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9th December 2018

Our reference: 1287.2678

Prof. Richard Mackay, Ms Catherine Hird and Mr Andrew Hutton
Independent Planning Commission
Level 3, 201 Elizabeth Street
SYDNEY NSW 2000

Dear Commissioners,

**RE: Town Planning submission in relation to the Section 75W Modification (MP 09_0028 MOD 3) and a State Significant Development Application (SSD 8169)
North Byron Parklands Cultural Events Site - 126 Tweed Valley Way, Yelgun**

The writer has worked on the North Byron Parklands project since about January 2009. I prepared the original Environmental Assessment for the project and assisted Mr Phil Jones with the preparation of the Environmental Impact Statement (EIS) for SSD 8169.

The proponent is generally supportive of the draft conditions of development consent crafted by the Department of Planning & Environment (the Department). I believe that the format of the conditions is workable and I consider that the draft conditions are generally fair and reasonable. However, there are two conditions the applicant requests the Independent Planning Commission to amend. Those conditions are:

- D9 - relating to the steps for increase of the large events; and
- A6 and A7 - relating to the commencement of large events.

These conditions, and the changes proposed, have implications in relation to matters mainly associated with traffic generation. Accordingly, I have recited below the conclusion set out in the report by the Department applicable to traffic management matters.

"The Department's assessment considers the trial events have given the Applicant the opportunity to develop and continually refine the development's traffic management and monitoring strategies, to ensure its measures are effective in managing vehicle movements and maintaining pedestrian safety during events.

While some queuing on the surrounding road network occurred during initial trial events and following the introduction of ride share (Uber) services in 2016, the Applicant adopted a continuous improvement approach to address and rectify any traffic issues which arose. This has supported the

satisfactory management of vehicle movements during the trial period and allowed the Applicant to maintain compliance with the KPIs in the project approval.

While the operation of the Pacific Motorway is unlikely to be impeded, the Department's assessment found that traffic generated during the largest event will result in some temporary traffic impacts to the Tweed Valley Way. However, these impacts are limited to a four-hour period and the Department is satisfied that these potential short term impacts can be adequately managed by the Applicant's existing and proposed traffic management measures and plans.

The Applicant has also proposed various site access and infrastructure upgrades to ensure the site can effectively manage traffic generated during a 50,000 patron event to minimize the likelihood of traffic queuing onto public roads. The addition of a northern access will also alleviate the demand on access off the Tweed Valley Way.

The Department agrees with RMS and recommends the progressive increase in the large events be limited to increments of 5,000 patrons, to ensure the effects of the increased event size can be observed and traffic management measures refined. This would ensure the acceptable performance of the road network can be maintained during the increased event sizes.

Consequently, the Department is satisfied the potential impacts of the additional traffic generated by the proposed development can be effectively managed by the Applicant. The Department has recommended conditions requiring the Applicant to:

- progressively increase, in increments of 5,000 patrons, the Falls Festival to 35,000 patrons and SITG event to 50,000 patrons, with the increases contingent on the successful performance of traffic management measures and approval of the Department in consultation with RMS, Council and NSWPF*
- prepare and implement a TMP, TCP and TMonP in consultation with relevant agencies that detail the Applicant's proposed and existing traffic management measures and transport initiatives, including the monitoring of bus patronage*
- comply with traffic related KPIs to ensure the performance of the surrounding road network is maintained during outdoor events."*

The applicant respectfully submits that the proposal to limit patron increments to 5000 is unreasonable and unnecessary. The EIS includes robust measures to ensure that the growth of the large winter event occurs incrementally, subject to meeting a number of traffic-related key performance measures (KPIs). The proposed increments (ie. 7,500 patron increments per year) are not significantly different to those recommended by the RMS (ie. 5,000 patron increments), and were comprehensively modelled in the EIS and RTS.

The applicant also requests that the large summer event is not subject to the proposed incremental patron increase as recommended by the Department. In this regard, a detailed analysis of Pacific Motorway volumes was submitted with the RTS. That research showed that the days of the Falls Festival were not the peak days for traffic on the motorway. That is, there were days surrounding the event days that were busier than those that included the traffic from the Falls Festival.

The analysis also showed that a 50,000 patron event during the July event days has a larger total traffic volume than the 35,000 patron event held at New Year, and that the increase due to the Falls Festival is a fraction (2%) of the background traffic volume in the future. Consequently, traffic impacts associated with a 35,000 patron Falls Festival event would be less than those modelled for the 50,000 patron Splendour event.

The conditions we seek to have refined are set out below. For each condition the terms of the condition recommended by the Department are set out. Below that we have set our suggested changes by showing as "struck through" matters for deletion and inserting in red font our requested changes. Below each of the suggested condition changes I have set out some brief comments.

Recommended Condition D9

D9. Any proposed increase of the large events must occur in sequential order as set out in Table 4 and as shown in Appendix 4, with an increase at each stage subject to the approval of the Planning Secretary.

