



PROF R. MACKAY: Ladies and gentlemen, we'll commence. Thank you, ladies and gentlemen. Good morning. I acknowledge the traditional owners of the land on which we meet. I pay my respect to their elders past and present and I extend those respects to any indigenous people who are in attendance today.

5 Just before we commence, I note that for those who need them, there are toilets just out the door through which we entered on the right and that should there be a need to evacuate in the event of an emergency, we evacuate out through the doors on that side of the building and that the assembly area is at the bottom of the entry stairs in the carpark.

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Welcome to this public meeting on Development Application MP090028 Mod 3 and SSD8169 in relation to the North Byron parklands cultural event site from Billinudgel Proprietary Limited, the applicant, who seeks approval for the ongoing use of the site for cultural education and outdoor events for up to 20 event days per year. A concurrent modification requests to amend the terms of existing concept plan approval to reflect the types of permanent cultural events that would be held at the site.

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20 My name is Professor Richard Mackay and I am the chair of this Independent Planning Commission New South Wales panel, which has been appointed to determine this proposal and joining me are my fellow commissioners Andrew Hutton and Catherine Hird as well as Mr Jorge Van Den Brande who's at the back and Mr David Koppers over here on my right and Mr Troy Deighton over on my left from the Commissions Secretariat. Now, before I continue, I note that all appointed  
25 commissioners must make an annual declaration of interest identifying potential conflicts with their appointed role., and for the record, we are unaware of any conflicts in relation to our ..... of this proposed modification.

30 You can find additional information on the way we manage potential conflicts in our policy paper, which is available on the commission website. In the interest of openness and transparency, today's meeting is being recorded and a full transcript will be produced and made available on the commission's website. In terms of the meeting purpose, this public meeting provides the commissioners with an opportunity to hear your views on the proposal and on the assessment report prepared by the  
35 Department of Planning and Environment before we determine the development application. Now, the Independent Planning Commission of New South Wales was established by the New South Wales Government on the 1<sup>st</sup> of March 2018 as an independent statutory body operating separately to the Department of Planning and Environment.

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The commission plays an important role in strengthening transparency and independence in the decision making process for major development and land use planning in New South Wales. So in terms of where are in the decision making process, this meeting is one part of our decision making process. This is not the only  
45 meeting that will be held as part of this process. The commissioners have also

briefed by the Department of Planning and Environment and have met with the proponent.

5 We will carry out a site inspection tomorrow and after today's meeting, we will engage further with relevant stakeholders, if and where clarification or additional information is required on matters raised. Full transcripts of all meetings will be published on the Independent Planning Commission website along with any submissions or other documents that are provide to the commission. So for those who are presenting today, please understand that not only what you say but also what  
10 you hand up or you present is also published on the commission website.

I have some special notes. On the 21<sup>st</sup> of November 2018, a notice was placed in the Byron Shire Echo, The Daily Telegraph, The Sydney Morning Herald and on the  
15 22<sup>nd</sup> of November 2018, in the North Byron Shire news of the North Byron Parklands Modification and SSD8169 Project. Now, I note that in this notice, the modification number was incorrectly referenced as modification five instead of modification three. I also note that there has already been coverage of today's meeting in the local media including the radio this morning.

20 It has also come to our attention that owing to a technical issue, the email which was sent to all parties who lodged a submission during the exhibition providing details of this public meeting, bounced back from some email addresses. So in light of these circumstances, a transcript of the audio recording of today's meeting will also be provided to all parties who lodged a submission during the exhibition as well as  
25 being on the commission's website, and the period of receipt for any written comments in relation to the project will be extended until 11 January 2019, so I'll make clear that while you're welcome to present today, if you've registered, it is also possible to make written submissions up to 11 January 2019. In terms of next steps, following today's meeting, we will endeavour to determine the modification  
30 application as soon as possible, however, there may be delays if we find the need for additional information.

Now, I have some ground rules for today, the first of which is that when you are presenting, please, would you mind speaking close to the microphone and into the  
35 microphone as I am, so that people can hear and so that the transcript is clear. I would like to also advise that we expect everybody taking part in today's meeting to follow these ground rules. Firstly, today's meeting's not a debate. Our panel will not take questions from the floor and no interjections should be made, please. Our aim is to provide maximum opportunity for people to speak and be heard by the  
40 panel.

Public speaking is an ordeal for many people and although you may not agree with everything that you hear today, each speaker has the right to be treated with respect and to be heard in silence, please. Today's focus is public consultation and our panel  
45 is here to listen, not to comment. We may ask questions for clarification but this is usually unnecessary. It will be most beneficial if your presentation is focused on the issues of concern to you. It's important that everyone registered to speak receives a

fair share of time, and in this regard I note that all presenters have been allocated the amount of time that they requested at the time of their registration.

5 I will enforce these allocated times, however, I also reserve the right to allow  
additional time for provision of further technical materials where necessary. A  
warning bell will sound one minute before the speaker's allocated time is up and,  
again, when that time runs out and I ask that you please respect these times. I will  
strive to stick to my schedule today, registered speakers sometimes don't attend or  
decide not to speak, and if you know that someone will not be attending, could you  
10 please advise either Jorge or David at this end of the table.

If you would like to project something onto the screen and you haven't already done  
so, could you please also make that available to Jorge or David before your  
presentation? If you have a copy of your presentation, it would be appreciated if you  
15 would provide a copy to the secretariat after you speak. Please note, any information  
given to us will be made public. The Commissions Privacy Statement ..... to your  
information and if you would like a copy of our privacy statement, you can obtain  
one from the secretariat or from our website.

20 Audio recording of this meeting is not allowed accept for the official recording for  
transcription purposes. Notes made throughout the day on issues raised will be  
summarised by the commissioners in our determination report. Finally, I request that  
everyone present please turn their mobile phones to silent. Thank you. So, as we  
begin a rather long day, I am pleased to call our first speaker, Mathew Morris from  
25 North Byron Parklands.

MR M. MORRIS: Thank you commissioners, ladies and gentlemen. I'd like to  
acknowledge the traditional custodians of the land on which we meet today and to  
pay my respect to elders past and present. Today I'll be confining my presentation to  
30 the commissioners with respect to commentary on the Department of Planning and  
Environments assessment of the application made by North Byron Parklands. The  
key issues raised by the department and assessed by the department were the  
following: Traffic and transport, noise, waste water and festival size. I will run  
through each of these points. In relation to traffic and transport management, we've  
35 put a lot of effort into developing and improving the transport and traffic  
management systems for events held at North Byron Parklands.

These include developing a very comprehensive transport management plan, seeking  
and receiving approval for the traffic control plan, which is approved by Byron Shire,  
40 but, first, must go through the Local Traffic Committee, putting in place a range of  
local traffic control arrangements for local roads in and around the venue, providing  
accredited traffic controllers, undertaking a very detailed traffic monitoring program,  
and, of course, maintaining a high level of consultation and contact with key  
agencies including New South Wales Police and Roads and Maritime Service, and  
45 Byron Shire Council as well.

5 The key litmus test for us, in terms of performance, is through our community hotline. The community hotline is something which provide and promote very strongly through a range of mechanisms. The number, itself, has been the same over the last 11 events. We undertake up to 3500 letterbox drops per event advising of the hotline number and the information that people can receive or make to that hotline. It's also advertised in the local papers, both north and south of the site and as such, it's the key conduit, if you like, for us being able to provide or receive information about how we're operating within the community and which we do operate.

10 In this instance here, you will note for traffic and transport, for Splendour 13, we did have a congestion issue that affected Tweed Valley Way for quite a number of hours as a result of the internal accreditation and searching of vehicles that we'd put in place, in part, with New South Wales Police. That was remedied at the next event and as we can see, for Falls '13/14, we had three complaints about traffic. For the next five events we've had no complaints about traffic and then for each of the last four events we've had one. So I think that provides, in terms of traffic monitoring, at least one set of data that shows that in the most part, traffic's been very well managed at this site.

20 In terms of the assessment that the department made, they noted a history of continuous improvement. It was also noted that the last and largest event that has been held at this site, met all of its traffic KPIs. They recommended the continuation of those traffic KPIs as being appropriate for measurement of traffic performance moving forward and, importantly, the RMS also supported the proposed application albeit looking at an increase in patrons on a stage basis. Looking at noise management, again, we've put a range of systems and processes in place including on site noise attenuation measures, so they're at source noise attenuation measures such as physical barriers, speaker array systems, delay stacks and the like. We have established a noise control centre, which we found, particularly, in the last four or five events to be very proactive in terms of making certain changes to either frequency, tone or volume.

35 We have attended monitoring during the event. To that end, we take, roughly, 200 to 220 attended monitoring samples or 10 minute samples per event. That's equal to about 22,000 minutes of sampling across and around the catchment in which we operate, so we have a very good understanding of the noise distribution across this catchment over time. Community hotline, which, again, as I mentioned before, is our main frontline in terms of receiving information from the public regarding our performance, attended monitoring at a number of residential addresses and also including those that have called the hotline, so undertaking attended monitoring at that property and making any necessary changes to ensure compliance with our noise limits.

45 This graph here will provide the first number of years of operation under the original noise conditions, which was a background plus regime and then after the changes, which included regulating the lower frequency or bottom end, which is the more intrusive component of it, and as we can see, there was some significant levels of

noise complaints that were received prior to being able to better regular that bottom end. Since that time, I think it's fair to say that the noise management has improved dramatically. The department's assessment of the noise aspects, in their reports, state that they believe there's suitable noise limits in place across the community, so it's a  
5 zoned arrangement for noise generation.

The ..... low frequencies are regulated as I mentioned before, and, again, there's been a demonstrable showing of improvement in terms of noise management over that period. The third issue that the department turned its mind to, significantly, was that  
10 of waste water, and to that end, they even sought to have an independent engineering firm, GHD, undertake an assessment of the technical documentation that was placed as part of our application in relation to this. We, at parklands, have always wanted to be able to manage and treat those streams that are generated at our site, so we've  
15 always had an aspiration to undertake onsite waste water management. We, currently, have a facility that's been approved by the Byron Shire Council for the management and treatment of grey water, and the assessment that was undertaken stated that the design of this system would need stringent effluent quality  
20 performance criteria, which was also set by GHD, so they pointed to the criteria that is a standard in the public domain.

We worked closely with GHD and also Byron Shire Council to refine aspects of the treatment system and the department, together with GHD, have developed a fairly significant suite of conditions to operate and manage such a facility. So they do  
25 support the system with those fairly extensive conditions, however, it should be pointed out that we have a number of licensed waste water treatment facilities that have agreed to take waste water from events at parklands on an ongoing basis. It's not our preferred mode, because as I mentioned before, we've got an internal ethos of wanting to treat and manage what we generate on site, however, there is the ability to take that offsite. It really does not require on the utilisation of Byron Shire  
30 Council waste water treatment facilities.

We have used Byron Shire in the past, however, we are not tied to them in any shape or form in having to rely on them for this stream. I now turn to events and festival sizes, which is the last aspect that the department raised as a key issue. In terms of  
35 event management, we, again, have a range of management and mitigation measures in place including a very active community manager and community advocate. For the former, the community manager, typically starts operations about four weeks before the event takes place, during the event and two weeks thereafter. Mr Johnson, who is our community manager has been with us for all 11 events and I think it's fair  
40 to say he's very well known in the community in which we operate.

Likewise, Clair Atkins, our community advocate is someone who is constantly out in the public domain in the area that we operate in, seeking information and input from various stakeholders about our operations and how we can improve them. During  
45 events, we have an offsite response team. That offsite response team is designated with the responsibility of, for example, looking after litter or other impacts that might be associated with the event, and are usually triggered from calls to the community

hotline. We have community notifications, as I've outlined before, in terms of the public information that goes out either via website, newspapers or through letterbox drops and our hotline

- 5 We're proposing, with this particular application for permanency, to enter into a voluntary planning agreement with Byron Shire Council and to that end, we've spoke quite extensively with some of the councillors and also with the council officers about how that might look and work and are proposing that we provide upwards of \$120,000 ..... to a vehicle, still yet to be decided, as I understand, by Byron Shire  
10 Council that then distribute those funds for community and other infrastructure in the north of the shire would be our preference. We also have a program, particularly, for Falls Festival, for Brunswick Head Support Program, whereby we engage fulltime cleaners and their responsibility is to clean the public toilets and to also remove rubbish from the parks and other public places within and around Brunswick Heads.  
15 And, finally, our Community Grants Program, which many people are aware of.

In terms of performance, I've got a range of other aspects that are of interest to people including illegal camping, illegal parking, litter, internet connectivity, mobile  
20 phone reception, trespassing and hotline access. At Splendour '14 we had a problem with our hotline access and you can see there was seven calls to the hotline when it was working at that stage. We had a problem with the changeover to a VoIP system, so it was a technological issue, but it's the only time we've ever had issues with it. Really, as you can see, moving forward in the latter half of that graph there, invariably we've had, at some events, up to two notifications about illegal camping.  
25 We've had in the last five or six events, two calls about litter. We've had four calls about the internet connection. So it gives you a bit of a feel from the people that use the hotline and provide the information to us, what those issues are and how numerous they are.

30 To date, parklands has had 11 events. We've operated for a total of 44 event days and over the period that we've been licensed to operate, some 1900 plus days, we've operated for 44 days. Part of this process required us to undertake a number of community consultation workshops, which we had at the site, and one of the big  
35 aspects there was people indicated to us that maybe the sale, the size and frequency of events was too big. This original proposal stems from back to 2010, which I might add, was recommended for approval by the then, Department of Planning and Infrastructure, to have up to 12 event days of up to 50,000 and then four event days between 10 and 20,000 and then four event days of between 3000 and 10,000. After  
40 discussing this framework with community members, it was revised and it's now that we're seeking permanent approval of the two events that we do have on the site.

Splendour does have a glide path that we've proposed, as listed below, up to 50,000. Falls would always be capped at 35 and then the ability to have three other events of  
45 up to 25,000 or combined and five community events of up to 5000. The proposal also must, for transparency, includes two other events of up to 1500. So the department recommended a stated increase for the large winter event, Splendour. Parklands is required to demonstrate compliance with KPIs via a performance

evaluation report before increasing patrons, and the department has evaluated matters such as social impacts, public safety and crown management by diversity and concludes that they can be adequately managed subject to conditions. The impacts of the development can be mitigated or managed, these are the words of the department, to ensure an acceptable level of environmental performance and, ostensibly, the department does conclude that the site can operate with minimal impacts upon the environment. The department concludes that the proposal is in the public's interest and the applications are approvable subject to conditions. Thank you for your time/

10 PROF MACKAY: Our next speaker will be Sue Arnold from Australians for Animals New South Wales Incorporated and for the benefit of presenters, I would note that where presenters have made submissions, the commissioners actually have copies of those submissions in front of us during those presentations.

15 MS S. ARNOLD: Good morning. I would, first of all, like to complain about the fact that parklands has this huge amount of time when, today, really should be for the community. We all know what's going on and we know that the proponent has had meetings with the Planning Department and no doubt, with the IPC. On your website, it says, "We're committed to building community confidence and trust in the decision making process for major developments and land use planning by maintaining a high level of independence, expertise and transparency."

25 Well, I think today's effort should be called tick the boxes or groundhog day, because I've actually lost count of how many times I and the members of this community have stood in front of the Planning Assessment Commission and given exclusive evidence which has been so well researched that demonstrates, very clearly, that any increase in these festivals is going to destroy Byron Shire and I am not exaggerating. We already have over two million visitors a year and I would like to go to the issues that I have noted here. There's no confidence in the decision making process ..... trial demonstrated massive failures and high risks by the communities have been ignored.

35 The police recommendations are ignored. There are very serious risks of floods and bushfires, which have exponentially increased with climate change. Imagine, really imagine, a desktop study of how to vacate 50,000 people who are on alcohol and, potentially, drugged, from a site where there is major bushfire and flood. And so it's really clear that there's a disconnect here, because you can't go out there and do a real life situation, and as far as I'm concerned, a desktop modelling leaves people at extreme risk. We have had major flooding out there and I think that the government must bear the responsibility for any death that happens out there, because the floods happen very quickly, and we have seen really bad fires that have happened very quickly.

45 In terms of the conditions of consent, there has been a mountain of breaches, which the Department of Planning have refused to deal with. Australians for Animals spent a considerable amount of time doing research on the patron numbers, which we very

significantly exceeded at many events. As a result of this, the Department of Planning levied a fine, which I would call so minimal that it's just the cost of doing business. Let's deal with noise. Not at any time in five years has the Planning Assessment Commission of the Department of Planning, in spite of meetings I've  
5 had with them, dealt with the impacts of noise on wildlife. So low frequency noise, which is generated by these festivals will impact koalas during breeding season. It inhibits their ability to communicate.

10 It really affects birds. It causes major problems with stress and inability to reproduce. It is a disaster for the terrestrial environment, this kind of noise. And by increasing these festivals and thereby increasing the noise these animals are exposed to, with not one single reference in any paper by the Department of Planning or the Planning Assessment Commission, is a very serious environmental emission.

15 The next submission is climate change. So we just saw 15,000 kids protest across Australia. We've had United Nations just release a really serious report on climate change. No carbon emissions have ever been assessed for Byron. With over two million visitors and now there's massive increase in festival for Parklands plans. And, seriously, we've also just had a report from The Living Planet that says we are  
20 the last generation that can save nature, and so if you don't deal with these issues, it's ridiculous to assume that anybody adding a couple of dollars to their ticket is going to deflect the carbon emissions. And I think that, you know, this is something that really has to be dealt with seriously.

25 Then there's the infrastructure problem. There are over 5000 places in Byron which are now Airbnb or other organisations as such, so the community is unable to find houses that they can rent or buy because the big guys have moved in and they are taking over the accommodation. So if you add all these extra people, and you can imagine what chaos is going to come, and I'd like to know how anybody is going to  
30 get to the hospital, much less a small hospital in Byron could cope with any emergency out of the festivals. There's a colossal loss of amenity. I really suggest you take a ride around our roads that we the ratepayers have been charged up – our rates have gone up 32 per cent.

