

PENRITH CITY COUNCIL

MAJOR ASSESSMENT REPORT

Application number:	DA16/1375
Proposed development:	Music Concert to be held on One (1) Day in May 2017 with a Maximum of 5,000 Attendees
Property address:	1041 - 1117 Mulgoa Road, MULGOA NSW 2745
Property description:	Lot 11 DP 615085 Lot 2 DP 541825 Lot 10 DP 615085 Lot 10 DP 615085
Date received:	20 December 2016
Assessing officer	Wendy Connell
Zoning:	E2 Environmental Conservation - LEP 2010 E3 Environmental Management - LEP 2010 SP2 Infrastructure - Classified Road - LEP 2010
Class of building:	N/A
Recommendations:	Approve

Executive Summary

Council is in receipt of a Development Application from Biofin Pty Ltd seeking approval for a one-day Music Concert, with a maximum of 5,000 ticketed spectators, to be held on 7 May 2017 at "Fernhill Estate" 1041-1187 Mulgoa Road, Mulgoa.

The Development Application (DA) was submitted as an integrated application, as approval from the New South Wales Environmental and Heritage Office is required.

The subject site is partly zoned E2 Environmental Conservation (Western Precinct), E3 Environmental Management (Central and Southern Precincts) and SP2 Infrastructure (land along Mulgoa Road) under Penrith Local Environmental Plan (LEP) 2010. The proposed concert is permissible on the site as a temporary use in accordance with Clause 2.8 of Penrith LEP 2010.

In response to the proposed development being advertised in the local newspaper, a widespread notification to over 400 residents within a 2km radius of the development site and public exhibition of the DA, a total of 8 submissions were received, 7 raising concerns with the development proposal and 1 in support. The submissions raised issues of noise and traffic impacts, site suitability, heritage, social and economic benefits, event management and the notification process.

A number of the issues raised in submissions are very relevant, particularly noise impacts.

The event is a one-day temporary use of the site and would be subject to strict environmental management requirements. Whilst there will be some short term impacts, these are not unreasonable nor considered to be adverse. On balance the proposal is considered to have merit and is recommended for conditional approval.

Site & Surrounds

The subject site is situated on the western side of Mulgoa Road, between Mayfair Road to the north and Fairlight Road to the south. It is approximately 700 hectares in area and is characterised predominantly as having a rural landscape with creek flats, gentle sloping agricultural land, wooded hills and escarpment areas. The Blue Mountains National Park and Nepean River are located to the rear of the site.

The site has been identified as a State Significant Heritage Item, with the main residence (single storey ashlar sandstone house) being completed in 1845. Various structures are located on the site in addition to the main residence including the stables and coach house, swimming pool, winery ruin, stone bridges, sheds, dams and rural fencing. The site is also a horse track and other equestrian facilities on the site.

The surrounding area is characterised by modest size dwellings on large rural allotments, with smaller residential lots and associated dwellings located within the adjoining Mulgoa Village area. The Blue Mountains National Park provides a backdrop for the locality.

The major roads in close proximity to the site include Mulgoa Road and The Northern Road. Mulgoa Road is aligned in a north-south direction and runs adjacent to the eastern boundary of the site, with The Northern Road located further east. Both roads provide major north-south links between Penrith and other Western Sydney suburbs, and the M4 Motorway to the north.

Mulgoa Road has a posted speed limit of 80km/h in the vicinity of the site reducing to 60km/h south of the site on approach to the township of Mulgoa. Mulgoa Road carries approximately 7,100 vehicles per day.

Proposal

The proposed development as shown in the plan of the site (Attachment 1) comprises of the following:

1. Use of the land for the purpose of holding a music concert on 7 May 2017.
2. A total of 5,000 tickets to be made available for the event. Various tickets are available to the public, including general admission and VIP ticketing.
3. Gates to the venue to open at 3pm (advertised for 4pm). The concert to commence at 5pm and conclude at 10pm. Gates be closed at 11:30pm.
4. On-site parking to be provided, with 1800 spaces available for spectators and staff.
5. Temporary structures required as part of the event include staging, seating, bathroom facilities, food and drink stands, crowd barriers, generators and water services.
6. Directional, safety and way finding signage will be provided.

Construction works for the temporary structures is proposed to commence on 3 May 2017, with the site to be returned to its original state by 10 May 2017.

Plans that apply

- Local Environmental Plan 2010 (Amendment 4)
- Development Control Plan 2014
- State Environmental Planning Policy (Infrastructure) 2007
- Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

Planning Assessment

• Section 79C - Evaluation

The proposal has been assessed in accordance with Section 79C of the Environmental Planning and Assessment Act 1979, with due regard to relevant legislation and planning instruments: -

Section 79C(1)(a)(i) The provisions of any environmental planning instrument

State Environmental Planning Policy (Infrastructure) 2007

The DA was referred to the Roads and Maritime Services (RMS) in accordance with Clause 104 Traffic-generating Development of the State Environmental Planning Policy (Infrastructure) 2007.

RMS has no objection to the proposed development and will provide further comments regarding traffic management for the event through the Local Traffic Committee.

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

Sydney Regional Environmental Plan No. 20 (SREP 20) integrates environmental planning with catchment management to protect the Hawkesbury-Nepean River system. This requires the impact of future land use to be considered in a regional context. SREP 20 covers water quality and quantity, environmentally sensitive areas, riverine scenic quality, agriculture, urban and rural-residential development. SREP 20 applies to all parts of the catchment in the Sydney region (15 local government areas), except for land covered by State Environmental Planning Policy (Penrith Lakes Scheme) 1989. SREP 20 is supported by an Action Plan, which includes actions necessary to improve existing conditions.

The proposed development is in accordance with the general considerations set out in Clause 5 of SREP 20 and the relevant specific planning policies and related recommended strategies set out in Clause 6.

Water NSW was consulted on the DA and considered the risk to water quality, land and assets as low, and therefore had no specific comments or requirement for the application.

Erosion and sediment control measures are to be installed within the car parking area to protect the existing waterways within the site.

Local Environmental Plan 2010 (Amendment 4)

Provision	Compliance
Clause 2.8 Are the temporary use of land requirements achieved?	Complies - See discussion
Clause 5.10 Heritage conservation	Complies - See discussion
Clause 7.18 Mulgoa valley	Complies - See discussion

Clause 2.8 Are the temporary use of land requirements achieved?

