

24 August 2012
Our Ref: SJC11287-153

The Director General
Department of the Director General
Department of Planning & Infrastructure
GPO Box 39
Sydney NSW 2001

Attention: Mr Brent Devine

Dear Sir,

**Re: Cultural Events Site - Tweed Valley Way and Jones Road
Yelgun, Byron Local Government Area (09_0028)**

On 18 June 2012 I wrote in relation to the potential of the lodgement of a Modification Application concerning the abovementioned project. After considering this matter in some detail the proponent has decided not to proceed with those amendments at this time. However, there are 2, what would appear to be "typographical errors" in the Consent, that my client wishes to address. Below are the Conditions I refer to with the typographical errors shown in red font.

E18 Permanent Human Exclusion Fencing

*Details of all permanent human exclusion fencing closely bordering (within 10m **(30m?)**) of designated forest blocks and other native vegetation must be provided to the Certifying Authority. Human exclusion fencing in these locations must be "fauna-friendly", incorporating a minimum 250mm continuous gap at the base of the fence or 250mm square gaps at 10m intervals along the base of the fence.*

B4 Traffic management and car parking

- 1) A minimum **Level of Service C** is to be maintained at the Yelgun interchange **and along Tweed Valley Way.****
- 2) Queue lengths on the link road between Tweed Valley Way and Yelgun interchange are to be limited to a maximum of 70m.
- 3) Queue lengths on the northbound off-ramp must not extend more than 210m from the Give Way yield line.
- 4) No car parking is to occur on land to the south of Yelgun Creek. Should this area be required for car parking in the future to accommodate larger events, the proponent must demonstrate that patrons can access vehicles south of the creek line in a risk free manner for events up to and including a 100 year ARI flood event for the Director General's approval.
- 5) The southern car park (south of Jones Road and north of Yelgun Creek) may only be used if the event is to cater for more than 20,000 patrons.

In relation to Condition E18, Mr Mat Morris of North Byron Parklands received a phone call from Ms Paula Poon of the Planning and Assessment Commission shortly after the issue of the Consent advising Mr Morris that the reference to "(30?)" was a typographical error.

**6 Byron Street
LENNOX HEAD NSW
2478
PO BOX 538**

**Telephone
02 6687 7171
Facsimile
02 6687 7067
Voice Message
02 9475 0889
Email Facsimile
02 9475 0889**



**www.connelly.com.au
ABN 40 125 970 783**

Recently Messrs Morris and Doolan met with Messrs Baldwin and Heyman from the RMS. The meeting was mainly in relation to the establishment of the Regulatory Working Group. At that meeting the RMS officers opined that the reference to Level of Service C on Tweed Valley Way in Condition B4 was a typographical error and the correct standard is that stated in Condition C10. For ease I have set out below Condition C10.

C10 Traffic Control Plan

A Traffic Control Plan (TCP) for each event must be prepared by a suitably qualified and RMS accredited Work Site Traffic Controller, at least 60 days prior to the event. The TCP must be submitted to the Local Traffic Committee for endorsement and then to Council for approval prior to commencement of each event. The TCP must address the following matters:

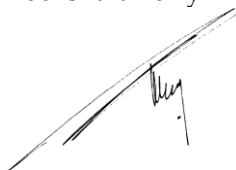
- (a) Be designed in accordance with the requirements of the RMS's Manual, Traffic Control at Work Sites Version 2, and the current Australian Standards, Manual of Uniform Traffic Control Devices Part 3, 'Traffic Control Devices for Works on Roads'.*
- (b) The regulation of traffic must be authorised under the Roads Act 1993 and the use of traffic control devices authorised under the Road Transport (Safety & Traffic Management) Act 1999.*
- (c) Reduced speed zones approved by the RMS.*
- (d) Special Event Clearways approved by the RMS.*
- (e) Appropriate signage to prohibit parking in the surrounding road network and in the Yelgun rest area.*
- (f) A Traffic Incident Management Plan that details a range of approved contingency measures capable of avoiding significant impacts on the level of service. The contingency plan must be fully documented and include emergency contact names and phone numbers.*
- (g) Measures to address and respond to the outcomes of the Performance report required under Conditions B7, including updating Plans for subsequent events.*

The TCP must be designed to achieve the following performance during bump in, bump out and event days:

- (a) All movements at the Yelgun interchange including merges and diverges need to operate at Level of Service C or better for delay;*
- (b) The level of service for local traffic and through traffic on the Tweed Valley should not fall below Level of Service D; (underlining by the writer)*
- (c) Queue lengths on the link road between Tweed Valley Way and the Yelgun interchange must be limited to a maximum of 70 metres;*
- (d) The end of traffic queues on the interchange ramps must not be within 210 metres of the start of the ramp;*
- (e) On site queuing is not to extend onto the Pacific Highway or the Tweed Valley Way; and*
- (f) There is to be no impact on through traffic travel times of the Pacific Highway.*

For administrative precision, my client wishes to have these errors corrected. However, my client observes that the maximum fees the Department has for minor amendments (\$850) would not seem to be appropriate to the type of error correction application envisaged. I would be pleased to receive your advice in relation to the most appropriate course of action to correct the above-mentioned typographical errors and appropriate fees.

Yours faithfully



Stephen J Connelly FPA
Certified Practising Planner

S J CONNELLY CPP FPA

email: steve@connelly.com.au

mobile: 0419 237 982