35 All right. So we're covering the damage of this infrastructure, and I think after the festivals are over, you should all be able to come Ocean Shores and Brunswick Heads where you can't get a park, you can't get to the doctor's or the pharmacy or the lawyer's because the place is invaded. You can't find a park at the beach, which is trashed as well. And so anybody who seriously thinks that the villages of  
40 Brunswick and Ocean Shores can cope with this increase is having a dream. Of course, we've also just heard that in Sydney two people died at a festival because of drugs, and I note that Mr Morris hasn't bothered dealing with drugs and the fact that the number of young people who have been affected by drugs has risen steadily.

45 I think the police have also been concerned about it, and so I'd like someone to tell me how many police would be needed to manage 50,000 kids to find out whether they've got drugs or not. And is this the environment that we want for our children?

Is this what we want, is to send them to packed-out festivals where there's rapes, drug abuse, alcohol abuse? Is this the sort of – is this what we want? Is this cultural, seriously? These are festivals about money, and the festivals are now 51 per cent owned by Live Nation, which is a US corporation, and so I imagine what fun we'd have trying to take any legal action.

So I'd just like to say, I have heard that you're going to make this decision as soon as possible, and I strenuously object to this because I think you should examine very closely what the impacts of noise are on wildlife. Our koalas are dying out in New South Wales. We are losing them, and the koalas from Tweed to Brunswick River have been declared endangered, and they'd be exposed to more danger and more noise. As for the community, you know, we're exhausted. We have spent five years providing the Department of Planning and PAC breaches, and the fact that our lives are driven nuts by noise and by invasions of people who do not care about the beauty or the shire. This is an exercise in greed. It's about money, and if you give approval to permanency, I will say once again, you will destroy this shire. Thank you.

PROF MACKAY: Thank you, Ms Arnold. I would just remind the meeting that the purpose of today is to provide the opportunity for people to speak and be heard by the panel. So it's a question of providing opportunity to communicate with us. And that everyone who has registered to speak has been allocated the time that they requested to speak. Our next speaker is Carolyn Parker from the North Byron Business Chamber. Ms Parker.

MS C. PARKER: Thank you. Hello. My name is Carolyn Parker. I'm president of the North Byron Business Chamber, which represents businesses in South Golden Beach, New Brighton, North Ocean Shores, Ocean Shore, Yelgun and Billinudgel. I'm also a resident of North Ocean Shores who lives within five minutes of the Parklands site. North Byron Business Chamber members have voted unanimously in support of the State Significant Development application for North Byron Parklands. Additionally, at a recent meeting of Northern Rivers business chambers – chambers from between Grafton and Tweed Heads – and attended by the CEO of the New South Wales Business Chamber, there was unanimous support for Parklands SSDA.

The business chamber strongly supports the ongoing use for festivals, additional cultural events and for the new infrastructure to support sustained growth of events. The proposed new conference centre and accommodation would be a remarkable improvement to North Byron infrastructure and bring well-needed jobs. North Byron already lacks infrastructure, and since the original master plan for Ocean Shores was never completed, Parklands has been a welcome addition to the infrastructure, and the chamber recognises the valuable improvements to the area. With the festivals creating economic output of around 28 million for Byron Shire, it's unsettling for businesses to feel there is a risk of losing income relating to the festivals.

In fact, hundreds of businesses and jobs rely on them, such as restaurants, cafes, pubs and clubs, accommodation providers, local shops, food suppliers, service providers,

transport companies, tradespeople and business operators, and many jobs such as photographers, musicians, stallholders, security, hospitality, administrators, artisans, cleaners and many more. Comments from business owners have been:

5           *The last festival was the best one ever. We didn't have any problems.*

The festivals provide the much-needed cream on the cake for businesses. They are a game-changer, and without the boosted income during festivals, we would struggle to survive.

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It's fair to add that many businesses feel they cannot speak publicly about their support for North Byron Parklands for fear of alienating a few residents who oppose the festivals. In living in an environment where disposal income is guarded, some businesses already struggle to survive, so businesses cannot afford to publicly take sides and potentially lose business. We acknowledge that there has been concern about negative impacts of the festivals relating to noise, environment and traffic. As a local resident living close to Parklands, I have personally been affected by traffic and noise during the first couple of festivals.

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20 I had a diabolical situation with traffic, with security trying to force me into a traffic jam in the opposite direction of my house, and I have been disturbed by noise late at night. However, this was some years ago, and since then, those teething problems have been alleviated. With the recent festivals, we can't hear the music at night, even if we wanted to, and some people do. I travelled to Splendour and Falls this year on several occasions and had no traffic trouble at all and no longer feel the need to avoid the Yelgun exit where I had had trouble the years before.

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The consensus from the business chamber is that Parklands has rectified the major issues causing disruption to the community. Myself and chamber members have toured the emergency facilities at Parklands during operations. As a former chief emergency officer for a billion dollar company in Sydney who's conducted numerous real emergency evacuations in CBD locations, I feel reasonably qualified to say that Parklands emergency control centre has an impressive sense of order and organisation, suitable use of technology, and they exercise world class care towards public safety. We noticed very strict responsible service of alcohol at events, and police are strategically placed to monitor behaviour.

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The controlled nature at Parklands is in stark contrast to the uncontrolled antisocial behaviour that used to occur in Byron Bay at New Year. Benefits from Parklands events include economic growth, a boost to tourism, more jobs, contribution to arts, music and cultural diversity in the region. On top of this, it's a controlled and regulated place for people to have fun, and young people – most of which who live here today, if you look at our demographic. I observe the Ocean Shores Community Association has not been allocated a time to speak and urge commissioners to consider their written application, which supports the DA. North Byron Business Chamber strongly urges you to approve Parklands SSDA. Thank you for your time.

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PROF MACKAY: Thank you, Ms Parker. Our next scheduled speaker was Tracey Barnes, who has been moved to the end of today's list, so the next speaker to present will be Mr Simon Richardson, the mayor of Byron Shire Council. Mr Richardson.

5 MR S. RICHARDSON: Good morning, everybody. Thank you, panel, for being here and for considering this proposal with the independence and integrity it requires. Like any proposal that affects many, there are usually three main responses from within the wider community. Some simply wish it away and just say no. They then  
10 take every opportunity and use every reason to justify why something shouldn't go ahead. Some simply desire it so greatly and they just say yes, and then they take every opportunity and use every reason to justify why it should go ahead. Both these bookend positions should be respected.

15 There is, however, a third response, and that is the response that sees the great benefits whilst also sees the potential for negative impacts, and therefore is able to say yes only when a proposal can be shown to be managed appropriately. This position rests on the premise that we need to work with the proponents to get to great outcomes, not just try and stop them, and not just provide carte blanche. Great  
20 outcomes come from respectful and honest relationships, thus we have yes only, no only, and yes, only if done well.

25 There are many terrific benefits that come from events held during the trial period on this site. From the thousands of locals who queued up and queue up each year to attend, to the thousands of locals who have received economic benefits, and to the fact that we are a creative community, these are creative events, and creativity is an intangible and important part of any vibrant community. However, we also know there have been impacts that are certainly more negative for adjacent residents and for the wider community in general. Things like noise, traffic, etcetera.

30 What we also know during these trials that there have been plenty of changes, additions and lessons learnt, and changes implemented as a result, and the result of starting a trial, and this is what a trial is all about. Starting, learning, adjusting, and getting things right. I personally scrutinised the event myself, particularly the first couple of Falls and Splendours, in those early years, generally resulting in writing a  
35 two or three page summary of what worked, of what didn't worked, and my recommendations to make things better. And I think any reasonable person would have no doubt that things have improved consistently and that the vast bulk of management of requirements and actions on this site have been effective and of best practice.

40 However, though I remain committed position – to support this site for events when it can be shown to be managed effectively and consistently – it is that caveat on this position that's crucial. For myself, council and the wider community to have faith and confidence that indeed the site is being managed appropriately, accurate and  
45 rigorous monitoring, measuring and enforcement of the management must be guaranteed. I share council staff's concerns on a few matters when it comes to the event permanency on this site. In fact, I guess, it's often said it all comes down to

poo, and I think on this site, from a council position, that is – as unglamorous it is – perhaps our biggest wariness of this site.

5 A report from GHD to DPE on the 1<sup>st</sup> of November indicates that there are items related to the wastewater assessment and the design that still require clarification. GHD provided a list that includes comments that the OSMS effluent irrigation may pose a risk to groundwater and increase on site waterlogging. There is limited comment on the risk to nearby waterways. GHD have prepared a set of recommended conditions to be included in any approval for the OSMS. Staff have  
10 noted that should be proposed OSMS not meet the minimum approval standards or malfunction, the option to resume trucking of wastewater to the municipal sewage treatment facilities will remain, as was said earlier.

15 No agreement with Byron Shire Council is in place, and Byron Shire Council's position is that we do not want this waste. Our sewage treatment plants are struggling to maintain the excess, and we have potential to breach EPA conditions due to the intensity of the waste which comes to us. An opportunity to review the wastewater management plan, irrigation management plan, and groundwater and surface water monitoring program described in the draft approval conditions C16, 19  
20 and 21, as a minimum, are essential to Byron Shire Council.

Further, and most importantly, any progression to larger events on the site as envisaged by the draft conditions of consent needs to ensure that all the conditions of consent are met, and that Byron Shire Council is consulted and confirms the  
25 adequacy and efficiency of any report submitted to demonstrate compliance, particularly with regards to these areas of environmental impacts as raised. The proposed wastewater relies on a few fundamentals and concerns: low wastewater generation rates; staged upgrade of the OSMS as budgeting allows; continued burial of human compost; nutrient build up; the use of the flood prone area for surface  
30 spray; and the continued transportation of kitchen festival sullage.

While reference is made to a meeting between the applicant and Byron Shire Council's GM, again there is no confirmation of acceptance by council's infrastructure service, nor is there any verification of Ballina – but that's for them to  
35 decide – that we will accept any effluent from this development. Thus we would be imploring the owners to ensure – as they said they are seeking to do – is to manage their wastewater on the site. The resultant onsite sewage management system will require significant initial and ongoing commitment to resources, systems, design, management, etcetera, and council would be happy to meet with those experts.  
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I think I'll skip through. I must be talking slower than I thought. Another issue that council has, is the use of the flood zone. A review of our Tweed-Byron flood model has identified that much of the site is located below flood levels, and the use flood  
45 prone area for effluent dispersal is not acceptable, having regards to the potential impacts on the northern waters at the end of the Brunswick River catchment.

I'll just skip, if I could, just very quickly, if I could beg your forbearance. Just the other questions of offsite impacts. For council, our biggest costs are the offsite impacts, particularly around the South Golden Beach and Brunswick Heads area. For us, it doesn't matter if someone's actually camping illegally. If someone  
5 complains, we have to go and investigate, and that costs council money, but it also takes those council officers away from doing other tasks across the shire, so the rest of the shire are deprived of compliance staff who are going around, and whether they find someone or not, from a council point of view, is less important.

10 We also have, obviously, a significant influx of patrons at Brunswick Heads, and again council therefore has to deploy additional shifts to roster to manage parking and street waste. It is council's understanding that emergency services and the police are provided on a user pays basis for events, and it is therefore council's request that a similar user pays requirement is made for council to deal with its offsite impacts.  
15 Councillors, just a further one is, of course, the traffic and the road management. Council would request the necessity of a second road that is connected to Wooyung to take traffic off and ease congestion on the main entrance.

We'd also love an investigation of accessing the rail corridor. The Yelgun train  
20 station is 70 metres from the front gates of Splendour. We would love them to investigate the possibility of accessing that as a way to transport on a mass level attendees back through the shire. In conclusion, panel, there is work to be done. The operators and managers of this site have shown a clear commitment to the management of this site. They are locals who provide incredibly well-run events for  
25 locals and visitors alike. They have used the trial period to adjust, alter and amend practices and processes, and these have largely been successful.

We now need confidence that permanent processes and management practices work  
30 as intended. We need clear and mandated support for council's offsite costs and management. If we can continue to work together, if the site owners can continue to improve and learn about how the site works, the North Byron Parklands team will then be able to minimise negative impacts and to provide the wonderful, positive impacts that they provide for the thousands of local attendees, the thousands of locals who economically benefit, and for creativity itself. Thank you.  
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PROF MACKAY: Thank you, Mayor. Before you leave the podium, could I please firstly invite you to hand up a copy of your script because I'm conscious you needed to skip through.

40 MR RICHARDSON: Yes.

PROF MACKAY: And, secondly, could I just clarify that that submission – that presentation is made on behalf of council or in your personal capacity?

45 MR RICHARDSON: Look, a bit of both, I would suggest. I would say myself. Council is, I'm presuming – I think giving a presentation tomorrow between – which

I can't attend. So the wastewater concerns are staff's and council's concerns. I would suggest – I guess the extra – everything other than that are my words.

5 PROF MACKAY: Thank you. That makes it very clear. Thank you, Mayor. Our next presenter is Catherine Coorey from the Byron Residents Group. Thank you.

10 MS C. COOREY: Thank you. Thank you for being here today, and I'd add that I speak also as a councillor, but I don't speak on behalf of council. Like the mayor, I speak as an individual, although some of the things to which I refer are also being raised by council. As I said, thank you for being here today. I note an earlier speaker referred to the statement about building community confidence and trust in decision making, as on the IPC web page, and I hope you can understand that it is difficult for community confidence in this process because of the great difficulty people have in tackling what is an enormous undertaking.

15 Just registering to speak, by the way, you had to download a page, fill it out and send it back, and a lot of people said that the information didn't save in the document. I'm hoping that they were making direct emails to you. Where at the Northern Planning Panel we only have to send an email. I say this because every extra layer of  
20 difficulty turns people away and reduces the community opportunity to participate. We've had a little over two weeks between the advertising of this meeting and now to consider the multitude the documents, reports, follow up reports, assessments and recommendations that form the application and the recommendation for approval.

25 I very much appreciate that you have extended the submissions period so that people can have longer to do this, but of course it inhibits our capacity to address them all here. Many of these reports and documents have been prepared by consultants, laboured over for months, and paid for with the enormous resources of Parklands and international entertainment giant Live Nation, which has a 51 per cent stake in  
30 Splendour and Falls. Added to this, of course, the significant resources of the Department of Planning. Additionally, Parklands has an email list of tens of thousands of people who have attended the festivals here – many oblivious to any impact they might have on local amenity – who can be called on to send supportive messages about the proposal because they like the festivals and want them to  
35 continue.

That's fair enough. They're fun. Why wouldn't they want them to continue? Also, the young people of the shire also love the festivals, and I don't discount in any way that people do enjoy them, and my sons included. But there are around 36,000  
40 people in the shire and only 17,000 ratepayers. Compare this to the massive fan email base. It's a figure not lost on us when it comes to putting almost 58,000 people on this site for Splendour and over 40,000 for Falls at the peak Christmas/New Year season when the place is already crammed with holiday visitors. We can't meet you in numbers, only in quality of our presentation.

45 We have at our disposal local knowledge, a few very smart people and a hell of a lot of enthusiastic amateurs trying very hard to wade through what is before us. It's a

massive effort for those of us who do this as an extracurricular activity and it's been going on for several years. Attrition is a word usually used to describe a battle, and there's certainly been some of that over the years on this issue, and it is exhausting and the game keeps changing, but still today many of the people who have resisted  
5 the worst impacts of the festival are still working to prevent the alienation of our rights as a community to say, no, this is too much. It is too big. It is unnecessary. That the approval process cuts across our local council, and we will have little recourse should it turn it out to not work or have adverse impacts.

10 Is it a David and Goliath battle? I think it is. Goliath was a Philistine, John, by the way. It's also hard to have trust in what we'll be faced with when Live Nation, majority foreign owner of Splendour and Falls, is the largest controlling entity over this site, which is likely, especially that there are other festivals due to come. Live  
15 Nation is becoming reviled by the music industry around the world for its anti-competitive and poor workplace practices. I know it's easy to create a bogey man of the big corporation, and who are bad, and the little people, you know, plucky locals fighting against them, but it's actually not us painting this picture. It's the major news mastheads of the US and the UK who are already dealing with – reporting on  
20 what people are dealing with, with Live Nation.

For example, the Washington Post – no small feat – says how Live Nation exploits low-wage workers to stage its rock concerts. Similarly, The Guardian reported in the UK that:

25 *Live Nation's grip on music festivals is stifling competition.*

In the US they're under investigation for anti-trust and anti-competitive behaviour by the Department of Justice, and the chief executive of the Association of Independent Festivals, Paul Reed, in the UK said:

30 *It's blocking new entrants to the market, resulting in strangle holds on talent through exclusivity deals and it stifles competition through the entire live music business.*

35 Splendour was a locally-conceived independent festival for 20,000 people that went for three days. This new proposal is a rather different beast with the introduction of Live Nation to the mix. I'll also add that New Musical Express – which has been the music industry's bible for many years – has also reported that Live Nation were  
40 stifling competition and inhibiting small performers to getting into the music scene. I would argue that the potential for Live – there is a potential for Live Nation to actually inhibit the growth of the music industry by its signing – use of exclusivity deals for musicians.

45 There are a hell of a lot of festivals in this shire. We just had the Mulla Music Festival, a local festival in a local town. Bluesfest is a major venue. Has 20,000 people every day across its time in Easter. It's just down the road from this site. There's no demonstrated need for another large festival site, let alone one – festivals

of this size. If the justification for North Byron Parklands is that they needed a bigger space to have bigger festivals before more people want to come, I don't really concede that that is a justification for anything, other than being allowed to make more profit. I understand people's desire to make profit, but it that the goal of land use planning here, which is what the role of the IPC is, I believe.

I note the Department of Planning recommends Parklands' self-monitoring of compliance should it continue. This must not be the only monitoring. We will hear later from other people, I think, who will be speaking to this monitoring issue, but stress independent compliance monitoring must be done. Byron Shire Council and Tweed Shire Council must have a role in noise, traffic, amenity, and the costs should be borne by Parklands. I also think that the key performance indicators are weak, as described in the assessment document – the approval document – and the oversight is inadequate. It is council that should have the oversight, not the department.

