



North Coast Environment Council Inc.

NORTH COAST ENVIRONMENT COUNCIL

Submission

June 22, 2015

MP09_0028 MOD 3 - Amendments to noise limits, request for small community events and administrative amendments (Project Application)

The North Coast Environment Council (NCEC) is the peak environment group for the North Coast. The NCEC have previously made a number of submissions opposing the North Byron Parklands at Yelgun adjacent to the Billinudgel Nature Reserve and objects to the events proposal to increase noise and to increase activities throughout the year. The North Byron Parklands is currently under the five year trial phase. It is inappropriate to be changing conditions and increasing noise levels during the trial period without proper independent studies.

In November 2014 the Splendour Festival was fined for breaching noise levels. The solution to this is not to increase allowable noise levels further impacting on the surrounding community and the threatened species within the Billinudgel Nature Reserve. It's to determine if this location is totally inappropriate for such high impact activities as we have previously indicated. Nature Reserves are defined in the Billinudgel Final Plan of Management as, '*Nature reserves are considered to be valuable refuge areas where natural processes, phenomena and wildlife are protected and can be studied. Nature reserves differ from national parks as they do not include provision of recreation opportunities as a major objective of their management.*'

There should be no provision for recreation opportunities like this major music festival bringing over 27,500 people per day to intrude on the Billinudgel Nature Reserve. The Billinudgel Nature Reserve protects a remnant of coastal lowland vegetation which is significant at a regional and state level for its numerous rare and threatened species and restricted or poorly conserved plant communities (NPWS 1995a).

There are approximately 450 plant species found within the Reserve (NPWS 1990; NPWS 1995a). Of these, five species are listed under the Threatened Species Conservation Act, 1995. These include the endangered species, fragrant achronychia (*Acronychia littoralis*) and Davidson's plum (*Davidsonia pruriens* var. *jerseyana*), and the vulnerable species, corokia (*Corokia whiteana*), rusty rose walnut (*Endiandra hayesii*) and coolamon tree, or duobby (*Syzygium moorei*) (Gilmore et al. 1986; NPWS 1995 a, b; Jago 1996; Balanced Systems Planning 1996; NPWS 1987). The basket fern (*Drynaria rigidula*), an endangered species presumed to have been extinct in New South Wales, has been recorded in the northern part of the Reserve and from only a small number of other sites in the State, including three sites in Byron Shire.

The Reserve functions as a refuge for specialised wetland fauna, fauna dependent on old growth forest elements and rainforest. The diversity of habitat found in the Reserve, particularly those habitats associated with the swamp sclerophyll forest and woodland and other wetland communities, gives the Reserve a major refuge function for an assemblage of species which have suffered substantial habitat losses and are currently poorly conserved in the existing Regional and State reserve system. These are predominantly specialised wetland species which include:

- ≡ the vulnerable wallum tree frog (*Crinia tinnula*), black bittern (*Ixobrychus flavicollis*), Australasian bittern (*Botaurus poiciloptilus*), brolga (*Grus rubicunda*), bush-hen (*Gallinula olivacea*) and comb-crested jacana (*Irediparra gallinacea*)
- ≡ the regionally significant laughing tree frog (*Litoria tyleri*), sandy gungan (*Uperoleia fusca*), great egret (*Ardea alba*), royal spoonbill (*Platalea regia*), Lewin's rail (*Rallus pectoralis*) and spotless crane (*Porzana tabuensis*)
- ≡ species closely associated with wetland communities such as the vulnerable grass owl (*Tyto capensis*)
- ≡ regionally significant brahminy kite (*Haliastur indus*), little bronze-cuckoo (*Chrysococcyx minutillus*), forest kingfisher (*Todiramphus macleayi*) and grassland melomys (*Melomys burtoni*) (NPWS 1995a).

The Billinudgel Nature Reserve also includes the Koala which is federally listed as vulnerable. The NCEC is concerned that the State and Federal governments are not considering cumulative impacts on the Koala population on the North Coast. Regional scientific experts are concerned about the future of the North Coast Koala populations from varying destructive activities impacting them. At Kings Forest the Koala is at serious risk from development, vegetation loss and deaths from dogs. In Ballina, the proposed route of Section 10 of the Woolgoolga to Ballina Pacific Highway Upgrade could destroy the local population. At Royal Camp State Forest, the Forestry Corporation of NSW logged Koala high use areas which sparked an inquiry into the EPA's handling of the findings. These cumulative impacts on the Koala need to be considered in any development application.

The Billinudgel Nature Reserve was established to protect the flora and fauna within the Reserve. It was not meant to be the home for a major music event that impacts on the primary functions of the reserve. Scientific research undertaken since 2010 at the Bluesfest site in nearby Tyagarah has demonstrated that major noise disturbance will cause Koalas to leave the area for several days. There is also a trend towards fewer animals being present on the site since the inaugural koala monitoring program associated with the 2010 festival. The relatively large number of Threatened bird species which inhabit the Billinudgel Nature Reserve will certainly be under increased stress should any elevation of noise levels be allowed.

The NSW Threatened Species legislation makes it illegal to harm threatened species. Independent studies are needed to determine how much harm these major music events with excessive noise and over 27,000 people per day are having on the Billinudgel Nature Reserve and the threatened flora and fauna it is meant to protect.

The NCEC supports community and environment. We support festivals for communities to enjoy. However, as we have previously indicated, the site at North Byron Parklands at Yelgun adjacent to a fundamentally important nature reserve and wildlife corridor is totally inappropriate for such a high impact activity due to its likely negative impacts on threatened flora and fauna. We strongly object to allowing any increase of noise levels or increasing use and impact at this site.

Regards,

Jim Morrison
President
North Coast Environment Council

<http://www.environment.nsw.gov.au/resources/parks/pomFinalBillinudgel.pdf>