

Mulgoa Concert

1041-1117 Mulgoa Road, Mulgoa

Statement of Environmental Effects

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Prepared for:

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1.0 Introduction

This Statement of Environmental Effects has been prepared as part of an Integrated Development Application (IDA) seeking approval for a temporary concert at Allotment 10 in DP 615085, otherwise known as 1041-1117 Mulgoa Road, Mulgoa (the site). The concert is to in April 2017, to the east of the State Heritage Listed Fernhill House, between the main drive and the northern driveway.

The application is made pursuant to Clause 2.8 'Temporary use of land' of the Penrith Local Environmental Plan 2010 (PLEP 2010). Included amongst documentation forming part of this application (see Table 1) is a Heritage Impact Statement which concludes that this event will have a negligible impact on the State Heritage Listed Fernhill Estate and curtilage.

Table 1: Documents forming part of this application

Number	Document:	Consultant:
1	Development Application Drawings	ae design partnership
2	Statement of Environmental Effects	ae design partnership
3	Plan of Management	Fernhill Estate
4	Traffic Report	Who Dares Pty Ltd
5	Heritage Impact Statement	Paul Davies Pty Ltd
6	Acoustic Report	Wilkinson Murray Pty Ltd
7	Accessibility Report	NWS Accessibility

2.0 Proposal

This Development Application is seeking permission to undertake a single, temporary, cultural event under Clause 2.8 'Temporary use of land' of the PLEP 2010. This one-off event is for a concert for 5,000 attendees, with a maximum of 1,800 vehicles, located in the Upper Amphitheatre area of the Fernhill Estate.

The Concert will be held on a Sunday, either the 16, 23 or 30 of April 2017. The event will occur between 5pm and 10pm.

We anticipate 5 working days to prepare for the event and three working days to remove all structures from the event.

The Amphitheatre is located to the north west of the racetrack and is a large tract of land with a fall from west to east, forming a natural amphitheatre. The Upper Amphitheatre is located in this area, adjoining the House and Garden area to the south east.

The proposed concert falls under the definition of an 'entertainment facility' under PLEP 2010, which "means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club". This use is prohibited in the E3 Environmental Management land use zone.

The proposed layout for this event is illustrated in the Development Application Drawings prepared by ae design partnership DA01 and DA02.

This event will be located in the designated Upper Amphitheatre area, and so will not be located within or directly adjacent to any of the heritage buildings. A temporary covered stage will be 20m by 7m in size, which will be constructed on the existing access road facing North West towards the House and Garden area.

Temporary structures, in addition to the stage and seating, will include two bars placed either side of the stage. The bars will provide both alcoholic and non-alcoholic beverages and snack food, with other food to be self-catered by the patrons. There will also be temporary portable toilets, including disabled portable toilets, constructed on the far side of the bars. It is predicted that forty three portable toilets will be required, a rate of 1 toilet per 70 patrons.

A Plan of Management has been prepared by Fernhill Estate, which provides the specifics of management and details of temporary structures associated with the proposal.

3.0 Suitability of Proposal

We consider the proposed temporary event suitable for approval on the following grounds:

1. Several temporary events have been approved and successfully carried out in the subject site, including picnic races and concerts.
2. Likely to have a positive social and economic impact derived from:
 - a. Creates temporary casual employment opportunities for setting up and running the event;
 - b. Increased patronage of local services, including hotels, shops, restaurants and the like.
 - c. Fernhill Estate made publicly accessible, allowing local residents and visitors alike to experience the State Heritage Listed Fernhill Estate and broader scenic and landscape character of the Mulgoa Valley.
3. Will not adversely impact the State Heritage Listed Fernhill Estate, as ensured by careful design of temporary structures, appropriate people management and placement of amenities, as detailed in the Plan of Management and supported by the Heritage Impact Assessment.
4. Will not adversely impact existing ecology or water catchments, being located away from drainage lines and waterbodies and not within environmentally sensitive land.
5. Incorporates appropriate bushfire safety measures, including:
 - a. Located in an area cleared of vegetation as part of previous landscape/gardening and agricultural activities;
 - b. Person to be assigned to monitor site weather conditions and media to maintain bushfire awareness;
 - c. Exclusion of visitors from heavily vegetated parts of the property during the event (see Plan of Management);
 - d. Pre-planning including rallying points and evacuation routes in the event of bushfire on or near the property or if an official warning is issued by authorities; and
 - e. Site staff, contractors and visitors informed of the specific bushfire risks they may be exposed to and how to mitigate these risks, in accordance with the Prepare Act Survive format with the information being distributed in a simple preparedness guide (sub-plan to the Bushfire Management Plan) and used as a site induction and information tool.
6. Incorporates appropriate amenities, including:
 - a. Potable water via temporary tanks;
 - b. Portable toilets, including disabled toilets;
 - c. Food and drink facilities, the latter being provided by a licenced vendor complying with all relevant liquor legislation and policy; and
 - d. Bins of a variety of sizes and types for general waste and co-mingled recycling and glass, to be brought on and removed from site by a private contractor.
7. Will not have significant acoustic impact, being limited to a single evening in April.
8. Incorporates appropriate traffic management strategy, as detailed in Traffic Management Report (Who Dares Pty Ltd).