I would dispute the number of full-time equivalent jobs. It's hard to exactly say how many jobs there are because I can't see any list – an actual list of the jobs described – just an assertion by the proponents that they will be there, and it's acknowledged by the department that many of the jobs – the other jobs are short-term and low paid, low skilled jobs. So I think that, you know, the conference centre is apparently going to provide ongoing long-term jobs. I don't think it's in the hundreds. I've worked in a conference centre. I would say it was in the tens at a maximum.

I note also discussions about noise and the noise compliance, that seems to be again a somewhat shifting feast. I note the report says:

*To better manage noise during the events and improve amenity in the broader community, the applicant work closely with the department's noise specialist to develop an acoustic monitoring program and alternative noise objectives.*

“Alternative noise objectives” sounds a little bit like “alternative facts”, I have to say. Later, it says:

*The applicant frequently monitored noise from the site and collected acoustic data to refine its noise management regime and develop new noise limits.*

I'm pretty sure the new noise limits all went up, so I wouldn't say that self-monitoring was an ideal outcome here. There was talk earlier of the community hotline, and I attended a meeting at South Melbourne Beach Hall. I'd say there was 100 to 150 people. I didn't personally count them. There were a lot. It was packed and overflowing. Several people said they had called the hotline and were told – each individual person was told, “Wow. You're the first person to call and complain.” That was widely reported. So I doubt the goodwill of the hotline in monitoring what people are saying.

It was referred to earlier that police have concerns. I note their report says that they remain gravely concerned regarding the possibility of a crowd crush incident

occurring. I don't know how a crowd crush incident is managed, and it isn't described. I don't know how it's manageable. Crowd behaviour is a specialist area, and I think there probably are people who can report on that, but until that's done, I would not have confidence in increasing the levels here. Similarly, in the 2016 report by the police, when Splendour had a capacity of 32,500, the police did report that:

*There is no possibility of evacuating North Byron within eight hours at current capacity levels.*

Even with amended evacuation plans, what is a safe time in which to evacuate this site? What kind of emergency might we be dealing with? We know that flooding on the site during the March floods of last year, there was – the water rose by about three metres in a few hours, blocking off Wooyung Road, by the way. I think other people here will be speaking about that. Additionally, the national constraints of this site have been well noted. This site adjoins coastal wetlands, the Billinudgel Nature Reserve, and it is the last major wildlife corridor between the hinterland and the coast. There is no reticulated water on the site. If a fire were to break out, how could we know that there was enough water to offset that?

There was talk earlier about improving amenity, and the approval report suggests that the planning agreement – voluntary planning agreement would offset the potential social and amenity impacts and require the applicant to make a \$1 contribution per festival camping patron per night for each event. Honestly, I'm not sure that that really cuts it, but I don't think you can pay to improve amenity. Sure, you can try and mitigate, but the crowds and the rubbish, it will still be there. You can't have bins everywhere. You cannot improve amenity of people walking to the beach and leaving their rubbish everywhere. You cannot improve the amenity of people who can't get a park in their own town, can't get to their own shops. It is simply a question of volume.

I honestly believe it is premature to allow this development proposal to go ahead. I think there are too many serious issues to be resolved. I concur with our mayor that if it could be done well, then it could be considered, but I think it is perfectly reasonable at this point for events to continue on the site to be licensed as temporary events. The Domain in Sydney never offers permanency and yet there are several recurring events on that site and there's certainly enough for the promoters to plan their events and make a success of them. In this process for North Byron Parklands, the only certainty is that once this approval is granted, we will have no say as a community in what happens in perpetuity. Thank you.

PROF MACKAY: Thank you. And our next presenter is Chris Cherry.

MS C. CHERRY: Commissioners, would you like me to start. I actually don't need the slide to start my talk. Would you like me to start in the interest of getting – moving forward, or rather wait?

PROF MACKAY: Thank you, Ms Cherry. That would be much appreciated, given the large number of presenters we have to get through today.

MS CHERRY: Yes.

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PROF MACKAY: But, please, when you come to need the screen, we'll wait.

MS CHERRY: Yep.

10 PROF MACKAY: Thank you.

MS CHERRY: Okay. My name is Chris Cherry. I am the Deputy Mayor of the Tweed Shire Council, but I am not here representing Tweed Shire Council today. I believe the commissioners have an appointment tomorrow with Tweed Shire to discuss their ongoing concerns with this proposal. And I have also been a community representative on the Regulatory Working Group for two years at the beginning of this trial period for this proposal, but today I'm actually speaking to you as an individual who has grown up on this floodplain and who is a resident who gets impacted by the noise, unfortunately, at my home.

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My position – and it's a realistic one after being on council for two years, so I believe that there's not a lot of chance that the community can fight against such a machine as this proposal is. And I believe we're better spending our energy trying to get better conditions for our – to manage the impacts that this proposal has. So my concerns – and actually, before I go on, I just want to pick up on a point that Mr Morris made earlier on about the complaints hotline that is used to kind of gauge the community reaction in the site – of – to the proposal.

25

And I'd like to say that today when people registered or when people made their objections to this proposal, apart from the scale of this development, noise was the single most important factor and noise impacts on our community that came up in those objections. So I think it's fair to say that it hasn't been managed yet. And although the complaints register doesn't give us much information to indicate that, I think that, unfortunately, there's some flaws with the reporting system in that a lot of people – the proposal or the proponent has a community liaison officer who goes around to all of the closest residences and businesses and talks to them.

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Any complaints that you make to that residence liaison officer is not formally captured as part of the complaints procedure. Any complaints that are made on social media, which is a medium that so many people use these days, are not captured as part of that complaints procedure. And any complaints that people make to their community representatives on the Regulatory Working Group are not captured as part of that procedure. So I think it's fair to say that although Parklands may use that as litmus paper to test the success of their management tools, I think that litmus paper may have been dropped in bleach.

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So my concerns remaining with this proposal after the department's assessment is the proposed noise limits that contravene the EPA noise guidelines for Local Government. And they're also higher than most other comparable festivals of this nature. I'm concerned about the unresolved issues with – regarding the wastewater irrigation in flood areas, the traffic concerns, where one-day events that are proposed under this permanent approval haven't been tested. So we haven't had that trial happen during the period. And the crowd safety concerns that are highlighted by recent events around the world and expressed very strongly in the New South Wales Police Force response to the response to submissions is a major concern.

10 Firstly, on noise, you know, if we're reading the response to submissions report, we read that all trial events since modification 3, which increased the noise limits, have complied. And North Byron Parklands has a strong record in noise management. Unfortunately, those statements don't quite match with the reality for residents who are exposed to the noise. So this is obviously just a view of the site. My family owns a business to the right of the site, to the north and east of the site. That's the Wooyung Holiday Park. My home is actually, though, to the – way up, way up in the north. We don't have a pointer here, do we? No. Okay. Thank you.

20 MS .....: Did you want a little laser pointer?

MS CHERRY: No. It's okay. I've got a mouse. So on the bottom right-hand corner you can see the event site. Where I've got my mouse is where I live. It's seven kilometres exactly from the amphitheatre. And our noise impacts at every major festival have been – well, have been very disruptive and impacting on us. And I think I'd like to point out that the proposal to only put notification within a three-kilometre radius of the site is severely flawed. It needs to be in a 10-kilometre radius to actually match the impacts that people are getting. Unfortunately, you can see on that slide it's – I'm sorry. It's very small, but you can see that the topography – there's a perfect little amphitheatre just behind where I live, and, unfortunately, it's capturing all of that noise. And I know that's not the fault of the Parklands, but it is a real impact, and I urge you to make some kind of consideration of impacts that aren't occurring within one kilometre of the site or two kilometres of the site but a much broader scale.

35 At the last event – we have – our family has complained at every major event since during the trial period when we have been present at the site. We have sometimes chosen to leave our home so that – not to have to put up with it over the Splendour in the Grass and Falls Festivals. And when we have complained earlier on, it was noted that it was non-compliant with the earlier limits. With the new limits, it has been found to be compliant, but I can't tell you – just because something is said to be compliant, that doesn't mean that it's not very disruptive and that these noise limits are appropriate. So I'd really like you to turn your mind to that.

45 At the most recent event, when an acoustic consultant arrived, he actually, unfortunately, was very busy and didn't arrive until the event had finished. So that was rather unfortunate, but he did arrive within about two minutes of midnight. And

the thing that really got to me was that he stood there and said, “Wow. I always wanted to hear Kendrick. I just didn’t think that I’d be seven kilometres away while I was boogieing.” And – I’m sorry, but that’s what he said. And so I hope that gives you an idea of the impact that is at our home.

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So I’d like you to consider the EPA definition of “noise creating sleep disturbance”, and I’m sure you are most likely aware that it is background plus 15. And the noise limits that are being proposed for times when people would normally be asleep are more than that. So I’d ask you to consider that. It would be inconsistent with the Local Government policy noise guidelines. It would be inconsistent – sorry – with the industrial noise policy for not creating sleep disturbance. And I know you think, “Well, it’s a party. It’s okay.” But we’re talking about multiple-day events, and that cumulative impact is something that is really disturbing.

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15 I note that the acoustic expert, Jeff Parnell, is the independent acoustic expert for the Department of Planning. He has actually released a paper last year at a conference called Acoustics held in Perth, and it suggested that duration of events, timing of events and noise limits, that there’s a tri-level kind of approach to managing noise, and I’d really ask you to consider that. If I can quote from his article – and I’ll give you a copy – he says:

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*Restricting the noise dose is a management tool that can be used to manage impacts. For example, a one-day music event is unlikely to result in as many complaints as a three-day event. Likewise, a four-hour event at a certain level may be tolerated, while a 12-hour event is likely to result in adverse community reaction.*

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30 Anyway, so that’s – you know, that’s the department’s own independent acoustic expert that’s saying that, and yet that hasn’t been applied to this proposal. So I’d ask you to consider making some restrictions to the timing, to the length of playing, and consider that of all of the noise limits for other states, for other festivals, this one has the highest and most lenient proposed limits that I can find. So I’ve attached the noise limits that I can find to you, but it’s worth noting that many of the noise limits that are quoted are maximum noise limits, not LAeq, which is an average noise limit, and there’s a very, very big difference between that. So if you could keep that in mind when you’re thinking about noise limits.

35  
40 Sorry. One of the biggest actual things that I wanted to talk about – yep. So six years ago, I stood at this basically exactly same table, showed this photo, which shows – it’s a photo taken from Wooyung Road, looking across towards the North Byron Parklands site. I was hammered by the proponent or representatives of the proponent saying, “That is not at our site”, and that is true. So today I’m careful to provide photos of that site. So this is the camping ground in the background of the North Byron Parklands site. And I hear you say, “Oh, the 31<sup>st</sup> of the 3<sup>rd</sup> 2017, it was a major event. It was one in 100.” This one is May 2009. This one is January two thousand and – no, this one is June 2016. The other one – sorry – this one is January 2012. This one’s May 2009. This one’s June 2016. This one’s March 2017.

You can see, yes, the scale is very big on this one. I've tried to circle the amenities blocks on – of the camping ground, to show you the exact location. I'd just like to show – this shows that the – when I took these photos, the water level has actually already dropped about a metre. So these are the camping amenities blocks. These  
5 are the water tanks that have floated away in the flood. So, yep, this is Wooyung Road, and Wooyung Road floods a very lot. It's a one in five flood issue. So – yeah. Sorry. I just wanted to show you all of those. The relevance of all of those is not only the evacuation and safety of our patrons but it's also about the GHD or the irrigation areas which are in this – proposed for this area.

10 So the report states that there's only farmland to the north and that the proponent owns it anyway. That's not exactly true. Our holiday park is in exactly the line for this waste – or this floodwater to flow in. And that's quite a big sensitive receiver that hasn't really – doesn't appear to be considered. I note that GHD recommends  
15 that any irrigation area should be in ground – areas where groundwater levels are more than one metre below the ground. This certainly does not fit that criteria and I'd ask you to enforce that recommendation from the independent consultant. The impacts of roads is just about that issue of the trial, like, that we haven't had trials .....

20 PROF MACKAY: Ms Cherry, I need to ask you to finish up - - -

MS CHERRY: Yep. Okay.

25 PROF MACKAY: - - - very soon, please. You're very welcome to hand up your notes - - -

MS CHERRY: I will.

30 PROF MACKAY: - - - or put in a written version.

MS CHERRY: I will. So my only big issue is the patron safety, obviously, crowd control, and I've got just a paper on crowd safety that's really important and obviously if you can have another look at the police – New South Wales Police Force submission there. We've all got young children. I've got three teenagers myself. I  
35 understand, but this is about trying to keep them safe. So – thank you very much.

PROF MACKAY: Thank you, Ms Cherry. And our next presenter is Mr Alan Hunter. Thank you.

40 MR A. HUNTER: My name is Alan Hunter. I'm Councillor Alan Hunter and I'm a member of the Regulatory Working Group as well, and I'm here to try and put some balance. I'm not speaking as a councillor. I'm sorry. I'm not speaking for council, just as a councillor, my experience on the Regulatory Working Group. We just heard the mayor say, quite openly, that you get three positions. Two of them are rather  
45 extreme. "Yes, we've got to have it" or, "No, we don't have to have it", or something in the middle. And I'm one of those guys supporting, as the mayor is, in the middle.

I think it'd be just as ridiculous to approve this development application without conditions as it would be to reject it. I think there is a way forward, and if you hear all the negatives, you wouldn't get out of bed in the morning. I mean, floodwater, noise, it's all manageable. Floodwater particularly, in this area, doesn't – it's not  
5 deep water. It's not fast water. My background's farming, and I've been living with floods and droughts and fires and God knows what for ....., and we deal with them. We all deal with them, and we can here too.

I think this is an issue where we need to take some leadership. The benefits far  
10 outweigh the negatives, the benefits to the community. We need to take into account these benefits the development brings to the whole community, and they're massive: the international profile it creates for our created industries, our branded products, employment, and engagement of opportunities in a world of massively changing  
15 markets. Byron struggles with a lot of that. It's been timber-based in the early days, then dairy, and it's struggled. Here we are, an ever-increasing population, ever-increasing demand for our services and our environment and so on. We have to manage it, not stop it, manage it. And I implore you to show the leadership it requires. It takes guts. It takes guts to take everything into consideration and not to be succumbing to the squeaky wheel, whatever it is, whatever site it is.

20 I don't think there's too much more I can say that hasn't already been said, so I'm going to cut it a little short, but I will like to say, as a member of the Regulatory Working Group, these guys are trying hard. I don't care who owns it. This is not about ownership. This is about managing it, and these guys are good. These guys  
25 are very good. We get plenty of opportunity as a council and as a community to have our input and to discuss, walk through it, go to site inspections. They do it well, and I'm proud to be a part of that and I'm proud to say to you, "Show some leadership, guys. We need you." Thank you.

30 PROF MACKAY: Thank you, Mr Hunter. Can I please remind both those in attendance and presenters of some of the ground rules. It is absolutely appreciated that not everyone present will agree with everything that every speaker says, but I ask you to speak – to treat every speaker with respect and to hear what they have to say in silence, as we will also do. I'd also ask the speakers to be mindful of the bells,  
35 as I don't wish to appear rude in interjecting. If you find you need more than your allotted time, you are very welcome to share your notes with us or to hand up a subsequent written submission. Our next speaker is Chris Hauritz. Thank you.

40 MR C. HAURITZ: Thank you. I'm speaking as an individual but also in my capacity as the previous principal of Ocean Shores Public School. Six years ago, I began a very close partnership with Splendour, and they've made a significant contribution to the education of students in our community over the last six years. Six years ago, we had discussions with North Byron Parklands and Splendour in particular about how – what our shared values were and what we could do  
45 to improve educational outcomes for students in our area. We agreed very strongly in three areas. That was around music education, environmental education and physical education.

The first step we took or we decided was to connect very strongly around music education, and to that end Splendour provided the funding for me to employ a music teacher yearly, annually, for the last six years, to particularly focus on music education for students in kindergarten, year 1 and year 2. That has meant that over  
5 the last six years literally hundreds of students have been exposed to the highest quality music education in our area, with the employment of a teacher from the Conservatorium of Music in Lismore who has worked constantly with our students over those last six years and made an incredible contribution to students in their earliest years, in K to 2, so that their early exposure to music has been an extremely  
10 positive experience.

We also look very strongly at where we would link with environmental education. We have a significant wetlands in our school and we have representatives from Parklands come and look at those wetlands, help us design lessons around the use of  
15 those wetlands, and, in return, our students attended the Parklands site where we also conducted further lessons in connection with that curriculum, and we were engaged in significant occasions of tree-planting on the site and students had the advantage of really being involved in really practical learning experiences.

Our third issue evolved – revolved around sport and the provision of students from Ocean Shores who are annually involved in a cross-country event that was run in the streets of Ocean Shores because we had no other facility that was appropriate to our needs. Parklands at that time helped us map out an amazing cross-country track on  
20 their site, which is now used annually not only by the students of Ocean Shores but also schools across the district so that they can operate our events, our sporting  
25 events, in a very safe and appropriate venue.

The relationship with Splendour has always been cordial, courteous and with the entire focus on what we can do for your students, what we can do for your  
30 community. So I can only applaud them for their efforts and their endeavours to connect with education in our area, to support the students of Ocean Shores Public School for the last six years with some significant not only monetary support but involvement in what we do, in being present when we do presentations at the end of the year, being present at our events and occasions. They're not just – they haven't  
35 been just about, you know, providing money for our services but being genuinely connected with our school, and I think they've done a marvellous job at that. Thank you.

PROF MACKAY: Thank you, Mr Hauritz. And our next scheduled presenter is  
40 Debra Minto. Thank you.

MS D. MINTO: Thanks, Commissioners. I'd just note that I'm speaking on behalf of the Tweed-Byron Trail Horse Riders Club. I'm the secretary of that organisation. And we advocate for the environment – environmental preservation as it relates to  
45 outdoor recreation and the protection of heritage values associated with trail horse riding. We are in favour of the North Byron Parklands bid for permanency. In May this year, we were privileged to use the Parklands site to stage an Introduction to

Endurance Riding event. It was organised for those new to the sport. And we could keep the event course fully contained within one property, free of motor vehicle traffic and distractions.

