



Council Chambers,
BERRIGAN NSW 2712

Sir/Madam,

Notice is hereby given that an Extraordinary Meeting of the Council of the Shire of Berrigan will be held in the **Council Chambers**, Berrigan, on **4th October 2017 commencing at 9:00am, to consider and order upon DEVELOPMENT APPLICATION 21/18/DA/DM - STRAWBERRY FIELDS MUSIC FESTIVAL 2017**

No business, other than that on the Agenda, may be dealt with at this meeting unless resolved by this meeting and the mayor has ruled it to be a matter of great urgency.

ROWAN PERKINS
GENERAL MANAGER



Extraordinary Council Meeting

Wednesday 4th October, 2017

BUSINESS PAPER

1. **PRESENT**
2. **APOLOGIES**
3. **DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTEREST**
4. **DEVELOPMENT APPLICATION 21/18/DA/DM - STRAWBERRY FIELDS MUSIC FESTIVAL 2017**

AUTHOR: Town Planner

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.3 Diversify and promote local tourism

FILE NO: 21/18/DA/DM

RECOMMENDATION: - that the Council approve the Development Application 21/18/DA/DM for the Strawberry Fields Festival 2017 subject to the following conditions:

1. **Approved Plans**

The development shall be implemented substantially in accordance with the details set out on the Strawberry Fields Site Map, Event Plan, Alcohol Management Plan, Economic Impact Report, Emergency Management Plan, Fire Management Plan, Medical Management Plan, Risk Assessment, Security Management Plan, Traffic Management Plan, Waste Plan, Water Activities Management Plan, the application form and any supporting information received with the application except as amended by the conditions specified hereunder.

Items requiring Council Resolution

2. Pollution

All necessary precautions must be taken to ensure that pollution of waterways does not occur in accordance with the provisions of section 120 of the *Protection of the Environment Operations Act 1997*.

3. Impact on Adjoining Properties

Measures must be taken to minimise and control the emission of dust and noise from the property to ensure that there is minimal impact on adjoining properties.

4. Combustible Material

The event site and camping areas must be grazed and / or slashed prior to the event so as to reduce combustible material and reduce the risk of harm by fire.

5. Aboriginal Place or Objects

Activities on the site must not harm or desecrate any Aboriginal place or object in accordance with the *National Parks and Wildlife Act 1974*. Should any Aboriginal object be discovered and / or harmed in, on or under the land, the event organisers must notify the NSW Office of Environment and Heritage.

6. Mosquito Borne Diseases

Precautions must be undertaken prior to, and during, the event to reduce the potential for exposure to mosquito borne diseases given that there are large areas of stagnant water in close proximity to the site. The Murrumbidgee Local Health District of the NSW Department of Health in Wagga Wagga can be contacted on (02) 6933 9100 for advice.

7. Food Stall Holders

All food stall holders must operate in accordance with the *NSW Food Act 2003* to ensure that the health and well-being of patrons is maintained.

8. Public Health

All showers, toilets and drinking water management systems must comply with NSW Health Requirements and the *Public Health Act 2012* and Regulation 2012. This also includes meeting the *Australian Drinking Water Guidelines 2011* and any subsequent amendments.

9. Emergency Services

All emergency service organisations in the locality must be notified at least two weeks prior to the event to ensure that all resources will be available in case of emergency.

10. Fencing

Appropriate fencing must be provided and maintained between the event site and adjoining properties throughout the event in order to contain patrons and prevent stock escaping.

R
E
S
O
L
U
T
I
O
N

Items requiring Council Resolution

11. Security

All security personnel must be licensed and boundaries with adjoining properties are to be monitored at all times with patrons warned upon entry that penalties apply if caught trespassing. Sufficient security personnel must be employed to achieve the above requirement and a security presence must be maintained from Thursday until Tuesday noon. This condition is added to maintain site safety and ensure patrons do not encroach on adjoining properties.

