A Submission Regarding: SSD 8169 and MP09_0028 MOD5

I have made many submissions since 2010 with regard to this development, and here I am objecting yet again.

Before moving to Byron Shire in the early 1990s, I lived in a metropolitan area with a population of around 300,000, ten times the population of Byron Shire. I frequently attended highly-popular outdoor concerts in that area that featured world-class musicians. The maximum attendance allowed was 5,000 ticket-holders. The concerts were profitable for the promoters and well-received by the residents of the area because the events were extremely well managed with great sensitivity to not creating unwanted impacts on residents and local businesses. The authorities would never have allowed outdoor festivals of the size that have been allowed at Parklands and would not have allowed them at all if the property had been as close to a major environmental asset, like a national park or nature reserve. I say again: events of the size that Parklands is insisting they "need" for a viable business are ridiculously out of scale for the north of Byron Shire and with what I am familiar with from my own first-hand experience in a much more populous area.

You people who are assessing this proposal live in SYDNEY. You do not seem to understand that Sydney standards of size do not apply in the north of Byron Shire. Do you realise that approving events for even 30,000 people per day (equal to the population of the whole of Byron Shire), would be like approving events in Sydney for 5 million people per day (equal to the population of the whole Sydney area)? Sydneysiders would not allow that to happen. Why is it somehow all right here in rural NSW?

It appears that for many years now you have been listening to Parklands tell you how well things are going and how the impacts on our shire are only temporary, minimal, and easily mitigated. But this is only one side of the story. You have not sought direct responses from the community—until you came here on 2 Feb 2018, eight years after the approval was given. As far as we're concerned, we have had virtually no opportunity to talk directly to you at the Department about this imposition on us. That has been extremely frustrating, knowing as we do that you meet with Parklands regularly. We have also not had the opportunity to speak to you through our Council because our Council has been essentially shut out of the oversight and compliance process by you.

You should be aware that the current Premier of NSW has stated on many occasions that local communities should be making decisions about developments in their areas. When is this going to happen with THIS development?

The existing PAC approval clearly states that at the end of the trial, any further approvals for festivals at Parklands must be obtained by Byron Council under Part 4 of the planning regulations. Here is the statement from the PAC:

> "Outdoor events following the trial period will require a further approval from the Council under Part 4 of the EP&A Act." (page 11, PAC's Final Determination Report, 24 April 2014)

When assessing the original Part 3A proposal in 2011, the Department ignored the Land and Environment Court's ruling of 2009 and recommended permanent approval for festivals with daily attendance of 50,000 people, essentially going along with everything Parklands wanted, and more (e.g., recommending unlimited smaller events) and going against Byron Shire Council's objections and going against the objections of the large majority of people who live closest to the development.

The PAC also ignored the Land & Environment Court's ruling because legally the ruling could be overridden by Part 3A, but that doesn't mean that was a just and good decision. At least the PAC tempered the Department's recommendations by calling for a limited trial and imposing fairly strict conditions.

At the time, community members were disappointed in the PAC approval but were at least assured by the PAC that at the end of the five-year trial, control would return to the local council. And Parklands made a point of praising the PAC for its decision and claiming they were more than happy to adhere to the conditions. Then we learned that instead of preparing for Council control, Parklands applied to become a SSD and remain under the control of the state. That would be advantageous to them while again pushing the community out of their way.

If the Department recommends approval of this, it will be the height of unfairness to those of us who have been waiting patiently for our local elected officials to regain control. SSD status should not be allowed to replace the much-hated Part 3A so that more of these disruptive events are imposed on us under the guise of "culture".

I have been affected by the festival noise since the beginning. When I call to say I can't sleep, I am told only that the noise is within the allowable levels. The fact that I am being disturbed means nothing! Then in 2016, the Department recommended even higher limits, and the PAC approved those. Parklands claimed the higher limits would be very good for the community although I failed to see how even higher limits would keep me from being disturbed. Not surprisingly, I am still being disturbed!

If any approval for further festivals is given, then our local Council should set the noise limits after conferring with the people who are most affected by the noise. I've had enough of Parklands and the state telling us what's good for us!

So, I am strongly opposed to this proposal being approved. The State of NSW should be working with the festival promoters to find a different location for these festivals. The fans will attend the festivals wherever they are. As one who has lived with these events for five years, I'VE HAD ENOUGH!