The subject site is partly zoned E2 Environmental Conservation (Western Precinct), E3 Environmental Management (Central and Southern Precincts) and SP2 Infrastructure (land along Mulgoa Road) under Penrith Local Environmental Plan (LEP) 2010. The proposed development is permissible under the temporary land use provisions of LEP 2010.

Clause 2.8 of LEP 2010 permits the temporary use of land, and states:

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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.*
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.*
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*
 - b. *the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and*
 - 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*
 - 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.*
4. *Despite subclause (2), the temporary use of a dwelling as a sales office for a new release area or a new housing estate may exceed the maximum number of days specified in that subclause.*
5. *Subclause (3) (d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4).*

In the event that the owner/applicant wishes to hold the event at the site in the future, a separate DA would need to be submitted.

A rehabilitation plan is required and enacted at the completion of the event to return the site to its pre-development state.

Clause 5.10 Heritage conservation

The house, outbuildings and landscape are heritage listed in Schedule 5 of Penrith LEP 2010, as an item of State significance.

A Heritage Impact Statement has been submitted with the DA detailing the fabric of the heritage listed building. Important landscaping will not be impacted by the proposed development through the use of areas within the site that are not considered to be significant in terms of heritage value.

The DA was referred to the NSW Environment and Heritage Office (OEH) for consideration under Section 91A of the Environmental Planning and Assessment Act 1979. General Terms of Approval were issued by OEH on 31 March 2017.

Clause 7.18 Mulgoa valley

The proposed development can stimulate the local economy and tourism potential for the Penrith region. As the development is for a one (1) day only temporary event no permanent structures are proposed that will adversely impact the historic significance of the heritage item or landscape character of Mulgoa Valley.

Section 79C(1)(a)(ii) The provisions of any draft environmental planning instrument

There are no draft planning instruments for consideration.

Section 79C(1)(a)(iii) The provisions of any development control plan

Development Control Plan 2014

Provision	Compliance
C1 Site Planning and Design Principles	N/A
C2 Vegetation Management	Complies - see Appendix - Development Control Plan Compliance
C3 Water Management	Complies - see Appendix - Development Control Plan Compliance
C4 Land Management	N/A
C5 Waste Management	Complies - see Appendix - Development Control Plan Compliance
C6 Landscape Design	N/A
C7 Culture and Heritage	Complies - see Appendix - Development Control Plan Compliance
C8 Public Domain	N/A
C9 Advertising and Signage	N/A
C10 Transport, Access and Parking	Complies - see Appendix - Development Control Plan Compliance
C11 Subdivision	N/A
C12 Noise and Vibration	Complies - see Appendix - Development Control Plan Compliance
C13 Infrastructure and Services	N/A
E9 Mulgoa Valley controls	Complies

Section 79C(1)(a)(iiia) The provisions of any planning agreement

There are no planning agreements for consideration.

Section 79C(1)(a)(iv) The provisions of the regulations

Council's Building Surveyor has raised no objection to the proposed development regarding fire safety considerations as prescribed under the Environmental Planning and Assessment Regulations 2000, subject to the imposition of conditions of consent.

Section 79C(1)(b) The likely impacts of the development

Built and Natural Environment

The temporary nature of the proposed development includes the installation of various temporary structures which will be removed upon completion of the one-day event. The layout of the existing paddocks, and the utilisation of the natural amphitheatre within the paddock area for a music concert, provides a suitable response to safeguard the existing heritage buildings and associated landscaping from being altered by the proposed development. A rehabilitation plan is to be provided and implemented, to return areas disturbed by the event back to their pre-development state.

The site is identified as being bushfire prone land. The use of the site for a music concert will not increase the bushfire risk of the site and the amended date in May is less likely to be affected. A Bushfire Management Plan is required to be submitted to Council for consideration prior to the use of the site. The DA was referred to the NSW Fire and Rescue and the NSW Rural Fire Service and no objections were raised. NSW Fire and Rescue provided some advisory information which has been incorporated into the conditions.

Access, Transport and Traffic

A Traffic Management Plan was submitted with the DA detailing the intended paths of travel to and from the site, the provision of special event directional signage, the use of temporary Variable Message Signage (VMS), road closures and the use of traffic control officers/local Police to management movement of vehicles on the event day.

Parking areas are to be provided within existing paddocks, including the provision of 1800 parking spaces for spectators and event staff. Spectators will be able to pre-purchase car parking tickets for the event.

The Traffic Management Plan has been considered by Council's Traffic Engineers, Penrith Local Area Command, Roads and Maritime Services, and endorsed by the Local Traffic Committee.

Noise Impacts

The Acoustic Report originally submitted with the DA did not address the acoustics matters related to the proposed event. Subsequently, an amended Acoustic Report was prepared and submitted.

The Acoustic Report dated January 2017 has been assessed by Council's Environment Team Leader, and found to be unsatisfactory. Notwithstanding this, given the proposed finish time of 10pm the proposal can comply with relevant noise criteria and a condition is recommended.

A minimum of two measurements are to be undertaken by a suitably qualified consultant during the event at each monitoring location to provide data on noise generated at different stages during the event. A report detailing the outcomes of the event is to be submitted to Council within 28 days of the event.

Council's Environment team will also be in attendance to undertake their own noise assessment and should noise exceedances be identified event management can be required by order to reduce noise levels emitted.

A letterbox drop to residents within a 1km radius of the property boundaries is to take place within 1 week of the event. The purpose of this letter is to advise residents of the details of the event including the provision of a landline and mobile phone option for contacting event organisers. The hotline is to ensure residents are able to contact event organisers with any concerns during the event.

Noise is anticipated to be generated from such a large scale music event. The size of the event site, the location of the stage and temporary structures within the site assist in minimising the transmission of noise of from the site. The event is to be held on one-day, during reasonable hours of the day and evening. With the appropriate management plans in place, the noise from the event is considered not to have an unreasonable nor adverse impact on the community. This proposal also provides an opportunity to substantiate noise levels during operation, which can be specific to a particular site, for any further proposals.

Social and Economic Impacts

Opportunities for employment leading up to and during the event is a positive outcome of the development. The event also provides an opportunity for the local community to engage in a social activity without the need to travel long distances to other entertainment facilities outside the area.