12. Native Vegetation

Any destruction or injury to native vegetation is to be undertaken in accordance with the provisions of the *Native Vegetation Act 2003* and where necessary an approval obtained from the Murray Catchment Management Authority.

13. Litter

Garbage bins must be provided throughout the area and the site must be inspected following the event to ensure all litter is collected and disposed of appropriately. At the cessation of the event a site inspection must be arranged with Council officers to ensure that there is no refuse remaining on site.

14. Site Inspection

An inspection by Council officers prior to the event must be arranged and undertaken to ensure all conditions of consent have been met and the proposal has been implemented in accordance with the submitted documents.

15. Traffic Management

Provision must be made on site for extensive traffic queuing areas and a sufficient number of traffic management staff employed to direct traffic in an orderly manner to ensure that queuing on Lower River Road does not occur at peak times or in the event of access to the camping areas being obstructed.

16. Liquor Licensing

A valid liquor license issued by the NSW Independent Liquor and Gaming Authority must be in place for the event and all persons responsible for the sale of alcohol must possess accredited Responsible Service of Alcohol certificates. Evidence of this must be provided to Council prior to commencement of the event.

17. Access

A wide, all weather access track must be provided to ensure that response vehicles will be able to access the site in the case of an emergency. Emergency Access from Lower River Road must be from a separate

Items requiring Council Resolution

entrance to ensure that neighbouring land owner's access is not impeded at all times.

18. Water Activities Management

No infrastructure of any type (e.g. buoy, netting or barrier) is to be place in the river that might encourage persons to enter the water or swim out to hold on to it.

No pollution (including litter) from the development should enter or impact on the adjacent river (as required by the *Protection of the Environment Operations Act 1997*).

Division:

In Favour:

Against:

REPORT:

The Council, at its meeting held on 20th September 2017, resolved to defer consideration of this item until it had heard from both the Rural Fire Service and the organisers of the proposed event and also that this Extraordinary Council meeting be convened to facilitate hearing from those parties.

At the time of writing both parties have been invited to attend the meeting and both have agreed to this.

The recommendation, above, and the report below are those presented to the Council meeting of 20th September 2017.

Site

The subject site (over 4 individual properties) is adjacent to the Murray River, is located on Lower River Road, Tocumwal and is also identified as Lot 17 DP752304, Lot 2 DP 1077754 & Lots 22 + 23 DP 1109568. The site is approximately 10km west of the township of Tocumwal and has a combined area of 141.28ha in size. The site is located within Zone RU1 – Primary Production Zone under the provisions of the *Berrigan Local Environmental Plan 2013* (BLEP), and is currently used for low intensity agriculture. The land is designated both bushfire prone and flood prone under the provisions of the BLEP. There is a large area of approximately 10ha that is vacant of vegetation (excluding grass) in the north-west corner of the site. Otherwise, the site consists largely of open woodland native vegetation, with some cleared areas as indicated on the aerial photo below. Adjoining properties are generally similar in nature with the nearest permanent residence located approximately 1.5km 'as the crow flies' from the site.

R
E
S
O
L
U
T
I
O
N

Items requiring Council Resolution



Figure 1 – Aerial Photo showing subject site, star indicating approximate location of main stages

Proposal

This proposal is for the 2017 Strawberry Fields Festival event, which is which is a multi-day music & arts festival that has been held in the Berrigan Shire annually each November since 2011. The organisers of the event state that it ‘attracts a multicultural and diverse audience and intends to not only entertain its patrons but to encourage an appreciation of the environment, providing opportunities for youth to engage with environmental organisations such as the Wilderness Society, TreeCreds, and community charitable initiatives’. Past surveys of the 2015 & 2016 events have revealed that 80% of the audience is aged 18-35 and travel to the event from Melbourne, regional Victoria and regional NSW. The audience is non-aggressive and the event itself is very relaxed. Primary features include:

- 3 different stages for live music and DJs, as well as a Tea Lounge for Acoustic Musicians;
- Cafe's, food and retail precinct operating throughout the weekend;
- Guest speakers and workshops featured during the day time;
- Art installations from all over the world;
- Small boutique bar featuring Craft Beer and Cider;
- Majority of patrons camping on site throughout weekend.

