



28 April 2017

Department of Planning and Environment  
GPO Box 39  
Sydney NSW 2001

**EMAILED ONLY:** [Rebecca.sommer@planning.nsw.gov.au](mailto:Rebecca.sommer@planning.nsw.gov.au)

**ATTENTION: Rebecca Sommer**

Dear Ms Sommer,

**Exhibition of Modification Request for Cultural Events Site, North Byron Parklands, Yelgun  
(MP09\_0028 MOD 4)**

I refer to your request for a submission on the above matter and thank you for the extension of time to submit to 28 April 2017.

Council notes however that there are two concurrent applications proposed and under consideration for the site.

Firstly, a Modification to Concept Approval MP 09\_0028 is proposed to allow for changes to patron size and to 'harmonise the conditions to reflect a permanent cultural events site'. This is the subject of this submission.

Secondly, development consent is also to be sought under Part 4 of the Environmental Planning and Assessment Act 1979 (Act) for the permanent use of the North Byron Parklands as a cultural events site for up to 50,000 patrons. The Secretary's Environmental Assessment Requirements have been issued for this and once an application is submitted to the Department it will be subject to separate consultation and assessment processes as required by the Act. A separate and more detailed submission about this application will be made by Council then.

With regard to this Modification Application, Council is of the opinion that to satisfy the requirements of the Section 75W any modification of the project Approval needs to consider and include conditions on:

- The events held to date as evidenced by the Environmental Assessment document show that none of the medium or large events have exceeded 32,500 patrons. It is



TRADITIONAL HOME OF  
THE BUNDJALUNG PEOPLE

acknowledged that the approval allows up to 35,000 patrons. However, given the number of concerns in recent times raised by community about the operation of the site and its compliance with conditions, it is considered appropriate to cap the number of patrons to no more than 32,500 for any extended trial period that may be granted until such time as any new development application is considered and assessed for maximum site usage and patron numbers accordingly.

- On and off site traffic and parking management is crucial including pedestrian safety for those walking to and from the event site or utilising the Yelgun Rest Stop as a de-facto pick up / drop off point. A more comprehensive approach to traffic and parking management to address the current conflict that occurs on the surrounding road network during events is necessary and should include Police and or appropriately qualified security and traffic personnel.
- Further, an alternate access needs to be provided through to Wooyung Road in Tweed Shire to take pressure of the main entrances on Tweed Valley Way when the site is in use.
- In light of the recent floods that impacted the northern part of the Shire, a review of any emergency evacuation plan needs to be provided to ensure that in times of flood or other emergency events that patrons can leave the site in a timely and safe manner.
- An increase in and more proactive approach to noise management and mitigation is required prior to and during events to address any potential impacts on surrounding and nearby residents that may need to be resolved due to issues such as changes in weather (wind, cloud cover etc).
- A further review of the veracity of the ecological monitoring that has occurred to date on koalas and other threatened species in the immediate vicinity of the site.
- A further review of the adequacy of waste management including on site sewerage management to occur in light of recent extensive flooding to ensure there is no pollution potential.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Shannon Burt', written over a horizontal line.

Shannon Burt

Director Sustainable Environment and Economy