The proposed event can stimulate the local economy both on and off the site. On-site benefits include fees for admission and parking, food and beverage sales, and event souvenirs. Off-site benefit can include accommodation for overnight visitors, spending at restaurants, service stations and local tourist attractions. Although the injection of money into the local economy is only short term, raising the profile of a city through a diversity of activities and locations can lead to lasting economic benefits.

Section 79C(1)(c)The suitability of the site for the development

The temporary nature of the use and structures associated with the event means these elements will be removed from the site upon the completion of the event. The land area is such that it is capable of accommodating all aspects of the development, in particular car parking areas within the existing paddocks.

While it is noted that there will be impacts on the movement of traffic within the vicinity of the site, particularly at peak times of people entering and exiting the site, the management of the traffic through the provisions outlined in the Traffic Management Plan will ensure the safe movement of vehicular traffic within the vicinity of the site.

Section 79C(1)(d) Any Submissions

Community Consultation

In accordance with Penrith Development Control Plan 2014, the proposed development was advertised and notified with an exhibition period from 13 January to 13 February 2017. During the exhibition period the date of the event was altered from April to May, a new Acoustic Report was submitted and advice was received that neighbouring properties had not received a notification letter. A further neighbour notification letter was therefore sent with the exhibition period extended until 20 February 2017. In total over 400 owners/occupiers within a 2km radius of the development site were notified, including Mulgoa Progress Association.

8 submissions were received in response to the notification period.

- *Traffic Impacts*

A submission suggests an alternative route via Chain of Ponds Road from The Northern Road as opposed to Littlefields Roads for the traffic movement.

The Traffic Management Plan submitted by the applicant has been assessed by Council's Traffic Engineers, Penrith Local Area Command and the Roads and Maritime Services, and the proposed paths of travel is considered acceptable.

- *Adverse Noise Impacts*

Submissions raised concerns regarding the generation of noise during the event, the need for noise monitoring and the criteria to which Council assesses Development proposals.

In assessing any proposed development Council assess the potential noise impacts against the relevant NSW Guidelines and Policies. In most circumstances the most stringent noise criteria, which is known as '*intrusive noise criteria*', is applied. Special Conditions are recommended which can be achieved given the scale of the site and the hours proposed.

The applicant will be required to undertake noise monitoring of the event and submit results to Council. Council's Environment team will also be in attendance to undertake their own noise assessment and should noise exceedances be identified event management can be required by order to reduce noise levels emitted.

- *Site suitability for the proposed development*

The Penrith LEP 2010 enables the provision of temporary land uses within the Mulgoa Valley area. The proposal is not considered to be contrary to the intent of the LEP.

The applicant will be required to rehabilitate the property and return it to its pre-development state. This rehabilitation of the site will include inspections from Council Officers to ensure the works have been undertaken. Given the scale of the site and its setting to accommodate such an event, centrally it is suitable for the development.

- *Heritage item*

A submission raised that the application is being assessed under Clause 2.8 of Penrith LEP and not Clause 5.10 and therefore no revenue raised from the event will be returned to maintain the heritage item on site.

It is noted that Clause 2.8 of Penrith LEP 2010 does not compel the applicant to return funds generated from conducting the music concert on the maintenance of the heritage listed buildings or associated landscaping.

- *Notification process*

This is addressed under the main heading "community consultation."

- *Event Management*

Submissions raised event management concerns relating to security measures such as ratio of security staff to patrons and security and drug management.

The Event Management and Operational Plan submitted with the DA outlines that '*a comprehensive Security and Alcohol Plan will be submitted once a security provider is confirmed*'.

Conditions have been included for the applicant to provide a Security Management Plan and Drug and Alcohol Management Plan to Council prior to the event.

- *Bushfire Management*

A submission raised the issue of the Bushfire Management Plan being excluded from the Event Management and Operational Plan.

It is noted that the Event Management and Operational Plan submitted with the DA referred to Appendix N for the Bushfire Management Plan, however the documentation had not been included with the submission documents.

A Bushfire Management Plan must be submitted to Council for consideration prior to the use of the site.

- *Compliance Action (unrelated to this DA)*

A submission infers that Council has not taken action in relation to compliance matters on the site. These matters relate to On-Site Sewerage Management (OSSM) and conditions of consent for another DA.

Council Officers have responded to a number of complaints regarding a variety of issue on the site. Significant resources have been allocated to investigating and resolving issues. Some of these issues have been resolved and others are ongoing. The proposed music concert does not rely upon the use of any structures or facilities that have compliance matters pending.

- *Social and Economic Impacts*

A submission states that local shop keepers have not received business as a result of any Fernhill event. This submission was from a resident, not a shop/business owner/operator. The submission also questioned how a concert enhances tourist potential.

The term 'local' is not limited to the Mulgoa Village, it extends beyond these boundaries and considers opportunities in a broader context. Event marketing for such an event will use a varies forms of media, appealing to a broad spectrum of people. This has the potential to raises awareness and appeal of the region, and therefore increase visitation numbers and in turn inject money into the local economy into the future.

The proposed event can stimulate the local economy both on and off the site. On-site benefits include fees for admission and parking, food and beverage sales, and event souvenirs. Off-site benefit can include accommodation for overnight visitors, spending at restaurants, service stations and local tourist attractions.

Although the injection of money into the local economy is only short term, raising the profile of a city through a diversity of activities and locations can lead to lasting economic benefits.

- *Precedence*

A submission has raised that the approval of this DA must not set a precedent for more frequent events on the Fernhill site.

The approval of a temporary event application is not considered to set a precedent regarding more frequent events on the site. The temporary land use provisions under Clause 2.8 of Penrith LEP 2010 provides a limitation of 28 days within a 12 month period. The determination and monitoring of temporary events provides Council the opportunity to monitor such events and determine the appropriateness of these events on the site.

This DA being considered is for a one-day music event on 7 May 2017.

Referrals

The application was referred to the following stakeholders and their comments have formed part of the assessment:

Referral Body	Comments Received
Building Surveyor	No objections - subject to conditions
Development Engineer	No objections
Heritage	No objections - subject to conditions
Environmental - Environmental management	Not supported
Environmental - Public Health	Not supported
Environmental - Biodiversity	No objections
Traffic Engineer	No objection subject to conditions
Community Safety Officer	No objections

Environmental - Environmental management

Council's Environment team reviewed the Noise Management Plan prepared by Wilkinson Murray dated January 2017 and found it to be limited in addressing noise generated by the event. Conditions have been imposed and Council's Environment team will be present at the event to undertake noise monitoring.