Items requiring Council Resolution

Overall, it is important to emphasise that the event was founded with the intention of achieving the following three goals:

1. **Provide a platform for young, local and upcoming talent;**
2. **Create a unique environment for showcasing art and music;**
3. **Celebrate the wild Australian bush.**

EVENT PARTICULARS

The event is likely to attract up to 6,000 patrons (maximum number of tickets available), with approximately 500 additional staff and volunteers, which is exactly the same as the Festival held in 2016. Gates to the venue will open on Thursday 16 November 2017 at 2:00pm, but only to the individuals who have a pre purchased a Vehicle Pass (only 500 in number). All patrons must have vacated the property by 2:00pm Monday 20 November 2017, after which time only Event Staff will remain in attendance to complete site clean-up and pack down. During the event, entrance gates will close from 1:00am - 9:00am with the exception of the movements of Event Staff, emergency services and other special circumstances.

Speakers and workshops will feature during the day time with primary entertainment running from 4pm Friday 17th November to 2:30am Saturday 18th November, 9am Saturday 19th Nov to 3:30am Sunday 19th November and then from 9am to 8pm Sunday 20th November. The Tea Lounge (acoustic music) will operate to midnight on Sunday. Stage closures will be in effect during the late hours of the night on Friday, Saturday and Sunday nights to reduce potential noise impact and encourage rest.

All patrons are to have vacated the property by 2pm Monday 20th November, after which time only Event Staff will remain to complete site clean-up. Staff and contractors will overall attend the site intermittently from 30 October 2017 to December 2017 to complete activities including, but not limited to:

- Site evaluation & Planning;
- Delivery of machinery and infrastructure;
- Completion of site preparation works;
- Construction of temporary event structures;
- Pack down and removal of temporary event structures;
- Removal of machinery and infrastructure;
- Clean up and restoration of venue.

Operational Management is quite extensive, and the Strawberry Fields team is an established and experienced group who have worked with the Berrigan Shire Staff over a number of years. The Event Directors have overall responsibility for the design and operation of the event, and overall responsibility to monitor the festival's contracted suppliers and service providers. The event directors have also attended all necessary consultations and led the dialogue with key Stakeholders.

The directors have also submitted a number of plans with the development application for the festival. These include a detailed and comprehensive Event Plan

R
E
S
O
L
U
T
I
O
N

Items requiring Council Resolution

has been prepared and provided in support of this application (**See Appendix A**). This Plan is best read in conjunction with the Site Maps (**See Appendix B**) which contain the location for a large Emergency Evacuation Point (at the aforementioned vacant area of the top of the site), a secondary Emergency Evacuation Point located at the South-Eastern most section of the site; traffic processing area, extensive camping areas, crew camping area, markets areas, stages, toilet facilities, waste management and emergency services. The Other Plans include:

1. Alcohol Management Plan (**See Appendix C**);
2. Economic Impact Report (**See Appendix D**);
3. Emergency Management Plan (**See Appendix E**);
4. Fire Management Plan (**See Appendix F**);
5. Medical Management Plan (**See Appendix G**).
6. Risk Assessment (**See Appendix H**);
7. Security Management Plan (**See Appendix I**);
8. Traffic Management Plan (**See Appendix J**);
9. Waste Plan (**See Appendix K**); and
10. Water Activities Management Plan (**Appendix L**).

