

From:

Chris Cherry
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Thankyou for the opportunity to provide comments on the application to extend the 60 month trial of the permanent event site a further 20 months.

I object to the application on the following grounds:

1) Flood liability of the site places an unjustifiable risk to the public.

The recent flooding and loss of life in the Tweed and the reported crowd crush at the 2016 Falls Festival in Lorne has highlighted the need for authorities to consider the ability to safely evacuate the public from large scale events. Please see the photos below, taken of the camping area on the North Byron Parklands site under flood during the last 8 years. The site is known to also have been flood affected on January 5, 2008, April 3, 2009 and January 25, 2012 although photos of the site were not obtainable due to Wooyung Rd being flooded. (photos of Wooyung Road flooding are available but in the interest of brevity have not been included, although they are available on request.)





Figure 1 North Byron Parklands camping area March 31, 2017

Circled objects indicate Campground Amenities Blocks 1, 2, 5 and 6 along with associated water tanks that have floated away. These can be seen more easily in the following two photos.

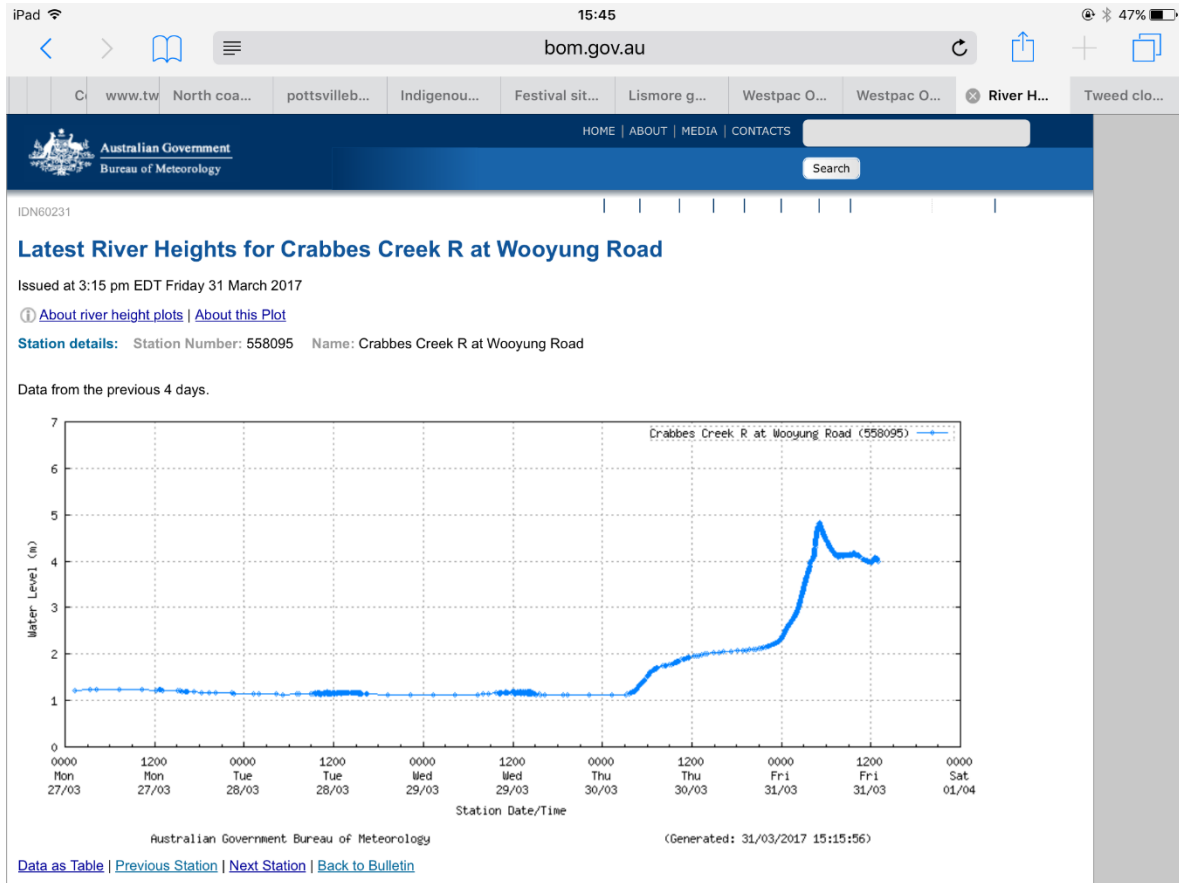


Figure 2 North Byron Parklands Amenities Block 1, March 31, 2017.



Figure 3 North Byron Parklands water tank

Please note that as shown in the attached stream gauge for Crabbes Creek at Wooyung Rd, the water levels have fallen about 1 metre from their peak by the time these photos were taken.



The level of risk associated with flooding as depicted by the photos provided over a number of years in the campground area is an unacceptable risk to the public and as such an extension is not in the public interest.

2) The northern evacuation route required to address safety concerns raised by the NSW Police Force in their response to the SEARs application cannot provide a safe evacuation route during a flood event.

The submission by the NSW Police Force expressed strong concerns over the ability to safely evacuate the site and indicated it would not support further events being held at the site unless a northern evacuation route was made useable. Unfortunately this evacuation route cannot provide safe egress during flooding conditions, as is indicated in the approved Flood Risk Management Plan 2011 by Molino Stewart. This is presumably why it was not identified as an evacuation route in the approved plan. Please see the flooding points identified in the northern road network as provided in the approved Flood Management Plan for the site. This may also explain why Wooyung Rd has never been included in the approved Traffic Management Plan.