Environmental - Public Health

There was insufficient supporting information in regard to food, water supply and wastewater management for Council's Public Health team to undertake a thorough assessment. Again, this has been addressed through conditions and information must be submitted and approved by Council three (3) weeks prior to the event.

Section 79C(1)(e)The public interest

The proposal involves conducting a Music Concert to be held on 7 May 2017. The event can attract up to 5,000 patrons to the site. The promotion of the event will attract ongoing interest to the Penrith region and have economic benefits for the greater community.

The proposed event will have minimal impacts on the heritage values of the site, with rectification works to any disturbed areas after the event. Impacts from noise and traffic are recommended to be addressed through conditions to ensure that they are minimised and not adverse or unreasonable.

It is considered that the event would create public benefit, and approval of the application is recommended subject to conditions.

Conclusion

The applicant seeks consent for the purpose of conducting a Music Concert on 7 May 2017 at "Fernhill Estate" 1041-1117 Mulgoa Road, Mulgoa. The proposed development has been determined to be a temporary land use under the relevant planning instrument and satisfies the objectives and provisions of relevant plans.

It is acknowledged that there will be some impacts generated by the event, namely traffic generation and noise. The impacts are not likely to be unreasonable and can be managed and minimised so as not to be adverse. As the event is limited to one (1) day, on balance the proposal represents benefits to the community in terms of economic stimulation and maximising utilisation of a state significant site, without adversely impacting on the existing structures or significant landscaped areas.

The proposed development is therefore acceptable in the circumstances and as such the event is in the public interest and recommended for approval.

Recommendation

That DA16/1375 for a one-day music concert to be held on 7 May 2017 with a maximum of 5,000 attendees be approved subject to the attached conditions.

General

1 [A001](#)

The development must be implemented in accordance with the stamped approved by Council, the application form, and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

2 [A Special \(BLANK\)](#)

The development must be in accordance with the General Terms of Approval issued by the Office of Environment and Heritage in its letter dated 31 March 2017. In this regard, particular attention is drawn to the following requirements which must be satisfied prior to the date of the event:

No. 14 Section 60 Application - An application under Section 60 of the Heritage Act 1977 must be submitted to and approved by the Delegate of the Heritage Council of NSW prior to work commencing.

No. 11 Additional Information - The following additional information is to be submitted to the Heritage Council for approval as part of an application under Section 60 of the Heritage Act 1977:

a. A revised traffic management plan demonstrating how traffic will be directed along the racecourse track to the parking area.

b. Details of proposed tree protection measures.

No. 10 Nominated Heritage Consultant - The nominated heritage consultant shall carefully monitor and assess the set-up, operation and pack-down of the event, including site rehabilitation following the event, and address any issues that may arise.

3 [A Special \(BLANK\)](#)

Prior to and during the event the applicant must comply with the recommendations from NSW Fire and Rescue in its letter dated 24 March 2017.

4 [A Special \(BLANK\)](#)

This consent permits a Music Concert on 7 May 2017. Compliance with all conditions of this consent, must be lodged, and approval obtained, prior to operation.

5 [A Special \(BLANK\)](#)

Any future events on the site would require a separate development application.

6 [A Special \(BLANK\)](#)

The maximum number of tickets available for spectators involved in the Music Event is limited to 5,000 people. Evidence of compliance is to be provided to Penrith City Council within two (2) weeks of the event concluding.

7 [A Special \(BLANK\)](#)

All entertainment and trading including the operation of a Public Address and speaker system is to cease at 10:00pm on the day of the event.

8 [A Special \(BLANK\)](#)

The 'Bump In' period is limited to four (4) days prior to the event with the 'Bump Out' period limited to two (2) days after each event.

9 [A Special \(BLANK\)](#)

The event shall comply with all the requirements and undertakings given to and approved by the NSW Police.

10 [A Special \(BLANK\)](#)

Event organisers will be available at a mutually convenient time, at the invitation of Penrith City Council and/or Penrith Police, to discuss and implement agreed Community Safety or Security issues in conjunction with other local Penrith stakeholders should the need arise.

11 [A Special \(BLANK\)](#)

The event structures are to be inspected by Penrith City Council at least 24 hours before the event operates for the public. Fees for the inspection are to be paid, as detailed in Penrith City Council's Fees and Charges, and will be invoiced accordingly

- 12 [A Special \(BLANK\)](#)
The event shall be managed in accordance with the requirements of Schedule 3A - Places of Public Entertainment of the Environmental Planning and Assessment Regulation 2000.
- 13 [A Special \(BLANK\)](#)
Access to the site for the NSW Fire Brigades/ Rural Fire Service/ NSW Ambulance Service is to be made available at all times during the operation of the event.
- 14 [A Special \(BLANK\)](#)
A Bushfire Management Plan is to be submitted to Penrith Council for approval at least three (3) weeks prior to the event. The evacuation plan is to detail the following:
- a) Under what circumstances the function centre is to be evacuated.
 - b) Where will all persons be evacuated to.
 - c) Roles and responsibilities of persons co-ordinating the evacuation.
 - d) Roles and responsibilities of persons remaining with the function centre after evacuation.
 - e) Procedure to contact the NSW Rural Fire Service / Rural Fire Service and inform them of the evacuation and where they will be evacuated to.
- 15 [A Special \(BLANK\)](#)
A Drug and Alcohol Management Plan must be submitted to Council at least three (3) weeks prior to the event.
- 16 [A Special \(BLANK\)](#)
Security and event staff are to promote responsible consumption of alcohol and minimise opportunities for alcohol related antisocial behaviour to occur.
- 17 [A Special \(BLANK\)](#)
Security personnel must be provided within the on-site car park and at each bar area for crowd control and to monitor intoxicated persons and minimise alcohol-related antisocial behaviour.
- 18 [A Special \(BLANK\)](#)
Glass containers must not be permitted, with plastic containers or cans to be used instead. All cans must be opened at the bar.
- 19 [A Special \(BLANK\)](#)
Alcohol must not be brought in to the event, but must only be purchased on site from the licensed vendors. The consumption of alcohol within the car park on the site is not permitted.
- 20 [A Special \(BLANK\)](#)
Bar areas must comply with all RSA and legislative requirements concerning the sale and service of alcohol.
- 21 [A Special \(BLANK\)](#)
Free water must be provided at all bar areas and bottle refilling stations.
- 22 [A Special \(BLANK\)](#)
Lighting should be provided to clearly illuminate entry and exit points, food stalls, toilets, first aid areas and stage area.
- 23 [A Special \(BLANK\)](#)
Access to the main lighting or house lights is essential in case of an emergency. The location of the controls for these lights, and the operation of the controls, must be known to those on-site responsible for emergencies.
- 24 [A Special \(BLANK\)](#)
Clear signage should be displayed throughout the event to clearly indicate entry/exit points, emergency help points, toilets, first aid, stage locations, telephones, vendors and licensed/non-licensed areas.
- 25 [A Special \(BLANK\)](#)
Additional signage is to be displayed throughout the event to clearly mark 'Designated Smoking Areas' and the need to properly dispose of cigarette butts into the correct bins in order to protect the site's heritage items and the environment.
- 26 [A Special \(BLANK\)](#)
All signage associated with the event shall be removed upon completion of the event.

