



Rally Australia Pty Ltd

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Murwillumbah  
NSW 2484

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1st June 2009

Tweed Shire Council  
PO Box 816  
Murwillumbah  
NSW 2484

Attention : General Manager – Mr Mike Rayner

Dear Mr Rayner

**Re : Repco Rally Australia**

TWEED SHIRE COUNCIL	
FILE No.	FESTIVALS - WORLD RALLY.
DOC. No.	
RECD	- 2 JUN 2009
ASSIGNED TO	RAYNER, M
HARD COPY	<input type="checkbox"/>
IMAGE	<input checked="" type="checkbox"/>

On Thursday the 28th May Rally Australia delivered to the Tweed Shire Council hard (x2) and soft (x7) copies of the following reports :

- Road Closure Schedule.
- Description of the proposed Development.
- Traffic Management Plan.
- Ecological Assessment.
- Socio-Economic Impact Assessment.
- Cultural Heritage Assessment.
- Environmental Noise Impact Report.
- Dust Management Plan.
- Waste Management Plan.
- Safety Management Plan.

As you will be aware the State Government recently announced that it will pass legislation to enable certainty of the event to be provided to the Federation Internationale De L'Automobile (FIA), the world controlling body of motorsport.

Rally Australia seeks and encourages feedback from both staff and Councillors in relation to the content of the reports prepared by independent consultants, and as such we request a workshop with staff and Councillors at a convenient time to discuss these reports.

We thank you for considering our request and look forward to confirmation of this workshop.

Kind regards

Gary Upson  
General Manager



# Repco Rally Australia 2009

TWEED SHIRE COUNCIL	
FILE No. ....	DOC. No. ....
REC'D 17 JUL 2009	
International de l'Automobile	
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## Overview of the event

Repco Rally Australia 2009 is a round of the FIA (Federal International de l'Automobile) World Rally Championship (WRC).

The route for Repco Rally Australia will cover just under 350 km in competition roads in the Tweed and Kyogle Shires. The proposed event is scheduled for the 3<sup>rd</sup> to 6<sup>th</sup> September 2009 and will be held in for an initial five events taking it through to 2019. The event comprises of 35 competitive special stages over 16 routes (some stages are repeated) between Burringbar and Bonalbo.

## Council officer's assessment

The following reports were circulated to Council Officers with expertise in the following fields:

- Ecology
- Council's Open Spaces and Reserves
- Building Surveying
- Public and Environmental Health
- Traffic
- Waste Management

Comments from Council Officers have been collated and the major issues raised include the following:

### Ecological Issues

- The ecological reports focus on a single event only – that for September 2009 – where approval could be obtained for repeat events every 2 years for 10 or more years. No cumulative impact of ongoing races has been considered, nor has an active life of each plan been defined or additional survey been considered for future races. Adaptive management needs to be factored in as lessons may be learnt from each race year.
- The Flora and fauna survey has been conducted in Autumn apparently, yet the race will be conducted in Spring. Due to more active behaviour and movement in Spring associated with breeding cycles, it is possible the diversity of species present during the race period may have been underestimated and the activity of individual species and thus their likelihood to be on or around the road may have been underestimated. Dispersal of Koalas for example is known to occur between August and October, thus September is within the peak time that Koalas are moving around and often on the ground.
- The impact of possible clearing and trampling associated with viewing areas and car-parking areas has not been considered nor any amelioration proposed
- The results have been based on the assumption that all races will occur during the day, thus nocturnal and crepuscular (dawn and dusk foraging) species should be little affected. Specific measures, penalties and policing need to be in place to prevent (even unauthorised) pre-race trials occurring during periods other than broad daylight.
- Wet weather would encourage more reptiles and amphibians onto road surfaces and little is proposed to prevent road kill under these circumstances.
- Spotter/catchers are proposed to review the course on the morning of the race stage, however, the longest stage is 12.2 kms, thus time may run out unless enough people are employed for the task.
- "Guardians" (people) are proposed for areas where threat to wildlife is high with the aim of discouraging fauna access to the road. Loss of concentration, relief and

adequate numbers of suitably experienced people are raised as issues here. Some terrain along the route is difficult to access and some areas could raise OH&S issues for the person acting as guardian if distant from others.

