

In reply please quote: DA 314.1/2020

Contact: Miss J Kokden on 9725 0386

20 September 2021

Dear Sydney Western City Planning Panel,

RE: Use of the Sydney International Equestrian Centre for the purpose of non-equestrian events

DEVELOPMENT APPLICATION NO.: 314.1 / 2020

PANEL REFERENCE NO.: PPSSWC-175

I refer to the abovementioned Development Application proposing use of the Sydney International Equestrian Centre for the purpose of non-equestrian events.

Please see below comments in relation to the applicant's response to the draft conditions of consent.

Response to Draft Conditions of Consent

Condition Number	Condition Wording	Crown Response	Council Response
1. Compliance with Plans	-	Agreed	-
2. Compliance with Supporting Documentation	-	Agreed	-
3. Environmental Reports Certification	Environmental Reports Certification Prior to the commencement of non-equestrian events occurring on-site, written certification from a suitably qualified person(s) shall be submitted to the Principal Certifier and Fairfield City Council, stating that all works/methods/procedures/control measures/recommendations approved by Fairfield City Council's Environmental Health Officer and the following reports have been completed: a) Plan of Management prepared by Creative Planning Solutions, Project Number D033, dated July 2021; and	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. The applicant seeks confirmation of the reason for this condition, or alternatively, its deletion.	This condition is generally applied to all Applications. Notwithstanding this, the condition is reflected in Condition No. 2 and therefore Council has no concerns in this condition being removed.

	b) Noise Impact Assessment Report prepared by Renzo Tonin & Associates, Reference Number TK611-01F02, Revision 5, dated 24 March 2020.		
4. Temporary Structures and Events	Stages Any stage or platform must be erected at ground level. A notice indicating the actual distributed and concentrated load for which the stage or platform has been designed must be conspicuously displayed on the stage or platform, The stage or platform must not be erected on the land for more than 7 days and must not remain on the land for more than 2 days after the event.	Stages It is requested that part of the condition is amended to read as follows: <i>...The stage or platform must not be erected on the land for more than 14 days and must not remain on the land for more than 7 days after the event.</i> Tents and Marques Agreed	The applicant requests that the period remains longer than 7 days. No concerns are raised with the proposed changes to the condition.
5. Temporary Events Advertising Structures	-	Agreed	-
6. Curtains and Drapes	Curtains and Drapes The proposed curtains and drapes within the Arena shall comply with Fire Hazard Indices to comply with Specification C1.10 of the NCC Building Code of Australia.	Please replace the words "The proposed" with the word "Any".	The proposed changes are considered minor and therefore considered acceptable.
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	-
13. NSW Protection of the Environment Operations Act 1997	-	Agreed	-

14. Waste Management	-	Agreed	-
15. Tree Protection	-	Agreed	-
16. Maximum Number of Patrons	Maximum Number of Patrons The maximum number of patrons permitted on-site for non-equestrian events shall be restricted to a maximum of 5,000 people for an event.	It is requested the patron number is increased to 6,000 people. This is supported by the revised Traffic Impact Assessment.	The applicant has provided a further Traffic Impact Report submitted to Council Friday 17 September 2021. This information has been forwarded to Transport for NSW and Council's Traffic Engineer for their consideration and assessment. Council is not in a position to agree to or accept the amendments proposed by the applicant until such time that the technical officers have reviewed the information and provided their advice on this matter.
17. Operational Parameters	Operational Parameters 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 & Associates, Reference Number TK611-01F02, Revision 5, dated 24 March 2020. The maximum capacity of 5,000 people 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	It is requested this is amended as follows: <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 & Associates, Reference Number TK611-01F02, Revision 5, dated 24 March 2020. The maximum capacity of 6,000 people 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</i>	This condition is contingent upon the outcome of the assessment of the updated Traffic Impact Report and advice by the relevant technical officers in this matter and as noted in Condition No. 16 above. Accordingly, this condition cannot be considered as requested by the applicant at this point in time.

