per patron shall be applied for each drink purchase.
10. All other restrictions that normally apply to sale of intoxicating liquor at the Randwick race course shall be adhered to by the event promoter and licensee.
11. No intoxicating liquor is to be served after 9pm.
12. The sale of intoxicating liquor at the event shall be regulated by any other conditions imposed by the NSW Police Force.
13. Patrons shall be subject to a strict 'no pass outs' rule for the duration of the event. This is to be clearly shown on the "Conditions of Entry Poster" issued for the event.

The following conditions are applied to maintain reasonable levels of environmental amenity and public health safety.

14. Mandatory bag inspections are to be carried out prior to entry of patrons on to the site.
15. The event organiser shall implement all measures listed under the relevant sections on **Resident Response** contained in the Security Management Plan prepared by Steven Ferraris and received by Council on 25 November 2009, to ensure minimal impacts to adjoining and surrounding residents from unruly patrons of the events 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 modified by these conditions).
16. 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.

The following conditions are applied to meet the requirements of the Roads and Traffic Authority of NSW:

17. The event organiser is to arrange with the RTA's Transport Management Centre (TMC) for any required Road Occupancy Licence for the event and associated impact on traffic flows on the road network, particularly Alison Road during the music festival. Contact details for the TMC are:

Manager Network Operations
Transport Management Centre
35 Garden Street
Everleigh NSW 2015

Ph: 8396 1510
Fax: 8396 1525

D8/10

18. The Traffic Management Plan (TMP) submitted with the application has been referred to the Traffic Management Centre for review. The applicant will be advised of any amendments required to be made to the TMP following this review.

If required the Planner Incident Unit at the RTA's Transport Management Centre can be contacted on Ph: 8396 1513 or Fax: 8396 1530.

19. Any local traffic issues of the event should be dealt with through the Local Traffic Committee.
20. Any cost associated with traffic management and traffic control for the proposed music festival shall be at no cost to the RTA.

The following conditions are applied to provide adequate provisions for parking to the development :

21. Signage advising the closure of the any Bus Stop on Alison Road is to be erected at least 7 days prior to the event and to remain up until the time the bus stop reopens to the public. Any bus stop to be closed is to remain operational until **8pm** on the day of the event.
22. The security fencing proposed for Alison Road is to be erected in a manner such that sight lines to approaching buses is maintained without the need for bus patrons to extend themselves into traffic on Alison Road to see approaching buses.
23. All vehicles (including taxis) exiting the racecourse at High Street must be controlled such that they turn right only to proceed to Anzac Parade. Left turning traffic onto High Street should not be allowed as this will cause traffic to filter through local streets.
24. The placement of water filled barriers is to be such that they do not extend beyond or encroach on the Lane 1 (kerb side lane) lane line.
25. The placement of all barricades and signs is to be in accordance with the plans submitted as part of this application and be in accordance with the requirements specified in AS1742.3
26. The event organiser shall implement all measures in accordance with the approved Traffic Management Plan, unless otherwise directed by the Police/authorised City Ranger.
27. The applicant shall be responsible for the reimbursement of the cost of repair of any damage caused to public ways as a result of the event.
28. The applicant shall indemnify against all claims for damage or injury that may arise as a result of the subject event. In this regard, the applicant shall submit, prior to the event, evidence of a current public liability insurance policy in relation to the proposed event for an amount of at least \$10,000,000 or more and such amount shall be specified by Council's Risk Coordinator.

The following conditions are applied to maintain adequate levels of public amenity:

29. The ticket price is to include return public transport to and from the event valid for the Sydney Metropolitan Area.

30. The applicant is to thoroughly clean the surrounding area at earliest daybreak and within 24 hours of the termination of the event. This is to include the area bounded by:
 - Anzac Parade to the west;
 - Alison and Darley Roads to the north;
 - Dangar Street and Church Street to the east; and
 - High Street to the south.
31. To ensure compliance with the above condition, the applicant is lodge with Council a security deposit of \$50,000 at least fourteen days prior to the event, which will be refunded subject to the cleanup being undertaken to the satisfaction of Council's Director of City Planning.
32. 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 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.

33. 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 following conditions have been applied to ensure that noise emissions from the development satisfy legislative requirements and maintain reasonable levels of amenity to the area:

34. The number of patrons in attendance at any one time during the event must be made available to Council officers upon request.
35. 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.
36. 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

D8/10

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 4 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.

The notice is to be distributed to the effected parties no less then 7 days prior to the staging of the event.

37. Advertising and marketing of the activity/event shall promote the use of public transport to the activity.
38. The use of fireworks, firearms, explosives or lighting of fires is not permitted.
39. Adequate provisions are to be made for the storage, collection and disposal of waste and recyclable materials.
40. The conditions and recommendations contained in the acoustic report titled *Noise Management Plan Future Music Festival 2010 March 2010 Randwick Racecourse* prepared by Noise Consulting and Management Pty Ltd dated 15 June 2009 Ref 1027 form part of this consent. The following noise abatement measures are contained within (but not limited to):
 - a) The noise limit at affected residences will be L_{Amax} 70 dB(A) and L_{max} 90 dB(C), when measured with the meter set to fast response over any 15 minute period during the concert or sound test. All music will cease at **10:00 pm**
 - b) A complaints hotline will be established for use during the bump in, during the duration of the event.
 - c) Noise Consulting & Management Pty Ltd will investigate any complaints, record the results of the investigation and the action taken and report back to the resident and Council if requested.
 - d) A notice informing nearby residents/apartment body corporates of the event and the hotline number will be sent out at least 7 days prior to the event. A copy of the notice will be forwarded to Council. The area to be letter dropped is shown in Appendix A of the acoustic report. This includes the areas that the music is likely to be the dominant noise source and additional areas in Kensington based on previous complaints.
 - e) The speakers of the outdoor stages will be set up as outlined in the acoustic report.
 - f) A sound check will be performed 1 hour prior to the event. During the sound check, appropriate music levels will be set on compressors at each of the stages to ensure they are started at appropriate levels.
 - g) Sound level meters indicating the actual and allowed music levels will be displayed at each stage.
 - h) All sound systems will include a level limiter (or compressor) so music levels can be locked down. Artist and sound engineers will be advised that music limiting will be used and settings are not to be tampered with.
 - i) Noise Consulting & Management Pty Ltd will continuously monitor