- Enclosing Koalas known to be near the road with fencing is proposed, however, the practicality of surveying on the morning and erecting suitable fencing in time for the race start is potentially problematic. The fencing type has not been specified and its portability and safe erection are raised as potential issues.
- Noise and its impacts on species within say 200m or more of the road edge has not been adequately considered.
- Mobilisation of sediment into table drains through high-speed cars in potentially wet weather pushing the road verges out has not been considered, yet could impact on species reliant on local waterways.

### **Issues associated Council Managed Reserves**

#### Walter Peate Sports Fields, Kingscliff

- Placing the main service park on the Walter Peate sports fields potentially imposes considerable impact on 5 sports that use the facility, being Soccer, Hockey, Athletics, Rugby League and Cricket. Cudgen Netball Club also has 2 grass training courts, but have not used these courts for the past 12 months.
- No figures have been compiled within the reports to indicate the number of sports participants, organisers, and supporters who will be displaced by the event. This would be important information in assessing the social impacts of the event.
- All sports clubs will be required to have alternative arrangements and suitable compensation for the impacts of relocating and loss of income for scheduled games. It is understood these arrangements have been made.
- The fields will potentially be damaged through the excessive use being placed on the fields. It is essential that the fields are returned to their prior condition or better condition after the event. An agreement must be reached confirming this between Council and the WRC organisers. An inspection with both Council staff and WRC organisers must occur prior and immediately following the event. Rally organisers have indicated they will undertake any necessary repairs, however a written agreement has not been formalised. This will be a condition for use of the area.
- There is currently no public parking proposed for the main service park, nor is it clear if such will be required. Council Officers have previously advised WRC organisers that parking is not available on the nearby Reg Dalton sports field.

#### Jim Devine and Queens Park Sports Grounds, Murwillumbah

- The event will prevent use of the Jim Devine and Queens Park Sports Grounds during semi final times by the Murwillumbah Soccer Club who are licensed to use these fields. Previous Speed on Tweed events had minimal impact on these fields as they were after the soccer season.
- The affected club will be required to have alternative arrangements and suitable compensation for the impacts of relocating and loss of income for scheduled games. These arrangements have been made.
- There are no details of the proposed marquees and unspecified display areas proposed to be erected for these fields. WRC organisers need to clarify this and discussion will be required with Council's Recreational Services Unit staff regarding suitable locations.
- No car parking will be permitted on any sports fields. It is important to note that parking has occurred on Jim Devine Field in the past years for the Speed on Tweed Event, however the event is now earlier in the year and the fields will be still in use. Additionally, Council generally does not allow car parking on any sportsfield due to compaction problems. This will be a condition for use of the area.

- The fields will be damaged through the proposed use. It is essential that the fields are returned to their prior condition or better condition after the event. An agreement must be reached confirming this between Council and the WRC organisers. An inspection with both Council staff and WRC organisers must occur prior and immediately following the event. This will be a condition for use of the area.
- The social impact of the event it will be detrimental as sports participants, organisers, and supporters will be displaced by the event.

#### Knox Park 'Hold Point'

- The public carpark in Knox Park, Murwillumbah is nominated as an 'inspection point' or similar for the Murwillumbah based activities. While technically within the same land parcel as Knox Park it is a public carpark servicing Murwillumbah CBD and should be considered with all other general road and parking issues.