Table 4 Progressive Staging for Large Events

Event	Maximum Number of Patrons			
	Stage 1	Stage 2	Stage 3	Stage 4
Large Winter Event	35,000 patrons	40,000 patrons	45,000 patrons	50,000 patrons
Large Summer Event	25,000 patrons	30,000 patrons	35,000 patrons	N/A

NBP Suggested Condition D9

D9. Any proposed increase of the large events must occur in sequential order as set out in Table 4 and as shown in Appendix 4, with an increase at each stage subject to the approval of the Planning Secretary.

Table 4 Progressive Staging for Large Events

Event	Maximum Number of Patrons			
	Stage 1	Stage 2	Stage 3	Stage 4
Large Winter Event	35,000 patrons	40,000 42,500 patrons	45,000 50,000 patrons	50,000 patrons
Large Summer Event	25,000 patrons	30,000 35,000 patrons	35,000 patrons	N/A

Comments

Changes to Table 4 in relation to the large winter event (Splendour In the Grass) reflect the proposals that have been comprehensively modelled and examined in the EIS and RTS. In relation to the large summer event (Falls Festival Byron), the proponent respectfully submits that the site has already demonstrated its capacity to appropriately accommodate a 35,000 patron event. Based on detailed analysis of the Pacific Motorway volumes for the Falls Festival the motorway can appropriately absorb traffic generation associated with a 35,000 patron event.

Additional traffic management related expenditure must be incurred by the applicant before Stage 2 patron volumes are able to be entertained. That expenditure includes:

- regrading of the public transport access to the site (via Jones Road) to facilitate enhanced bus movements;
- the implementation of major intersection improvements for a new ingress/egress point located along Wooyung Road; and
- the provision of comprehensive improvements to the northern access to the site from Wooyung Road.

The implementation of the above described work has significant capital cost implications, and has been premised on achieving patron capacity of 42,500 for the large winter event. Commissioners will appreciate that to “wind back” the patron capacity by 2500 patrons severely impacts the project profitability at a time critical to the orderly implementation of the development. Parklands submits that the additional 2,500 patrons will be imperceptible in an event of this scale.

Recommended Conditions A6 and A7

Commencement of Large Events

A6. This consent limits the Applicant to commence large events at the following capacities:

- (a) large winter event at 35,000 patrons; and
- (b) large summer event at 25,000 patrons,

except in accordance with a staged approval by the Planning Secretary to progressively expand the large events in accordance with Condition D9, and subject to conditions D10 to D15.

A7. Notwithstanding Condition A6, the Applicant may commence the large winter event at a capacity of 40,000 patrons, subject to meeting the following requirements:

- (a) the Applicant has previously held an event at the site with a capacity of 35,000 patrons;
- (b) the Applicant has met the requirements in conditions D16 and D17; and
- (c) the Planning Secretary has approved the Applicant’s request to progress to the next stage as required by Condition D14.

NBP Suggested Conditions A6 and A7

Commencement of Large Events

A6. This consent limits the Applicant to commence large events at the following capacities:

- (a) large winter event at 35,000 patrons; and
- (b) large summer event at 25,000 patrons,

except in accordance with a staged approval by the Planning Secretary to progressively expand the large events in accordance with Condition D9, and subject to conditions D10 to D15.

A7. Notwithstanding Condition A6, the Applicant may:

- (i) commence the large winter event at a capacity of 42,500 patrons, subject to meeting the following requirements:
 - (a) the Applicant has previously held an event at the site with a capacity of 35,000 patrons;
 - (b) the Applicant has met the requirements in conditions D16 and D17; and

- (c) the Planning Secretary has approved the Applicant's request to progress to the next stage as required by Condition D14; and
- (ii) commence the large summer event at a capacity of 35,000 patrons, subject to meeting the following requirements:
 - (a) the Applicant has previously held an event at the site with a capacity of 35,000 patrons;
 - (b) the Applicant has met the requirements in conditions D16 and D17; and
 - (c) the Planning Secretary has approved the Applicant's request to progress to the next stage as required by Condition D14.

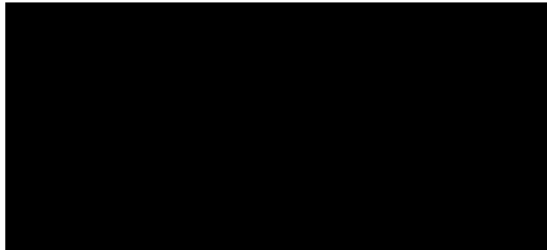
Comment

Condition A6 allows for the commencement of the large winter and summer events at the Stage 1 patron capacity. As currently drafted Condition A7 allows for the applicant to submit the equivalent of a Performance Evaluation Report (Condition D17) and if that evaluation is satisfactory (within the meaning of Condition D16) then the proposal can proceed on the basis of the Table 4, Stage 2 patron capacity. The edits proposed simply seek to extend that facility to both the large winter and large summer event.

Should you require any additional information or wish to clarify any matter raised by this submission, please feel free to contact the writer at any time.

Yours faithfully,

PLANNERS NORTH



Stephen Connelly RPIA (Fellow)

PARTNERSHIP PRINCIPAL

(m) [Redacted]

(e) [Redacted]