4.0 Legislative Assessment

The proposal is assessed against Clause 2.8 'Temporary use of land' of the Penrith Local Environmental Plan 2010. The proposal is consistent with the Aims of Plan set out in Clause 1.2 and zone Objectives set out in Clause 2.3 Zone objectives and Land Use Table – E3 Environmental Management.

2.8 Temporary use of land	Comments:	Compliance:
(1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.	<p>The event will utilise temporary structure and does not involve any alterations to the landscape, and so will not compromise any future uses for the land.</p> <p>It will promote casual employment for the running of the event and for businesses providing resources required for the hosting of the event.</p> <p>The event could potentially increase patronage to Mulgoa businesses on the day.</p> <p>The event will promote social engagement in a sustainable adaptive reuse of heritage listed lands.</p> <p>No vegetation will be cleared and it will not impact any water courses or catchments, or areas of significant ecology.</p>	✓
(2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 28 days (whether or not consecutive days) in any period of 12 months.	The subject site has not had development consent for more than 28 days in the past 12 months.	✓
(3) Development consent must not be granted unless the consent authority is satisfied that:		
(a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and	The proposal is in line with other proposals for the site and will not prejudice the subsequent development on the subject land.	✓
(b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and	<p>The impacts of this temporary event will be negligible.</p> <p>There is no proposed alterations to existing structures or the landscape.</p> <p>In terms of acoustics, the event is to occur in a single evening with substantial warning</p>	✓

	<p>provided through Council's notification period and subsequent ticket sales through local media. It is to be situated at a minimum distance of 750 metres from the nearest property and utilises the existing topography for acoustic shielding.</p> <p>The event will not require any additional works to Mulgoa Road or the access driveway to accommodate traffic. Parking is to be provided on site.</p>	
(c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and	The temporary event will not alter any part of the ground surface or require the removal of any trees, will not be located in environmentally sensitive areas and will not impact any drainage lines or water bodies.	✓
(d) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.	Noted.	✓

5.0 Conclusion

The proposed temporary event for the purpose of a concert at Allotment 10 in DP 615085, otherwise known as 1041-1117 Mulgoa Road, Mulgoa is recommended for approval on the grounds that:

1. Several temporary events have been approved and successfully carried out in the subject site, including picnic races and concerts.
2. Likely to have a positive social and economic impact.
3. Will not adversely impact the State Heritage Listed Fernhill Estate, as ensured by careful design of temporary structures, appropriate people management and placement of amenities, as detailed in the Plan of Management and supported by the Heritage Impact Assessment.
4. Will not adversely impact existing ecology or water catchments, being located away from drainage lines and waterbodies and not within environmentally sensitive land.
5. Incorporates appropriate bushfire safety measures.
6. Incorporates appropriate amenities.
7. Will not have significant acoustic impact, being limited to a single evening in April.
8. Incorporates appropriate traffic management strategy, as detailed in Traffic Management Report (Who Dares Pty Ltd).

The proposal is consistent with Clause 2.8 'Temporary use of land' and Aims of Plan set out in Clause 1.2 and zone Objectives set out in Clause 2.3 'Zone objectives and Land Use Table – E3 Environmental Management' of the Penrith Local Environmental Plan 2010.