During the trial, in 2013, an application to Tweed Shire Council (DA13/0590) to use a private driveway exiting to Wooyung Rd to empty the northern camping area resulted in Council raising serious concerns over safety as an exit and the application by North Byron Parklands was withdrawn.

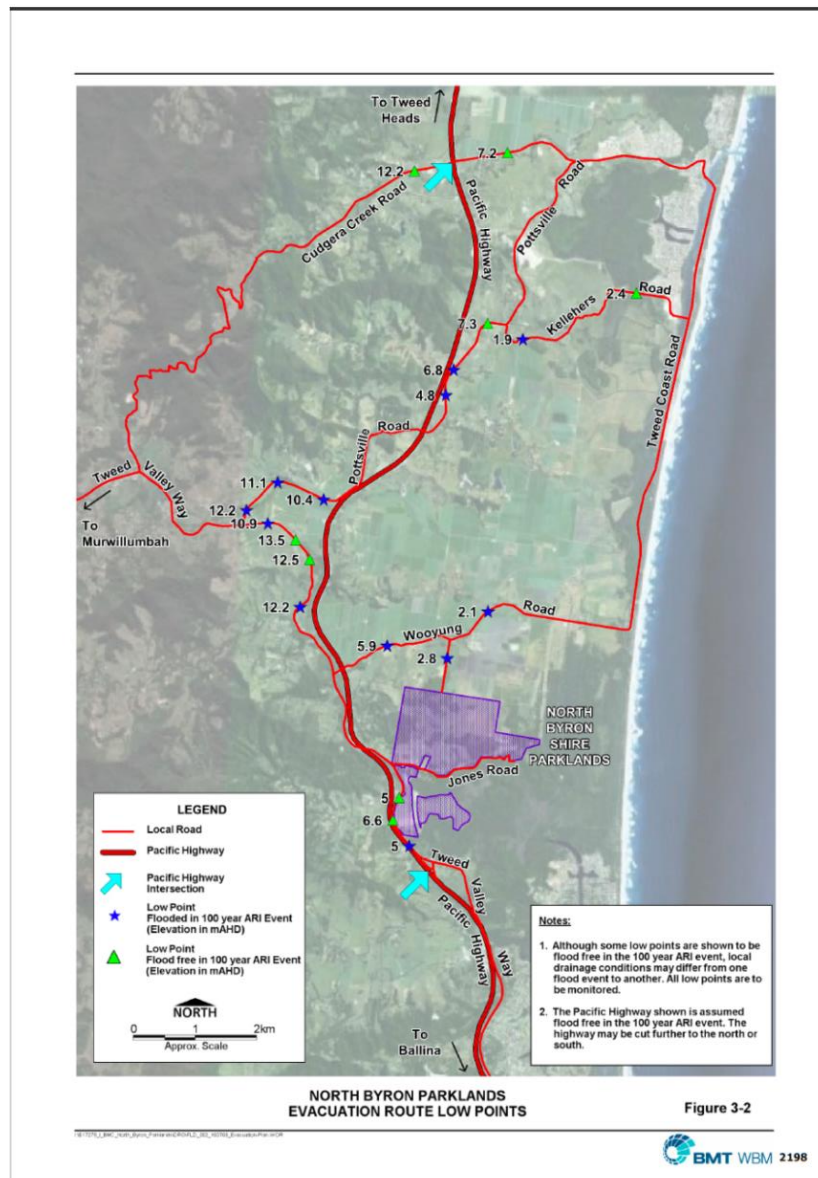


Figure 4 Molino Stewart Flood Risk Management Plan 2011 figure 16

3) An approved alternate site in the Byron Shire exists 10kms from the Parklands site that is able to host the events during the assessment of the Permanent Approval.

As can be seen in the following quote the offer to host Splendour in the Grass at the Bluesfest site has been made previously and now that the Bluesfest has been given permanent approval for up to 100 event days oer year it has become an interim solution for the holding of festivals between the ending of the approved trial and any further approvals.

“But Peter Noble says his venue, on a tea tree farm at Tyagarah, closer to Byron Bay, is ready and waiting to host a slightly smaller crowd.

"We can easily take up to 30,000 people, we have put in the parking and we have the camping areas already in existence," he said.”

Source: http://www.abc.net.au/local/stories/2012/02/02/3421160.htm#.WPvPSe_uK7U.email

It is therefore not in the public interest to extend the trial at the current site when a viable alternative exists.

- 4) The immediate residents surrounding the site should be able to rely on the basic condition of start and finish times for the trial to be upheld.**

It is clear through the level of complaints registered for each major event, the impact on local residential amenity is high. Splendour in the Grass has registered complaint numbers of 133 in 2013, 139 in 2014, 117 in 2015 and 33 in 2016. In comparison, complaints registered for the Bluesfest at the Tyagarah site were between 1 and 14 each year. To extend the trial in the face of this obvious demonstration of negative impact on residential amenity is not in the public interest.

- 5) Non compliance with current conditions requiring attenuation at sensitive receivers has been ignored during the entire trial and an extension without resolving the non compliance in favour of the sensitive receivers is not in the public interest.**

A letter from the Department of Planning in 2013 required the proponent to attenuate sensitive receivers prior to the first events occurring on the site. Thus has still not occurred despite multiple directives from the Department of Planning.

I thank you for your consideration of these objections and urge you in the interest of public safety to reject the application for a 20month extension. The 2012 PAC Determination clearly outlined the process for approvals post the 5year trial period and this needs to be upheld.

Regards

**Chris Cherry
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Figure 5 Falls Festival January 1, 2017, North Byron Parklands camping area : 22,500 patrons at the event