	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>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>	
18. Vehicular Movements	Vehicular Movements During a non-equestrian event at the subject site, the traffic shall be controlled and staggered if required so that there shall no more than 414 vehicle movements into or out of the site within any one-hour period.	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. It is therefore requested that this condition be deleted.	Refer to response given in Condition No. 16 and 17 above.
19. Multiple Events	Multiple Events Only one non-equestrian event shall occur at any time. Accordingly, the site shall not be used for multiple non-equestrian events at the same time. Furthermore, a non – equestrian event shall not occur while an equestrian event is operating at the premises.	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.	The Acoustic Report provided an acoustic assessment for a single event occurring only. Accordingly, there is concern that multiple events may result in a cumulative noise impact to the nearby residential receivers. If an updated Acoustic Report was submitted in which addresses multiple events, then this request could be assessed and considered.
20. Traffic Management Plan	Traffic Management Plan Prior to any non-equestrian event occurring at the site, a Traffic Management Plan shall be submitted to and approved by the Manager of Development Planning within Fairfield City Council, which provides details but is not limited to the following: a) Information as to how traffic will be managed for patrons that enter and exit the site; b) Detail strategies and or measures used to mitigate potential traffic impacts; c) Provide an assessment of any likely adverse traffic impacts on the adjacent roads	Traffic is already managed on site for equestrian events, and it is not clear why a plan would be required for other events. 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. The applicant is happy to be provided with more	This condition was imposed to ensure that the staggering arrangement relied upon in the submitted Traffic Impact Report could be managed and dealt with on the site without impact onto the surrounding local traffic network. As the applicant has now submitted an updated Traffic Impact Report, Council is not in a position until further assessment is provided by the technical officers.

	and how this shall be addressed by traffic management arrangements; d) Identify traffic movements that would significantly affect the surrounding road network. Note: The Traffic Management Plan shall be reviewed on a regular basis and where required the plans and where required the plan shall be updated accordingly taking into consideration the changing traffic conditions, altered traffic management arrangements and other issues as identified by Transport for NSW, Council or NSW Police to ensure safety and efficiency of the road network.	understanding of the purpose of this condition, but is unclear what further benefit this would have on controlling any impacts.	
21. Special Events	Special Events Any event requiring a special events approval shall be obtained prior to the event occurring and shall adhere to NSW Government's "Guide to Traffic and Transport Management for Special Events, dated July 2018" prepared in accordance with the <i>Roads Act 1993</i>, <i>Road Transport (Safety and Traffic Management) Act 1999</i> and <i>Roads (General) Regulation 2000</i>. The following requirements shall be adhered to for special events: a) The event operator shall consult with Transport for NSW to identify whether proposed events held on-site are special events. b) Accredited traffic controllers shall be present on-site to manage traffic flows, parking and overflow parking on-site. c) Traffic marshals/controllers involved in traffic control and management duties shall be suitably qualified to comply with Transport for NSW standards and requirements. d) Traffic marshals/controllers shall comply with Work Health and Safety Act 2011 requirements.	Agreed	-

	e) A Special Event Transport Management Plan shall be prepared and approved by the relevant authorities for special events. The plan shall include (but not limited to) the following: • Details shall be provided as to how parking and traffic flow at/near the site shall be managed, including overflow parking; • A contingency plan shall be provided for unplanned incidents that may impact traffic and transport before, during or after the event. The contingency plan shall be fully documented and include emergency contact names and phone numbers; • A risk assessment shall be undertaken for the special event; • A copy of the Traffic Control Plan prepared and approved by a suitably qualified person shall be included. The Traffic Control Plan shall be completed in accordance with AS1742.3 (Manual of uniform traffic control devices Part 3: Traffic control for works on roads) and TfNSW "Traffic Control at work sites" technical manual; • Details Appropriate advance warning signs to warn drivers about any road/lane closures and changes in conditions ahead; and • The event organiser shall take the full responsibility for all traffic control and management associated with the event. The	
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	stakeholders which may be impacted by the special events shall be informed in writing about the event location, duration and any proposed changes. Advertising of transport management arrangements required for 28 days prior to event where regulation of traffic on a public road is required.		
22. Bush Fire Emergency Management and Evacuation Plan	A Bush Fire Emergency Management and Evacuation Plan shall be prepared and be consistent with the NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan, Section 6.8.4 and Section 8.3.8 of <i>Planning for Bush Fire Protection (PBP)</i> 2019, prior to the operation of any non-equestrian event. The Bush Fire Emergency Management and Evacuation Plan shall include (but not limited to) details on: • Mechanisms for the planning for the early relocation of occupants; • A suitable method of staging evacuation, ensuring that evacuation flow is directed through different stages/areas of the site, moving from areas of higher risk to lower risk; • The ongoing provision of the proposed open area bush fire refuge area capable of accommodating all participants and staff; • The closure of the site or cancellation of events on days of severe or higher fire danger rating; • Mechanisms for the provision of advance and on site warnings to patrons identifying that the event is located on bush fire prone land, giving advice on any fire restrictions, emergency warnings, alerts or safety information; and • Emergency management planning during the event organisation stages is to be in	Agreed	-