D8/10

throughout the entire event, the pre-determined noise sensitive locations and any additional locations that may become necessary based on the conditions and any complaints encountered.

- j) The acoustic consultant will be in two way radio and mobile phone contact with the sound desk staff, production manager, sound engineers, event organiser, and hotline staff throughout the event.
 - k) The production manager and sound engineers will be briefed on the importance of reducing music levels as requested by the acoustic consultant.
 - l) Procedures will be implemented to allow for a quick reduction of the music levels of all stages if required. The Directors/Production Manager Mr Robinson and/or Mr Ayoubi shall ensure that sound engineers reduce music levels when instructed. The main stage sound desk will be manned by staff under the direct supervision of the acoustical consultant.
 - m)
 - n) A report containing the results of the monitoring, any complaints and the noise control measures will be presented to Council within 30 days of the event.
 - o) Security guards will assist patrons in leaving quietly and avoiding passing through the nearby residential areas where possible. Security guards will be stationed in the residential areas to ensure noise is kept to a minimum.
41. All sound amplification equipment to be used is to be installed, maintained and operated, in such a way as to minimise the noise impact on residential premises or sensitive receivers.
42. 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.
43. During the music event, rehearsal or sound tests, the organiser must ensure that an employee or agent is present at the sound-mixing desk for the event and is able to exercise ultimate control of the noise levels from the sound amplification equipment during the event.
44. The organiser must ensure that during the entire event, employees or agents can contact and communicate with all of the acoustical consultants conducting

the monitoring of the noise levels from the concert, as required.

45. Following the completion of the music event and within 30 days, the organiser must provide to Council an acoustical report, prepared by the appointed acoustic consultant, detailing the following:
 - Whether or not there has been compliance or non-compliance with the consent conditions, including the reasons for any breaches;
 - The times and details of any occasions where a breach of the noise criteria as set in the consent, occurred and why the breach occurred and what measures were implemented to ensure that the breach did not reoccur.
46. The activity/event shall not give rise to an environmental health or public nuisance or affect public safety and convenience.
47. The operation of the activity/event shall not result air, noise or water pollution offence under the *Protection of the Environment Operations Act 1997*.
48. 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.
49. Access to the event shall be provided to Council authorised officers so as to enable compliance monitoring to be undertaken.

The following conditions are applied to ensure compliance with the Food Act 2003 and to ensure public health and safety:

50. The requirements of the *Food Act 2003* and *Food Safety Standards* must be complied with at all times.
51. 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.

The following conditions are applied to ensure that the development satisfies the provisions of the Environmental Planning and Assessment Act 1979 and Regulations, and to ensure the structural adequacy and integrity of the proposed building and adjacent premises:

52. The number of persons permitted within the betting Pavilion is not to exceed 3000 in accordance with the recommendations made in the Holmes Fire and Safety fire engineering design report number 96343 dated 27 April 1999.
53. The relevant provisions of Schedule 3A of the Environmental Planning & Assessment Regulation 2000 (as amended), are to be complied with at all times.
54. Any proposed temporary structures are to be designed and constructed in accordance with the relevant provisions of the *Environmental Planning & Assessment Regulation 2000* and the provisions of Part B1 and NSW Part H102 of Volume One of the *Building Code of Australia 2007*.
55. 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.

56. Tents and marquees must comply with the following requirements:-
- a) The number and width of exits to any tent, marquee or booth 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.
57. 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.
58. 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.
59. 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.
60. 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.
61. If a tent or marquee 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.
62. 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.
63. 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.
64. The operator of the activity/function must hold current public liability insurance cover of at least \$10 million.

- 65. Temporary structures must be removed/dismantled within 2 days after the conclusion of the event.
- 66. 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.

The following condition/s are applied to meet additional demands for public facilities;

- 67. In accordance with Council’s Section 94A Development Contributions Plan effective from 2 July 2007, the following monetary levy must be paid to Council.

Category	Cost	Applicable Levy	S94A Levy
Development cost \$100,001 - \$200,000	\$120,000	0.5%	\$6,000

The levy must be paid in cash, bank cheque or by credit card prior to a construction certificate being issued for the proposed development. The development is subject to an index to reflect quarterly variations in the Consumer Price Index (CPI) from the date of Council’s determination to the date of payment.

Council’s Section 94A Development Contribution Plans may be inspected at the Customer Service Centre, Administrative Centre, 30 Frances Street, Randwick or at www.randwick.nsw.gov.au.

Heritage Conditions:

- 68. 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.

Attachment/s:

Nil

D8/10