Major Improvements from previous events

As this festival is approaching its seventh consecutive year within the Berrigan Shire, there are a number of issues which are highlighted and identified as improvements from the 2016 Festival. These include, but are not limited to;

- Roads & Emergency Access
- Medical
- Traffic
- Patron Education / Responsibility
- Fire Management Assessment & Modelling
- Economic Benefits Modelling
- Increase in Community Funding

Response to issues with previous events

Roads & Emergency Access

As many locals are aware, the year 2016 brought about significant flooding, which had a significant impact on the site. The organisers have invested heavily in committing to an upgrade of all key internal roads within the venue. These upgrades are being staged in the lead up to the event. A dedicated separate Emergency Services Gate and Road has been identified and will be for the sole purpose of Emergency Service Vehicles. This gate will be manned 24/7 by Security services to ensure that access to the Emergency Services is not impeded at any time during the event.

Items requiring Council Resolution

Medical

Following the February 2016 Strawberry Fields Festival debrief and in subsequent direct consultations with stakeholders, the event directors have received feedback from representatives NSW Health on opportunities to improve the medical services provided in relation to the Event to alleviate reliance on local NSW Health services. After taking on this feedback the Event has invested in a number of key strategic upgrades to our medical services and patron transport strategy.

One of the significant changes to the Festival in 2017 is the introduction of a 24-hour onsite Medical Centre, which will allow better treatment of presentations outside of the entertainment hours and ensure that local resources are not used, including hospitals. Non Urgent Medical Transfers for injured patrons that require further treatment but do not require to be transported in an Ambulance will also be introduced. Particulars of these changes can be found in Appendix G.

Traffic

The 2017 Event will see the introduction of a number of measures in order to better manage traffic along Lower River Road. These are detailed in Appendix J and include:

- “Stop and Go” at critical points on Lower River Road
- Speed Reduction on Lower River Road
- VMS directional signage
- Egress Management

During the time of the year that the festival is operating it is traditionally harvest time for the local community. Lower River Road is 100 km/h on most days of the year. To increase safety and avoid frustration all Stop and Go staff will be requested to make the trucks a priority for clearance.

Patron Education / Responsibility

One particular change which will greatly benefit the wider community is that every driver (of those who purchase the 500 Vehicle Passes) will be able to visit the professionally trained BMF harm minimisation service to complete a complementary Drug & Alcohol test and receive guidance on the results. While Drug & Alcohol testing services have been offered at the Event for 4 years, this will be the first time that undergoing the testing is fully subsidised for every driver and thus encourages 100% uptake in responsible driving practices by all patrons. For further information, one can refer to the Road Safety Initiatives section of the Event Plan (Appendix A).

Fire Management Assessment & Modelling

Whilst there have been no major fire incidents in previous years, the event directors decided to take a proactive approach to fire management and conduct an intensive review of all site conditions, risks, and opportunities to improve through a rigorously upgraded Fire Management Plan. The new Fire Management Plan (Appendix F) has

R
E
S
O
L
U
T
I
O
N

Items requiring Council Resolution

again been completed by Firetac Australia, and will take into account the specific "site related" information (vegetation growth/type and distribution) and fire behavioural forecasting (relevant to the region).

Economic Benefits Modelling

For the first time, an Economic Impact Report (Appendix D) has been submitted alongside the Development Application. Lawrence Consulting was commissioned by the proponent to undertake an assessment of the economic impact of Strawberry Fields 2016, together with the associated visitor impact, on the Berrigan Shire, and beyond. This modelling identified a total impact of \$1.2million in the Berrigan Shire and \$2.5million in the Greater Region as a result of the Event. The report also states that approximately 7.3 full-time equivalent (FTE) employment position in the Berrigan Shire and 13.6 FTEs in the Greater Boarder Region.

Increase in Community Funding

The Event Directors have pledged to donate over \$25,000.00 to their Community Grants Program. This is up from \$15,000.00 from 2016.

There are a number of potential impacts related to a proposal of this type which must be addressed if development approval is to be granted.