	consultation with the NSW RFS and all other relevant stakeholders.		
23. Asset Protection Zones	Asset Protection Zones All areas within the subject site currently managed shall continue to be maintained to the standard of an inner protection area (IPA) in accordance with the requirements of Appendix 4 of <i>Planning for Bush Fire Protection 2019</i>, to ensure ongoing protection from the impact of bush fires, for the life of the development. When establishing and maintaining an IPA the following requirements apply: • tree canopy cover should be less than 15% at maturity; • trees at maturity should not touch or overhang the building; • lower limbs should be removed up to a height of 2m above the ground; • tree canopies should be separated by 2 to 5m; • preference should be given to smooth barked and evergreen trees; • large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings; • shrubs should not be located under trees; • shrubs should not form more than 10% ground cover; • clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation. • grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and • leaves and vegetation debris should be removed.	Agreed	-
24. General Treatment Requirements	General Treatment Requirements NSW Police advise that the following general treatment options shall be adhered to reduce the risk of offences occurring:	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:	To address the matter raised by the applicant, it is considered that the wording of the condition shall be amended to as follows:

	• All CCTV surveillance shall be installed, operated and maintained on-site at all times. • NSW Police advise on the setting of benchmark crowd/attendance numbers for the use of security guards for events. If a threshold number is expected, then hirers shall consider use of security for their event. • Adequate use of lighting, fencing and maintained vegetation shall be used in areas where structures and vegetation make it possible for offenders to act undetected on-site. • Physical barriers shall be used to attract, channel or restrict the movement of people to minimise opportunities for crime and ensure free flow of pedestrians and traffic. • Car parking areas shall be well lit and general site cleanliness shall be maintained at all times.	<i>NSW Police advise that the following general treatment options shall be considered to reduce the risk of offences occurring.</i>	"The following conditions imposed by NSW Police shall be considered prior to the events occurring on the site." Instead of: "NSW Police advise that the following general treatment options shall be adhered to reduce the risk of offences occurring"
25. Car parking – General	Carparking - General i. The provision and maintenance of the following number of car parking spaces: a. Two thousand and five hundred (2,500) formal off-street car parking spaces for staff and visitors; and b. Nine hundred (900) informal off-street car parking spaces for staff and visitors; Total of three thousand and four hundred (3,400) car parking spaces shall be available for non-equestrian events. Each formal car space shall be permanently line marked and maintained free from obstruction at all times. Staff,	Agreed	-

	company and visitors vehicles shall be parked in the spaces provided on the subject premises and not on adjacent footway or landscaping areas.		
26. Hours of Operation	Hours of Operation The approved hours of operation for the use of the premises for non-equestrian events are: Monday to Sunday: Twenty-four (24) hours a day. Notwithstanding, Hacking Arena shall only operate from 8:00am – 5:00pm Monday to Sunday. These hours of operation are to be in accordance with the operational scenario parameter established in the Noise Impact Assessment Report, prepared by Renzo Tonin & Associates, dated 24 March 2020.	It is not clear why hours are proposed to be restricted in this way. 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.	The submitted Acoustic report only assessed Hacking Arena, during Daytime criteria and therefore it has not assessed the potential acoustic impacts during evening or night time. To address the comments raised by the Applicant the following amendment to the condition is proposed: The approved 24 hours of operation excludes the Hacking Arena, and this Arena shall operate from 7:00am to 6:00pm Monday to Sunday, which includes any bump-in and bump-out.
27. Hacking Arena	Hacking Arena Hacking Arena, shall not be used for the purpose of a festivals at any time.	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.	The purpose of this condition was to ensure acoustic amenity to the nearby residential dwellings. It is noted that certain higher decibel events were not considered in this arena. In order to address the Applicant's comments it is considered that the condition be amended as follows: All non – equestrian events within the Hacking Arena shall not exceed the following: • Hacking Arena, PA system Sound Power Level, dB(A) shall not exceed 114 dB(A) at any time. • Hacking Arena, Amplified music utilising portable speaker (max 2m above ground level) Sound Power Level, dB(A) shall not exceed 107 dB(A) at any time.
28. Complaints Register	Complaints Register A telephone number during the operation of non – equestrian events, of the person responsible for the operation of	Agreed	-