- 5 There were just over 30 horses and riders with about 20 support crew and spectators at the event. Many of those in attendance had never set foot in the Parklands site and had the pre-conceived notion that it was for the exclusive use of tourists attending the big music festivals. Many of those in attendance were also overwhelmed by the overall scale and layout of the property and saw what great potential it had as a  
10 multi-use site. All were impressed by the standard of care that had clearly gone into the planning, construction and ongoing maintenance of the grounds.

- As event organisers, we thought what a bonus it was to have such a world-class site only 10 minutes from home. Ample parking for vehicles and horse floats, plenty of  
15 fresh grass for the horses, a combination of flat and undulating terrain with lots of shade from the marvellous array of trees. We all left there that day and may knowing that this place could be many things to many people, and it is right here on our doorstep. Endurance horse riding relies on the availability of nature trails over long  
20 various periodical vet checks. Horse welfare is paramount, and due to the many hours of time spent in the saddle, a strong and enduring partnership is forged between horse and rider.

- Heritage values of the Australian Stockmen and Light Horsemen who lives depended  
25 on the fitness and endurance capabilities of their horse run thick in this sport. RM Williams was the first driving force behind endurance riding and that first event was held back in 1966. Our club has recently been successful in receiving grant funding from the New South Wales Sport and Recreation to increase participation in endurance horse riding in this area. The future of our sport and the capacity to  
30 encourage participation in the Tweed Byron area is dependent on the availability of land and facilities. The North Byron Parklands site is compatible with our requirements.

- While developed to host short endurance major events for tens of thousands, the  
35 Parklands site is adaptable for small-scale events which have little or no impact on neighbouring residents and a negligible impact on the environment. Small community events enable those local residents who may never attend a music festival the opportunity to visit the Parklands site. We congratulate Parklands management for the sustainable and ethical practices that have been implemented on site to  
40 support the preservation of the environment and manage waste. We know that there are many compliance reporting requirements in order to continue hosting events and activities at the site, and we trust that impacts and contingencies will be managed to a high standard.

- 45 As local area residents, we have seen how, during a trial period for major events, improvements have been made in managing the operational impacts. We acknowledge that major events do impact local amenity and infrastructure, but, on

balance, the benefits of the Parklands site outweigh the negatives. On behalf of our club members, most of whom live in the Tweed and Byron shires, I can confirm overwhelming support for this application for permanency, and we hope it will be successful. Thank you.

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PROF MACKAY: Thank you, Ms Minto. And our next presenter is Denise Nessel. Thank you.

10 MS D. NESSEL: Is that good sound? Okay. I live in the North Ocean Shores, quite new to the site, and am affected by the noise and other negative impacts. I also served as a community representative on the Regulatory Working Group for two years. But my comments today are based primarily, not only on those personal experiences, but on actually reading the independent reviews that were  
15 commissioned by the department, the department's complete assessment report and the recommended conditions of consent. So I have several points to make.

20 The first is the current approval, the existing approval says that any approvals after the trial are supposed to take past performance into account. I learned earlier this year from the department's Head of Compliance that a total of 11 breaches of the program's consent conditions have been recorded so far. However, I also know that in March 2014, the first performance report included an extensive list of verifiable breaches that were submitted by a member of the Regulatory Working Group. That list actually begins on page 517 of that report, if you would like to look it up. The department apparently didn't attempt to verify those breaches.

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In March 2016, representatives from two community associations accompanied by the EDL met with the department in Sydney and handed them the latest list of breaches, with 15 areas of concern and multiple add-ins in each category. The department apparently didn't attempt to verify those either. At least, no response  
30 was given to them. In July of this year, I informed the department of a breach having to do with how the community was notified of the Splendour event. I asked for a reply but did not get one. I assumed that also has been ignored. To date, coalitional community associations and individuals have noted over 100 verifiable breaches of the consent conditions; 10 times what the department's compliance office  
35 acknowledges.

40 Now, I actually thought conditions of consent were supposed to matter, and that informing the department of verifiable non-compliance would also matter. But apparently that has not been the case. If any further approvals are given for the development, what's needed is diligent independent management of compliance that is fully responsible and responsive to local information about non-compliance. The department's recommendations on their assessment report to have programs continuing to handle its own compliance management is really not acceptable.

45 My second point. In 2012, the Planning Assessment Commission ruled that Byron Council would be in charge of granting any further approvals for festivals after the trial period, and ..... Shire was as an expected local control of the development

- would be restored at the end of the trial. This whole process that we're going through now undermines the intention of restoring local control. And I strongly object to that. My third point, the use of a Regulatory Working Group to oversee operations is certainly a good idea if further approvals are given. But that Group, the
- 5 RWG, needs to play a truly independent advisory role. That means the chair of the Group needs to be answerable to the department, not to Parklands. I didn't see that when I was on the Regulatory Working Group. I saw a Group that was controlled by Parklands with that control fully supported by the department.
- 10 Fourth, Parklands says the festivals cause no ecological impacts or only temporary impacts. But experience ecologists have found serious flaws in their ecological management and have noted that conclusions cannot rightly be drawn on the basis of the available data. You can only score the work events if you've been trained in measurement and statistics, and I happen to have had that training. The Planning
- 15 Department has ignored those criticisms and has accepted Parklands' assurances that they are really no ecological impacts or only temporary and reversible impacts. But that's just not good enough when the site is bisected by a significant wildlife quarter and it's immediately adjacent to a significant nature reserve.
- 20 A full independent review of the ecological monitoring to date, truly independent, is needed, including a full review of the critiques of the monitoring so as to inform any future actions. Any or independent audits of any ecological monitoring that programs may do are also needed. Fifth, the department's recommended conditions of consent seem to have been done in haste. For example, a key performance
- 25 indicator for noise is far too big and subjective, referring simply to "effective measures". Some conditions recommended by the Rural Fire Service are not included in the department's recommended conditions. And some conditions recommended by the independent reviewer of the wastewater plant are also not included. You can see this only if you put the two documents side by side.
- 30 The emissions are puzzling and certainly concerning. Furthermore, no key performance indicators relating to ecological impacts are included as far as I can tell, although I must say it was a challenge to get through all those documents and I may have missed something. But that ecological impact issue has been an ongoing issue
- 35 at our RWG meetings and within the Office of Environment and Heritage. They called for key performance indicators right from the beginning, and those just never seem to materialise. Finally, many of the conditions require reporting, but ..... Byron Council and Tweed Council as recipients of the reports. The intent seems to be purposely to keep the councils out of the way as has been done during the trial
- 40 period. That needs to change. And it's really not good enough to give permanent comment approval and agree that all the details can just be worked out later.
- My sixth point. The department is recommending permanent approval for any and all events that the current or future property owners may want to hold without
- 45 knowing for sure what the events may be. Any breaches of the consent conditions will presumably be handled with penalties after the fact, but will not affect the approval itself. As someone said earlier, it can just be a constant doing business to

pay a penalty. So it seems, as others have mentioned, that licensing used by government controlled events in Sydney and elsewhere would be a much better model to follow, with each of them having to apply for a licence to operate. A licence that may or may not be renewed depending on specific performance.

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In this case, because some of the owners of Parklands also operate the festivals as principals in a separate company, Parklands couldn't really be allowed that authority because they would be issuing licences to themselves. So it would make sense for a government authority such as council – preferably council – should be in charge of the licensing and on setting the conditions that must be met to obtain a licence. Maybe ..... Premier Berejiklian expressed outrage about the drug-related incidents and deaths at the Defqon Festival in Penrith and suggested perhaps the festival should be banned altogether. That festival drew 30,000 people. 70 people were charged with drug offences and two people died.

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In comparison, this year's Splendour drew 35,000 attendees. 115 people were charged with a total of 148 drug offences. Two people have died at Parklands Festivals so far, once at Falls in 2013 and once at Falls in 2014. The premier then expressed grave concern about the drug-related death and critical illnesses, along with drug charges, at the Olympic Park festival for 18,000 just this past Saturday. The thing is drugs are an integral part of music festivals. As we see at Parklands, the number of charges appears to be directly related to how many people the police are able to check. Locals who have attended the festival know that a great number of people are not checked on entry, especially if they arrive late in the day.

25

So Parklands Festivals will inevitably lead to more drug-related illnesses and death, and to think otherwise is naïve. The more people allowed on this site, the more difficult it will be to control the illegal substances. Police and other personnel continue to be pushed to the limit. More tragedies are to be expected despite the promoters assurances to the contrary and statements about zero tolerance. When you live in the area of a continued ..... face more drugs in the area as a direct result of the festivals. I will call your attention to the expert panel that was recently convened by the state government to study this. Their report calls for the use of a specific music festival licence that would govern such events.

35

Everything in that report indicates that giving permanent approval for music festivals at Parklands, or anywhere for that matter, would be very unwise. And I will provide a copy of that report if you're not familiar with it. I have other points for you to consider that I don't have time to cover here, so I'll say these comments that I have just given, along with those additional points in writing within the period allowed. Thank you.

40

PROF MACKAY: Thank you, Ms Nessel. And I'll just note that we are going to break for lunch – a lunch break at 1 o'clock, and the lunch break will be of the order of 40 minutes. Our next presenter is Kathy Norley from the South Golden Beach Community Association. Thank you.

45

- MS K. NORLEY: Thank you, Commissioners. Today is about whether permanent approval should be granted or not. Some of our members like festivals, others would like to see them go elsewhere. But we agree that if further approvals are given, important issues need to be addressed. I would like to call your attention to some of
- 5 them, stressing that Byron Shire has approximately 17,000 ratepayers. That's – and they wish to bring in three times the ratepayer population. Our local council has been pushed aside with this development. All the power has been held in Sydney, and the department wants to keep it that way. That's not right.
- 10 If you give further approvals, our local council should be directly involved in seeing – in overseeing this development, including compliance. And they need funding for that work. If the funds state from Parklands and not the paltry amount that they are offering in the recommendations. Remembering that this is a multi-million dollar overseas business and we have 17,000 ratepayers who are struggling to fill out
- 15 potholes, let alone cover other infrastructure that is impacted on. When ..... was pre-approved in 2016, we were concerned about the number of event days going from 10 to 20. Although the additional 10 days were for minor ..... music community events with no more than 1500 attendees per day.
- 20 Well, those additional 10 days are now eight days for festivals with 5000 to 25 people per day. And two days for minor community events or less than 1500 people. The department says there's no increase because of the number of – the number of days is the same as the ..... approval. And, in fact, this approval is for significant intensification. This will overwhelm us. This site could not be given permanency
- 25 for some of the on-flow reasons. Traffic to and from this site is one main access road that services the locals to the north and south, trying to get to work or for people living in the north of the shire, access hospitals and other communities. 50,000 people have to be tested, trialled.
- 30 Of communities – communications have failed with 25,000 people. NDP say they have rectified the situation. But, again, I stress 50,000 people has not been tested with this infrastructure and telecommunications. They should not be allowed to leave the north of the shire without mobile, computer or EFTPOS for the duration of these festivals while punters leave the site and this has happened before. Fire and
- 35 floor are of major concerns. But according to the DA, these reports will be finalised after this DA has a decision. The rationale is terrifying for residents that live near the site. We often go into drought, though you wouldn't think so looking around today. How do we keep water up to 50,000 patrons when this happens?
- 40 Rubbish is taken away by contractors, but it is appalling what is left behind, and should be outlawed. Some of it goes to different charities, but not the majority. This is adding to the waste that our governments are now trying to cut down. The health – in health, it has been a worry for many medical people in the area that this is a situation for a pandemic to happen. We have been saying after Splendour that we all
- 45 get the Splendour flu or the Splendour bug. When swine flu was raging in Australia, we got it here after Splendour. Our health services went down and our community was hit quite severely.

The hotline statistics during the last few festivals may indicate a decrease in numbers, but we suggest that this is due to two reasons. There are ongoing problems with getting through to a hotline. Complaints ring ..... etcetera are not responded to in a timely manner, so residents have given up trying. Also when ringing, you can get a message which says, "We will get back to you." That can be hours later or the next day. The plans to dispose of human waste on this site are of great concern to us. The property is right next to set wetlands, a critically important nature reserve and other areas of high value vegetation. Our council has raised major issues about festival wastewater, so did GHD which you've heard before.

The independent expert that the department commissioned to advise them. We see that the department did not include some of the GHDs recommended consent conditions that are meant to protect the health and safety. Why not? In the last flood, storage tanks were moved by floodwaters. And the area that you wish to place sewerage, the sewerage plant went under water. Parklands has said that this site – sorry. Parklands has said that there are virtually no koalas on their property, but koalas were recorded on this site in 2016 near the proposed conference centre, accommodations for 120 people, a public bar. The koala population north of the Brunswick River is in dire straits already, and this development threatens them further.

We don't see how remaining koalas will survive with the significant increase in event days and event scale, along with the vegetation clearing that will go along with the proposed development. Parklands has been allowed to self-monitor their compliance for five years, and the department recommends they continue. We think neutral independent observers must also be involved. Compliance monitoring has not been effective under the department, and we have no confidence that the effectiveness will improve in the future. They have admitted that they have other priorities and that seems clear since they have issued only one compliance report on this development since 2012, and that they didn't address all the issues that have concerned us.

It is a sad truth that these festivals bring an element that turns our country town into a drug haven, that brings in people that sell drugs of all types. Our youths, like any other, are targets for these untoward people. There have been deaths at this festival site and others. Only yesterday one death, three in serious condition at a rave in Sydney. Police check with our surrounding hospitals that are the drop-off points for the many punters that leave the so called state of the art triage unit on the site with the many dire medical conditions that we are not privy to, and clutter up our hospitals, especially in our peak time of Christmas. This is of grave concern to this shire. If you wish to speak to some of the doctors around, they will confirm this.

Live Nation is a US company, owns 51 per cent of the two main festivals that are operated at Parklands, Splendour and Falls. So Parklands is already feeding revenues to an overseas conglomerate with a market cap of 8.9 billion. If this approval is given, we can expect many Live Nation events at Parklands and more profits sent overseas. Finally, the department is recommending permanent approval,

not only for the development, but also for significant increases in activity over what we've had so far. The department wants to set up a permanent festival precinct in our shire, comparable to Centennial Park or the Domain in Sydney. And they want a quick approval with all the details to be worked out later.

5

We do not have the infrastructure to support a Sydney-size festival, or a satellite city precinct, on top of two million visitors we already get to this shire every year, meaning that there was another festival site 10 minutes down the road. Also on hearing that one of the festival owners spoke in parliament saying if they did not get permanency, they would move. Well, maybe that's a damn good idea. There are plenty of other places that would be better for this satellite city, but we want permanent approval not to go through. We want them to be regulated after every event so that we, the community, and the surrounds have a chance to have input. Community locked out of their villages and locked in their homes. Thank you.

15

PROF MACKAY: Thank you, Ms Norley. And our next scheduled presenter is Ben Funnell. Thank you.

MR B. FUNNELL: Good afternoon, ladies and gentlemen. I'm here today to speak on behalf of SAE Creative Media Institute in Byron Bay, and also the young adults that we seek to educate and transition to full-time employment, sometimes in the region. A lot of people might not have heard about SAE so I'll just touch on a very quick history. We're a creative media specialist organisation. Tertiary education, so we're teaching students typically in the 18 to 24 year old range. Originally, we employ – employ 70 local staff and it's the headquarters for the southern region effectively. So Byron Bay is very important to us as a region.

We have approximately 300 students on the campus at any one time, studying a range of courses from certificate, diploma, Bachelor and Master courses. But importantly for all our Bachelor degree students, they are required to undertake a minimum of 80 work placement. Linking into that, the Foundation for Young Australians recently released a report about how to successfully transition young people into full-time employment, noting that this is becoming increasingly difficult in our society today. Some of the factors that they mentioned are listed up there on that slide, but very relevant to that work placement that I was just talking about.

So the ability to get relevant paid employment while you're studying accelerates your chances of getting full-time employment by up to 12 months. And, likewise, in building enterprise skills, which we often see happens in real simulated work environments, that accelerates opportunities for full-time employment by up to 17 months. I won't go through our full focus there, but just to touch on a couple of points is that our education is really all about learning opportunities in a real world environment. And music festivals in this region are critically important, particularly for our audio students, our film students, and even our design students. We're hoping that students that are living in this region, studying with us are generating local innovation in jobs for years to come.

Here's a few of our superstars we call them, one of my superstars. So these are people that have studied at SAE Byron Bay, have gone through work placement opportunities here, and have gone on to do great things around the world. So we have a BAFTA winner and an Academy Award winner there. We've got a couple of  
5 local guys that started up their own film production company here in Byron Bay, and people touring Australia and the world with artists. We broadly support the application here today on the basis that we have approximately 80 students in audio, film and design that gain professional work experience from festivals around the region each year. This is critically important for us in a regional area.

10 That festival work experience is a proven pathway to employment through the networks and the experience that people gain there. And just to clarify too, that about 80 per cent of our students are from this region. So they're south of the Gold Coast and then north of Coffs Harbour. We do not have a large international student  
15 population. So this is for us, it's really about educating and providing full-time employment for students from this region. And we know from speaking to those students that many of them want to gain employment in this region, but often they can't. There's just not the opportunities here. So this proposal, I think, provides further opportunities to attract local, national and international creatives to this  
20 region and provide more opportunities for our students.

I think it's always handy in these situations to talk about specific individuals, and I've just provided a brief, dotted history of a case study that we had here recently. A young, female, 18 year old Byron Bay local was seeking to enter the world of audio  
25 production, live sound engineering. It's very much a male-dominated area, and we're very proud of this young lady, but opportunities for her would potentially have been very limited. She commenced with us in 2016, and she worked every single festival she got the opportunity to do. She was a hard worker. She worked at Splendour in 2017 and impressed so much that she picked up work on trial as a result  
30 of that experience at Splendour. She has now finished her degree with us, and she's working as a live sound engineer or a stage technician at the Brisbane Powerhouse. That's a fantastic result for us and for that young lady, but I would say to you, how fantastic would it have been if we had been able to keep her in this region, working full time. That's all from us. Thank you.