- **Relevant State Environmental Planning Policy provisions**

Deemed SEPP - *Murray Regional Environmental Plan No 2—Riverine Land* (MREP2) applies to riverine land of the River Murray within Berrigan Shire. This proposal is located within the area to which this Plan applies. One of this SEPP's main objectives is 'to ensure that appropriate consideration is given to development with the potential to adversely affect the riverine environment of the River Murray'. As a temporary use of the land the proposal does not trigger any specific referral or consultation requirements under the provisions of this plan and it is not inconsistent with the general aim of the plan to enhance the riverine environment for the benefit of all users. Given the limited duration of the event and the substantial environmental commitments provided by the proponent in the Event Plan, it is considered that the provisions of MREP2 have been satisfied.

The second is *State Environmental Planning Policy (Rural Lands) 2008*, which aims 'to facilitate the orderly and economic use and development of rural lands for rural and related purposes'. The site is not considered to be prime agricultural land given the extensive scrub & native vegetation and that it is mainly used for low intensity agriculture and sporadic grazing from time to time. The Strawberry Fields Event is therefore considered to be a welcomed addition to economic generation for Agricultural Land, which is in line with Rural Planning Principle (c), under section 7 of this SEPP.

R
E
S
O
L
U
T
I
O
N

Items requiring Council Resolution

• **Relevant *Berrigan Local Environmental Plan 2013* (BLEP) provisions**

One of the BLEP Primary Production Zone's objectives is 'to permit development that enhances the agricultural and horticultural production potential of land in the locality. This festival meets this objective, especially as one of the festival's goals is to celebrate the Australian bush. Additionally, this development will meet another objective as it encourages 'diversity in primary industry enterprises and systems appropriate for the area'. The aforementioned limited duration will ensure limited conflict between land uses within this zone.

Clause 2.8 – Temporary Use of Land

This application is being assessed under Clause 2.8 of the *Berrigan Local Environmental Plan 2013*. Clause 2.8 allows for developments of this nature so long as the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land. The maximum period under this clause is 52 days. It is anticipated that the entire time of bump in, the festival and bump out will be 30 October to December (Approximately 32 days), and therefore will not exceed 52 days.

Clause 5.9 – Preservation of trees or Vegetation & Clause 6.5 – Terrestrial Biodiversity

Section 5.9 of the *Berrigan Local Environmental Plan 2013* contains an objective to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation. This development does not require removal of any vegetation of native tree species.

Clause 5.11 – Bush Fire Hazard Reduction

As mentioned before, part of the land has been identified as bushfire prone. A Fire Management Plan (Appendix F) was submitted by the applicant when lodging this development application. The Executive summary highlights the improvements to the 2106 Fire Management Plan, which includes:

- ✓ Improved road access – upgrade works performed on all internal access roads;
- ✓ Perimeter access roads being developed – (western side being investigated);
- ✓ Increased “on-site” fire-water capacity to enhance fire-fighting operations;
- ✓ Planned “fuel reduction” activities to reduce “fuel loads prior to event (Nov 2017);
- ✓ Increased fire-fighting resources (equipment/personnel) proposed for 2017 event;
- ✓ Expansion of “shelter-in-place” locations/preparations (fuel reduced to < 100mm);
- ✓ Agreed (in principle) timeframes for fuel reduction works;
- ✓ On-going monitoring of Fire Safety conditions leading up to event
- ✓ Clear “response” arrangements for “Extreme/Catastrophic” Fire Danger days.
- ✓ Relocation of “Emergency Services” compound - enhances response times.

R
E
S
O
L
U
T
I
O
N

Items requiring Council Resolution

R
E
S
O
L
U
T
I
O
N

The Plan highlights that 'whilst high fire danger conditions may apply at any time, it is generally understood that the statutory **Fire Danger Period** for the district will be from October 2017 – April 2018 (the exact dates yet to be confirmed) however this can be subject to change depending upon local conditions'. Therefore, in preparation for the event, the organisers (in conjunction with the Event Fire Commander) have developed Trigger Points & Actions to 'aid in the minimisation of risk persons attending the festival site may be exposed to'. These include continual monitoring of weather conditions and NSW RFS/BoM operational information feeds will be undertaken throughout the festival period commencing during the "bump-in" phase. A **during-event** forecast of Extreme or above Extreme Fire Danger will trigger suspension / re-scheduling of activities and entertainment or cancelling, depending on the situation.