	the event shall be made available to the adjoining residences and businesses via letterbox drop to a radius of 250 metres from the boundaries of the subject site. The letterbox drop shall take place at least once every twelve (12) months or should details of the operator change. The person shall be available at all times during the operation of the event. A Complaint's Management Register shall be kept by the event operator to record any complaints during the operation of the premises, and how these issues have been resolved. The register shall be made available to Council upon request. Evidence of this condition being satisfied shall be submitted to Fairfield City Council.		
29. Vehicles Servicing the Site	Vehicles Servicing the Site Vehicles servicing the site shall comply with the following requirements at all times: All vehicles awaiting loading or unloading shall be parked on site and not on adjacent or nearby public roads.	Agreed	-
30. Illumination of the Premises	Illumination of the Premises Illumination is to be arranged so as not to cause disturbance to the occupants of adjoining and nearby residential premises and in this regard any requirements of Council are to be given immediate compliance.	Agreed	-
31. Monitoring of Patrons Leaving the Site	Monitoring of Patrons Leaving the Site The applicant shall monitor and advise patrons attending the events of their obligations to the surrounding neighbourhood to leave the premises in a quiet and orderly manner, and not to obstruct traffic in the surrounding areas. Patrons are to be advised that Council's Community Enforcement Officers will be patrolling the area and people who have illegally parked (i.e. within 10 metres of an intersection) will be fined.	Agreed	-
32. Advertising Requirements	Advertising Requirements	Agreed	-

	No advertising signs or structures shall be erected without development consent being granted by Council. The applicant is advised as an initial step to contact Council on telephone number 9725-0222, with regards to the requirements for the erection of signs.		
33. Site Operation	Site Operation The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land. a) The use of the premises shall not give rise to “offensive noise” as defined under the Protection of the Environment Operations Act, 1997. b) The use of the premises is not to interfere with the amenity of the residential area. c) Non-equestrian events shall operate in accordance with operational scenario parameter established in the Noise Impact Assessment Report, prepared by Renzo Tonin & Associates, dated 24 March 2020. d) Event organisers shall comply with the relevant Public Health Order requirements and COVID-19 restrictions in place during the event. e) All events shall be held within the site and not on the adjoining/nearby public roads. f) Evidence is to be submitted to Council, that Public Liability Cover of minimum value of \$20,000,000.00 has been obtained by the operators of the fundraiser in regards to any carnival rides. Should this insurance not be obtained at least two (2) days prior to the event, the event shall not proceed.	a) Agreed. b) Agreed. c) Agreed. d) Agreed. e) Agreed. f) Delete – this condition appears to relate to a specific event. g) Agreed. h) Agreed.	The applicant proposes to delete Condition No. 33 (f). Council has no concerns in this condition being removed.

	(The type and nature of amusement devices shall be detailed in the Public Liability Cover documents (copy to be submitted to Council prior to the event). All carnival rides shall be inspected and approved by the Work Cover Authority prior to operation. g) No liquor (intoxicating) is to be consumed in a public place other than those areas approved by the Licensing Court of New South Wales. h) The installation and operation of the amusement device(s) shall be installed erected and operated in a safe manner and comply with the following standards: a. The ground on which the device is to be erected shall be sufficiently firm to sustain the device while it is in operation and shall not be dangerous because of its slope or irregularity or for any other reasons. b. The device shall be separated from all public areas by an appropriate safety barrier. c. The device must be registered under the Construction Safety Regulations, 1950 and all relevant conditions complied with. d. The operation and maintenance of all amusement rides and devices shall be conducted in accordance with Australian Standard AS3533.2-1997. e. There is in force a contract of insurance or indemnity which indemnifies to an unlimited extent (or up to an account of not less than \$20,000,000.00 in respect of each accident) each person who would be liable for damages for death or personal		
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	injury arising out of the operation or use of the device and any total of partial failure or collapse of the device against that liability. f. The operator/owner of the rides/devices shall provide copies of current inspection certificates issued by the WorkCover Authority.		
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Yours faithfully,



Miss J Kokden
Development Planner