### **Traffic Issues**

#### General

- The Traffic Impact Assessment (TIA) states that road closures are to commence at 8pm on the evening prior to the relevant stage. This will cause local traffic disruption. In particular Reserve Creek Road and Cudgera Creek Road which currently carry over 200 vehicles per day which will require diversion (and backtracking).
- There are insufficient details regarding stakeholder/community consultation and property access by property owners within the proposed road closure areas.
- There are insufficient details given regarding traffic control (signage type and placement, traffic barriers, marshal vehicles, traffic controllers and marshals) for each stage of the event.
- Spectator points have been nominated along the selected routes. However, it is unclear to what procedures will be followed to ensure spectator safety within these areas and spectator safety generally along the entire route.
- A risk assessment and road safety audit for the proposed event routes has not been provided and should be prepared for all routes and must include management plans.
- There are insufficient details regarding how emergency vehicles access the closed road areas safely if required.
- There are insufficient details regarding evidence of public liability insurance and the amount covered.
- There is insufficient details in relation to the interaction with the various stages of this event and other affiliated speed events (e.g. outback rally).
- The TIA states that the only spectator stages of the event within Tweed Shire will be the "Round Mountain" and "Murwillumbah Super Special Stage". It is unknown how spectators will be precluded from the Mooball, Urliup, Byrill and Cudgera rally stages and how the nominated spectator points be protected.

#### Walter Peate Sports Fields, Kingscliff

- A traffic management plan will be required for the main service park and surrounds at Walter Peate Sports Fields.
- The proposed carparking arrangements at the Walter Peate Oval (service park) have not been supplied including details of public and community transport arrangements. A carparking assessment will also be required which will assess the expected parking demand and carparking management at this location.
- There appears to be conflicts of carparking demand with adjoining sports facilities (i.e. Reg Dalton sports fields).
- There are insufficient details regarding the safety controls for spectators when the helicopters land and take off.

- The control for pedestrians, especially those pedestrians that will cross Wommin Bay Road, needs to be addressed.
- There are no details regarding plans for public transport in this area and what promotional material will be produced to encourage this use.
- There may need to be a designated and controlled bus zone at the Walter Peate Oval frontage to Wommin Bay Road.
- Some overflow parking can be provided near the foreshore on Council parkland on Marine Parade just south of Shell Street however a traffic management plan is required on how this possible parking area will be managed.

### Murwillumbah

- An estimate is required of the expected number of spectators and the designated parking areas needed to cater for these spectators and details how spectators access the route.
- The TIA states that the "Speed on Tweed" traffic management plans will be used however the proposed route is slightly different to the Speed on Tweed event. These traffic management plans require updating to suite the amended course.
- Liaison should be undertaken with affected Murwillumbah business owners and community groups (e.g. Murwillumbah Soccer Club and Mt. St. Patricks College).

### Other Areas

- Residents affected by the road closures will need 24 hour communication access to rally officials to ensure property access.
- The 'scrutineering area' in the basement carpark of Peppers Resort will be restricted to the public, however there are no details of how this area will be access and managed. A traffic control plan may be required.
- Additional information is required for the "corporate day" and vehicle testing (shakedown) area at Dunloe Park.
- Page 17 of the TIA report states that Mooball-Pottsville Road will need to be closed from 8pm, it is important to note that this road carries up to 1,000 vehicles per day which is not insignificant. No details are given explaining why this closure required. It is assumed that the report should probably state Cudgera Creek Road.

### **Noise Impacts**

- An Environmental Noise Impact Report has been prepared however should be reviewed to incorporate the change of venue from the Kingscliff Foreshore Area to the Walter Peate Sports Fields.
- Potential noise impacts from some activities associated with the event will exceed the adopted noise levels criteria.
- The recommended acoustic treatments and management measures are required to be addressed for Walter Peate Sports Ground to mitigate potential noise impact upon adjacent residents.
- The provision for a liaison person responsible for noise management must be employed so that significant noise impacts raised during the event can be managed immediately or reviewed for future events.
- The proposed noise impacts can be minimised but not eliminated with the implementation of the above noise management measures.
- Excessive cumulative noise effects may be experienced by Murwillumbah residents exposed to noise from the Murwillumbah Super Special Stage and the Speed on Tweed event held at the same location.
- Clause 17 of the proposed Motor Sports (World Rally Championship) Bill 2009 suspends any noise provisions of the Protection of the Environment Operations Act

1997. It is therefore understood that no enforcement action can be taken in the event that significant noise issues arise.