- 27 **A Special (BLANK)**
The 'Event Management and Operational Plan - Fernhill Estate 2017 Concert' provided by the applicant must be followed by all event staff. Training should be provided to staff to ensure they are familiar with the plans and steps that should be followed in the event of an incident or emergency.
- 28 **A Special (BLANK)**
Records should be kept of all incidents at the event, and should include details such as the date, location and time of incident, description of incident, contact details of person involved, and action taken.
- 29 **A Special (BLANK)**
A Security Management Plan must be provided to Council at least three (3) weeks prior to the event. The plan must
- a combination of security personnel and paid Policing for the duration of the event. This includes a number of security guards on the site as determined in conjunction with Penrith Police
 - Crowd Control procedures to be adhered to by security and event staff throughout the event.

Environmental Matters

- 30 **D Special (BLANK)**
Erosion and sediment control measures shall be implemented in and around the car parking areas to prevent mud and soil from vehicular movements from entering dams, tributaries and the stormwater drainage system.
- 31 **D Special (BLANK)**
The erosion and sediment control measures shall be installed in accordance with "Managing Urban Stormwater: Soils and Construction" 2004 and be maintained for the duration of the events.
- 32 **D Special (BLANK)**
No trees or other vegetation (including native understorey and grass species) are to be removed, ringbarked, cut, topped, lopped or wilfully destroyed without the prior consent of Penrith City Council and in accordance with Council's Tree Preservation Order Policy. Tree protection measures may be required where vehicles or structures will be near trees
- 33 **D Special (BLANK)**
No fill material is to be imported to the site without the prior approval of Penrith City Council in accordance with Sydney Regional Environmental Plan No.20 (Hawkesbury- Nepean River) (No.2-1997). No recycling of material for use as fill material shall be carried out on the site without the prior approval of Council.
- 34 **D Special (BLANK)**
No fill, machinery or materials are to be placed or stored within the drip-line of any tree, unless appropriate tree protection measures are in place.
- 35 **D Special (BLANK)**
Dust suppression and minimisation strategies must be employed to manage potential dust nuisances within the site. This is to apply to parking areas, access roads and within the event site.
- 36 **D Special (BLANK)**

Mud and soil from vehicular movements to and from the site must not be deposited on the road.

- 37 **D Special (BLANK)**
All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.
- 38 **D Special (BLANK)**
Any general waste located within the local road network affected by the local traffic diversions (St Thomas road, Farm Road and Littlefields Road) is to be removed from these locations within one (1) week of each event being held.
- 39 **D Special (BLANK)**
A Rehabilitation Plan is to be submitted to Council at least three (3) weeks prior to the event. The rehabilitation works are to be inspected by Council within one (1) week of the rehabilitation works being completed. Fees for the inspection are to be paid, as detailed in Penrith City Council's Fees and Charges, and will be invoiced accordingly.

40 [D Special \(BLANK\)](#)

A detailed Wastewater Management Plan for the storage and disposal of all wastewater needs to be supplied to Council for approval within three (3) weeks prior to the event. The plan should reference the Australian Emergency Manuals Series – Manual 2 *Safe and Healthy Mass Gatherings* (EMA 1999) and any NSW Health requirements. The plan must include but not limited to the number and location of bins, the waste service contractor and how the waste will be removed off the site.

41 [D Special \(BLANK\)](#)

Temporary sanitary facilities, separate from those supplied for food handlers, must be provided for patrons and other event staff in accordance with Table F2.3 of the Building Code of Australia.

42 [D Special \(BLANK\)](#)

The provisions of toilets for the event are to comply with Section 34 and 35 of Chapter 5 in the Emergency Management Practice Manual, prepared by the Attorney General's Department. In addition, hand sanitary stations shall be provided in sufficient numbers for the event.

43 [D Special \(BLANK\)](#)

Showers shall be supplied for any food handlers/event staff who will be staying overnight at the event if this to occur.

44 [D Special \(BLANK\)](#)

All toilet and wastewater facilities are to be operated and located in a suitable location so not to cause water pollution as defined in the provisions of the *Protection of the Environment Operations Act, 1997* and the Regulations made thereunder.

45 [D Special \(BLANK\)](#)

In the event wastewater enters the dams, local water ways or the stormwater system, immediate action is to be taken to minimise any environmental or public health impacts. In addition, Council is to be notified of the incident immediately.

46 [D Special \(BLANK\)](#)

All toilets and wastewater facilities are to be maintained in a clean manner for the duration of the event. The facilities are to be pumped out at a frequency deemed necessary to maintain cleanliness.

47 [D Special \(BLANK\)](#)

Any wastewater discharge or spill is to be cleaned up immediately with the waste being disposed of by a licensed waste contractor.

48 [D Special \(BLANK\)](#)

No wastewater is to be discharged to the environment. All wastewater is to be transported and disposed of at a lawful and licensed facility by a NSW EPA licensed contractor. Copies of receipts are to be provided to Council within one week of the event finishing.

49 [D Special \(BLANK\)](#)

Adequate waste and recycling facilities are to be located around the spectator area to cater of waste disposal. Separate waste and recycling facilities are to be provided for the food and refreshment businesses.

