

PENRITH CITY COUNCIL

MAJOR ASSESSMENT REPORT

Application number:	DA15/0477
Proposed development:	Defqon Music Event and Associated Camping and Entertainment for a Five (5) Year Duration (2015 - 2019) with Capacity for up to 30,000 people per day at the Sydney International Regatta Centre (Friday 18th September to Sunday 20th September)
Property address:	153 - 233 Old Castlereagh Road, CASTLEREAGH NSW 2749
Property description:	Lot 20 DP 1092147 Lot 21 DP 1092147
Date received:	18 May 2015
Assessing officer	Jane Hetherington
Zoning:	RURAL 1(A2) (IDO 93) RURAL (A2) & SPECIAL USES 5(B) ROADS (IDO 93) IDO 13
Class of building:	N/A
Recommendations:	Approve

Executive Summary

Council is in receipt of a development application from Q Dance Australia Pty Ltd, which seeks approval for a Defqon music event and associated camping and entertainment for a five (5) year duration (2015-2019) with the first event being undertaken from Friday 18th September to Sunday 20th September 2015 at the Sydney International Regatta Centre (SIRC).

Sydney Regional Environmental Plan 11 - Penrith Lakes (SREP 11) applies to the land. The proposed development is a "recreation" use which is permissible under SREP 11 with the consent of Council.

The Rural Fire Service, Roads and Maritime Services, NSW Ambulance, the State Emergency Service, Nepean Blue Mountains Local Health District and the Local Police were notified of the proposal and provided no objection to the application. Their comments have formed part of the assessment and recommended conditions of consent. In response to advertisement in the local papers, widespread notification and public exhibition of the application, a total of 20 submissions were received. The submissions raised concerns regarding noise, traffic and security of the patrons at the event. These issues will be discussed in detail in the report.

It is acknowledged that with staging such a large event there is potential for impacts to occur. Impacts such as noise and traffic need to be considered having regard to the economic and community benefits that such an event brings to Penrith. A regional city is conducive to such an event and it will provide a focus on the City for a short time. The application has been assessed under Section 79C of the Environmental Planning and Assessment Act 1979 and it is considered that no unreasonable significant impacts will result from the event. The proposal is considered to have merit and is recommended for conditional approval.

Site & Surrounds

Properties of the site

The subject site is situated within the Sydney International Regatta Centre, which is bounded by Old Castlereagh Road to the west and south, Castlereagh Road and Cranebrook Road to the east and quarries, quarry haul road and the main lake to the north.

The main site for the stages and crowd areas is on the island, which is situated between the warm up and regatta lakes on which is located the Finish Tower, Pavilion, boatsheds, scoreboard, grandstand, administration building and sealed P1 carpark, start town and timing huts, presentation pontoon, spectator seating and informal recreation areas. For the first time, the northern shores of the warm up lakes of the SIRC will be used as part of the major event, to accommodate camping.

History

Council at its Ordinary Meeting on 16 August 2010 granted approval for a ticketed one day music festival from 11am to 11pm, with a maximum of 25,000 attendees to be held annually for 5 years. That application allowed for minor changes to the layout to be altered without the need for a formal application to be lodged with Council. However, in subsequent years, a number of Section 96 applications were approved. One of these applications increased the maximum number of attendees to 30,000.

On 16 August 2011, Council Officers, under delegated authority, approved a new development application for a camping component associated with the music event. This involved camping for 500 patrons, operating between Friday and Saturday night. In 2012, Council approved an increase in the number camping patrons from 500 to 1,000 people.

Proposal

The proposed development involves:

- Up to 30,000 patrons overall;
- Up to 5,000 campers;
- 8 stages of entertainment;
- Amplified entertainment on Friday and Saturday for each annual event up to 11pm, with a soft close 10pm - 11pm on the Saturday evening;
- Use of the northern bank of the Warm Up Lake to establish temporary camping grounds;
- Swimming in a designated and patrolled area of the warm up lake for campers;
- Installation of a temporary footbridge across the Warm Up Lake to provide ingress and egress to the camp grounds for patrons;
- No pass outs for campers and patrons;
- Helicopter joyrides (commence 11am and cease 6pm); and
- The first event is proposed to operate between 18 September and 20 September 2015.

Plans that apply

- Development Control Plan 2010
- State Environmental Planning Policy (Penrith Lakes Scheme) 1989
- State Environmental Planning Policy (Temporary Structures) 2007
- Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

• Section 79C - Evaluation

The development has been assessed in accordance with the matters for consideration under Section 79C of the Environmental Planning and Assessment Act 1979, and having regard to those matters, the following issues have been identified for further consideration:

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

State Environmental Planning Policy (Penrith Lakes Scheme) 1989

The aims of this plan are to:

*"(a) Provide a development control process establishing environmental and technical matters which must be taken into account in implementing the Penrith Lakes Scheme in order to protect the environment,
(b) To identify and protect items of the environmental heritage,
(c) To identify land which may be rezoned for urban purposes, and
(d) To permit interim development in order to prevent the sterilization of land to which this plan applies during the implementation of the Penrith Lakes Scheme."*

The proposal is consistent with the aims and objectives of SREP 11.