### **Dust Impacts**

- Considering the nature of the event being undertaken on unsealed gravel roads the high generation of dust will be anticipated.
- The Dust Management Plan (DMP) indicates that significant community consultation is still ongoing to ensure the community is fully informed of potential risks and how they will be minimised. There are insufficient details to gauge the level of consultation that has occurred.
- Dust issues can not entirely be mitigated however can be managed.
- Public health surveillance should be undertaken by Tweed Shire Council's Environmental Health Unit to ensure compliance with the DMP and the Protection of the Environment Operations Act 1997. However it appears that enforcement action by Council can only be undertaken with the authority of the Environmental Protection Authority in accordance with Clause 23 of the proposed Motor Sports (World Rally Championship) Bill 2009.

### **Impacts on Waste Management**

- A Waste Management Plan (WMP) has been prepared, however, should be reviewed to incorporate the change of venue from the Kingscliff Foreshore Area to the Walter Peate Sports Fields.
- The WMP details what toilet amenities will be provided based on the predicted attendance of the event. The number of toilet amenities proposed has been derived from the BAC 2008: for Bars and Restaurants. It appears from review of the report that the provision of the amenities may be slightly inadequate and the provision for toilet amenities should be more appropriately assessed in accordance with the Safe and Healthy Mass Gatherings Manual (Emergency Management Australia Manual 12).
- Adequate servicing of proposed toilet amenities must be undertaken to ensure public health risks do not arise during the event. The WMP proposes regular inspections by event staff of the amenities.
- The WMP details that mechanical wastes will be stored and disposed of in dedicated fenced and bunded waste compounds. Storage and containment of wastes shall be undertaken in accordance with NSW Workcover requirements and the Protection of the Environment Operations Act 1997. A spill management plan be prepared and made available on-site as a reference document.
- Previous discussions held with WRC organisers revealed that fuel will be stored in transportable self-bunded storage tanks, However, no details have been provided regarding this.
- It appears that enforcement action by Council can only be undertaken with the authority of the Environmental Protection Authority in accordance with Clause 23 of the proposed Motor Sports (World Rally Championship) Bill 2009.

### **Impacts on Public Health Surveillance**

- There has been no indication of who will be undertaking routine public health surveillance of the event and ancillary activities. It is important that Council be proactive in the prevention of potential public health issues that may arise during the event. This is considered particularly important as the event is anticipated to attract a large number of local, interstate and international visitors.
- Public health surveillance will ensure compliance with the relevant reports/management plans and legislation relating to significant public health issues

such as food safety waste, hazardous chemicals, amenities, dust, noise and amusement devices.

### Temporary Structures

- No details have been submitted regarding any proposed tents, marquees, stages platforms and grandstands to be erected in association with the event.
- All temporary structures are to be designed and erected to resist loads determined in accordance with the Australian Standard AS1170.0 - General Principles, AS1170.1 - Permanent, imposed and other actions, AS1170.2 - Wind actions. Certification by a Structural Engineer of adequacy of the erected structures should be sought and displayed on the tents, marquees, stages platforms or grandstands.
- Any tents or marquee proposed to be used as a place of public entertainment must be controlled so that the number of people who are in the tent or marquee at any one time while entertainment is being provided does not exceed the number of square metres of the floor area of the tent or marquee.
- Exits from any enclosed tent or marquee are to be provided generally in accordance with the provisions of the Building Code of Australia. Adequate fire safety measures are to be provided for all tents and marquees appropriate to the use and occupancy.

### Planning Issues

- It is considered that the definition for the World Rally Championships Event and its associated activities comprising of spectator points, service park and helipad on the Walter Peate Sports Ground would be appropriately defined as development for the purposes of a "recreation area" pursuant to Tweed Local Environmental Plan 2000.