50 [D Special \(BLANK\)](#)

Bins are to be located as to not cause pollution and are to be frequently emptied.

51 [D Special \(BLANK\)](#)

Noise generated from the event is not to exceed the background noise level by more than 5 dB(a) at any time. This is to be assessed at the most-affected point on the property boundary or, if that is more than 30m from the residence, at the most-affected point within 30m of the residence.

52 [D Special \(BLANK\)](#)

All music and use of amplified address systems is to cease at 10:00pm.

53 [D Special \(BLANK\)](#)

Access to venue is to be provided to Council's staff for the purpose of undertaking noise assessments during the course of the event

54 [D Special \(BLANK\)](#)

The requirements of Section 5.3 of the Noise Management Plan (prepared by Wilkinson Murray dated January 2017) are to be complied with at all times.

55 [D Special \(BLANK\)](#)

The compliance noise monitoring shall be undertaken in accordance with Section 6 of the Noise Management Plan (prepared by Wilkinson Murray dated January 2017) and undertaken in accordance with the following frequency:

- Minimum of once during the daytime period (up until 6pm)
- Minimum of twice during the evening period (6-10pm)
- In response to complaints received from the community

56 **D Special (BLANK)**

The requirements of Section 7 through to 9 of the Noise Management Plan (prepared by Wilkinson Murray dated January 2017) are to be complied with at all times.

57 **D Special (BLANK)**

The services of a suitably qualified consultant is to be engaged to conduct noise testing during the event and provide an Event Acoustic Report to be submitted to Penrith City Council within twenty eight (28) days of the event.

The Event Acoustic Report is to comply with Australian Standard AS1055 Acoustics - Description of measurement of environmental noise and New South Wales Environment Protection Authority Industrial Noise Source Policy 2000.

58 **D Special (BLANK)**

The event applicant is to ensure that noise control measures are in place as required by the provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise and the Protection of the Environment Operations (Noise Control) Regulation 2000.

Noise levels generated by the events shall not be audible from the dwellings of neighbouring properties.

59 **D Special (BLANK)**

A noise complaint hotline (landline and mobile) by the event organisers is to be made available to the surrounding area in case noise nuisance occurs. Any complaints are to be reported to the event manager and where necessary action is to be taken to resolve the noise nuisance. The event manager if so required by a Council authorised officer, the acoustic consultant or the NSW Police Force, must have the authority to order the reduction of noise level produced.

60 **D Special (BLANK)**

One (1) week prior to the any functions being held on the site, details of the noise complaint hotline (including landline and mobile phone), the dates and times of the events are to be distributed to residents within 1km of the property boundaries of the site.

Details of the function to be held on the site are also to be displayed within the Mulgoa Progress Association Notice Board, located within the Mulgoa Village Shopping Centre.

BCA Issues

61 **E001 - BCA compliance**

All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

(a) complying with the deemed to satisfy provisions, or

(b) formulating an alternative solution which:

- complies with the performance requirements, or
- is shown to be at least equivalent to the deemed to satisfy provision, or
- (c) a combination of (a) and (b).

62 **E Special (BLANK)**

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/ statement for the building.

63 **E Special (BLANK)**

The development shall comply with the provisions of the Building Code of Australia at all times, with respect to smoke and flame index of materials, emergency lighting, exit signs and firefighting facilities.

64 **E Special (BLANK)**

Access to car parking area, spectator areas and sanitary facilities for persons with disabilities is to be provided and maintained in accordance with the requirements of the Building Code of Australia and AS 1428 "Design for Access and Mobility".

65 **E Special (BLANK)**

The temporary tent structures, stages and platforms, when erected, are to fully comply with Part B1 and NSW Part H102 of Volume One of the Building Code of Australia. A Structural Engineer's Certificate is to be submitted to Council prior to the event, certifying the structural adequacy of the structures.

66 **E Special (BLANK)**

The maximum number of patrons permitted within any part of the structures is to be clearly displayed in a prominent position on each structure.

67 **E Special (BLANK)**

Portable fire extinguishers shall be provided in all areas in accordance with Australian Standard AS 2444–2001 and BCA Part E1.6, with certification submitted to Council prior to the event.

Health Matters and OSSM installations

68 **F Sspecial (BLANK)**

Hand basins must be provided to all food stalls and mobile vans, be readily accessible, and be no more than 5 metres from any food preparation area. They must be freestanding, serviced with hot and cold water through a single outlet, able to be mixed at a temperature of at least 40°C. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to each hand basin.

69 **F Sspecial (BLANK)**

A Potable Water Supply Management Plan is to be provided to Council for approval at least three (3) weeks before the event demonstrating how potable water will be supplied to all required fixtures including food stalls, bars, showers, hand wash basins and stations and anywhere else where a potable water supply is required.

The plan shall demonstrate how water quality will be measured, recorded and maintained at the supply, delivery of water to storage tanks and at the point of use throughout the duration of the event.

The plan should also include information on how the water will be provided to the site, storage tanks, pumps and the distribution system, tank cleaning, location of storage tanks and the security of tanks and the water supply.

70 **F Sspecial (BLANK)**

The potable water supply shall be maintained in accordance with the Australian Drinking Water Guidelines 2016 and the NSW Health Private Water Supply Guidelines 2014. A residual of 0.5 mg/L free chlorine must be maintained in the water supply at all times.

71 **F Sspecial (BLANK)**

Residual chlorine must be measured and recorded at the supply, delivery of water to storage tanks, and at the point of use throughout the duration of the event. Additional chlorine must be added if residuals cannot be maintained in accordance with the NSW Health Private Water Supply Guidelines 2014. Stored water shall be tested from the day of delivery and results recorded a minimum of every 2 hours between the hours of 9:00am and 10:00pm. Records must be available for Council's Environmental Health Officers to inspect upon request. In the event that the testing shows non-compliance with the NSW Health Private Water Supply Guidelines 2014, Council is to be notified immediately and procedures implemented to ensure the water is not available for consumption.

72 **F Sspecial (BLANK)**

Any water carter providing potable water for the event must make available to Council, for inspection, before the event their water carts, cleaning records and logs, and chlorine testing equipment. The supply of water shall be completed in accordance with the NSW Guidelines for Water Carters (NSW Health & NSW Food Authority 2012). The carter must have approval or licensing from Sydney Water or other Water Authority to take water from their supply and the event coordinator must notify Council before the event where water is being sourced from.