Clause 11 relates to development for the purposes of recreation and states the following:

"(1) Development for the purposes of recreation (whether that development is commercial or not) may, with development consent, be carried out on land to which this Policy applies.

(2) The consent authority shall, in determining an application to carry out development for the purposes of recreation, take into consideration the implementation of the Penrith Lakes Scheme and the structure plan."

The intent of the Penrith Lakes Scheme is to provide for a variety of recreation and the proposed music event is consistent with this plan and the intent of Clause 11.

State Environmental Planning Policy (Temporary Structures) 2007

The relevant aims of this Policy are:

*"(a) To ensure that suitable provision is made for ensuring the safety of persons using temporary structures,
(b) To encourage the protection of the environment at the location, and in the vicinity, of temporary structures by specifying relevant matters for consideration."*

The temporary event as proposed satisfies the aims of the Policy.

Clause 12 of the SEPP states that:

Before granting consent to the erection of a temporary structure, the consent authority must consider the following matters:

a) whether the number of persons who may use the structure at any one time should be limited.

Comment: The maximum number of patrons permitted within any part of the structures to be used as part of the event is to be clearly displayed in a prominent position on each structure used. This is recommended as a condition of consent.

b) any adverse impact on persons in the vicinity of any noise likely to be caused by the erection or use of the structure and any proposed measures for limiting the impact.

Comment: Conditions of consent are recommended to require that the noise activities be managed and controlled to ensure inappropriate noise levels do not occur within an unreasonable period.

c) whether the hours during which the structure is used should be limited.

Comment: The proposed hours of operation are acceptable (as detailed in the SEE) provided noise limits are monitored and maintained.

d) any parking or traffic impacts likely to be caused by the erection of the structure or its proposed use.

Comment: The impacts on the operational performance of the surrounding road networks are satisfactory given the significance of the event to the greater Penrith City area.

e) the principles for minimizing crime risk set out in Part B of the Crime Prevention Guidelines.

Comment: Issues of surveillance, access control, territorial reinforcement and space management are to be managed through security controls and access to the event. Risks to minimize crime are satisfactory, refer to Section of report on Crime Prevention Through Environmental Design.

f) whether the proposed location of the structure is satisfactory in terms of the following:

(i) the proposed distance of the structure from public roads and property boundaries,

(ii) the location of underground or overhead utilities,

(iii) vehicular and pedestrian access.

Comment: Adequate vehicular access to the site is provided and lengthy pedestrian trips will be minimized by the shuttle buses provided. The application was referred to Endeavour Energy who provided recommendations to ensure that the location of the temporary structures would not interfere with underground or overhead utilities.

g) whether it is necessary to provide toilets and washbasins in association with the use of the structure.

Comment: In addition to the existing amenities provided in the SIRC premises, temporary amenities will be available to the patrons of the event and serviced regularly.

h) whether the structure is proposed to be erected on land that comprises, or on which there is:

(i) an item of environmental heritage that is listed on the State Heritage Register, or that is subject to an interim heritage order, under the Heritage Act 1977, or

(ii) a place, building, work, tree, relic or Aboriginal object that is described as an item of environmental heritage or as a heritage item in another environmental planning instrument,

(iii) land identified as a heritage conservation area, an archaeological site or a place of Aboriginal heritage significance in another environmental planning instrument.

Comment: Items of heritage significance within the Penrith Lakes are not located in SIRC.

l) the duration for which the structure should be permitted to remain on the land concerned.

Comment: Use of the land for purposes of conducting a music event over a 26 day period annually.

j) whether any conditions should be imposed on the granting of consent in relation to the dismantling or removal of the structure in view of any safety issues.

Comment: Council's Building Surveyor has reviewed the application and provided recommended conditions of consent in regards to the temporary structures.

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

An assessment has been undertaken of the application against relevant criteria with Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997) and the application is satisfactory subject to recommended conditions of consent.

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

Development Control Plan 2010

Provision	Compliance
Part B - DCP Principles	Complies
Part C 1 - Site planning and design principles	Complies - see Appendix - Development Control Plan Compliance
Part C2 - Vegetation management	Complies
Part C3 - Water management	Complies
Part C4 - Land management	N/A
Part C5 - Waste management	Complies - see Appendix - Development Control Plan Compliance
Part C6 - Landscape design	N/A
Part C7 - Culture and heritage	N/A
Part C8 - Public domain	N/A
Part C9 - Advertising and signage	N/A
Part C10 - Transport, access and parking	Complies - see Appendix - Development Control Plan Compliance
Part C11 - Subdivision	N/A
Part C12 - Noise and vibration	Complies - see Appendix - Development Control Plan Compliance
Part C13 - Infrastructure and services	Complies

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

Schedule 3 Designated Development

Part 1 What is designated development?