A Recreation Area means:

- a) a children's playground, or
- b) an area used for sporting activities or sporting facilities, or
- c) an area used by the Council to provide recreational facilities for the physical, cultural or intellectual welfare of the community, or
- d) an area used by a body of persons associated together for the purposes of the physical, cultural or intellectual welfare of the community to provide recreational facilities for those purposes.

*It does not include a racecourse or a showground.*

Whilst a helipad is separately defined in the LEP in this instance that sort of additional activity is considered ancillary to the definition of a recreation area.

A development application would have normally been required to be lodged for the overall event which would be for the purposes of a "recreation area". However, Clause 10(2) of the Motor Sports (World Rally Championship) Bill 2009 states:

*An environmental planning instrument under the Environmental Planning and Assessment Act 1979 cannot prohibit, require development consent for or otherwise restrict the conduct of a rally event, or the carrying out of rally-related activities, during the declared rally period. This subsection applies to an environmental planning instrument made before or after the commencement of this Act.*

Therefore, no development application is required in this instance.

Also, as part of the proposal intends on utilising the Walter Peate Sports Ground which is zoned 6(a). A "recreation area" is permissible without development consent

(i.e. an Item 1 use). However, given the nature of the event, an assessment under Part V of the Environmental Planning and Assessment Act 1979 would normally have also been required. However, Clause 10(1) of the Motor Sports (World Rally Championship) Bill 2009, does not apply to the rally event and its associated activities.

- The operation of the event must have ALL owners consent, including private properties, the use of local roads (Council) and the use of local parks and sports grounds (Department of Lands and Council).

## Conditions

### Council Managed Sports Grounds

- All sportsfields are to have a formal inspection an condition report carried out and submitted to Council immediately prior to occupation by WRC , immediately following cessation of WRC occupation and following restoration to pre existing condition.
- Any damage or negative impacts on the sportsfields must be fully repaired and restored to the equivalent or better condition as existed prior to WRC occupation to the satisfaction of Council. Restoration is a matter of urgency as the fields must be available for their normal usage as soon as possible. The restoration must commence immediately after cessation of WRC activities on the site and the site must be fully restored to pre-event condition in the shortest possible time. It is expected that most restoration should be completed within one week. Full regeneration of the worst damaged areas must occur within a maximum period of 8 weeks.
- Given the scale of use proposed for the Walter Peate Sports fields, a refundable monetary bond for the amount of **\$50,000.00** should be paid to Council for the possible damage caused as a result of the event. The bond will be repayable on Council acceptance that all playing fields are fully restored within the timeframes set. If this does not occur the bond will be called up to pay for any outstanding or untimely works.
- Details of the proposed marquees and unspecified display areas proposed to be erected on all Council sports fields should be submitted to and approved by Council prior to the commencement of the event.
- No public car parking is to occur on any sports fields or reserves within the shire without the prior written approval from Council.
- The WRC Organisers are to directly negotiate suitable relocation arrangements and compensation with the various Sporting Clubs affected by the event.

### Ecology

- All works associated with the race event will comply with the provisions of Part 2 to Part 7 of the *Koala Plan of Management for proposed World Championship Rally activities in parts of the Tweed LGA* and the *Recommendations within Section 8 of the Ecological Assessment – proposed World Championship Rally event in parts of Tweed Local Government Area*, both by Biolink Ecological Consultants dated April 2009.
- Ecological reports will be reviewed and adaptive management strategies employed for any issues arising during the 2009 event prior future stages of the World Rally event in the Northern Rivers Region.
- Race event stages will not commence until the activities of Spotter/Catcher personnel in accordance with the *Recommendations within Section 8 of the Ecological Assessment – proposed World Championship Rally event in parts of Tweed Local Government Area* have been completed.
- Results of monitoring of road kill in accordance with *Section 8 of the Ecological Assessment – proposed World Championship Rally event in parts of Tweed Local Government Area* will be provided to Tweed Shire Council for any road-kill within the Tweed LGA.