73 **F Sspecial (BLANK)**

A Quality Assurance Plan must be developed and submitted to Council and the Nepean Blue Mountains Local Health District for approval at least three (3) weeks before the event.

74 **F Sspecial (BLANK)**

A detailed Food Management Plan is to be provided to Council for approval a minimum of three (3) weeks prior to the event, outlining all aspects of food supply, storage, and delivery. The Food Management Plan must cover all food supplied to staff and the public for this event. The Food Management Plan, as a minimum, should include the following:

- Food suppliers;
- Transport of the food to the event;
- Food storage;
- Temperature control (cool rooms etc);
- Hand washing facilities and cleaning facilities;
- Water, electricity and gas supplies;
- Wastewater disposal;
- Garbage bins and disposal;
- Food display and fixtures; and
- Construction of stalls

75 **F Sspecial (BLANK)**

Council requires all food businesses attending this event to obtain approval to sell food prior to the event. This application must be submitted to Council a minimum of three (3) weeks before the event to allow Council sufficient time to assess the applications. Late applications will not be considered or approved. Council will provide the event organiser with a list of approved food businesses prior to the event.

Application to sell food forms are available on Council's website: www.penrithcity.nsw.gov.au

Note: A person selling food or operating stalls or mobile vans used for selling food for human consumption, including produce, fruit and vegetables, drinks, or pre-packaged food, is deemed to be a 'food business' under the Food Act 2003. This includes not-for-profit organisations.

76 **F Sspecial (BLANK)**

A Food Safety Supervisor, with a current Food Safety Supervisor Certificate recognised by the NSW Food Authority, must be appointed by each individual food business selling potentially hazardous food prior to the event. The Certificate must be available at the day of the event for inspection by Council's Environmental Health Officers

77 **F Sspecial (BLANK)**

The proprietor of the food business shall ensure that the requirements of the following legislation, codes, and guidelines are met at all times:

- NSW Food Act 2003;
- NSW Food Regulation 2015;
- The Australian and New Zealand Food Standards Code;
- Guidelines for Temporary Events (NSW Food Authority 2016), and;
- Mobile food vending vehicles: Operation, construction and food handling guidelines (NSW Food Authority 2017)

78 **F Sspecial (BLANK)**

Coolrooms must be supplied by the event organisers for use by all food businesses and power must be maintained to these coolrooms at all times. The Event Coordinator is to liaise with food businesses as to their coolroom and storage needs. Coolroom temperatures must be routinely monitored and temperatures recorded every two (2) hours during the event. The records must be available at the day of the event for inspection by Council's Environmental Health Officers upon request. An alarm/record system must be provided to ensure correct temperatures are maintained overnight.

79 **F Sspecial (BLANK)**

Toilets must be provided for all food handlers and maintained in a hygienic condition. These toilets must be separate to other event toilets and not available to the general public, employees or officials. The toilets must be located in the general vicinity of the food stalls. Toilets shall be supplied with a hand washing facilities that provide warm water through a single outlet and be provided with soap and paper towels. A plan demonstrating the number and location of toilets is to be submitted to Council a minimum of three (3) weeks prior to the event.

Engineering

80 **K Special (BLANK)**

The event applicant is advised that this is a Class 1 Event under the Roads and Maritime Services “*Guide to Traffic and Transport Management for Special Events*”, and that all conditions and requirements specified in the Guide must be complied with prior to the event.

81 **K Special (BLANK)**

The subsequent Traffic Control Plans incorporating all traffic devices be implemented in accordance with the Traffic Management Plan prepared by Who Dares Pty Ltd dated 4 December 2016.

82 **K Special (BLANK)**

A Transport Management Plan, including a Risk Management Plan, is to be lodged by the event applicant with the Roads and Maritime Services for approval prior to the event. A copy of the Roads and Maritime Services approval must be submitted to Council prior to the event.

83 **K Special (BLANK)**

The event applicant is to obtain a separate approval from NSW Police and submit a Schedule 1 Form under the Summary Offences Act to the NSW Police prior to the event. A copy of the NSW Police approval must be submitted to Council prior to the event.

84 **K Special (BLANK)**

The event applicant is to provide confirmation of Public Liability Insurance (usually a Certificate of Currency) of minimum \$10 million, prior to the event. In addition, the applicant is to indemnify Council in writing against all claims for damages and injury which may result from the proposed event.

85 **K Special (BLANK)**

A Transport Management Plan, including a Risk Management Plan, must be lodged by the event applicant with the Roads and Maritime Services and Transport for NSW Traffic Management Centre for concurrence, prior to the event. A copy of the Roads and Maritime Services and Transport for NSW Traffic Management Centre’s approval must be submitted to Council prior to the event.

86 **K Special (BLANK)**

A Traffic Control Plan is to be submitted to Roads and Maritime Service prior to the event. This Plan shall include:

- Details of the proposed speed limit reduction on Mulgoa Road.
- Details of a minimum 4.0m emergency lane to be maintained at all times during the event.
- Details of where variable message signs (VMS) are proposed to be located. The use of VMS are to be in accordance with Roads and Maritime Services Technical Direction TDT2010/07.

87 **K Special (BLANK)**

The event applicant must arrange to place barricades, traffic cones and provide Roads and Maritime Services accredited Traffic Controllers where required by the endorsed Traffic Management Plan. Where the Traffic Management and Traffic Control Plans indicate Traffic Controllers are to be used, all Traffic Controllers must have current Roads and Maritime Services certification.

88 **K Special (BLANK)**

The event applicant is to ensure that a traffic controller is provided on Mulgoa Road, Mulgoa, in the vicinity of the southbound approach back of queue to provide feedback to traffic controllers and to warn approaching drivers of the queue.

89 **K Special (BLANK)**

The event applicant is to ensure that a Road closed – Local Access via St Thomas Road (south) and direction arrow is provided at St Thomas Road (north) intersection with Mulgoa Road, Mulgoa.

90 **K Special (BLANK)**

The event applicant is to ensure that a traffic controller is provided at the intersection of St Thomas Road and Farm Road, Mulgoa to offer direction to motorist attending the event.