Clause 2 specifies the landing, taking-off or parking of helicopters and whether it is considered designated development stating:

(b) in the case of helicopter facilities (other than facilities used exclusively for emergency aeromedical evacuation, retrieval or rescue):

(i) that have an intended use of more than 7 helicopter flight movements per week (including taking-off or landing), and

(ii) that are located within 1 kilometre of a dwelling not associated with the facilities.

The intended use of the helicopter flights is greater than 7 movements, being approximately 3 an hour over a 7 hour period during the day. However, the helipad is not located within 1 kilometre of a dwelling not associated with the facilities of the SIRC and therefore does not represent designated development, not requiring an EIS.

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

The Sydney International Regatta Centre has occupied the site prior to 2000 and hosts a number of local, state, national and international events each year. The proposal represents an existing opportunity to expand this range of events which will not adversely impact the current use of the site or adjoining sites and land uses.

(i) Built, Natural and Economic Environment

- *Traffic Impacts*

The Traffic, Transport & Pedestrian Management Plan for Defqon.1 outlines that a Intregated Transport & Entry Ticket will be utilized, whereby patrons are able to travel to the event on all Sydney Trains Services using their entry ticket. As a result, the organizer is expecting that the majority of patrons attending the event will travel by public transport. Additional train services and a free shuttle bus between the station and SIRC will also be operating, further encouraging the use of public transport. The proposal was reported to Council's Local Traffic Committee on 1 June 2015, who endorsed the Traffic, Transport & Pedestrian Management Plan subject to conditions.

- *Noise Impacts*

Given the nature of the event, it is acknowledged that there is likely to be some impact from noise. The application was accompanied by a Noise Impact Assessment and Management Plan prepared by SLR which aims to develop appropriate noise limits and to detail procedures and strategies for minimizing, managing and monitoring the noise impact.

This management plan provides a specific criteria to be met at receiving residential locations throughout the entire event, as well as boundary and stage limits. The noise limits are consistent to previous years (except for at one location which is lower). It is proposed to undertake initial monitoring to confirm the model, with further monitoring undertaken when complaints are received or as required.

As per previous years, the organizers will provide a hotline for residents to contact with concerns of noise before, during and after the event. The organizers will endeavor to respond to any complaint or request for information within one (1) working day before and after the event and within one (1) hour during the event. The hotline will be made known to surrounding residents by way of a letter box drop in the weeks leading up to the event.

Noise is anticipated to be generated from such a large scale music event. The event is to be held one day a year, during reasonable hours of the day. With the appropriate management plans in place, the noise from the event is considered not to have a significant adverse impact on the community.

(ii) Economic and Social Impacts

Opportunities for employment leading up to and during the event are a positive outcome of the proposed development. The event will stimulate local transport services and businesses, maximize utilization of the SIRC and create awareness of the site as a premier cultural, and sporting venue. A large number of event staff and patrons are expected to stay in accommodation for several nights. In previous years a significant number of international and interstate visitors stayed in Penrith to attend to the event.

Patrons to the event are to access the site via the entrance to SIRC off Old Castlereagh Road, and shuttle buses and taxis will be transporting patrons not using private vehicles. The surrounding area, including bus and taxi drop off areas will be patrolled by additional police and this will help minimize potential disruption to nearby and adjoining property owners.

The proposal has been reviewed by the Local Police, SES, NSW Fire Brigade and the Local Ambulance Command and all have endorsed the event and the supporting management plans that accompany the application.

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

The proposal will not have significant impact on other lands in the Penrith Lakes Scheme known to contain any identified items of Aboriginal or European heritage. The site is not bushfire prone and all infrastructure services are available.

The site is easily accessible to traffic and pedestrians via shuttle bus and the existing road network can cater for traffic generated by the development. Local and Regional Public transport is available to the site.

The site is suitable to host an international event. Concerns regarding noise and security have been assessed and given the economic and social benefits this one day events brings to the Penrith area, they are considered to have been mitigated as far as possible.

Section 79C(1)(d) Any Submissions

Community Consultation

In accordance with Clause 4.4 of Appendix F4 of Penrith Development Control Plan 2014, the proposed development was extensively notified (number surrounding owners and residences) and advertised in local papers between 1 June 2015 until 16 June 2015. Council received nineteen (19) submissions in response to the proposal.

Submissions

The following issues were raised in the submissions received and have formed part of the assessment.