Finally, there are significant areas of the site which can be used in the event of an emergency including: 10ha to the North; 20ha to the East and 15 ha to the South East.

Clause 6.2 – Flood Planning

The main objective of Clause 6.2 of the LEP is to minimise the flood risk to life and property associated with the use of land. It also states that a consent authority must not grant development consent unless it is 'satisfied that the development is compatible with the flood hazard of the land'. Whilst the current dam levels of the Murray River at the time of writing are of a height can cause minor flooding, it is extremely unlikely that the event would suffer from intense flash flooding that would cause risk to property and life. In the event where there is flooding similar to that experienced in 2016, the event organisers would be in a position to cancel the Festival. However, if minor flooding was to occur, the stages and market areas are not located in low lying sections of the subject site. Overall, the risk analysis submitted with this application has identified flooding as a high; however generally flooding in this location has at least 5 days warning.

Other BLEP Provisions

There are no heritage items which are being demolished or removed as per clause 5.10 of the *Berrigan Local Environmental Plan*. Finally, conditions of consent will be added to the development approval to ensure that the associated earthworks comply with clause 6.1, which is to ensure that earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

- **Relevant Berrigan Development Control Plan 2014 (DCP) provisions**

In taking into account provisions of the *Berrigan Development Control Plan 2014*, Strawberry Fields Festival does not fit neatly into a specific chapter. The proposal is consistent with the objectives of Commercial Development, especially which encourages orderly and economic development within the Shire having regard to its

Items requiring Council Resolution

commercial and retail needs. Below is a list of some of the headings found under chapters of the DCP which will be used in this assessment:

Access

Section 3.4 of the DCP relates to parking and access. Previous events have proven that the site is already capable of large vehicle access which already occurs on a sporadic basis for the day-to-day operation of the festival. This meets the important controls under this section of the DCP which requires that development must be designed with sufficient turning areas for the vehicles expected to require access to the site. A condition of consent will require the access driveway to be of a state that will allow emergency vehicles to be able enter and leave safely without having an adverse impact on road traffic. The site map submitted with the application also shows the Traffic Processing Area to ensure that car entering the festival will also not cause impact of existing road traffic. Finally, the internal access track (which will be upgraded in time for the Festival) will be all weather and sufficient width for emergency vehicles as mentioned previously.

Traffic & Car Parking

As mentioned in the improvements section, the 2017 Festival has seen significant changes to assist with the impacts to Lower River Road. Additionally, Festival Directors have worked with Council's Engineering Service Manager who submitted the plans to the Council's Local Traffic Committee for approval. The recommendation from the Committee was to approve the plans which included speed restrictions along Tuppal Road and Lower River Road.

The use of Riverina Traffic Services will greatly assist the safety of all road users. It should be noted that the festival organisers continue to encourage patrons to use

Flood Prone Land

This chapter of the DCP has generally been address in the aforementioned Flood Planning (Clause 6.2 of the *Berrigan LEP 2013*).

Notification Policy

This chapter of the DCP is addressed later in the report, in the Submission section. That application has advertised in the *Cobram Courier* and the *Southern Riverina News* for the required period (14+ days) and neighbours were notified. Additionally, the stakeholders as well as all organisations with an interest in the event were individually notified by email.

