



17 September 2021

Fairfield City Council  
City Development and Compliance  
PO Box 21  
FAIRFIELD NSW 1860

Attention: Jeyda Kokden

Dear Jeyda,

**APPLICATION NO: DEVELOPMENT APPLICATION 314.1/2020 (SYDNEY WESTERN CITY PLANNING PANEL NO PPSSWC-175)**

**PROPOSAL: SYDNEY INTERNATIONAL EQUESTRIAN CENTRE NON-EQUESTRIAN EVENTS**

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CPS writes on behalf of the applicant of the subject Crown development application being the NSW Office of Sport, in response to your correspondence received on 13 September 2021 which outlines the conditions of consent that Fairfield City Council wish to impose on the proposed development.

Under Section 4.33 of the *Environmental Planning and Assessment Act 1979* (the Act), a consent authority must not impose a condition on its consent to a Crown development application, except with the approval of the applicant or the Minister.

CPS received correspondence from Transport for NSW on 13 January 2021 with draft conditions of consent and an indication that they were in favour of the proposed development with no restrictions on event capacity. This was the impetus for the applicant seeking regional panel determination whilst the application remained undetermined.

However, in response to the draft conditions of consent, Traffix Traffic & Transport Planners have been engaged this week to review their Traffic Impact Assessment prepared in October 2018, in order to assist negotiations on recommended conditions of consent, particularly recommended conditions 16 and 18, which limit the operational capacity of the site.

Further, the assumptions and methodology provided within report dated October 2018 have been recognised by Council as conservative and as unnecessarily constraining the operational capacity. The submission of the late report is intended to provide Council and the Panel comfort that the recommended changes to conditions are not unreasonable.

## General Conditions of Consent

| <u>Condition Number</u>                        | <u>Crown Response</u>                                                                                                                                                                                                                                                                                                                |
|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Compliance with Plans                       | Agreed                                                                                                                                                                                                                                                                                                                               |
| 2. Compliance with Supporting Documentation    | Agreed                                                                                                                                                                                                                                                                                                                               |
| 3. Environmental Reports Certification         | <p>It is the applicant's intent to comply with the Plan of Management and Noise Impact Assessment Report, but it is unclear how this could be certified. A condition requiring compliance should be sufficient.</p> <p>The applicant seeks confirmation of the reason for this condition, or alternatively, its deletion.</p>        |
| 4. Temporary Structures and Events             | <p><b>Stages</b></p> <p>It is requested that part of the condition is amended to read as follows:</p> <p><i>...The stage or platform must not be erected on the land for more than <b>14</b> days and must not remain on the land for more than <b>7</b> days after the event.</i></p> <p><b>Tents and Marques</b></p> <p>Agreed</p> |
| 5. Temporary Events Advertising Structures     | Agreed                                                                                                                                                                                                                                                                                                                               |
| 6. Curtains and Drapes                         | Please replace the words "The proposed" with the word "Any".                                                                                                                                                                                                                                                                         |
| 7. Other Services                              | Agreed                                                                                                                                                                                                                                                                                                                               |
| 8. Disabled Access                             | Agreed                                                                                                                                                                                                                                                                                                                               |
| 9. Toilet Facilities                           | Agreed                                                                                                                                                                                                                                                                                                                               |
| 10. Unreasonable Noise and Vibration           | Agreed                                                                                                                                                                                                                                                                                                                               |
| 11. Temporary Event Food Stall                 | Agreed                                                                                                                                                                                                                                                                                                                               |
| 12. Operational Acoustic Report and Monitoring | Agreed                                                                                                                                                                                                                                                                                                                               |