Issue Raised	Comments
<i>Noise Impacts</i>	<i>Given the nature of the event, it is acknowledged that there is likely to be some noise impacts to surrounding residential areas. The application was accompanied by a Noise Impact Assessment and Management Plan which details procedures and strategies for minimizing, managing and monitoring the noise impact. The noise levels are consistent or better than previous years, and unlike previous years specific criteria have been nominated that are to be met at receiving residential locations throughout the entire event. The organisers will provide a hotline for residents to contact with concerns of noise before, during and after the event. They will endeavour to respond to noise complaints within one hour during the event.</i>
<i>Traffic Generation</i>	<i>It is noted that the event will generate increased traffic around Penrith and the Penrith Lakes area. A Traffic Management Plan accompanied the application detailing measures to mitigate impacts of the increased traffic and promote the use of public transport. The Traffic Management Plan was presented to Councils Local Traffic Committee and endorsed subject to conditions. With the implementation of these conditions it is considered that the proposal will not have an adverse impact on the traffic in the surrounding locality.</i>
<i>Anti social behaviour</i>	<i>In order to reduce anti social behaviour, including drug activity, organisers will engage two security companies. In addition, both external and user pay policing will be deployed at the event. The Policing Operation has been tailored to ensure adequate coverage by Police for the event. The proposal has been referred to NSW Police who had no objection subject to conditions.</i>
<i>Rubbish within surrounding residential areas</i>	<i>A Waste Management & Cleaning Plan accompanied the application. This details that on-site aggregation of waste into solid mixed waste, cans and commingled recycling is to be undertaken. With all wastes disposed of at licensed waste and recycling facilities. Any litter within surrounding residential area left from patrons leaving the Defqon.1 event should be reported to the organizers via the hotline. This will enable them to investigate and implement the appropriate actions.</i>
<i>Extent of Notification</i>	<i>In accordance with Council's Development Control Plan the application was extensively notified to surrounding owners and residents. The application was also advertised in local papers to ensure that any local residents not included in the notification area, were informed of the application.</i>

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
Environmental - Environmental management	No objections - subject to conditions
Environmental - Public Health	No objections - subject to conditions
Waste Services	No objections
Traffic Engineer	No objection
Community Safety Officer	No objections
Social Planning	No objections

Building Surveyor

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

The event is synchronous with the goal of the Office of Sport, Department of Premier and Cabinet to maximize the public enjoyment of the SIRC. The event will also will bring considerable economic benefits to Penrith and the surrounding region and provide cultural/recreational opportunities within Western Sydney. DefQon.1 is consistent with Penrith City Council's Strategic Plans key themes of achieving a "leading city", a "city of opportunities" and a "vibrant city". As such the proposal is considered to be of public interest.

Conclusion

The applicant seeks consent for use of the land for purposes of conducting a Music Event known as DefQon.1 and associated camping to be held on Friday 18th September to Sunday 20th September and annually for a further (4) year period on land owned by the Department of Planning known as Sydney International Regatta Centre.

The proposed development is permissible under relevant planning instruments and satisfies the objectives and provisions of these plans as proposed.

The site is easily accessible to traffic, adequate public transport is provided and the existing road network can cater for traffic generated by the development. The proposal utilizes the existing intersections to Castlereagh Road, which can cater for increased traffic demands and adequate car parking is provided.

It is acknowledged that there will be some impacts generated by the event, particularly noise affecting nearby and adjoining owners. However, the event will be subject to strict environmental management requirements that will limit hours and noise output levels and is only to occur once a year. On balance, the proposal is not considered to have significant unreasonable impacts. The proposal represents benefits to the community in terms of economic stimulation and maximizing utilization of the SIRC as a premier cultural facility. On proposal is considered to have merit and is recommended for conditional approval.

Recommendation

1. That DA15/0477 for Defqon Music Event and associated camping and entertainment for a five (5) year duration (2015-2019) with capacity for up to 30,000 people per day at the Sydney International Regatta Centre, be approved subject to the attached conditions.
2. That those making submissions are notified of the determination.

CONDITIONS

General

1 A001

The development must be implemented substantially in accordance with the stamped approved plans issued by Penrith City Council, the application form and any supporting information received with the application and the documentation received by Council as required by Condition 3, except as may be amended in red on the attached plans and by the following conditions.

2 A002 Special (BLANK)

This consent permits the running of a one day annual music event accompanied by a two day camping festival to be held in September for a period of five (5) years. This consent is limited to a period of 5 years from the date to which the consent operates. Should the applicant wish to continue beyond this number, a separate application for development approval, demonstrating compliance with all conditions of this consent, must be lodged, and approval obtained, prior to operation.

3 A003 Special (BLANK)

Occurring on an annual basis, relevant documentation (including management reports and certification) are required to be submitted to Council for consideration in accordance with the following table:

Document Title	Timetable
Transport Management Plan submitted to Local Traffic Committee	3 months prior to the event
Event Management Plan including: - Operation Overview - Site Plan layout - Temporary Structure Plans - Structural Engineers Certificates - Annual Noise Impact and Management Plan - Emergency Plan - Risk Management Plan - Security Management/ Deployment Plan - Aquatic Safety Plan - Alcohol Management Plan - Waste Management Plan - Transport Management Plan - Medical Plans (including Major incident plan) - High risk and Amusement Ride Plan - Penrith Station Plan - Camping Management Plan	60 days prior to the event
Final Emergency Management Plan	2 weeks prior to the event
Final Crowd Management Plan	2 weeks prior to the event
Final Helicopter details	2 weeks prior to the event
Confirmation of RMS approval of Traffic Management Plan	2 weeks prior to the event
Sanitary facility plan	2 weeks prior to the event
Acoustic Certificate	24 hours prior to the event
Event Acoustic Report	90 days post event

The approved documents are to be complied with throughout the event.