R
E
S
O
L
U
T
I
O
N

Items requiring Council Resolution

• Other Likely Impacts of Development

Below is a list of other matters included for this assessment:

Primary Matters	Comment
Public Domain	Suitable pedestrian linkages are provided within the site. All patrons will camp on the venue premises. The majority of the property has been designated for camping, complete with toilets, path lighting and access to free drinking water.
Utilities	The Event will utilise stand-alone electrical Generators that distribute power effectively across the site. Each Gen Set is bundled, self-contained and run on Diesel. Back-up Gen sets will also be available in the unlikely event of generator breaking down. The event plan has also stated that there will be a number of free potable drinking water stations situated around the Event, both within the Event entertainment area and the Camping Area. This water will be delivered by a local supplier, stored in holding tanks and then distributed throughout the site via a temporary plumbing system.
Environmental Impacts	Any significant environmental impacts are considered to be short term in nature due to the limited duration of the event. The proposal was referred to the Environmental Protection Authority (EPA) for comment with no objection received.
Noise	Noise control measures which have been successful in past years are also going to be operational at this year's Festival. These include strategic placement of stages and monitoring of volumes. Overall, there has been a reduction of entertainment hours.
Natural Hazards	A comprehensive emergency management plan has been submitted establishing the administrative structure and procedures for the handling of emergencies including natural hazards (See Appendix E).
Safety, security and crime prevention	At any one time a minimum of 25 professional security officers will be on duty, patrolling the perimeter, gate entry, primary traffic intersections, and festival area. Security personnel will be in constant 2-way radio contact with the venue's site office and ECC, first-aid officer and event supervisors and will be advised to act at their own discretion.

RESOLUTION

Items requiring Council Resolution

Social Impact	This proposal has the potential to have a negative impact in terms of social cohesion in the locality. This has been mitigated as far as is possible through notification and consultation with residents in the locality and wider Tocumwal community organisations.
Economic Impact	As mentioned previously in the major improvements from previous events section of this report, there is no doubt that the Festival has a significant positive economic impact for not only the Township of Tocumwal and the Berrigan Shire, but for the Greater border region.
Swimming	As mentioned above, this proposed site will have a designated swimming area in the Murray River, located at the south of the site. A Water Activities Management Plan (found in Appendix I) provides an overview of the plans, strategies and processes being applied to the management of water based recreational activities. The event directors have again engaged Lifeguard Services Australia as the key provider of water management facilities at the festival. This swimming point will be setup to provide the safest possible access for patron swimming based on the natural attributes of the area. It will be attended at all daylight hours by multiple lifeguards with Senior First Aid and a minimum Cert III in Aquatic Search & Rescue, supported by Quick Response Boats. At night time the area will be closed off, lit, and patrolled by security guards to prevent patron swimming.

Submissions

The proposed event was extensively advertised, with immediate neighbouring property owners being notified and the application was referred to a number of public authorities and emergency service organisations. The main event planning documents were also placed on the Berrigan Shire's Website. Written submissions on the proposal were accepted until Friday 8th September 2017. At the close of agenda (12 September 2017), a total of 150 submissions had been received (146 in support, two neutral, and two in opposition).

1. A number of group submissions of approximately 140 individuals were submitted to Council supporting the event. The submissions highlighted the benefit to local businesses, contractors and services. Additionally, the individuals acknowledged that Strawberry Fields gives 'back to the local community by providing funding and donations'.
2. A representative of the Berrigan Country Women's Association of NSW expressed approval for the Festival to continue. The CWA benefited from a grant of \$1,500.00 which went towards replacements of chairs.