| <u>Condition Number</u>                                   | <u>Crown Response</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| 13. NSW Protection of the Environment Operations Act 1997 | Agreed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 14. Waste Management                                      | Agreed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 15. Tree Protection                                       | Agreed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 16. Maximum Number of Patrons                             | It is requested the patron number is increased to <b>6,000 people</b> . This is supported by the revised Traffic Impact Assessment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 17. Operational Parameters                                | <p>It is requested this is amended as follows:</p> <p><i>The maximum capacity for the individual venues within the subject site must not exceed any of the prescribed criteria outlined within the Operational Scenario Parameters Table in accordance with the Noise Impact Assessment Report prepared by Renzo Tonin &amp; Associates, Reference Number TK611-01F02, Revision 5, dated 24 March 2020. The maximum capacity of <b>6,000 people</b> may only be met if not operating outside of the parameters set by that table. Should the event operator wish to provide an event which exceeds any nominated venue capacity within the Operational Scenario Parameters Table, the operators must provide certification from a suitably qualified acoustic engineer, to both the Sydney International Equestrian Centre and Fairfield City Council, outlining how the event would meet the comply with relevant noise criteria. This information must have regard to the report 'Noise Assessment for Permanent Events' (ref: TK611-01F02), prepared by Renzo Tonin and Associates, and dated 24 March 2020. Information to support additional capacity must be provided prior to the commencement of the event and be supported with an additional application submitted to Fairfield City Council.</i></p> |
| 18. Vehicular Movements                                   | <p>Following receipt of this condition, the revised Traffic Impact Assessment has modelled the impact of the events on intersection performance and concluded that 1,070 can be comfortably accommodated per hour. This figure exceeds the figure of 900 vehicles per hour estimated by the traffic model for 6,000 person events without staggered arrival or departure times.</p> <p>It is therefore requested that this condition be deleted.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 19. Multiple Events                                       | It is requested this condition is deleted. It is unreasonable to suggest that a site spanning over 164 Hectares with 15 arenas cannot accommodate more than one event on site at one time. The Plan of Management and Acoustic Report both identify that multiple events can be held on site, but that the prescribed capacity cannot be exceeded.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

| <u>Condition Number</u>                                | <u>Crown Response</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| 20. Traffic Management Plan                            | <p>Traffic is already managed on site for equestrian events, and it is not clear why a plan would be required for other events.</p> <p>Parking and traffic arrangements will vary slightly between events, but would be comfortably managed on the site without impacts on nearby land, particularly noting the 500m long access driveway to the site. It is expected that most events will fall well below capacity, and will therefore require very few traffic management measures.</p> <p>The applicant is happy to be provided with more understanding of the purpose of this condition, but is unclear what further benefit this would have on controlling any impacts.</p> |
| 21. Special Events                                     | Agreed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 22. Bush Fire Emergency Management and Evacuation Plan | Agreed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 23. Asset Protection Zones                             | Agreed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 24. General Treatment Requirements                     | <p>These measures appear to be recommendations rather than requirements, and cannot be broadly applied to all events. It is requested that the first sentence of the condition is amended to read as follows:</p> <p><i>NSW Police advise that the following general treatment options shall be <b>considered</b> to reduce the risk of offences occurring.</i></p>                                                                                                                                                                                                                                                                                                               |
| 25. Carparking - General                               | Agreed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 26. Hours of Operation                                 | <p>It is not clear why hours are proposed to be restricted in this way.</p> <p>Further, if the intent is to limit operations in the Hacking Arena to 'daytime hours' per the NSW Noise Policy for Industry, then the hours would be 7am to 6pm.</p>                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 27. Hacking Arena                                      | <p>As above, it is not clear why this condition is recommended. If the purpose is to control <i>music</i> festivals, then this should be made clear. Notwithstanding, it is unclear why this condition is necessary to begin with.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 28. Complaints Register                                | Agreed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 29. Vehicles Servicing the Site                        | Agreed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 30. Illumination of the Premises                       | Agreed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

| <u>Condition Number</u>                    | <u>Crown Response</u>                                                                                                                                               |
|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 31. Monitoring of Patrons Leaving the Site | Agreed.                                                                                                                                                             |
| 32. Advertising Requirements               | Agreed.                                                                                                                                                             |
| 32. Site Operation                         | a) Agreed.<br>b) Agreed.<br>c) Agreed.<br>d) Agreed.<br>e) Agreed.<br>f) Delete – this condition appears to relate to a specific event.<br>g) Agreed.<br>h) Agreed. |

I trust the above responses are satisfactory. Should you have any queries regarding the responses above please do not hesitate to contact me on the above listed details.

Yours sincerely,



**Sonya Constantinou – Senior Planner, Creative Planning Solutions Pty Limited**



**Brendon Clendenning – Principal Planner, Creative Planning Solutions Pty Limited**