4 A028 - Entertainment venues of the Environmental Planning & Assessment Regulations 2000

The event shall be managed in accordance with the requirements of Schedule 3A – Entertainment Venues of the Environmental Planning and Assessment Regulation 2000.

5 [A029 - HOURS OF OPERATION AND DELIVERY TIMES](#)

The event structures are to be inspected by Penrith City Council **at least 48 hours before the event operates for the public.**

Fees for the inspection are to be paid at least 7 days prior to the inspection booking date and will be charged as scheduled in Penrith City Council's Fees and Charges.

6 [A02F - Final Stage designs](#)

Final stage designs are to be submitted to Penrith City Council a minimum of 72 hours prior to the event.

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

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

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

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

The entire property of the camping area as well as Stage/Event area shall be managed as an inner protection area (IPA) as outlined within Section 4.1.4 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

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

An Emergency/Evacuation Plan is to be prepared consistent with the NSW Rural Fire Service document 'Guidelines for the Preparation of Emergency/Evacuation plan' or as repealed and replaced. The requirements of this plan are to be implemented throughout the event.

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

A mechanism for the relocation of occupants on days of a total fire ban or adverse fire activity is to be prepared, submitted to Council prior to the event and completed with during the event where applicable.

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

Access to the site for the NSW Fire Brigades is to be made available from the eastern end and from the western end of the site, to the satisfaction of the Brigades.

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

Emergency vehicle access to the site through McCarthys Lane is to be maintained at all times.

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

The recommendations from the Local Traffic Committee Meeting are to be implemented in relation to the 2015 Defqon Event.

Requirements of the Local Traffic Committee are to be obtained then to be complied with for each subsequent event beyond 2015.

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

Prior to the Defqon.1 Event to be held from 2016 - 2019, a revised Transport Management Plan is to be submitted to Council for consideration by the Local Traffic Committee. The revised Transport Management Plan is to be submitted a minimum of three (3) months before each annual event and is considered any matters that have arisen from the previous Defqon.1 events and recommended solutions to these matters.

Should a Traffic Management Plan not be approved prior to the staging of any subsequent Defqon.1 event, then that event **cannot** be undertaken.

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

This consent permits for up to five thousand (5000) people camping on the northern bank of the Sydney International Regatta Centre (SIRC). This consent will expire on the cessation of the 2015 event. Should the applicant wish to continue this use beyond the 2015 event, a separate application or modification application for development approval, demonstrating compliance with all conditions of consent, must be lodged, and approval obtained, prior to operation.

16 [A special BLANK](#)

Entertainment stages are to only operate for the time periods stated in Table 1 of the Annual Noise Impact Assessment and Management Plan, and no MC is permitted to use a microphone between 10:00pm and 11:00pm.

The small DJ setup in the camping area is to operate only between 12:00pm and 6:00pm on Friday and 8:00am and 11am on Saturday, and no MC is permitted to use a microphone during these periods.

The helicopter flights are only to be carried out between 11:00am and 6:00pm on the Saturday of the event.

Environmental Matters

17 D009 - Covering of waste storage area

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.

18 D013 - Approved noise level 1

Noise levels from the premises shall not exceed the relevant noise criteria detailed in the approved Annual Defqon.1 Festival: Noise Impact Assessment and Management Plan. The recommendations provided in the Annual Noise Impact Assessment and Management Plan shall be implemented and incorporated into the design, construction and operation of the event and camping.

Prior to the event, a certificate is to be obtained from a qualified acoustic consultant certifying that the event (including all equipment selected and stages) has been designed and constructed to meet the noise criteria in accordance with the approved acoustic report. This certificate is to be **submitted to Council in accordance with Condition 3, and is to be approved by Council prior to the event.**

19 D special BLANK

All toilet and wastewater facilities are to be operated and located in a suitable location so as not to cause water pollution.

20 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.

In the event that wastewater enters the lake system or stormwater system, immediate action is to be taken to minimise any environmental or public health impacts. Council is to be notified of the incident within 24 hours.

21 D Special BLANK

All effluent from the portable toilets at the event and camping sites and at Penrith Railway Station is to be removed off the site to an appropriate licensed waste facility.

22 D Special BLANK

The noise monitoring proposed in the Annual Noise Impact Assessment and Management Plan is to be carried out during the event. The noise monitoring is to be undertaken with consideration of the monitoring procedures included in the EPA's Industrial Noise Policy and AS1055 Acoustics- Description and measurement of environmental noise. The nominated monitoring locations are not to be changed without the prior approval of Council.

Should the noise monitoring detect any exceedance to the noise criteria approved in the Annual Noise Impact Assessment and Management Plan, the noise levels are to be reduced immediately.