- Repco Rally Australia will be responsible for restoration of any areas of native vegetation impacted by clearing or trampling to provide viewing and car-parking areas or other facilities associated with the World Rally event in the Tweed LGA. A suitable bond or bank guarantee will be negotiated and lodged with Council prior to the race event.
- No race, trial or practice runs will be conducted outside of full daylight hours. Repco Rally Australia will be responsible for ensuring disqualification of drivers not heeding this provision.
- Wherever possible, races will be conducted during dry weather only. In the event of the race being run during wet weather, additional measures such as sediment fencing along road edges at their intersection with watercourses and wetlands to protect amphibians and fencing of high value reptile habitat at their intersection with roads used for the race event will be undertaken prior to the relevant race stage. Such fencing will be removed the day following the race stage.

### **Food**

- The handling of food at the event shall be carried out in compliance with the NSW Food Authority's Food Handling Guidelines for Temporary Events.
- Any premises used for the storage, preparation or sale of food shall comply with the Food Regulation 2004 and the Food Safety Standards 3.1.1, 3.2.2 and 3.2.3.
- All food premises shall provide appropriate notification to the NSW Food Authority prior to the commencement of operations.
- All food premises shall be subject to inspections by Tweed Shire Council's Environmental Health Officers.
- Event management shall provide details of all operators of temporary food businesses or food vans four (4) weeks prior to the event.

### **Waste Management**

- All solid, liquid and hazardous wastes shall be collected, stored and disposed in accordance with the recommendations of a Waste Management Plan approved by the Minister. The Waste Management Plan shall be provided to Council two (2) months prior to the event.
- Adequate solid waste bins shall be provided in accordance with the recommendations of a Waste Management Plan approved by the Minister. The Waste Management Plan shall be provided to Council two (2) months prior to the event.
- Adequate toilet amenities shall be provided in accordance with the recommendations of a Waste Management Plan approved by the Minister. The Waste Management Plan shall be provided to Council two (2) months prior to the event.
- Hazardous chemical waste shall be stored in accordance with Workcover NSW requirements and appropriate approval shall be gained.
- A Spillage Management Plan for waste oils shall be compiled and made available on-site as a reference document. The plan shall detail requirements for satisfactory spillage clean-up of stored oils and road spillage incidents.

### **Dust**

- The event shall be operated in accordance with the recommendations of a Dust Management Plan approved by the Minister. The Dust Management Plan shall be provided to Council two (2) months prior to the event.

### **Noise**

- The event shall be operated in accordance with the recommendations of a Noise Impact Assessment approved by the Minister. The Noise Impact Report shall be provided to Council two (2) months prior to the event.
- A community liaison officer and community liaison contact phone number shall be available on a 24-hour basis on the days of the event (including 3 days pre- and post-event). Details of the name and contact person and the contact telephone number must be locally advertised a minimum of fourteen (14) days prior to the event and local, directly affected, residents notified by means of an individual letter drop to each household.

### **Public Health Surveillance**

- The rally event and ancillary activities will be subject to Public Health Surveillance undertaken by Tweed Shire Council's Environmental Health Unit. Payment of a Public Health Surveillance fee of \$9600 is required to the Tweed Shire Council one (1) month prior to the commencement of the event.

### **Amusement Devices**

- All amusement devices shall be installed on solid ground suitable for the support and securing of the device. Such ground shall be free of uneven surfaces, obstructions, drainage grates and the like which may pose a hazard or danger to the persons using any such device. Any amusement device shall be supervised, secured and operated in accordance with the requirements of WorkCover NSW. A copy of the manufacturer's erecting and operating instructions shall be kept on site with all amusement devices.
- All amusement devices shall comply with the relevant provisions of the current version of Australian Standard AS 3533 (Amusement Rides and Devices), Occupational Health & Safety Regulation 2001, and Local Government (General) Regulation 2005.
- All amusement devices shall be registered if required with WorkCover NSW and are to comply with all conditions of any such registration.
- Operators of all amusement devices shall comply with the requirements of WorkCover NSW including the keeping of daily log books and insurance or indemnity for the device.