35 PROF MACKAY: Thank you, Mr Funnell. And our next presenter is Kate Fewtrell from Connect Northern Rivers Incorporated. Thank you.

40 MS K. FEWTRELL: Thank you. Hi there. My name's Kate Fewtrell, and I am the work placement program manager at Connect Northern Rivers. We work with all the local high school students in the Northern Rivers, coordinating mandatory work placement for year 11 and 12 students who are studying industry-based vocational, education and training VET courses and as part of their HSC. There are 13 industry  
45 curriculum frameworks available to students, and one of these frameworks is entertainment industry, where students study the Certificate III in Live Production and Services. One of the course outcomes is for students to complete 70 hours of work placement in the community. Work placement is a planned opportunity in a

5 quality host workplace that enables senior school students studying VET courses to practice and develop their industry competencies and their employability skills in a vibrant real work context. Workplace learning also allows the students to develop appropriate attitudes towards work and learn a range of behaviours appropriate for the industry.

10 Within the Northern Rivers, we have limited entertainment host employers available for the large number of students who study this subject. This year, we had 112 students enrolled in entertainment from local schools located in the following areas:  
15 Lismore, Byron Bay, Mullumbimby, Murwillumbah and Tweed Heads. Of these 112 students, 136 placements were coordinated, only utilising 24 host employers. Splendour in the Grass was one of these host employers. We've been placing students in some capacity at this event since 2006. They've been a local supporter of the work placement program and provide structured, educational placement  
20 opportunities for the students. During the last three years, they have accommodated between 20 to 25 students with a unique placement opportunity.

25 The program consists of a two-day pre-festival placement, where students learn the history of Splendour and event management processes of the festival, attend educational site tours through the different departments to achieve a greater  
30 understanding of how the festival is pulled together, and assist with bump-in duties to set up volunteer areas, and take an informative tour through the different stage areas with the production manager. Work placement at Splendour in the Grass allows the students the opportunity to put the theory they are learning at school into  
35 practice, connect with industry professionals, a personal experience to enhance their ambitions to work in the entertainment industry, and a greater understanding of the pathways available to start their careers within the industry.

40 My colleague and I accompanied the students to the placement this year, and you can see that the students were leaving inspired and with excitement in their eyes. They were in awe and eager to learn more from the event coordinators. Feedback from the students is that they didn't want to leave. Some feedback I received from the Splendour in the Grass staff and the transport manager said that:

45 *I thoroughly enjoyed hosting the students. Seeing their faces and hearing their comments and questions was very rewarding. The site tour and department manager's talks are the best part, as it gives the Splendour team an opportunity to share their knowledge and experience with the students, as well as hear the students' frank thoughts and questions. Having this type of involvement in the event by local students is what we see as a driving force of this partnership. We want these students to one day work for the festival and support local employment in this industry.*

50 For us, to have access to this event of this size is a rare opportunity for our regional students. The current arrangement with Splendour in the Grass is a beneficial learning experience for students, and the placement content is of a high industry standard and developed – delivered in a professional manner. Strong networks and

connections between our schools, local employers, business and industry are integral to the young people in our community and allows them the opportunity to practice what they're learning in class in a real work environment, and it also allows them to develop work readiness skills and on-the-job experience which will assist students  
5 immensely when they enter the workforce. If North Byron Parklands are successful with their application for permanency as a cultural event site, this would allow us to strengthen those networks within the entertainment industry and allow us to access meaningful work placement opportunities for the students at a variety of different events. Thank you.

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PROF MACKAY: Thank you, Ms Fewtrell. And our next presenter is Laurel Cohn. Thank you.

MS L. COHN: Hello, and it's a privilege to be able to speak to you today, and thank  
15 you to everyone in the room, too, for listening. I've been a community representative on the Regulatory Working Group for the past two years, and that tenure has been extended till the end of the trial period in August of next year. So I've had the privilege of access to some of the intricacies of the North Byron Parklands operation and have an understanding of what this involves, and this  
20 informs my address today. Over the time I've been on the RWG, North Byron Parklands have responded to concerns and issues brought to the table and have improved their operations on a number of fronts. Over the trial period history, 52 recommendations have been raised by the RWG, and all have been acted upon. This shows the importance of the RWG as an oversight body made up of representatives  
25 with local knowledge. It's pleasing to see the continuation of the RWG as a recommended condition of consent, and I would also like to see this augmented by annual independent auditing.

I acknowledge that as well as opposition, there is much support for the festivals in  
30 the area. As a community representative, I've had a number of conversations with people in this room, but also people not in this room who are great supporters of the festival. I don't support the proposal to expand the patron numbers and festival days, as outlined in the SSD application, and have key concerns in terms of social impacts, the proposed incremental increase in patron numbers, ongoing monitoring and  
35 reporting, and proposed contributions to council. With social impacts, I would like to talk about the numbers onsite, not just the patron numbers, because this feels more relevant to social impact.

According to North Byron Parklands figures, 35,000 patrons means 40,290 people  
40 onsite, and 50 – sorry, I thought I had five minutes – 50,000 patrons means 57,850 people onsite. I note that the only time in the assessment these numbers were used was in relation to the bushfire assessment, which rounded it up to 58,000 people. So to be clear, the proposed increase of 15,000 to 50,000 from current limits equates to an increase of 18,560 people. Can I just clarify my amount of time? I thought I had  
45 five minutes.

PROF MACKAY: You're listed for three minutes, but you asked for the shortest amount of time, so please take five.

5 MS COHN: Thank you. I did request five, is my understanding. Apologies for that. The assessment maintains that any social impacts are temporary in nature. However, the increase in days and numbers will necessarily increase demand on the short-term holiday rental market in Byron Shire and neighbouring shires. This has knock-on effects, reducing the long-term housing rental market. Byron Shire is currently one of the least affordable places to live and rent, and the lack of housing for low to middle income workers is changing the social structure of our community. 10 The proposed increase in numbers will exacerbate this issue, and I believe it's important to acknowledge that this is a 365 days per year social impact, not a short-term impact.

15 In terms of the incremental increases to patron numbers, while I don't support the overall increase, I would like to address the assessment's recommendation to adjust the increase to 5000 per year from the proposed 7500. This is, from what I can see in the report, due to advice from the RMS regarding traffic and RFS regarding fire management. If there's to be an increase in patron numbers, the incremental 20 increases, I argue, should remain at 2500 per year, as they have through the trial period, as this has shown to be a successful and proven formula. It has allowed North Byron Parklands to respond to issues that arise and stay within their KPIs. The jump to 5000 is unproven. I know, as an RWG member, that the North Byron Parklands finds itself faced with new scenarios, particularly in regard to traffic, every 25 year as patterns change unpredictably.

Another unpredictable factor is, of course, the weather. We're undoubtedly seeing an increase in severity and frequency of hot weather events and fire events, and while North Byron Parklands has an impressive emergency control centre and various 30 contingencies and plans in place, we don't yet know really what the weather is going to be doing, so, again, precautionary principle, I would say 2500, as has shown to be workable to date, to ensure patrons' safety. In terms of reporting, it's not clear to me from the assessment report and the proposed consent conditions what happens in terms of reporting when the numbers reach the proposed maximums of 70 – of 35 57,850 for Splendour. The report says ongoing monitoring. Does this mean they need to continue to reach the KPIs? What happens if they don't meet the KPIs? And is there a provision for the numbers to be wound back if it looks like they can't meet the KPIs? I have another point about contributions to council. I'm conscious that my time is up, and I will submit those in writing. Thank you.

40 PROF MACKAY: Thank you, Ms Cohn, and as with all presenters, you're very welcome to add a written submission. Our next presenter is Marc Patten from Shores United Soccer Club. Thank you.

45 MR M. PATTEN: Thanks, everyone. I haven't prepared a speech, as such. I've got to go to work straight after this, so I thought I would wing it from the heart, basically. Yes, my name is Marc Patten. I am the president of Shores United Soccer

Club. I understand the polarisation of views with respect to this festival. It's certainly in evidence I just got called a nasty name by somebody who thinks I'm going to speak in support, but – and I am, but that's par for the course. Look, I don't actually attend these festivals. I'm a bit of an old-time rocker, and these days I can  
5 only part one or two nights and not three or five, but I do understand that they are very, very significant. I live close to the festival side in North Ocean Shores. Very close. And whilst that's true, and I have heard the music from the festival at times when the wind is blowing, I don't consider it to be significant from where I live. I'm less than five kilometres from the site.

10 From a policing point of view, I'm a retired police officer. Whilst it certainly taxes police with respect to numbers and job priority, I'm not aware of any significant policing issues with respect to the festival. Sure, drugs are an issue, but I would say that that's more a cultural issue with our youth today. I mean, I went to the Mullum  
15 Festival. On the last day, around about 10 o'clock, I showed up. Much more low key than Byron Parklands as a festival. I've never seen so many wasted people in my life. They're off their tits. There were loads of them all over the roads, and I would submit that that is a cultural thing. Parklands area is contained, and I think much more organised than the Mullum festival.

20 I also appreciate the added congestion the influx of festivalgoers puts on our community, but having said that, look, I believe the benefits to our community, business community, education community, sporting groups, and other not-for-profit organisations far, in my opinion, outweighs the negative. North Byron Parklands  
25 contribute literally thousands of dollars to this community, to our business community, to our not-for-profit sporting groups, to various groups. To name a few, Ocean Shores Primary School – I think Chris was speaking earlier – The Pocket Primary School, the Brunswick Heads School, early learning centres, sporting clubs, the tennis club, our club. This year, our club were able to purchase practice shirts for  
30 every child and every adult in the entire club. That's 140 people aged six to 60. We simply could not exist without this assistance. That is how vital it is to us. I'm not suggesting there aren't challenges, but the facts of the matter are, ladies and gentlemen, we would not exist as a sporting club without their assistance. We just had our most successful season ever in all grades, and we cannot survive with that –  
35 without that assistance.

The cost, if any of you know – and I suspect most of you do – to run a not-for-profit sporting organisation in this day and age are enormous. Byron Shire Council charge  
40 us about \$1000 a year just to use the oval, and we then pay 15 per cent of our maintenance cost to the shire for that. We do most of our maintenance ourselves: painting, line marking, canteen, purchasing of canteen equipment, sporting balls, goals, nets, socks. We can't do it without their assistance. Really, in summarisation, you know, without the risk of repeating myself, I firmly believe that the benefits  
45 outweigh the negatives, and I would ask those who, perhaps, are a little negative to consider the benefit to our business and local community. That's all. Thank you.

PROF MACKAY: Thank you, Mr Patten. I'm intending that if the next two presenters take their allocated times, that we will have two more presentations before breaking for lunch. I mention that in case that creates a problem for any subsequent presenters, in which case, could you please let David or Jorge know. Our next presenter, therefore, is Mr Michael Hunt. Thank you.

MR M. HUNT: Thank you. Yes, we have sent that – the economic report that was done by HillPDA to an academic to get an actual objective response, but we haven't had a reply yet. I'm hoping that I can get that to you by email in the next week. So I won't talk about that. The actual HillPDA report: there's a lot to be said about that. It was – yes, I won't go on about it. One thing that's clear from all the documents, from whoever has prepared them from the Department of Planning, anyway, and the consultants is that not one word has been said about the local entertainment industry which used to exist here, which is still – there's still a small part left. Some of the people here today have tried to suggest that it didn't exist or whatever. It has been valued at zero, anyway. The consumption that's occurring has just been shifted from the traditional venues to the new venues, as suggested by HillPDA, in fact, and by many other people.

There's absolutely no indication that there's any new consumption, because nobody did the figures in the old days. There used to be a fantastic home-grown entertainment industry around here, but nobody wrote down the GDP, the GVA. It was significant. We know it was there for a number of reasons. One of them is that I found this yesterday. This is a magazine from 1989 – I've scanned this, and I will leave you a copy of it on a CD – which shows what was going on in the entertainment industry in 1989, and it wasn't nothing. There was actually a lot happening. There were a lot of venues who were hosting local, national and international artists – that's a spare one – all over the place, places that have stopped doing it now. The number of gigs listed here in 1989 was – is actually higher for bands, duos and solos, than it is in the Echo currently. I had a look in the Echo, and I invite you to do the comparison yourself.

Despite the fact that the population here has doubled, the number of tourists has trebled, the population of Byron Bay, in fact, has quadrupled, but the entertainment industry is actually smaller than it was at 1989. It's actually at about 80 per cent – judging by the number of gigs that are happening, it's at about 80 per cent currently of the size it was in 1989. So with a doubling of the population there's twice as many people, twice as many cars, but we only have 80 per cent of the industry. So effectively, per capita, what we have is 40 per cent of the industry that we had in 1989. And this has been caused mainly by the introduction of these big festivals. You can see the evidence not only in this magazine, which I looked through, but in the bricks and mortar. The bricks and mortar don't lie. There was significant investment made in the entertainment industry in this area in the late 80s, all through the 90s, and into the noughties. Significant. I invite you to go and have a look at it. If you can't tell when the build was done, ask someone. There are no – no projects happening at the moment. Nothing.

Why is this? It's because you've tilted the playing field in favour of big business. It's because they don't have to abide by the same regulations that everyone else does. They get – they get a sweetheart deal, basically. They don't have to conform with the flood regulations, for instance. They're allowed to develop on a floodplain.  
5 Nobody else is allowed to do this. The licensing laws. The police have said they can't police nine bars. No one else can open a bar. I've asked the council if I could open a bar across the road from the Splendour site. They laughed at me, you know. It's not going to happen. They have – they pay – basically, they operate nine bars and they're paying rural rates, and they don't have to conform with any of the  
10 council regulations which constrain all the other businesses in this area.

Their competition is not fair. If they had taken over the operating the same – under the same deal that everyone else gets, it wouldn't be a problem. None of this would be happening. None of us would be here today if they had to abide by the same  
15 regulations which constrained everyone else, and this is why it's not fair. The noise regulations. They have tilted the playing field very heavily in their favour, and as a result, the local entertainment industry is now 40 per cent of what it used to be. The existence of this – there was a magazine in – that came out every fortnight about the local entertainment industry. There is none now. There's nothing now. There was  
20 an entertainment agency booking bands. They booked Jimmy Barnes. Here we go:

*Encore Entertainment present Jimmy Barnes at the Lismore Workers Club.*

There's no entertainment agency in this area any more, because the industry cannot  
25 support one. It's basically a big fat lie about this industry being worth nothing and that you can demolish it, and that this consumption is new or fresh consumption. It is not. It has been transferred from other venues, and the fact that no one wrote down the GDP and GVA at the time means you can write it off, and that's pretty tragic. So the locals, you know, who get thrown under the bus by this sort of thing. It's the  
30 building industry that used to work in this area, doing the renovations in pubs and clubs. They weren't all locals. They came from all over the place. The bands, the local, the national, the interstate bands. Those gigs just aren't there any more. The people who are offering the PAs, the bar staff, the suppliers of all the goods and services for that entertainment industry. They're now receiving 40 per cent – the  
35 business is 40 per cent of what it would have been if it had continued on the trajectory it was on in 1989. If these big festivals had not been invited in on a sweetheart deal and given the opportunity to just take the fat – it is unfair.

Some of the people – you know, there are – you might have heard of Lake Ainsworth  
40 in Lennox Head. One of the Ainsworth family had polio as a kid. He became an excellent saxophone player, ended up playing with Stevie Wonder, people like that, Shirley Bassey. He's back in Byron. He can't get a gig in this area because it is so quiet. People like Jim Kelly and Greg Lyon, regarded as the best guitar player and bass player in Australia by musicians. You've probably never heard of them.  
45 You've certainly heard them on the radio. You would have seen them on TV. They're doing about two gigs a year, where they used to do two every week.

Someone like Louis Burdett. Remember that Whitlams song about Louis Burdett? He can't get a gig. And it goes on and on. The PA suppliers, etcetera.

5 You know, you've shown us what this – it's basically some sort of alliance between big business and government which tilts the playing field against the smaller businesses, the medium businesses. It allows them to bring in workers from overseas who aren't being paid the award rate. One of the speakers earlier spoke about that. That is definitely happening. The workers, if you calculate what's being spent – the number of jobs claimed divided into the amount that's paid is less than the minimum  
10 wage, so those are the sort of jobs that are being made available on less than minimum wage. And you're throwing a lot of the local entertainment industry under the bus in the process, and yes, if it goes ahead, we won't forget it. Thank you.

15 PROF MACKAY: Thank you, Mr Hunt. Following some advice from one of the presenters today, we will actually have two presenters, so we will take lunch a little after 1 o'clock. So our next presenter is being intervened, and that is Ms Tina Petroff from Ocean Shores Tidy Town Committee. Thank you.

20 MS T. PETROFF: Thank you. Yes, my name is Tina Petroff, and I'm the president of Ocean Shores Tidy Towns. For six years now, North Byron Parklands have been working hard behind the scenes to establish a world class sustainable arts and cultural centre. They had to agree to and work through hundreds of conditions from Byron Shire Council which other event sites, like the Blues and Roots Festival, do not have to comply with. They're continually improving their 660 acre property,  
25 which, only a decade ago, was degraded cattle and sugar cane farm. They listen to locals and the wider community and improve roads internally and externally to get better traffic flow; installed expensive directional sound systems so those who don't attend get a good night's sleep; provided portable wi-fi poles for patrons; they've provided nearly 500 composting toilets, nearly 200 solar showers for patrons, and  
30 taught patrons and the wider community how to reforest the degraded property that they have cared for for years now.

35 It's an expensive endeavour, even when they don't know if they have a permanent place here, but they're willing to have a go for a better outcome for their patrons at the event site and for the good of the local community and the economy. They're continually giving back to local groups with grants and funding each year, more than most people realise. If it wasn't for their generosity, Ocean Shores would still not have a children's playground and public toilets, nearly 50 years after the town was established. Splendour donated the full 15,000 to engage a specialist playscape  
40 designer that began the process and the professional consultation that all local schools were involved in to find out exactly what our kids wanted in a playscape, and nearly ..... public toilets, public barbecue facilities, park seating, and so far our requested play equipment, in a beautiful, natural, social space in Ocean Shores.