23 D Special BLANK

Sound limiter equipment is to be used for all sound amplification systems used as a part of the event. The sound limiter equipment is to be set and locked by a qualified acoustic consultant at a level which ensures compliance with the Annual Noise Impact Assessment and Management Plan.

24 D Special BLANK

A noise complaint hotline is to be made available to the residents of surrounding areas by the event organisers in case noise nuisance occurs. Any complaints are to be reported to the event manager and all necessary action is to be taken to resolve the noise nuisance. All complaints and action taken is to be logged (including time of complaint, time of response and location of resident), and this log is to be provided to Council as a part of the Post-Event Report.

25 D Special BLANK

A Post-Event Report is to be provided to Penrith City Council within ninety (90) days of the event. This report is to be prepared by a suitably qualified acoustic consultant and is to consider Section 8.5 of the Annual Noise Impact Assessment and Management Plan.

26 D Special BLANK

Pollution prevention mechanisms are to be put in place during all helicopter re-fuelling to ensure that land and water pollution does not occur. All fuel storage areas are to be bunded, with the size of the areas to be bunded equal to 10% of the total volume of the containers stored, or 100% of the largest container stored, whichever is the greater.

BCA Issues

27 E006 - Disabled access and facilities

An access report prepared by a qualified Access Consultant is to be provided for the event. The report shall detail that equitable forms of access are available to patrons with the services provided for the event. The report shall cover details including but not limited to the following:

- Arrival to the site via the means of transport available to patrons including private vehicles and public transport;
- Accessible paths of travel to the areas of entry including the police and bag check areas, cloak rooms, ticket barriers, first aid tents, food and drink tents and other areas of the event requiring public access;
- Access to VIP tent and services provided to the VIP area;
- Camping groups and facilities provided for the campers of the event; and
- Additional portable toilet/shower facilities.

Any recommendations made in the report shall be incorporated into the operations of the event. The report shall be provided to Penrith City Council a minimum of 72 hours prior to the event operating.

28 E01A - BCA compliance for Class 2-9

The development shall comply with the provisions of the National Construction Code at all times, with respect to smoke and flame index of materials, emergency lighting, exit signs and fire fighting facilities. Certification of all fire safety measures installed for the duration of the event shall be provided to Penrith City Council a minimum of 48 hours prior to the event operating.

Health Matters and OSSM installations

29 F001 - General Fitout

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

- Food Act 2003
- Food Regulation 2010
- The Australian and New Zealand Food Standards Code
- Guidelines for Temporary Events (NSW Food Authority 2012) and
- Mobile food vending vehicles: Operation, construction and food handling Guidelines (NSW Food Authority 2009)

30 F002 - Temporary food outlets

An "Application to Sell Food" form is to be completed for all temporary food businesses/outlets operating at the event. This application must be submitted to Penrith City Council a **minimum of 2 weeks prior to the event** commencement. Late applications will not be considered or approved.

31 F024 - Food authority notification

To comply with Clause 4 of Food Safety Standard 3.2.2 each temporary food business is to notify food business details to the NSW Food Authority **prior to the commencement of any food handling operations**. This may be completed on the Food Authority website (www.foodnotify.nsw.gov.au).

32 F025 - Food safety supervisor

A Food Safety Supervisor, with a current Food Safety Supervisor Certificate recognised by the NSW Food Authority, must be appointed by the business prior to commencement of the business.

33 F028 - Staff toilets

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 be available to patrons, officials or other members of the event personnel or public except the operators of the food business. The toilets must be located in the immediate vicinity of the food stall and shall be supplied with a hand wash basin or facility that has warm running water through a single outlet and appropriately serviced with soap and single use towels.

34 F052 - Coolrooms

Cool rooms must be supplied by the event organisers for all food vendors and power must be maintained to the coolrooms. Cool room temperatures shall be routinely monitored and temperatures recorded. An alarm system must be provided to ensure correct temperatures are maintained overnight.

35 F057 - Waste storage

Adequate waste and recycling facilities are to be provided for food businesses.

36 **F Special BLANK**

Catering shall be provided for campers by an approved food business as per the requirements of the Food Act 2003.

37 **F Special BLANK**

The designated swimming area is to comply with the requirements of the NHMRC Guidelines for Managing Risks in Recreational Water 2008. Evidence of compliance is to be submitted to Penrith City Council two (2) weeks prior to each event. Swimming is only permitted when the water temperature is between 16 and 34 degrees.

38 **F Sspecial (BLANK)**

An adequate supply of potable water must be supplied with respect to toilet, shower and refreshment facilities (non-potable water should not be used without prior approval).

39 **F Sspecial (BLANK)**

All portable toilets including toilets at Penrith Railway Station are required to be cleaned as appropriate.

Construction

40 **H002 - Electrical Certification**

All electrical services shall comply with Clause NSW102.14 of the National Construction Code. Certification shall be submitted to Penrith City Council 48 hours prior to the event.

41 **H003 - inspections**

The event structures are to be inspected by Penrith City Council **at least 48 hours before the event operates for the public**. The facilities provided at Penrith Railway Station are to be inspected no later than 9am on the day of the event. Fees for the inspection are to be paid, as detailed in Penrith City Council's Fees and Charges, and will be invoiced accordingly.