### **Temporary Structures**

- All tents, marquees, stages platforms and grandstands are to be designed and erected to resist loads determined in accordance with the Australian Standard AS1170.0 - General Principles, AS1170.1- Permanent,imposed and other actions, AS1170.2 - Wind actions. Certification by a Structural Engineer of adequacy of the erected structures is to be displayed on the tents, marquees, stages platforms or grandstand.
- Any tents or marquee proposed to be used as a place of public entertainment must be controlled so that the number of people who are in the tent or marquee at any one time while entertainment is being provided does not exceed the number of square metres of the floor area of the tent or marquee.
- Exits from any enclosed tent or marquee are to be provided generally in accordance with the provisions of the Building Code of Australia.
- Adequate fire safety measures are to be provided for all tents and marquees appropriate to the use and occupancy.

### **Traffic**

Note: A meeting is going to be held between Rally organisers, Council and RTA regarding the numerous issues raised. A revised Traffic Management plan is apparently being formulated to address these issues. Therefore no conditions can be imposed at this stage.

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14 July 2009

Mr Michael Rayner  
General Manager  
Tweed Shire Council  
PO Box 816  
Murwillumbah NSW 2484

PROTECTION OF THE ENVIRO  
NATIVE VEGETATION ACT  
CROWN LANDS.  
WATER MANAGE'NT - GENERAL  
FISHERIES .  
ROADS - GENERAL .  
TRAFFIC - SAFETY .

NPWS  
LOCAL GOVT ACT  
ACTS & ORDINANCES - EPA

TWEED SHIRE COUNCIL	
FILE No.	WORLD RALLY CHAMPIONSHIPS
Doc. No.	.....
RECD	23 JUL 2009
ASSIGNED TO:	RAYNER, m
STANDARD COPY	<input type="checkbox"/>
IMAGE	<input checked="" type="checkbox"/>

Dear Mr Rayner

The *Motor Sports (World Rally Championship) Act 2009* (NSW) (the Act) came into effect on 1 July 2009 to facilitate the conduct of the World Rally Championship to be held in the Northern NSW Tweed and Kyogle shires from 3 to 6 September 2009.

Under the Act, I may authorise a person to conduct a round of the World Rally Championship during a declared rally period in a declared rally area, subject to conditions. The Act precludes a number of standard application processes that would, in ordinary circumstances, be required for an event of this nature. It is intended that the authorisation to conduct the Rally be subject to the conditions that would reasonably be required under standard application processes in relation to health, safety and the environment.

The NSW Department of Premier and Cabinet, through its Community Engagement and Events Division (CEED), is facilitating cross-agency support and involvement in the World Rally Championship's Repco Rally Australia 2009 (the Rally). This includes collating information relevant to the drafting of conditions under which authorisation to conduct the event would be granted.

I am aware CEED has been working closely with you in coordinating whole-of-government support for the Rally and that Tweed Shire Council is a relevant authority for the purposes of seeking input for relevant authorisation conditions for the Rally.

Accordingly I write to seek Council's urgent assistance in identifying key conditions that would have been placed upon the Rally by Council through standard application processes or to ensure appropriate compliance with the following Acts (where relevant):

- *Environmental Planning and Assessment Act 1979,*
- *Local Government Act 1993,*
- *National Parks and Wildlife Act 1974,*
- *Protection of the Environment Operations Act 1997,*
- *Forestry Act 1916,*
- *Crown Lands Act 1989,*
- *Water Management Act 2000,*
- *Fisheries Management Act 1994,*
- *Motor Vehicle Sports (Public Safety) Act 1985,*
- *Roads Act 1993,*
- *section 40 of the Road Transport (Safety and Traffic Management) Act 1999.*

Please note that a review process for the Rally is currently being developed and my office will be in contact with Council as soon as possible to discuss the process.