45 I don't want to be another town in Australia who have to wait 50 years for public toilets and proper play space facilities. It's hard to watch three generations of kids miss out on play equipment. And until people realise how important this park is for

our kids in this community, you won't full understand how important and generous Splendour donations are. Splendour donated to our Tidy Towns team – they provided mowers, brush cutters and harnesses and replenished the tools we needed to continue our land care work in the public reserves – and for public reserve, actually, in Ocean Shores – after 26 years of volunteering. We received no support from Byron Shire Council. So those community grants make our land care work so much easier.

I listened to many young people I've met when I've attended a number of Splendour and Falls Festivals at North Byron Parklands and I hear that Splendour has one of best names in event management too. And students of event management flock from all parts of the country and around the world to learn their strategies. Everyone works from the ground up learning recycling, repurposing, litter reduction, collecting rubbish throughout the events and it's amazing what patrons leave behind. Hundreds of rubber boots, sleeping bags, tents, camping chairs and tables, blow up mattresses, blankets and linen and all are collected and laundered and given to many homeless youths in this area through their alliance with Social Futures Connecting Homes program. This is just one of the many organisations, sports groups, schools, community gardens, junior surf club lifesaving, neighbourhood centres ..... rescue services, homeless shelters and breakfasts, local men's sheds, youth theatre, WIRES Wildlife Care, Meals on Wheels, Land Care and so many more community initiatives that they have supported over the past 17 years.

Wouldn't it be great if all levels of government supported us so well from petrol taxes or parking fees, for instance? They have their own information centre and provide ..... ideas and transport to local tourist adventures to encourage their patrons to experience more of – more out in a day in the Byron Shire and countless businesses benefit from this initiative too. It's a great legacy to pass on to this community for sustainability, unity and the values we hold dear in vision and goals for the strategic planning in Ocean Shores. We support Byron – North Byron Parklands MOD 5 concept approval proposal MP 09 0028 and we hope they are successful with their proposal for a permanent art and cultural centre at North Byron Parklands and we want them to know, no matter what happens after this day, many communities, especially those in the north of the Byron Shire, will always be grateful for their support. Thank you.

PROF MACKAY: Thank you, Ms Petroff. I've had another note passed. So I'm proposing we will shortly hear from Jesse Carroll. Can I just check, please, whether Alec Enalda is in the room? Well, that problem became self-solving just then. So, look, one more presentation before we adjourn for lunch and that is from Jesse Carroll. Thank you.

MR J. CARROLL: Thank you. Good afternoon, my name is Jesse Carroll. I will be speaking on behalf of St Joseph's College Banora Point Catholic School's Office Diocese of Lismore and as an educator in vocational education and training in the entertainment industry. I've taught senior students in certificate III in live production and services since 2012. The foundation ..... successful of ..... delivery in a school

setting is the inclusion of industry relevant training and work experiences. The Splendour in the Grass team has been working in partnership with Connect Northern Rivers to secure work placement opportunities for entertainment industry students.

5 In a regional area where ..... challenge to provide industry relevant placements for student. In an industry where employers are reluctant to take on younger workers it is greatly appreciated that organisers have made this possible. I can attest that the inclusion of students in the Splendour in the Grass production for work placement opportunities has been beneficial to their course learning. I wish to express the  
10 sentiment of students who, unfortunately, could not speak today due to school assessment work. They found the scale of the site, equipment and logistics very impressive. They've gained a better understanding of equipment differences in terms of audio, lighting and vision. They were also particular interested in the growth and the future of the festival site. I have conducted class activities that focused on energy  
15 consumption, power distribution and the difficulties of all this on large scale outdoor events.

In the school environment students regularly participate in a bump in bump out set up, patching, programming and operating of entertainment industry equipment. The  
20 key areas of focus for their course are audio, lighting, staging, vision systems, workplace health and safety, customer service and working in the entertainment industry. Their experiences at school need to be contextualised and consolidated by real life experiences. The Splendour in the Grass production allows students on the North Coast to have opportunities equal to and above the calibre of the opportunities  
25 that metropolitan schools have.

For example, Sydney-based entertainment industry students have numerous large-scale events which they can work and observe. North Coast students are now very privileged to work on such a prestigious event on such an amazing festival ground.  
30 All the tasks students complete at school are present at the festival, however, are given more opportunity to see it on a larger scale. As parts of their units of competency students must understand changes in the entertainment industry and also how environmental factors are being considered globally within large scale events.

35 I frequently use case studies from the Live Performance Australia website to reiterate to students the importance of ..... live performance, specifically the articles and video content based around effective energy management of large scale music festivals, ie, Falls and Splendour, are valuable, reliable and detailed resources for students. Festivals aside, I could envisage the use of the precinct as a learning tool to educate  
40 students about the importance of ..... live performance in the years to come. It's not limited to the entertainment industry students ..... HSC content could also be covered by field trips, case studies and assignments.

45 As LPA, Live Performance Australia, are the peak body for the live performance industry in Australia, and this information is present on their site, I trust that the North Byron Parklands Management is on the way and is on the cutting edge of making events more sustainable and truly world class. To make industry

connections, to see the most up to date industry technology and consolidate learning, the North Byron Parklands site, in conjunction with Splendour in the Grass, is the perfect opportunity for our North Coast students. Thanks for your time.

5 PROF MACKAY: Thank you, Mr Carroll, and may I take the opportunity, on behalf of the Commissioners, to thank all of the presenters from this morning and those present for their conduct during the presentations. We will now break for lunch. We will resume this afternoon. We will have a short break during the afternoon but we will not resume before 2 pm. So if those who wish to watch or to  
10 participate and present could be back by 2 o'clock then we will get underway then. Thank you very much.

15 **RECORDING SUSPENDED** [1.08 pm]

**RECORDING RESUMED** [2.00 pm]

20 PROF MACKAY: Good afternoon and thank you again, ladies and gentlemen. We will resume the meeting. Can I please advise you that in order to accommodate commitments of some of the presenters there will be a slight shuffle to the order just to assist with that process. So the next five presenters in order will be Alec Enalda, then Stephen Connelly, then Doug Williams, Stella Wheildon and Peter Wotton.  
25 After which we will resume the run sheet which has been disturbed. Which then brings us to our next presenter schedule is Alec Enalda, who was not present before lunch. Is Alec Enalda in the room? Well, that does get us off to an efficient start. I would invite Stephen Connelly to present. Thank you.

30 MR S. CONNELLY: Commissioners, thank you for the opportunity to speak. I'm a town planner by trade. I've worked in the region for some 30 years now. I had the pleasure of being engaged by the Parklands people in 2009 and I prepared the original environmental assessment report and I assisted with the environmental  
35 impact statement which is the subject of these – this consideration. We – I am really happy with the conditions of consent that have been recommended to you there. They're logical, they're hard but they're fair. Two conditions, though, I seek for you to change. Those conditions relate to D9 and A7.

40 So at D9 the recommended conditions provide for phasing for the Splendour in the Grass, the Large Winter and for the Large Summer Falls Festival Byron and the consent, as drafted, provides for the staging to proceed for the Splendour event in 5000 person increments and for the Falls Festival to proceed in 5000 increments. I'm here today to put it to you that the work that was done to prepare the impact  
45 assessment was founded on hard evidence about the capacity of the road system in the locality to sustain the event – events as proposed. That work was calibrated with the other works that have to be done to move the event on. So the idea of having the

42 and a half thousand and 50,000 equates to serious works that have to be completed before the Large Winter event can move from 35,000 persons.

5 That calibration is really quite important in terms of the viability of the operation but also in terms of the phasing. So without any quibbling about the mathematics or the basis or the logic or the robustness of the analysis that has been completed, a suggestion has been made that it be 5000 increments. The difference in – between the seven and a half and the 5000, particularly, say, for the first event, would be imperceptible. So any person who's looking at the traffic and evaluating and just a person on the street will not discern the difference. But the difference for the actual operation of the festival and its smooth economic running is really important. The second part of table 4, consent condition D9, provides for the stage 2 for the Falls Festival to be at 30,000.

15 Now, this site has run 35,000 event, it has run it successfully, it has run it successfully in terms of traffic, at noise and so forth. But it was a concern in relation to traffic that maybe caused the increment proposed. So in our response to submissions we looked at the traffic that was in the highway system at the time of this event and you will discern, if you look at our response to submissions, that the background traffic load is within the same parameters as the traffic load for the 20 50,000 event that has been specified for – for Splendour. So to cut it into a – its bite sized piece, there is nothing in the modelling or the examination that has been done to suggest that Falls Festival can't run at 35,000 and 35,000 is being run successfully at the site.

25 The other condition I would like you to consider relates to condition A7. A7 allows for a – the provision of a – effectively, a performance evaluation report that allows for Splendour to proceed to its stage 2 with the submission of a particular report. And all it has asked, in terms of that, is that same facility should reasonably apply to the Falls Festival. I've provided Jorge with a copy of my written submission and in 30 that I have the detail of suggested edits to the conditions. Thank you, Commissioners.

35 PROF MACKAY: Thank you, Mr Connelly. Our next presenter is Mr Doug Williams.

MR D. WILLIAMS: Good evening, everyone. My name is ..... Arakwal tribe. I just want to set the record straight here. Tweed Byron Land Council ..... don't speak on their behalf, he doesn't ..... from our tribe. In the culmination of all that has 40 happened here, the meeting, what it's about, you had to do cultural clearance and all of that to satisfy that part of it. We weren't consulted. I have direct link to this land. This is my grandmother's country ..... Arakwal, and I want to set for the record that it is us who have been excluded our of any consultation when, in fact, our ..... engaged in doing cultural knowledge and history of this place yet that has been left 45 out deliberately. And so had our tribal council meeting, it – we are looking at – because we understand that we don't have any say. Our voice is not going to be heard in – at this forum or anywhere else in the near future.

5 So we've concluded at the tribal council that we're not going to get fairness and we're going to go for a place where we can be heard and our intention would be to get an international action happening, either at the Hague or at the UNHRC, which – together with people of the most strongest clans of Native Title in this continent ever in ..... so we – we're not going to be part of the stats, we're not going to need just a rubber stamp, we want to stop – and I will say today there's going to be no ..... or anything this year, tender – Slender in the Grass? Is that what they call it? Slender or Splendour? Splendour in the Grass. Whatever. Whatever organisation that running these events they're going to stop as of today because I am going abroad.

10 We will make recommendations to the ..... and to the ..... in London, which everyone know about, because you see my line – I come from my grandfather's side. I am the eight or the ninth generation from ..... right down and I can name all of my grandfathers ..... that's on my grandfather's side. My grandmother, Charlotte  
15 Williams, I can go on her side too as well. I can do it all in language. And with my status in the tribe, as being the chief custodian, my recommendations – because we've been left out and I understand there has been some strong collusions happening and people are afraid to talk at public forums about the things ..... things that may be trivial, it's out in the media, "Those blacks are drunk and they caused a  
20 little bit of a thing down the street there, disorderly."

When they talk about fraud and deception everyone wants to hush up. In order for ..... to get to this meeting today there has been collusions happening. We've got that documented and I will get the date and time of this meeting and I will take with me  
25 in order – that's for our records. So ..... I stand for the truth.

PROF MACKAY: Thank you, Mr Williams. And just in relation to your last point there will be a transcription of the entirety of today's proceedings on the Commission's website available as a download. Could I just please check with you  
30 to make sure I have this correct: that what you've just presented to us is the entirety of the submission from your group because there does not seem to have been a written submission. I just want to make sure that we have everything in its entirety.

MR WILLIAMS: .....

35 PROF MACKAY: Sorry, would you mind – I know I'm making you walk up the end, but would you mind speaking into the microphone so that the transcription you download has what you're about to say.

40 MR WILLIAMS: No. That's not the entirety. But there will be following Stella's speak. And so finalising all this we're going to go to a competent jurisdiction, which is what I said, at the Hague or the UNHRC, because we don't get no fairness or equality in this country.

45 PROF MACKAY: Thank you for that clarification. Our next speaker is Stella Wheildon. Thank you.

MS S. WHEILDON: We will be presenting, on behalf of the Arakwal and Gidabal, a PowerPoint presentation and we will be doing a written submission within the timeframe as well to the Commission. Okay. So first and foremost I would like to acknowledge the land that we're standing on, the Arakwal land, and the elders past and present and I ask for their assistance in what I'm about to do for everybody here. Now, the Arakwal and Gidabal have been excluded completely from all of these EISs. The actual EIS company – the company that put together the cultural heritage is Everick Consultancy. We're well-known to Everick Consultancy. We've worked with them for almost two decades and they were not notifying us as to this particular event.

Now, the – the – on the left-hand side you can actually see the site and on the right-hand side is an ..... that's the Aboriginal Heritage Information Management Systems site locations. For the people at the back you might not be able to see the red square but that's sort of indicating where the Splendour properties are and the one on the right is showing all of the Aboriginal cultural heritage in the area. Now, quite specifically is the major ..... line going right through there and where the stage is located, for the Splendour, is actually a ..... and this has all been left out. Why has it been left out? Because the same old names get consulted. This is Everick – Everick Heritage's two submissions 10 years apart. The one on the left is current from 2017, the one on the right is from 2019, they have passed over a number of properties that have gone into the National Parks and Wildlife Services portfolio. But they haven't acknowledged the Borain under the stage.

MR .....: Shame.

MR WHEILDON: Shame. Yes. So this is of great concern to the ..... now, I will actually take you through this and show you why. So the exclusion of the Arakwal and Gidabal from the consultation and participation of North Byron Parklands is deplorable. These people represent two volcano nations: the Arakwal, the Caldera ..... Caldera and the Gidabal is the Caldera to the west. Now, these two landscapes are linked celestially. The line that you can see there is the sun solstice alignment. Greeny Charlotte Brown was an Arakwal woman who married Yuston Williams and the people at the rear of the hall are their direct bloodline descendants.

Greeny Charlotte was ensconced on the Brunswick Heads Aboriginal Reserve, which is there on the Brunswick River, it has now designated its Crown land. None of that was acknowledged in the building of the M1 or anything. All of this all went through – through the Tweed Byron Aboriginal Lands Council, who are not represented in any of this Aboriginal community and never have been. However, they have profited greatly from these sites. This is a recording done in 1990 by an archaeologist – an anthropologist by the name of Collins. Collins is one of the major submitting cultural heritage consultants in the current EIS for this project.

Now, in 1990 she cites Charlotte Williams was an Arakwal woman who is moving between ..... in 2003 Harry and Marlene Boyd, who are the grandchildren of Charlotte Brown, were apart of another submission, which is part of the current

5 Everick Heritage submission, and he cites Greeny Charlotte and, again, they were not contacted. The Tweed Byron Lands Council, Everick Heritage, everyone has left them out of it. Now, that's just on this level. So that Collins, Piper and Fox are the major ones with Everick Heritage, as I said, who we have posted two decades worth of association with the – so this is not due diligence whatsoever.

10 Now, Collins' submissions have been utilised by Native Title services. It's a requirement under due diligence that Native Title services disclose the stakeholders in this area. They haven't done so. No due diligence has been done by anybody. It's National Parks and Wildlife's requirement to disclose due diligence in this area and, of course, they haven't contacted the Arakwal or Gidabal descendants despite the ..... Aboriginal Heritage Information and Management System and the sites shown in and around the ..... nature reserve on that major songline carrying through the proposed parklands site as having been initially registered by Mrs Millie Boyd, an Arakwal Gidabal woman.

15 The further exclusion and discrimination of the ancestral culture continues on beyond that. Over 90 years of documentation on the sacred marriage law linking these two volcanoes exists within all of the major databases in Australia and internationally. 20 Greeny Charlotte Brown and grandfather, Yuston Williams, had been recorded by signing the major anthropologist and archaeologist this country has produced and have international doctorates as a result of working directly with these people.

25 In 2008, I, myself, did a Brunswick Heads foreshore submission on cultural heritage significance to present it to the New South Wales Department of Land, of which we sent registered post and I published, here it is in the ..... National Library of Australia, saying on the cover title at the head to the New South Wales Department of Land, who are also responsible for the due diligence of contacting the Arakwal and Gidabal as stakeholders. Now, in that submission I show Collins' Native Titles quote and I also show the 1950s recordings of Mrs Charlotte Williams Brown speaking to anthropologists, Professor Elkin, who became the senior anthropologist of the Australian National University in Canberra, actually went on and recorded this, and it is the daytime ..... it doesn't matter about you reading it, you don't need to read it, just trust me, it says Wooyung, Willie Nudgel and the whole of the songline and storyline and it's all about this sacred marriage law that was done in the 1950s.

35 Now, if you look at the geographical names, registrar, extracts, law, land and language are linked – this is a legal issue to do with land titles – okay, you will find that Wooyung is actually Gidabal. Gidabal is underlined down in the bottom. That's the New South Wales geographical names for. Here's the same marriage law being recorded by a tribal brother of Mrs Charlotte Brown and this is Mr Tom Close, again, recorded in the 1950s. These people were heroes of the civil rights campaigns and they have basically been targeted ever since. The entire ..... culture has been targeted as a result of the success of being able to be legally classified as humans overcoming the National Parks and Wildlife legislation that classified them as flora and fauna. 45 And this is why all of the environmental data is related to National Parks and Wildlife Services and to Aboriginal legislation.

Now, here is also another version of the same marriage law that was collected by anthropologists of the Sydney University, a Mr Malcom Kalie, during his 1954 thesis. He's talking about exactly the same connection between the two cultures. Malcom Kalie then went on to become the head anthropologist of the Australian National University and Everick Heritage and the National Parks and the Department of Lands can't seem to find the data. Again ..... it has been recorded as Gidabal. Gidabal language, not Bundjalung that the Tweed Byron Aboriginal Lands Council classifies as. They only identify as Gidabal. Arakwal and Gidabal. Here's the same marriage law that was done by HLA Environmental Sciences for the transfer of ..... national parks prepared as a cultural heritage study for the New South Wales Native Title Services, who again seem to have lost the data. They've forget to tell the Arakwal and the Gidabal that there's going to be a circus built on their flora grounds at the ..... now, Malcom Kalie, as an anthropologist, recorded ..... as being the name of the Arakwal male totemic sky ancestor very, very important.