42 **H004 - Final management plan**

The final Emergency Management Plan shall be submitted to Penrith City Council in accordance with condition 3. The details are to include a list of the Wardens for the event, the chain of command and interaction with the emergency services who will be present for the event, and a sequence of events to detail the actions that would be taken in the event of an emergency.

43 **H005 - Schedule 3a**

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.

44 **H006 - Portable fire extinguishers**

Portable fire extinguishers shall be provided in all areas in accordance with Australian Standard AS 2444-2001, with certification submitted to Penrith City Council 48 hours prior to the event.

45 **H007 -PCA signage**

Any temporary tent with a stage for the purpose of entertainment shall require a sign to be displayed in a prominent position in the tent that specifies the following:

- The maximum number of persons, as specified in the development consent, that are permitted in any part of the building used as a place of public entertainment;
- The name, address and telephone number of the council of the area in which the building is located.

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46 H008 - Sanitary Facilities

Temporary sanitary facilities shall be provided for the event, with the number of facilities in addition to the permanent facilities available in the buildings, determined in accordance with F2.3 of the National Construction Code as outlined in the following table:-

User Group	WC's		Washbasins		Urinals	
	Population	Number	Population	Number	Population	Number
Male Spectators	1-250	1	1-150	1	1-100	1
	251-500	2	>150	Add 1 per 150	>100	Add 1 per 100
	>500	Add 1 per 500				
Female Spectators	1-15	1	1-60	1		
	16-60	2	61-200	2		
	61-120	3	201-350	3		
	>120	Add 1 per 70	>350	Add 1 per 150		

Based on 20,000(i.e. 10,000 male and 10,000 female)

Gender	WC	Basin	Urinal
Male	21	67	100
Female	145	67	

Based on 30,000(i.e. 15,000 male and 15,000 female)

Gender	WC	Basin	Urinal
Male	31	100	150
Female	215	100	

A final design plan and layout of the toilet facilities is to be submitted to Penrith City Council a minimum of 48hours prior to the event. Aisle widths between each line/bank shall not be less than 2 metres wide to allow for pedestrian movement and passive surveillance of the area.

47 H009 - Amusement rides

All amusement rides and activities shall be outlined in a plan which is to be submitted to Council accordance with Condition (X). The activities shall be carried out in accordance with AS3533.2. All rides are to be inspected by Penrith City Council a minimum of 24 hours prior to the event commencing.

48 H010 - Structural engineer

The bridge connecting the island to the camping is to be certified by a Structural Engineer. A copy of the certification is to be provided to Penrith City Council 48 hours before the event.

49 H Special BLANK

The temporary tent structures and stages, when erected, are to fully comply with Part B1 and NSW Part H102 of Volume One of the National Construction Code. A Structural Engineer's Certificate is to be submitted 48 hours prior to the event to Penrith City Council certifying the structural adequacy.

50 H Special BLANK

Emergency lighting and illuminated exit signs shall be provided in any tent proposed for the use of entertainment in accordance with Australian Standard AS 2293.1, with certification submitted to Penrith City Council 48 hours prior to the event.

Certification

51 Q004 - Dust

Dust suppression and minimisation strategies must be employed to manage potential dust nuisances within the sites. This is to apply to parking areas, access roads and within the event site.

52 **Q006 - Occupation Certificate (Class 2 - 9)**

An Occupation Certificate is to be obtained from Penrith City Council upon completion of all relevant bump-in installation and prior to the opening of the event to its patrons.

The certificate shall not be issued if any conditions of this consent, but not the conditions relating to the operation of the development are outstanding.

Operational Conditions

53 **Q Special (BLANK)**

If security gates are proposed to control access, emergency service providers such as Police, Fire Brigade and Ambulance will need to be liaised with to ensure they can gain access.

54 **Q Special (BLANK)**

Lighting is to be provided within the car park at Penrith Station for the duration of the event.

55 **Q Special (BLANK)**

Generators should be provided to clearly illuminate entry and exit points, food stalls, toilets, first aid areas and stages.

56 **Q Special (BLANK)**

Clear signage should be displayed throughout the event to clearly indicate entry/exit points, public transport locations, emergency help points, toilets, first aid, stage locations, telephones, vendors and licensed/non-licensed areas.

57 **Q Special (BLANK)**

All signage associated with the event shall be removed upon completion of the event.

58 **Q 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.

59 **Q Special (BLANK)**

A medic, temporary water station, toilets and bins are to be provided at Penrith Railway Station and removed at the conclusion of the event at Penrith Station is to be satisfactorily cleaned to that of pre-event conditions.

60 **Q Special (BLANK)**

Appropriate placed barriers and directional signage are to be used to direct the pedestrians towards the busy entry point at Penrith Railway station.

