

## **North Byron Parklands Cultural Events Site – Yelgun SSD 8169 and MP 09-0028 MOD 3 (Concept Plan), Tweed Valley Way and Jones Road, Yelgun**

### **A SUBMISSION ON THE D.A. SSD 8169 and MP 09-0028 MOD 3 Concept Plan**

We have read the DA and the Environmental Impact Statement and require attention to issues that the DA and its reports presents. These issues include the magnitude of the events proposed. The following points are our key issues and will be elaborated upon in a subsequent submission due on 2<sup>nd</sup> March.

- 1. We object to the magnitude of the proposal to the SSD particularly as Live Nation has bought a controlling interest in the Splendour in the Grass and Falls held on the NBP site. Live Nation will not be accountable to Council and the local community.**

The two major festivals staged on the site are 51% owned by Live Nation, an American entertainment conglomerate. Permanent approval of this proposal will put profits generated at Parklands into the hands of that conglomerate, an entity that is not answerable to elected officials or local residents.

As we do not know the nature of the festivals or events to be held, beside the events Splendour in the Grass and Falls, once a permanent approval is granted modifications could possibly be obtained thereafter.

- 2. The environment, which encompasses not only the flora and fauna of the area but its human inhabitants and their social welfare, will be compromised. Therefore, the Precautionary Principle is not intact.**

Having the state of NSW control the festival site is not consistent with the existing PAC-approved Concept Plan. After the trial period is over, Byron Council is supposed to grant any further approvals for holding festivals at the site. Rather than prepare for this, North Byron Parklands requested that the NSW state government extend their trial period and have now applied to become a State Significant Development. These moves have allowed them to avoid Byron Council control.

### **The environment is the true state-significant asset in this part of the state.**

Billinudgel Nature Reserve and Marshalls Ridge Wildlife Corridor, into which NSW has invested millions of dollars over decades, are the most state significant assets in the north of Byron Shire. **The proposed increases of site usage are significant.**

The proposed increase in festival use of the site is far from the “few days a year” that Parklands originally argued was their aim. Parklands proposes two large, five-day events and three medium-sized, one-day events every year. Each of these will require 35 days of preparation and dismantling, bringing the total site usage time to 188 working days or 52% of the year’s 365 days. That does not include either the weekend (non-working) days associated with event set-up and dismantling and does not include the days devoted to “small” and “minor” events. If this proposal is approved, NBP will be able to get ongoing modifications

to increase the numbers of days and the daily attendance still further. Their stated aim of 50,000 attendees per day has to be seen as only the beginning.

**Approval of this proposal will permanently change the nature of this ecologically-significant site. Once the ecosystems and wildlife corridor are compromised with further continuous degradation from chemical contaminants from 50,000 attendees per day using sunscreen lotions, insecticide, insect repellent, cooking contaminants, motor vehicle and generator particulate matter and rubbish seeping into the air, waterways and soil, loud noise and massive vehicle and people movement on the site, the ecological values will be slowly diminished and destroyed.**

In **Sec 5.1 Impact avoidance and minimisation**, Parklands consultants 'eco logical' state;

*"Outside of event times, the proposed permanent security fencing will be opened to allow movement of koalas. That is, every 5th or 6th panel will be on hinges (acting as a gate) and will be permanently open except during events. Each fencing panel is approx. 2.5m long. The fence will also be set 100mm off the ground to allow movement of smaller fauna."*

This is unacceptable in a regionally significant wildlife corridor. (refer FNCRCP, 2010)

The concept plan approval outlines a number of requirements for future applications for the North Byron Parklands project after the end of the trial period. In particular, Term C1(1) requires that the performance of the trial events must be addressed as part of any development application for outdoor events after the trial period.

It is noted that Term C1(2) of the concept plan requires that any development application for outdoor events after the trial period must be accompanied by an environmental management and monitoring plan that details the management strategies, monitoring regimes and regular reporting on the key matters associated with the project (including noise, traffic and transport, flora and fauna, bushfire, flood, surface water and event management).

The site is located in an area of significant ecological value, with Billinudgel Nature Reserve immediately to the east of the site, a SEPP 14 wetland to the east and south-east, and the Marshalls Ridge wildlife corridor extending through the central portion of the site. A number of threatened flora and fauna species, endangered ecologically communities (EECs) and critically endangered ecological communities (CEECs) listed under the NSW Biodiversity Conservation Act 2016 (BC Act) and/or the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) have been recorded within or nearby the site, as outlined in the following sections.

Two vegetation communities on the Parklands site also classify as endangered ecological communities (EECs) listed under the BC Act. Four threatened flora species have been identified as occurring on site, and a further 7 species have the potential to occur on site. 18 threatened fauna species have been identified as occurring on site, and a further 4 species have the potential to occur on site. The biodiversity assessment identifies 9 migratory species listed under the EPBC Act that are either known to occur, or potentially occur, within the Parklands site. The assessment identified 34 threatened species and 12 migratory species that either occur, or potentially occur, within 1 kilometre of the site. These species include many of the species identified as occurring or potentially occurring on the Parklands site.

Parklands is proposing to implement a number of mitigation measures, including ongoing ecological monitoring and continued habitat restoration and vegetation management, which to date has seen the planting of 22,000 native trees on the site.

The Biodiversity Assessment Report states that ongoing monitoring and adaptive management will be geared towards the enhancement of endangered ecological communities and associated threatened species habitat via vegetation management and bush regeneration.

A proposal for an operational monitoring program is included in Appendix N Biodiversity Assessment Report

Because of the proposed increase in the number of event days and the number of festival attendees we are concerned that the impacts on threatened species, populations and communities may also increase and consequently we regard it as essential that the ongoing ecological monitoring and the continued habitat restoration and vegetation management is undertaken as proposed.

### **3. Gate A on Jones Road, Yelgun**

In **Appendix D** - refer Sec 4.1 **External Road Works** (pg. 5) it states;

At Jones Road, the existing intersection at gate A will undergo minor roadworks in order to accommodate the regrading and consequent realignment of the existing service vehicle road to be more suitable for buses.

In **Appendix P - Traffic and Transport Assessment 4.3 Gate A** (pg. 23) it states;

From Jones Road: used for service vehicles, bus entry and VIP/performer entry.

Parklands excavated a tunnel through the Jones Road ridgeline so the heavy vehicles such as buses and trucks would not have to enter via the dangerous Jones Road intersection and would enter via **Gate C** instead and gain access to the event site via the tunnel under Jones Road (**Appendix C - Civil Design Plans**).

**WE OBJECT OUT RIGHT TO THE GATE A ON JONES RD, BEING USED FOR SERVICE VEHICLES AND BUS ENTRY**

### **4. Fire risks continue to be great, especially since the festivals have numerous bonfires and are located in a fire-prone area.**

### **5. Combined value of the locality's residential property of \$3 billion is more state significant than the \$30 million Parklands plans**

Parklands claims that their intention to invest \$30 million in the site makes them a state-significant development. But a conservative estimate of the combined value of

just the residential property in Ocean Shores North, South Golden Beach, New Brighton, Ocean Shores, and Brunswick Heads is \$3 billion, as a local realtor has said. That \$3 billion is surely more state significant than the \$30 million Parklands plans to invest in festival-site infrastructure such as concrete platforms and wider roads.

ONCE AGAIN, THE LONGTERM ISSUES AND VARIABLE OUTCOMES ARE ENDLESS WITH A DEVELOPMENT OF THIS SIZE AND IS SUCH, "A MAJOR CONCERN FOR THE LOCAL COMMUNITIES".