This is Millie Boyd. She won an award in 1988 recorded the same marriage law for the best Australian film at the Melbourne Film Festival and also showed internationally and won awards. Now, somehow or other all of this data has been included in the ELASs. None of these people have been contacted to be parties or stakeholders in any of this process. These are the Boyd children photographed in 1955 published in the Door Magazine. The Boyd family from ..... how do I say uncle?

MR .....: .....

MS WHEILDON: (foreign language spoken) is a totemic name (foreign language spoken) is – that's ownership, isn't it? Like senior – senior brother or senior man in traditional ..... is very, very important. There's no due diligence, there's no code of practice, none of this has been done. This is the sort of data that we're very concerned about and are considering presenting. Now, I'm just going to show you, just quickly, this won't take up too much time, but what they're actually stopping. Okay. Right. And what this means - - -

PROF MACKAY: Ms Wheildon, can I just ask how much longer do you think you need?

MS WHEILDON: Three minutes. Okay.

PROF MACKAY: That's perfectly fine. Because Mr Williams was well under his time. So I will just - - -

MS WHEILDON: Thank you.

PROF MACKAY: - - - regard you as together.

MS WHEILDON: Thank you. Okay. So the planet – the planet orbits. As it's orbiting it's tilting from summer to winter. Okay. So we have an old world equator

that actually shows our planet tilts from summer to winter. It was taught to me by Mrs Marlene Boyd, who is the little girl in the photograph in 1955 at the Boyds ..... so with the old world equator she encouraged me to get all of the major sites on the planet, Petra ..... Giza, Machu Picchu, Nazca, Easter Island, and if you line them all up on Google Earth they make a straight line all around the planet. This was the old world equator. It's following the pathway of the sun. Yelpin people – "Yelpin" means pathway in Arakwal. Yelpin Creek runs right through the proposed parklands location.

10 Okay. So the sun osculates in a wave. Now, if you get a ball with a line around the middle of it and you cut it open you don't end up with a straight line. You end up with a wave. And all of the sites are following these waves. These songlines are sunlines. This is one that I mapped when I was giving a lecture in Glastonbury – the sign out there – and for the northern hemisphere. Okay. So this is showing the equator but, of course, as the planet is tilting from summer to winter we're moving in and out of the Tropics of Capricorn and the Tropics of Cancer. So the central yellow line is the equator that we're taught in school. The red line is the old world sunline equator of all of the sites, the famous sites all over the world that archaeologists have studied everywhere for two centuries and beyond actually showing that they create another equatorial border and it drops down here and guess where it lands (foreign language spoken) the beginning.

Now, I'm going to explain that to you in a little while. So it's following the path of mother sun. I think that's the end of that slide – oh, no, all right, the whole thing links up to a big star in space – and I forgot to tell you that – okay, there's a big pentagram that controls the whole thing. All right. It controls all of our ..... laws. Malcom Kalie, anthropologist, and his lovely wife, Dr Layla Hardmond, who's a beautiful lady, who has agreed to give us all the data, bless her heart, 83 still alive, feeling fantastic.

30 This is the story of the rainbow serpent. The rainbow serpent begins here from this proposed site. That ..... ground that's under the age. So this axial tilt of the precession is a 23.4 degrees differentiation. Now, we can see that on the map here. The pink line on the top is the sun solstice alignment, it runs through in front of Kugin Lake and it goes out and it converges with a pinnacle out the back, a ..... you guys don't need to know about this, all you need to know is that this volcano is a gigantic great big terror henge created by the stars. The bottom line running from Byron Bay is the wind solstice alignment from the top of Byron Bay, hits ..... goes out and converges with the pinnacle and the central equinox alignment line runs right through .....

So the northern one, the sun solstice one, is the seven sister ..... these – it's one of the most amazing arachnological and anthropological stories on the planet. The seven sisters the ..... okay. And there was a double spiral stone formation symbolic of the marriage laws on – between the lake and what's now Casuarina on the Tweed Coast. And this was recorded in the 1950s and it actually lines up with all these different sites. Just out of interest, Everick Heritage are doing all of the EISs for the North

Shore of the lakes for another state significant project called Kings Forrest and they've left these people out as well.

5 So this was recorded in JG Steele Aboriginal Pathways page 48. You can see this is the summer solstice pathway of the sun. Now, at the bottom, coming out of Byron Bay, we also have the same alignment with another double spiral. Down the bottom is the blue line and it goes up through Tiagra and there is another double spiral there. So that second spiral of stones was found in 1965. It was going to the Tweed Historical Society who then worked with the Brunswick Progress Association and  
10 the stones were finally placed at the Brunswick Valley Heritage Park. That's the caravan park beside where the old Aboriginal Reserve was on the Brunswick River, okay, in there. It's called Reflections now. And it's showing, again, the winter solstice.

15 Now, how this works is Mount Warning or ..... acts like a dirty great big ..... and that's what the photograph taken on a winter solstice morning from the sun of Yabarain shows the summit pointing directly at the Loring out the back at the pinnacle. Now, this Loring at the back of the pinnacle is what links up to that celestial pentagram in space so that all of the other major sites on the planet. This is  
20 really huge. You're – these people want to build a circus on top of the – one of the most sacred sites in Australia. It would be like trying to have a festival on the summit of Uluru. That's what they're doing.

Villanugel was recorded by Malcom Kalie in 1959 as the major site across here.  
25 There's a major songline going clean through that festival site. The EIS is being recorded by the same cultural company who have wiped that out. They're rewritten history. This is genocide on paper. These are human rights issues and they're all being ignored. But not by the bloodline country. No. They're still – they're not going to let it go away. They're not going to let it be ignored and they're not going  
30 to let it happen here any longer. Thank you very much.

PROF MACKAY: Thank you, Ms Wheildon, and thank you particularly for your cultural sensitivity at the beginning of that presentation by alerting those presence to the forthcoming presentation of deceased persons, which is appreciated. Our next  
35 presented is Peter Wotton, please. Thank you.

MR P. WOTTON: Thank you to the Commission for allowing me to speak today. Speaking on behalf of the Brunswick Visitor Information Centre. The Brunswick Head Visitor Information Centre has an excellent partnership with the Parklands and  
40 its two major festivals and events. The visitors centre receives assistance, human resources, from Falls and Splendour each year to manage and minimise potential or actual negative impacts on Brunswick Heads during the festivals, which – while these festival patrons visit or stay in our town.

45 The BVC has worked closely with Falls Festival since 2015 implementing a range of strategies to manage offsite festival impacts in Brunswick Heads, including an event called Taking Care of Brunswick During Falls Festival Project. Taking Care of

5 Brunswick During Falls is supported by Falls Festival providing important – an important boost to the VC and provides employment for a local coordinator to manage our VC volunteers, additional cleaners, bins, waste removal services to ensure that the harmony of the town and cleanliness of the public amenities during the town’s busy summer season is adhered to.

10 The project coordinator and volunteers keep an eye out for illegal campers, parking, anti-social behaviour or anything that might disturb the harmony of the family-friendly holiday atmosphere of Brunswick Heads. The BVC surveys local and visitors during the festival for feedback on the town’s cleanliness, behaviour of the visitors, friendliness and the family appropriateness. Visitors and local survey feedback is overwhelmingly positive. Patron behaviour is described as well-behaved and friendly. The Falls Parklands and VC team are proactive in ensuring complaints and actual incidents in town are handled in a timely and effective manner.

15 While maintaining a proactive approach in mitigating negative social impacts the BVC also seeks to maximise the economic and cultural benefits that the festivals bring to Brunswick Heads. Local businesses surveyed, particularly cafes and restaurant owners, report on the good behaviour of festival patrons and we appreciate the much needed additional income festival patrons bring to their businesses in Brunswick Heads. Some statistics that are related to the festivals include: according to Parklands, in 2018 the economic report direct expenditure by festival organisers and attendees was 56.8 million. Festival organisers spent 19.3 million on staff, goods and services, while attendees spent 39.3 million primarily on food, beverage and accommodation. 43.2 per cent of this total of \$25.3 million was directed towards businesses and individuals located in the Northern Rivers and including Byron Bay.

20 The total economic output is measured at \$130.6 million. Byron Shire accounted for \$34 million of this total of 26 per cent. The economic output in Byron Shire has increased by a whopping 192 per cent since 2009. In 2017, the festivals were responsible for a gross value added of 62.7 million. Of this, 16.7 million is attributed to Byron Shire. The Byron Shire share in this increase of 276 per cent from 2009 and a minor decrease from 2016. The question – the creation of 186 equivalent full-time jobs in the Byron Shire in 2017 is significant as it represents 1.64 per cent of the Byron Shire workforce.

35 This is sizeable given the North Byron Parklands hosted two events only. This is 220 per cent increase from the 58 generated in 2009. The total number of jobs created in 2017 was actually 815. That’s equivalent full-time jobs. The events generated 39,487 room nights in commercial accommodation in Byron Shire and 40 10,530 room nights in other Northern Rivers accommodation properties. I thank you for allowing me to speak today on behalf of the Brunswick Heads Visitors Centre.

45 PROF MACKAY: Thank you, Mr Wotton. And we will resume the run sheet that has been distributed. And our next listed speaker is Mr Stan Scanlon. Mr Scanlon is apparently not here. So we will move to our next speaker, which is Ms Gisela Stieglitz.

MS G. STIEGLITZ: .....

PROF MACKAY: Sorry. Can we please get you to speak into the microphone so that we can record. We good?

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MS STIEGLITZ: I just speak for myself. I don't make any money with the Parklands or without the Parklands. It has got nothing to do with me. But I am here to just represent commonsense. It is a common knowledge that the floodplains around Wooyung, including those Byron Parklands, flood on a regular basis and I want to point out that Lismore and Mooloolaba when they go under these floodplains are way under. So Parkland argues that the 2017 flood was a once in a 100 year event. But in my folder you can see that the Lismore Council has been providing evidence about floods since 1870. And in this time there was 30 major floods, over 9.7 metres that would definitely flood Wooyung. And in the last 54 years there were four major floods that totally flooded Lismore and also maybe Mooloolaba, I'm not sure, and that was in '54, in '74 and '89 and in '17.

So what that means is every kind of 16 years or so we have one major flood that is over 12 metres and every three to four years we have a flood that is 9.7 metres in Lismore. Now, Wooyung Road floods way before Lismore goes under. So Parkland says it has been a one-off event that will never happen again. That is just a lie. It happens all the time and you can see that in that – in that folder there. Please also note that the northern part of Parklands that goes on to Wooyung Road floods very easily. I can see that from where I live. And so this is the place where people camp.

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Now, if you have lots of people camping there and they have to evacuate quickly, people will leave a lot of stuff behind and it's – that's the tents, that's their rubbish, the water tanks float around, the composting toilets will be totally underwater and all that in three metres of high flood and it goes through the creek, the Mooball Creek that comes out at Pottsville, it will end on every farmers place. Who's going to clean that up if that ever happens? That's a huge environmental disaster and it will all end up on people's paddocks and in the ocean, I guess.

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And so Splendour says – well, Parklands says, "Well, Lismore and Mooloolaba are allowed to be in flood lands", but do we want to create the same kind of problem again and again or would we just want to stop it? In case of an emergency situation Parklands says they have a little track that goes from the back of Parklands out to Wooyung Road and that is just after the flood, where Wooyung Road floods, and then they're going to direct all of these 50,000 or what people from that little track that they have, it's not even bitumen, onto Wooyung Road and then onto the old highway and they have to navigate a one-lane bridge there. I want to know how they want to do that with so many people.

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So to me it is just crazy this development. Because people are not looking at the very basic fact that a floodplain floods and that there has not been much development in Wooyung. It's exactly that – that reason because it bloody floods and I don't even know how Parkland can even get an insurance for all this development and then I

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want to know, when it comes to cleaning up, who's going to clean up? The people who live there. They will have to clean up because they're the ones who face the mess. Thank you.

5 PROF MACKAY: Thank you, Ms Stieglitz, and we will scan the contents of your folder and put that onto the IPC website so it is accessible. Our next presentation is from Brandon Saul.

10 MR B. SAUL: Hello, everyone. My name is Brandon. I think most people here probably know me as the principal producer of the Falls Festival and part owner of North Byron Parklands. Surprisingly, perhaps, I'm not going to talk for or against the application. Rather, I would like to talk to the approval process itself and what's going to happen if we do receive permanent approval. Above and beyond a festival producer I'm also a long-term local. I too was here in 1989 which I consider the ....  
15 days of the Australian music industry as well. Father of four festival-ready teenagers and I somehow also ended up with a law degree and accounting degree, which I've never used.

20 Not surprisingly, though, I am very passionate about music and rules. I believe in the rule of law. I believe that reasonable people can have differences of opinion. I believe those should be debated. And I think that's actually one of the really good things about this shire is people care enough to debate. They really debate. Like, I can't think of any major decision in Byron that hasn't been thoroughly debated before a decision has been made. Having said that, I think one of the reasons I'm not  
25 a lawyer is these things end up being very adversarial. The for and the against sort of entrench their positions, employ planners, consultants, advisors to meet their ends.

30 What we've seen with this particular debate is we've gone from a debate where – and I will be completely honest: if I was a neighbour and this proposal was coming into my neighbourhood, I would have all the same questions and concerns that have been voiced by the community over the last five years. I think it was only proper that there be an extensive and heavily monitored process by which it was proved that this could be managed appropriately. I think we've been through that over the next –  
35 over the last five years and as someone who has been heavily involved in trying to perfect the management of the festivals, I think we've now got to a position where we've got a body of evidence there that can inform opinions.

40 I think part of the problem, though, is when you get to this position where there's a yes and a no that can't be changed, you end up with this very polarised debate that forgets there is a middle, you know, and I think that's one of the things which I don't like about the modern body politic is only those with strident opinions end up expressing them. And truth be known, my opinion is somewhere closer to the middle than before the for and against in this room. I believe that festivals are an  
45 important part of the fabric of Byron. You know, going back to what Mike Hunt was saying, what makes this place so special? I think one of the reasons is we've got a history of festivals.

Well, all the way back to the Aquarius Festival we've had alternative thinking people want to live in this area and, you know, I think that's kind of – that's reflected not only in Falls and Splendour, but also we have a brilliant writers festival, a film festival, the blues festival, believe it or not, I think is a great festival and I think, for  
5 me, the debate that ends up in this room is usually about economic benefit. You know, there's business versus community. It always ends up being very polarised and I think there's an intangible benefit to festivals which are really important to me. I will just make sure I don't forget anything.

10 Look, I think really all I wanted to say was we've been through five years, we've proved that the – if I'm being completely honest, these festivals are neither as beneficial nor as detrimental as was argued five years ago. The truth of the matter is, you know, we have been good community players, we do support a lot of community organisations, whether they be sporting or cultural or schools. But there is an impost  
15 on the community into traffic, etcetera, I understand it, and really it comes down to good management.

The last thing I kind of wanted to say was the conditions of consent that we now have – and this is probably something that isn't as top of mind to the people in this  
20 room ..... world class, you know, someone who has produced over 1000 events in different countries, Australia is good at regulation. Australia is good at management. Australia is good on checking on people and make sure they do what they promised. Which kind of leads me to the last thing: if we do get this approval, I just want those to know that are against it, that we won't stop listening, we won't stop improving, we  
25 really – I live here, my kids live here, I'm one of you and we really want to do the right thing and a permanent approval is actually important.

We've done a good job with a block of land we can't really build on. Once we can build on it we can improve intersections, we can improve waste management, we can  
30 improve our green programs and we can actually – the only way is up and we will continue to improve. Thank you. Thank you, everybody.

PROF MACKAY: Thank you, Mr Saul. Our next speaker is Claire Atkins.

35 MS C. ATKINS: Good afternoon, Commissioners, ladies and gentlemen. I'm Claire Atkins and I am a resident of South Golden Beach and South Golden Beach is located approximately four kilometres south of North Byron Parklands. And while I've only lived in this part of the Byron Shire for the last nine years my family has run beef and dairy cattle and grown bananas in the valley that Parklands is situated in  
40 since the 1850s. My cousin still works, my great, great grandparents farmed just a few kilometres north of Parklands. So the valley is of deep significance to me and my family. And since 2014 I have worked for Parklands as an advocate for community.

45 The Byron Shire isn't called the rainbow region for nothing and the people who live and work here are colourful. Their diverse views, their strongly held positions and the ways that they express them are just as vibrant as you've seen today. In this

regard, my job for the last four years has been in part to reflect back to Parklands planning team and the events, the rainbow of community opinion on this project. Most importantly, it has also been to report on the range of impacts, negative and positive, that the events have on residents in the unique localities in which they live.

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This project has a long history and, in its very early days, residents were rightfully cautious about the impacts that the events might have on their town. Before the first guitar ever strummed at Parklands, 59 per cent of local submissions that were lodged with the Department of Planning opposed Parklands proposed development back in 2010 and that's a statistic according to a local action group called Byron Action Group for Festival Sanity.

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But now, in 2018, after hosting 11 major events of up to 35,000 people, 81 per cent of Byron Shire residents who felt motivated to make a submission on this State's significant development support Parklands application to become a permanent home for arts and culture with 95 per cent of residents who felt motivated in the Tweed LGA also supporting. That's 95 per cent. That is not to say that the community does not have concerns about the development and it is not to dismiss the impacts that some residence experience with regard to festival noise, traffic or other disruptions to their way of life but what these figures do represent is a significant shift in the community and they illustrate that the majority of local community now, and including some of our closest neighbours, support the events.

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These figures also show that these local residents are not negatively impacted by events in the ways that they first feared and, for the large part, the majority of the community feel either neutral about the events or see the events as providing benefit and opportunity and you've heard today from residents and community groups, and local business, about the cultural, educational, social and economic benefits and the opportunity that the events bring to the immediate community and to our wider region and, in this short time, I'm proud to say that the two major events have donated more than \$300,000 in cash contributions to support local community initiatives through Parklands Community Grants Scheme.