61 **Q Special (BLANK)**

The applicant must provide a combination of security personnel and paid Policing for the duration of the event. This includes a number of security guards on the island determined in conjunction with Penrith Police and agreed to by Penrith City Council 3 weeks prior to the event, in addition to the development of a security and crowd management plan for the Penrith Bus Interchanges and adjoining precincts.

62 **Q Special (BLANK)**

Security personnel must be provided at each bar area for crowd control and to monitor intoxicated persons and minimize alcohol-related antisocial behavior.

63 **Q 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.

64 **Q Special (BLANK)**

Alcohol must not be brought in to the event, but must only be purchased on site from the licensed vendors.

65 **Q Special (BLANK)**

Bar areas must comply with all RSA and legislative requirements concerning the sale and service of alcohol.

66 **Q Special (BLANK)**

Free water at an appropriate temperature must be provided at all bar areas and bottle refilling stations.

67 **Q Special (BLANK)**

Event organisers must be able to communicate with the crowd both for public announcements and in emergencies.

68 **Q Special (BLANK)**

Records should be kept of all incidents at the event, and should details such as the date, location and time of incident, description of incident, contact details or person involved, and action taken. This is to be submitted to Council within 30 days of the event.

69 Q Special (BLANK)

Temporary fencing around the perimeter of the lake edge should be provided and staffed by security personnel, to minimize the risk of people entering or throwing objects into the water.

Appendix - Development Control Plan Compliance

Development Control Plan 2010

Part C - Controls applying to all land uses

C1 Site Planning and Design Principles

1.2.5 Safety and Security (Principles of Crime Prevention through Environmental Design)

Consideration has been given to the principles of this section of the DCP. The principles of CPTED relate to natural surveillance, access control, territorial reinforcement and space management. Comprehensive supporting documentation accompanied the application outlining the various measures that will be implemented during the event to promote safety and minimize harm for event patrons and staff, including: Security Management Plan for Perimeter Security, Emergency Plan, Event Medical Plan, Event Management Plan, Event Ingress and Egress Operations, Crowd Capacity Report and Lighting Plan. As per previous years this documentation has been prepared with the engagement of specialist and emergency services, including local police, NSW Ambulance Services, Medical/First Aid Services, Security personnel and Rural Fire Services. The application has been reviewed by Council's Community Safety Coordinator who has provided the following comments:

"Given the good level of detail provided by event organisers, I have no further comments to recommend for this event. Provided all the plans and procedures outlined by event organisers are enforced as a condition of consent, I have no objection to the event being granted approval for the next 5 years".

C5 Waste Planning

Toilets

There are a total of 64 toilets permanently located on-site of which will be limited to use by staff. In addition, toilet facilities will be provided at a ratio equal to or better than that specified in the Building Code of Australia. There will be two major toilet blocks on the island, one at the camping area and dedicated toilets for the VIP. Accessible toilets and hand-washing facilities will be available in all of the toilet blocks.

Litter

DefQon1 is expected to generate considerable solid waste from the serving of food to up to 30,000 people over the event, as well as beverages. As per previous years, Q-dance will appoint a waste management supervisor to oversee the implementation of its waste management program. This program includes the implementation of recycling incentives, which aims to reduce the volumes of waste going to landfill.

A Waste Management and Cleaning Plan accompanied the application. This plan details that on-site aggregation of waste into solid mixed waste, cans and commingled recycling is to be undertaken. With all waste to be disposed of at licensed waste and recycling facilities. This plan has been reviewed by Council's Senior Environmental Health Officer who had no objection to the proposal, subject to conditions.

Construction and Demolition Waste

The staging of Defqon will involve construction of numerous temporary structures and will create construction waste. It is anticipated that construction waste are expected during the bump-in phase of the event:

- Untreated timber;
- Scrap Metal;
- Mixed non-putrescible materials such as cardboard, plastics & bamboo; and
- Glass.

During bump-in hook lift bins will be centrally located on the island to enable separation of materials into categories by production crew for reuse and recycling.

C10 Transport, Access and Parking

Off street car parking will be provided for patrons within the designated parking areas (Car

Parks P5 & P6) of SIRC which can accommodate up to 1,750 cars. Public transport to and from the site has been maximized and it is considered that there is sufficient parking available at the SIRC to cater for those patrons driving to the event, in a temporary capacity, for this purpose. Based on previous years it is expected that vehicles parking at the event will not exceed the parking capability of the facility.

Additional public transport will be scheduled over the event weekend and its use promoted through the Integrated Transport and Entry Ticket system. Shuttle buses will be operating from the train station to the SIRC throughout the weekend as outlined within the Traffic, Transport & Pedestrian Management prepared by Julian Sanderson of Events and Sports Projects Australia P/L. In addition

To manage pedestrians walking to the event from nearby residential areas and to minimize those walking from parking in the nearby industrial areas, a shuttle bus service looping several points surrounding the events is to be provided. In addition, a 'Control Point' on Old Castlereagh Road at Leland Street is to be established to ensure that pedestrian activity and vehicle movements along Old Castlereagh Road is limited.