

T/3/37/2.

13. T/3/37/2 - PROPOSED SUNBURY MUSIC & CULTURAL FESTIVAL - AUSTRALIA DAY WEEKEND, 1984:

13.1 Council will recall that a submission from Australian Festival Corporation Pty. Ltd. proposing the above, together with a number of objections to same were considered on 14th November, 1983 (Pages 12 to 58 of Minutes). At that time the Council resolved as follows:

*It was proposed by Cr. Richards Seconded by Cr. Donovan that Council resolve to do everything in its power to stop the proposed Sunbury Music and Cultural Festival, scheduled to be held over the Australia Day week-end in January, 1984, on the property of Messrs. G. & G. Duncan in Duncans Lane, Diggers Rest.*

*Further, that in the event that control of the proposal may be outside Council's power, and that Council therefore may not be given the opportunity to disallow the staging of such a Festival, that the Council voice, to the Government and the Melbourne and Metropolitan Board of Works, its strongest objection to the inappropriateness of such a Festival on the proposed site, and in particular, during the fire endangered Summer months.*

*Also further, that in the event of the proposed Festival proceeding despite the Council's objection, that the Council :-*

- i) endeavour to ensure that one readily identifiable body, being either the Melbourne and Metropolitan Board of Works or the State Government, take legal responsibility for permitting the activity to occur;*
- ii) require the Senior Health Surveyor to document and report to Council the controls which Council has power to administer and enforce; and*
- iii) require the Organisers of the Festival to lodge a substantial (\$500,000) Bond with the Council prior to the holding of the Festival.*

Carried

It Was Noted by the Meeting that whilst generally Council is not against the concept of music, cultural and recreational facilities, for the convenience of its ratepayers and residents, it does however, strongly object to the inappropriateness of the proposed Festival having regard to the site and the time of year when it would be held and also the intrusion upon the privacy of adjacent properties.

*It was proposed by Cr. Gellie Seconded by Cr. Gregson that Council seek a Deputation to the Premier (Hon. John Cain, M.P.) to express Council's opposition to the proposed Festival and request the Deputation and Meeting be held at the proposed Festival site. Further, that if possible, Council take the opportunity to raise other matters of concern with the Premier (e.g. the proposed Attwood Radioactive Waste Depot).*

Carried

- 13.2 Following the meeting on 14th November, 1983, the matter was referred to Council's Solicitors for advice and a copy of the advice subsequently received is included in Committee Report No. 171 to this meeting.

The following letters were prepared and forwarded:

a. To the Country Fire Authority:

"At a recent meeting Council received a formal submission regarding a pop festival proposed to be held over the forthcoming Australia Day Weekend 1984 at a property situated in Duncans Lane, Diggers Rest.

It is understood that the promoters of the festival have had discussions with Officers of the Authority and that recommendations in regard to fire prevention and management have been made.

Council is concerned that the festival would present a considerable fire risk to ratepayers in the area. For this and other reasons, Council is totally opposed to the festival being held.

Nevertheless, in the event of the promotion proceeding despite Council's opposition, it is important that Council be aware of the recommendations of the Authority and it is requested that these be forwarded to Council at the earliest opportunity."

b. To the Country Fire Authority:

"I refer to my letter of 16th November, 1983. Since that letter was drafted Council Officers have been able to more deeply examine all the proposals of the Promoters.

This has caused an even deeper concern for the latent fire risk that may well exist at the proposed location at that time of the year.

Council is to consider the proposal at its next meeting scheduled for 5th December, 1983. Before that date is your Authority able to advise us as to whether it considers the proposed arrangements for the prevention of fire and for fire fighting in the event of fire entirely adequate for any circumstances which may foreseeably arise at the location at that time of the year?"

c. To Australian Festival Corporation Pty. Ltd.:

"The Council has considered the submissions presented to it in relation to the above stated activity proposed to be held at Duncans Lane, Bulla over the weekend of 27th-30th January, 1984.

I am instructed to advise that Council generally is in favour of the concept of music, cultural and recreational facilities for the convenience of its ratepayers and residents however, it has three concerns with the present submission, namely:-

1. The grave fire risk which may arise at the selected location at the proposed time of the activity with deep concern for the security of adjacent properties from the danger of fire spread.

2. The enforced intrusion upon the privacy of those who live in close proximity and effects of possible enforced increase in the ambient noise level upon them.
3. The very short notice given to this authority of the proposed activity and therefore the lack of time to make all pertinent enquiry as to the likely problems and the means, if any, of combatting them.

Whilst Council is pursuing its investigations it must remain opposed to the holding of the activity."

d. To Objectors being: (similar letters)

- Mrs. L. Beard, Bulla/Diggers Rest Road.
- Mr. M. Caldwell, Solicitor acting for a number of Objectors in the area.
- Mr. R. Thom, Sunbury Road who submitted a petition signed by approx. 120 people.

"I refer to your letter dated 6th November, 1983 in which you express your concerns at the proposed staging of the above festival.

At its meeting on 14th November, 1983, the Council considered a submission from Australian Festival Corporation Pty. Ltd., and resolved to oppose the proposal.

A copy of the Council's letter to Australian Festival Corporation Pty. Ltd. is enclosed for your information."

e. To the Premier of Victoria:

Re: Proposed Sunbury Music and Cultural Festival  
Australia Day Weekend 1984

At its meeting held on 14th November, 1983, the Council considered a submission presented to it by Australian Festival Corporation Pty. Ltd., in relation to the above activity proposed to be held at Duncans Lane, Bulla over the weekend of 27th-30th January, 1984.

The Council determined that whilst it is generally in favour of the concept of music, cultural and recreational facilities for the convenience of its ratepayers and residents, it has however, three deep concerns with the present submission, namely:-

1. The grave fire risk which may arise at the selected location at the proposed time of the activity with deep concern for the security of adjacent properties from the danger of fire spread.
2. The enforced intrusion upon the privacy of those who live in close proximity and effects of possible enforced increase in the ambient noise level upon them.

3. The very short notice given to this authority of the proposed activity and therefore the lack of time to make all pertinent enquiry as to the likely problems and the means, if any, of combatting them.

The Australian Festival Corporation Pty. Ltd. has been advised that whilst Council is pursuing its investigations it must remain opposed to the holding of the activity.

The Council's concerns in this matter are very real and the Council therefore requests an opportunity to meet with you as soon as possible, to discuss the problems it believes are associated with the proposal.

The Council would like to suggest that the meeting could be most effective if it were held at the Council Chambers in Sunbury and include an on-site inspection of the property proposed as the venue for the Festival.

At the same meeting, the Council would also appreciate an opportunity to discuss personally with you, the matter of the suggested Radioactive Waste Storage at Westmeadows, within this Municipality.

I look forward to your advice of a suitable meeting date. "


- 13.3 On 22nd November, 1983 the following reply was received from the Country Fire Authority in respect of Council's first letter:

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Re: Proposed Pop Festival - Duncans Lane, Diggers Rest.

I refer to your letter of the 16th. November, 1983 and enclose a copy of the Authority's advice on the fire prevention and suppression measures considered necessary in respect to the proposed Festival.

Yours faithfully,

  
L.A. Cruickshank  
Acting Secretary.