Should any additional information be required in relation to the Rally, the contact officer in CEED is Mr Matt Morcom, Acting Director, Event Policy, Planning and Delivery (email [matt.morcom@dpc.nsw.gov.au](mailto:matt.morcom@dpc.nsw.gov.au) or telephone (02) 9228 5756).

Yours sincerely



Ian Macdonald, MLC  
**Minister for State Development**

c.c. Councillor Joan van Lieshout (Mayor)



**TWEED  
SHIRE  
COUNCIL**

Please Quote  
Council Ref: World Rally Championships

altr

Your Ref No:

For Enquiries  
Please Contact: Mr Mike Rayner

Telephone Direct (02) 6670 2415

27 July 2009

Mr Matt Morcom  
Acting Director, Event Policy, Planning and Delivery Unit  
Community Engagement and Events Division  
NSW Department of Premier and Cabinet  
GPO Box 5341  
**SYDNEY NSW 2001**

Dear Morcom

I refer to the Minister's letter dated 14 July 2009 and my subsequent discussion with you.

As you are aware Rally Australia wrote to Council on 1 June 2009 enclosing copies of all reports prepared for the World Rally Championships. Rally Australia encouraged feedback from both staff and Councillors and requested a workshop to discuss the reports. A copy of the letter is attached.

Council staff subsequently undertook an assessment and prepared a report as background to a workshop which was held on 7 July 2009. The Chairman of Rally Australia Mr Alan Evans, General Manager Mr Gary Upson and Mr Neil Wright from your department attended the workshop. I have attached the report for your further consideration.

Subsequent to the workshop, I understand Mr Upson has been working through the issues with Council staff and other stakeholders.

Apart from those issues identified by staff, Cr Milne raised her concern in relation to a perceived lack of consultation with the local Aboriginal community. Councillors did not raise any other issues.

I trust this response appropriately satisfies the Minister's request.

Please do not hesitate to contact me should you have any further queries.

Yours faithfully

**Mike Rayner  
GENERAL MANAGER**

Enclosures





# Homebush Motor Racing Authority

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19 Martin Place Sydney, NSW  
2000

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Tel: + 61 2 9338 6664  
Fax: + 61 2 9338 6765

3rd August 2009

Mr Mike Rayner  
General Manager  
Tweed Shire Council  
PO Box 816  
Murwillumbah NSW 2484



Dear Mr Rayner

## Re: World Rally Championship

Reference is made to the Australian round of the World Rally Championship (the Rally) which is proposed to be staged in the NSW Northern Rivers region between 3-6 September 2009.

To ensure the event could be undertaken in a timely manner, it was necessary to enact special legislation to facilitate the event. To this end, the *Motor Sports (World Rally Championship) Act 2009* was assented to on 1 July 2009.

Under the Act, the Minister for State Development is responsible for the authorisation and conduct of the Rally event and associated temporary works, subject to any conditions as may be considered reasonable and relevant.

Under section 8 of the Act, the Minister is also able to authorise public authorities to assist him in the facilitation of the event. As such, the Minister has authorised the Homebush Motor Racing Authority of the Department of Industry and Investment to undertake any and all necessary functions to facilitate the event authorisation. This incorporates the assessment of the relevant event documentation submitted by the event proponent and the consideration of any responses or draft conditions considered appropriate by other key Agencies or Local Government Councils in respect of health, safety and the environment in relation to the approval of the event.

The Authority will also assist by taking a lead role in the post event reporting to be undertaken as soon as practicable after the end of the declared rally period in 2009 as required by section 25 of the Act.

If you have any further enquiries in this regard, please do not hesitate to contact me direct on 02 9338 6640.

Yours sincerely

Bryan Hardman  
Chief Executive Officer