91 **K Special (BLANK)**

The event applicant to ensure that a traffic controller and Road Closed – Local Traffic Only signage is provided at the intersection of St Thomas Road and Kingshill Road, Mulgoa.

92 **K Special (BLANK)**

The event applicant is to ensure that Fernhill direction signs are provided facing both the north bound and southbound approaches to The Northern Road to Littlefields Road, Mulgoa.

- 93 **K Special (BLANK)**
The event applicant is to ensure that a traffic controller is provided in Farm Road, Mulgoa to monitor and control driver and parking behaviour in the vicinity.
- 94 **K Special (BLANK)**
The event organiser must notify the Ambulance Service of NSW, Fire and Rescue NSW, Rural Fire Service, and the State Emergency Services of the proposed event and submit a copy of the notification to Council prior to the event.
- 95 **K Special (BLANK)**
A request is to be made to NSW Fire and Rescue and NSW Rural Fire Service that any programmed hazard reduction burning in the region that may impact on the Fernhill Music Concert be postponed for the week of the event.
- 96 **K Special (BLANK)**
The event applicant is to provide advice to Council prior to the event that the event complies with the Work Health and Safety Act 2011 and the Work Health and Safety Regulation 2011.
- 97 **K Special (BLANK)**
All works as part of this approval are conducted at no cost to Council.
- 98 **K Special (BLANK)**
The event applicant must advertise the proposed traffic diversions in local newspapers and other media as described in the Traffic Management Plan, a minimum of two (2) weeks prior to the event.
- 99 **K Special (BLANK)**
The event applicant is to notify private bus companies, coach organisations and taxi companies of the proposed event and submit a copy of the notification to Council prior to the event.
- 100 **K Special (BLANK)**
Where provided, variable message sign boards are to be located in accordance with the Roads and Maritime Services Technical Direction TDT2010/07.
- 101 **K Special (BLANK)**
Any proposed temporary / partial road closures will require the applicant to apply for a Road Occupancy Licence (Form C & D) by contacting the Transport Management Centre's Planned Incidents Unit (02) 83961513 during office hours (8am – 4pm) or 131700 after hours.
- 102 **K Special (BLANK)**
The event applicant to ensure that foliage is cleared near both access driveways to Fernhill Estate in order to improve sight distances for exiting vehicles.
- 103 **K Special (BLANK)**
The event applicant to ensure that railings within the existing fence be removed near the northern, secondary access driveway to Fernhill Estate in order to increase the access width for vehicles entering and exiting the site.
- 104 **K Special (BLANK)**
The event applicant to ensure that access driveway aprons are sealed with asphaltic concrete (AC) or similar in order to minimise rubble spilling onto Mulgoa Road.

Appendix - Development Control Plan Compliance

Development Control Plan 2014

Part C - City-wide Controls

Penrith DCP 2014 applies to the land. The proposal has been assessed, having regard to the provisions of Part C – City-wide Controls and Part E, Section E9 – Mulgoa Valley.

- *C2 Vegetation Management*

The site has been identified as containing Cumberland Plain Woodland. An inspection of the site and documentation provided has revealed that the location of the proposed activities is outside the vegetated areas and as such will have no detrimental impact on native vegetation communities.

Council's Environment Team Leader has considered the proposal and raised no objection as long as the activities remain within the area described in the Statement of Environmental Effects and site plans prepared by AE design partnership dated December 2016.

Recommended conditions relating to tree removal, implementation of erosion controls and protection of existing vegetation on the site have been included within the recommendations of this report.

- *C3 Water Management*

The development site contains a number of water bodies, including creeks of varying sizes and a number of dams. The proposed development does not include any work within or near the dams or water bodies.

The implementation of appropriate erosion and sediment control measures in association with the car parking area will protect the water quality of the existing watercourses located on the site.

- *C5 Waste Management*

Bathroom facilities will be transported to the site to support the event. Conditions have been applied requiring the provision of adequate waste and recycling facilities for participants and food stall holders, as well as the management of waste during the event and the appropriate disposal of the waste from the site.

- *C7 Culture and Heritage*

The site has been identified as a State Significant Heritage Item, with the main residence (single storey ashlar sandstone house) being completed in 1845. Various structures are located on the site in addition to the main residence including the stables and coach house, swimming pool, winery ruin, stone bridges, sheds, dams and rural.

The DA was referred to the OEH for consideration and approval. General Terms of Approval were issued by OEH on 31 March 2017.

- *C10 Transport, Access and Parking*

A Traffic Management Plan was submitted with the DA detailing the intended paths of travel to and from the site, the provision of special event directional signage, the use of temporary Variable Message Signage (VMS), road closures and the use of traffic control officers/local Police to management movement of vehicles on the event day. Parking areas are to be provided within existing paddocks, including the provision of 1800 parking spaces for spectators and event staff. Spectators will be able to pre-purchase car parking tickets for the event. The Traffic Management Plan has been considered by Council's Traffic Engineers, Penrith Local Area Command, Roads and Maritime Services, and endorsed by the Local Traffic Committee.

- *C12 Noise and Vibration*

The development has been assessed against the Open Air Entertainment controls within Penrith DCP, and the most stringent noise criteria set out in the relevant NSW Guidelines and Policies. Conditions have been applied and noise monitoring at the event will be undertaken by Council Officers to ensure the surrounding community is not unreasonably impacted by the event.

E9 Mulgoa Valley

Clause	Not Applicable	Complies	Does Not Comply	Comments
9.1. Siting and Built Form controls	<input type="checkbox"/>			
9.1.1. Heritage Items and Vistas	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Important landscaping will not be impacted by the proposed development through the use of areas within the site that are no considered to be significant in terms of heritage value.
9.1.2. Siting	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
9.1.3. Building Form, Materials and Colours	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
9.1.4. Planting	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
9.1.5. Access, Parking and Services	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Access and parking arrangements have been addressed in the Traffic Management Plan to the satisfaction of RMS, the LTC and Council's Traffic Engineers.
9.1.6. Fences and Entrances	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
9.1.7. Signage	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	All signage for the event is temporary and conditions have been imposed for the removal of signage after the event.
9.2. Other Controls	<input type="checkbox"/>			
9.2.1. Mulgoa Road	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	The Traffic Management Plan supporting the application has been referred to RMS and LTC. No objections were raised subject to conditions.