

Responses to Questions on Notice

Received at the 28 February 2019
Ordinary Meeting of Council



Mark Arnold
General Manager

BYRON SHIRE COUNCIL
ORDINARY MEETING

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QUESTIONS WITH NOTICE

Question with Notice No. 1
File No:

Bluesfest 2019 Parking Charges
I2019/364

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At Council's Ordinary Meeting held on 28 February 2019, Debbie Sulzberger asked the following question which was taken on notice:

As Bluesfest Pty Ltd imposed an additional daily parking fee on 12th December 2018 while subject to Council's consent conditions for DA 10.2014.753.1 which clearly states parking charges are to be included in the ticket price. Therefore will Council adhere to relevant section of the NSW Planning and Environment Act 1979 no. 203 and Council's 2016 Enforcement Policy and request Bluesfest Pty Ltd immediately rescind the 2019 additional parking charge and also refund to all 2019 ticket holders who have already purchased the parking voucher?

Response Director Sustainable Environment and Economy:

Development Consent 753/2014 was granted by Council on 26 February 2016.

The original consent contains provisioning for paid parking within condition 101.

101. Internal Roads, Pathways and Parking areas

The internal roads and pathways must be suitably maintained to provide all weather access during the event. Effective dust-control measures must be introduced and maintained in accordance with the approved erosion and sediment control plan for unsealed roads and pathways. Sufficient parking marshals must be present in the car parks to direct patrons to selected parking areas, to direct pedestrians away from main traffic routes, and to prevent congestion on circulation roads. Entry to large and medium events to include car parking in the ticket price within the site to discourage on-street car parking on roads within the vicinity.

The applicant has recently submitted a s4.55 application to modify condition 101 of the development consent to remove the existing error/anomaly between the current condition of consent and previous resolutions adopted by Council for the approved traffic management plan.

Change sought to condition in red below.

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The assessment of the s4.55 application will be undertaken in accordance with the Environmental Planning and Assessment Act 1979, and with regard to Council's Enforcement Policy.

Council has no ability to require Bluesfest Pty Ltd to rescind the 2019 additional parking charge and or refund to all 2019 ticket holders who have already purchased the parking voucher.