RESOLUTION

Items requiring Council Resolution

3. The son of a neighbouring property owner contacted the Berrigan Shire to express his support for the festival. Whilst he no longer lives in the Shire, he expressed that 'he was a big fan of what the Strawberry Fields crew has done for Tocumwal and the community'.
4. Another former Deniliquin local, now living in Melbourne, emailed Council to support the event. In particular, he advised that he and his partner have attended every year since 2011 and have even camped alongside his two brothers (23 and 29 years old) as well both his parents (being over 50 years old). 'The fact that an event like this can bring families and friends together who now live apart from each other is a truly unique and wonderful thing'. He also especially highlighted the benefit to the community of the \$25,000.00 Community Grants Scheme.
5. A local business emailed in to place on record their support. They highlight their connection with the Tocumwal Pool, and stated that Strawberry Fields Festival grant allows the pool to run at a reduced price.
6. The Manager of Operations South for the NSW Roads & Maritime Services (RMS) Navigation reviewed the application. RMS noted the circumstances where holding the Festival an alternative location without direct access to the water was not feasible, and thus recommended that the application impose consent conditions (9 in total) that ensure the proponent adequately address all risks associated.
7. A senior team leader of the South West NSW Office of Environment and Heritage (OEH) outlining no objection to the application. However, they did stress that if any Aboriginal objects were discovered that their office be contact immediately and the Festival would need to cease operations.
8. A Senior Environmental Health Office of Murrumbidgee Local Health District wrote to Council. In particular, they stated no objection but recommended a number of conditions relating to patrons' health (address toilets, water etc.).
9. A Senior Constable of the NSW Police Deniliquin Local Area Command submitted a formal letter opposing the Festival. It was their belief that 'holding of this event is not in the interest of the public safety'. Additionally, they stated that 'the event location has been reviewed and serious concerns have been identified with regard to the only access and egress for event patrons...once inside the festival property there does not appear to be sufficient evacuation from the site in the event of a bush fire. There is a very real risk of significant harm (or death) to event patrons, event staff and emergency services in the case of a significant fire event'.

Items requiring Council Resolution

10. An adjoining land owner email in a letter of support for the event. In particular, they expressed that ‘any minor and temporary inconveniences caused by this event are far outweighed by the positive returns generated’.
11. A second adjoining landowner opposed the granting of approval until various issues were addressed. These included issues relating to Location, Concept & Ethos, Scheduling, Event Construction and Pack down, Public Access, Entertainment, Capacity, Audience and inaccuracies of the improvements from 2016.

Response to Submissions

The two submissions submitted which are opposing the granting of approval are serious and issues pertained within them need to be adequately address.

Firstly, the neighbouring land owner does raise important concerns traffic and access. In addressing these concerns, the submitted information states that traffic along Lower River Road will be monitored by Riverina Traffic Services, which will improve the safety of all motorists and local users. Access to the site will be improved by the Event Organisers closer to the date of the Festival. Council is not in a position to comment on or the Event Concept or Ethos, as this is not a planning consideration. A condition of consent will ensure access to their property is no impeded. Entertainment hours have also been reduced.

In response to the NSW Police Local Area Command, who queried activity surrounding illegal and illicit substances, the event directors have improved their messaging surrounding personal responsibility. These measures are detailed above in the improvements from 2016 section.

Public Interest

The proponent has demonstrated that the event is to be well organised and continues to improve every year since in commencement. It is worth noting the positive economic impacts likely to result from the attraction of up to 6,000 patrons to the outskirts of Tocumwal. In addition to the potential benefits of those attending taking a detour into the township of Tocumwal the applicant proposes to actively support local businesses by renting out local motels and B&Bs for staff accommodation, engaging local contractor and equipment hire and providing complementary free market stalls to residents of Tocumwal. Furthermore, the applicants have acknowledged that the local community plays a key role in sustaining the festival. In response to this goodwill, the event allocates \$1.00 from every ticket sold to a community fund – to be on forwarded to local charities.

R
E
S
O
L
U
T
I
O
N

Items requiring Council Resolution

Conclusion / Legislation

The assessment of this development application has been undertaken to especially consider the relevant parts of Section 79C of the *Environmental Planning and Assessment Act 1979* (NSW). Upon taking into account these considerations, the proposal for the Strawberry Fields Festival will be an important income generating business for the Township of Tocumwal and surrounding townships. This development is seen of high importance given that it will generate further employment for local people, promote tourism to the Berrigan Shire as well as provide a much needed social outlet for the young people of the area.

There being no further business the meeting closed at

R
E
S
O
L
U
T
I
O
N