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However, at the same time, we are keenly aware that some residents do not experience or recognise these as positive benefits and we acknowledge that negative impacts felt, or viewed, by residents cannot be simply traded away by benefits that the festivals bring. Avoiding, minimising and finding solutions to the disruptions that the events might cause is a challenge that my colleagues and I take seriously and we tackle with tenacity. Throughout the trial period, Parklands and the events have consulted continuously with community to understand their concerns and each year they have refined operations to better manage the issues that pose the biggest threats to our community, particularly around noise and traffic, and throughout the trial the events have demonstrated an outstanding level of compliance and continuous improvement.

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Parklands is committed to being a good neighbour in this valley and, as a permanent venue for cultural events, Parklands will continue to establish and grow good

relations in the community. Parklands will continue to provide a place for respectful dialogue throughout the year and we will continue to listen and act on complaints and feedback during the events and, as the events grow, we will continue to work proactively in predicting those offsite impacts and we will work with community and the events to manage and avoid them.

PROF MACKAY: Thank you, Ms Atkins. And our next presenters are Gary Opit and Carmel Daoud.

MR G. OPIT: Okay. Thank you very much from myself, Gary Opit, and Carmel Daoud. We live at the end of Jones Road. We're direct neighbours of North Byron Parklands and the Billinudgel Nature Reserve and, our property, we zoned it as a wildlife refuge. We've been involved in the area since 1986 when we were founding members of the Conservation of North Ocean Shores fighting to protect the last large area of undisturbed lowland habitat from development and we were involved in the 1990 Simpson Commission and our submission was in the human cultural values and the – and the need to protect the – the Aboriginal sacred sites, the Bora Ring, and – and also the 1996 Cleland Commission on the – the value of the wildlife corridor and it was voted – it was zoned as a State significant wildlife corridor.

So our submission details a potential threat to the pristine waterways and aquifers within the Billinudgel Nature Reserve and the Endangered Ecological Communities Under the Biodiversity Conservation Act because of the proposed wastewater to be surfaced-sprayed on to an area in North Byron Parklands. Now, they've proposed to dispose of up to 35 kilolitres per day of secondary treated and chlorine-disinfected wastewater effluent from one site, treated compost seep, urine, hand basin wastewater, shower greywater and a conference and a kitchen sullage to be surface-sprayed on to the area. The main drainage from North Byron Parklands Event and Camping Site leaves the North Byron properties to the north and north-east, flowing through the adjacent property.

The largest drain flows through the north-eastern corner of North Byron Parklands Camping Site and travels east, beneath Jones Road, directly into the Billinudgel Nature Reserve and that red line shows you the – the existing on this Google Map Earth. So the – this is from the environmental impact statement of North Byron Parklands 2017 under drainage catchments. North Byron Parklands are located on two main drainage catchments divided by the east-west alignment of Marshalls Ridge and Jones Road through the centre of the site. Majority of the northern camping event areas within the Crabbes Creek floodplain which forms part of the Mooball Creek catchment. Runoff from the northern part of the site drains generally to the north-east through a series of agricultural drains, discharge into the Crabbes Creek drainage system, approximately three kilometres to the north-east of the site.

Crabbes Creek flows northward along the coastline and into Mooball Creek which also flows northward along the coast and eventually discharged into the Pacific Ocean at Pottsville. The southern park area to the south of Marshalls Ridge is located within the ..... of Billinudgel Creek and that runs to the Marshalls Creek and,

of course, both enter – run through the Billinudgel Nature Reserve. So the – I’m not going to bother reading it all but the – the – the main drainage in – from North Byron Parklands into Billinudgel Nature Reserve runs across private property, under Jones Road, and into the nature reserve and that’s another Google Earth photograph  
5 showing that main drain. So this is for small rain events. Of course, when it floods the water also runs north to the top of the – of the photograph there and into Wooyung.

So this is a photograph, on the right-hand, shows – side showing the actual drainage  
10 line running from North Byron Parklands, through private property, and on to Jones Road and this is where it actually drains under Jones Road, which is in the Billinudgel Nature Reserve, the – this reserve is full of wildlife, of course. I took all these photographs yesterday. That carpet python was just curled up directly above the drain. In the North Byron Parklands Cultural Event Site Assessment Report, at  
15 3.2, it says:

*North Coast Regional Plan 2036, it states, supporting the continued protection and enhancement of the on-site biodiversity values and the adjacent Billinudgel Nature Reserve is one of the main features.*

20 So, anyway, here’s the Billinudgel Nature Reserve and the water that comes from the site runs straight into the Endangered Ecological Community Floodplain Rainforest and, so having left North Byron Parklands to drain, flows east across private property, under Jones Road and into – directly into the Endangered Ecological  
25 Communities Subtropical Floodplain Forest of the north-coast of New South Wales. The unpolluted and undisturbed freshwater creek passes a forest of blue quandongs and hoop pines in the endangered subtropical rainforest community then it flows through the Endangered Ecological Communities Swamp Sclerophyll Forest on Coastal Floodplains and, of course, this – the Billinudgel Nature Reserve has one of  
30 the very last pristine waterways and aquifers and it is full of endangered species such as the Oxleyan Pygmy Perch, the Mitchell’s Rainforest Snail, the Wallum Sedge Frog and the Wallum Froglet and many other species. All of them are very susceptible to pollution from runoff from development.

35 So then the creek runs through the Coastal Cypress Pine, New South Wales North Coast Region Endangered Ecological Community and it runs directly adjacent the Wandaral ceremonial – or Bora rings situated within the national park and it – it’s – this is on the – the national estate and indicative area. The waterway then flows through wet heathlands and fern and grasslands, habitat of the endangered Grass Owl  
40 and we have actually observed the Grass Owl there behind the sand dunes and the – the – the – the waterway then divides into – so one waterway runs directly east towards the beach and then spreads out behind the high dunes and the other waterway continues north, once again, leave the – the nature reserve and entering private property where it eventually continues on to the Wooyung Lagoon, just to the  
45 south of the Wooyung Holiday Park, and it seeps into the aquifer and probably also continues into the Mooball Creek and then eventually to Pottsville.

So, this nature reserve, it protects one of the very last natural aquifers, one of the last natural waterways. It's under extreme pressure. The photograph on the right shows you – which I took just yesterday – a large pile of rubbish being dumped there right at the entrance on the – the northern end of Jones Road. The Jones Road in the  
5 centre, in the lowlands that runs through the national park, or nature reserve, has been gated by the national parks. Those national park gates are constantly being attacked and smashed down so that – so that young people can attend doofs in the – in the nature reserve and so the nature reserve is under extreme pressure from a – a – a – a number – obviously, a number of different agencies and the – the – we tend to  
10 forget the – the natural environment, how important it is.

The – the Marshalls – Marshalls Ridge's Jones Road Wildlife Corridor is an absolutely essential corridor for the Royal Heritage Listed Fauna migrating from the mountains in the winter months down to the coastal nature reserves and so the – the –  
15 that wildlife corridor is actually essential. So – and so any other – I've still got time – so, yes, there has been no real baseline study of the aquatic environments downstream of the North Byron Park drainage and no ongoing sampling so that we have no real understanding of the chemical composition, the fauna, the flora, the endangered species in the pristine waterways of the Billinudgel Nature Reserve  
20 directly downstream of North Byron Parklands. Byron and Tweed Council representatives have stated earlier that wastewater is one of their most important considerations.

Our – of our reading through the documentation we have seen nothing really written  
25 about drainage. It describes wastewater and sewerage, etcetera, but nothing about drainage whatsoever. But, of course, drainage is the basis of all ecological studies. It's – it's – it's the basis of the entire society – catchment and drainage is everything and here we have a very large development, of course, directly upstream of one of our most endangered communities and you only have to look at a – at a – a Google  
30 Earth map or fly in a plane and you will see how little natural environment exists. There is only tiny spots of land, a few coastal national parks and nature reserves and a few mountain tops and that's all there is that exists.

So, you know, I can't really state how important it is to protect these last tiny nature  
35 reserves and national parks from the magnitude of development that's – that's – that – that – that – that's ever increasing. The UNESCO World Heritage Site of Wollumbin contains one of the – one of the – on earth, one of the – the – the largest greatest biological diversity which remains unchanged from their ancestors and the fossil records. So everything that – everything we can do we should do to protect the  
40 – the ecosystems of which we're dependent upon. If you look at the latest studies from overseas in the northern hemisphere in – across Eurasia and North America so much environmental destruction and – and pollution has now occurred that there is a massive decline in insect numbers.

45 Around about 75 per cent of insects have vanished in just the last few years and most of these, of course, are pollinators of human food crops and have other essential uses in the ecosystems and NASA predicts that there will be massive food shortages

within seven years with the destruction of the insects and the – and the drying of the climate, etcetera. So we have to be very careful whatever we do in this time of increasing drought and increasing development and increasing demand for – for food and entertainment and everything else. So, thank you very much.

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PROF MACKAY: Thank you, Mr Opit, and can I just check that was on behalf of both you and Carmel Daoud? Thank you. We will skip one presenter and come back in a moment. So our next presenter now, please, will be Michael Simmons.

10 MR M. SIMMONS: Okay. Thank you very much, Commissioners, for giving me the opportunity to talk here today. I'm just here representing Tweed Experiences Network which is a visitor experience operator collective in the Tweed, Murwillumbah Business Chamber. I would first like just to acknowledge the Ngarakwal/Githabul elders past and present and I would really to – to say on behalf –  
15 not so much on behalf of them but I think it's very, very important that they – they – their voices are heard. They're very important voices to consider. So, look, as a business operator, yes, also as a transport operator as well, look – based in the Tweed, I would just like to say that, you know, we can see, you know, very much the – the positive benefits of the festival, the way that it has been run up till now, but I  
20 can't speak on behalf of the impost on the local community here, which I recognise absolutely.

I would just like to say that, perhaps a way forward is looking at dispersal, dispersal both of the economic benefits which are derived by, perhaps, dispersing the – you  
25 know, the festival goes greater into – into the north. It has always been very Byron-centric and rightly so. It is a – a Byron event but it is – these days, to me it's more of a regional and now a State significant event and if we can look more – I think there are ways that they can be done. You look at some of the infrastructure that's coming in in the – in the next couple of years. You're looking at, say, for example, the rail  
30 trail, the beginning of that from Murwillumbah. You look at issues with transportation, the great numbers of people coming down here by road.

You could see the potential four alternative forms of transport. You could also see perhaps, you know, better use of the accommodation which is located to the north  
35 and – and I don't think the businesses in the Tweed would be – well, I mean, the businesses in the Tweed obviously would like to see more of a focus on those connections. I mean, Claire has been – has done a fantastic job and – in terms of, you know, communication, providing opportunities for the – for the Tweed to get further involved and I think – with a new – new tourism contract has come into place  
40 only this year, I think that that can – can happen very proactively.

It needs to be very much part of the planning, how can we do this, how can we make those connections, how can we improve the – you know, the – the linkages between the areas. How we can then perhaps, you know, take some of the pressure off Byron  
45 and if we can find a way to do that responsibly and sustainably, and it's also done in a culturally appropriate manner, we would love to be part of that. Thank you very much.

PROF MACKAY: Thank you, Mr Simmons. And then our next presenter will be Denis Sheahan, please.

5 MR D. SHEAHAN: Good afternoon, ladies and gentlemen, and thanks to the Commissioners for having me speak today. My name is Denis Sheahan and I've been contracted in the role of event manager for Splendour in the Grass for the past 18 years and Falls Festival for the past five. My company, DSEM, has managed outdoor events in Australia since 1999 and we average approximately 10 events a year.

10 MS .....: .....

MR SHEAHAN: You would think I would know better than that, wouldn't you. My intention today is to provide a quick overview of crowd management and patron safety practices put in place by the promoters for the festivals currently being held at North Byron Parklands and I thought the best way to do this would be in the three phases of the process

15 That we go through between each event. The first phase being engaging the best team of companies and consultants available. Second phase being reviewing the previous event and plan with the learnings for the next and, phase 3, a collaborative and planned execution of the event. So phase 1, being the companies and consultants, the event engages companies and consultants who work in the roles of security, crowd management, medical and compliance nationwide and are considered the best in the industry.

20 ISEC security provide the internal event security of up to 300 staff. Infront Security provide the external event security with 100 staff. SEAA are the crowd management consultants who also provide and manage our response team, the amphitheatre walkways management and also culminate the planning phase by delivering the emergency evacuation and crowd risk management plan, and the fourth company we engage is Emergency Medics, who are our first aid provider, who manage and staff the medical centre and have done for the past 14 years at Splendour. They operate what is, essentially, a small hospital staffed by doctors, nurses, paramedics, first aiders and mental health counsellors.

35 So phase 2, being the planning phase, occurs in four parts. Part 1 being the individual debriefs with each of the providers, the consultants and the emergency services. The second part being the pre-event emergency services stakeholder's meetings. The third part being the safety committee meetings which is the most robust part of the planning. These meetings are where we review our risk and hazard register which is an ongoing document that identifies areas of concern. We grade them as either low, medium or high and then we work as a group to reduce that grading by coming up with solutions to mitigate them. An example of a unique scenario to the North Byron Parklands is the actual amphitheatre venue that houses the main stages for both events and our safety committee group has worked collaboratively over the last four years to come up with a current amphitheatre crowd management plan that is now used at both festivals.

Another scenario was the counter-terrorism review which was held over two days in July 2016 by the New South Wales Police Counter-Terrorism Unit which resulted in numerous recommendations which we now implement at both events, and the fourth part to the planning phase is the emergency evacuation and crowd risk management plan which is the conclusion of all the pre-event planning and it's where all the stakeholder management documents are reviewed and combined into one masterplan. This document is shared between all participants from the safety and stakeholder committee. And then, finally, the event phase is to be delivered and we do this due to the long-standing relationships with our providers and the collaborative and ongoing planning we have been able to deliver over 11 successful events on the property.

To ensure the information sharing during the show from each participant is shared successfully each company and stakeholder have a representative in the event control centre, or our ECC, who are all operating with their own individual comms staff and on their own channels. We also use a specifically designed computer software program that logs each of our radio calls and allows the comms staff to share and prioritise these calls as they come in. So, to wrap things up, all of this information is saved and reviewed post-festival to ensure best practice in managing the events moving forward. Thank you.

PROF MACKAY: Thank you, Mr Sheahan. And our next presenter then will be Jessica Ducrou.

MS J. DUCROU: Thank you. I would like to show my respect and acknowledge the traditional custodians of this land, of elders past and present, on which this meeting takes place. My name is Jessica Ducrou and I'm speaking here today as an individual and as a producer of Splendour in the Grass. Thanks for your time today to consider the North Byron Parklands State Significant Development and Modification Assessment. I will be speaking in support of the application. In 2006 we identified the need for a dedicated site for Splendour in the Grass in the Byron Shire with the support of the then Mayor Jan Barham, Councillor Tom Tabart and a handful of Byron Council planners we went ahead and acquired what we now know as Byron Parklands.

On 6 August 2008 Byron Shire Council granted a consent for a temporary place of assembly with camping and associated infrastructure at the site. A one-year trial event. However, following a successful challenge in the Land and Environment Court the approval was deemed invalid and of no effect. In 2009 we lodged a project application with the Department of Planning and sought permanent approval to host outdoor events for up to 50,000 patrons for Splendour. After two years, working through the various logistic and management plans, the Department of Planning recommended approval. On 24 April 2012 the Planning Assessment Commission gave approval of 35,000 patrons for Splendour and 25,000 patrons for the Falls Festival, significantly shy of the 50,000 requested and supported.

Based on the concerns of the community at the time the Commission concluded rather than permanent approval they would issue a five-year trial to confirm the operational and environmental management plans are effective and to ensure potential environmental impacts are properly managed and minimised. Since then  
5 Parklands has held 11 major events at the site including six large trial events, being Splendour; five medium trial events, the Falls Festival; and three minor community events. After a lot of good old-fashioned hard work Splendour in the Grass has successfully complied with noise criteria, traffic KPIs, community considerations, ecological assessments among many other requirements. This success is due to the  
10 commitment and dedication of the North Byron Parklands team.

In a never ending quest to deliver a well-managed low impact venue North Byron Parklands has evolved and improved its delivery to the point where the nearest local communities are largely satisfied with its operations. Pleasingly, community  
15 concerns about anti-social behaviour during festival times have been unfounded. Reports from the New South Wales Police, Tweed and Byron Rangers, local residents, businesses and the festival community hotline describe behaviour in the surrounding communities as overwhelmingly positive. It has now been more than 12 years since our initial council meeting. North Byron Parklands is without peer. No  
20 event's venue has been given an approval to trial its viability before requiring a further application for permanency. It has been through a rigorous assessment process which has taken into considerations all aspects of the events including ecology, traffic, noise, flooding, social and heritage impacts.

Splendour in the Grass has spent an extraordinary amount of time working on its response to various potential threats. Apart from the various written plans and manuals we have established a safety committee specific to the festival where all aspects of the festival are discussed, rated and documented. A living document which is constantly evolving. We do regular desktop operations with various  
30 agencies to simulate major threats and our response to them. We have one of the most comprehensive emergency managing – management capabilities of any event in Australia with significant emergency control centre that operates before, during and after the festival alongside extensive medical onsite units. We pay fees to the New South Wales Ambulance and Police to provide additional services if required  
35 throughout the event so regular service levels are not affected. Safety of our patrons, workers and community is of paramount concern when considering all aspects of Splendour in the Grass.

Now, with years of hard data and real experience under our belts, the Department has  
40 concluded that with North Byron Parklands self-imposed proposed mitigation measures, in addition to the Department's recommended conditions, the site can continue operating with minimal impact upon the environment. The site will also continue to provide significant public benefits to surrounding and regional communities through increased employment opportunities and through attracting a  
45 variety of cultural events to the site. The Department, with input, concludes the proposal is in the public interest and the application should be approved. I would

like to note over the years the abundant and inordinate amount of misinformation that has circulated throughout the community.

5 I understand the strategy of opposition but I would welcome an opportunity to  
correct inaccuracies to the Independent Planning Commission if required and, to be  
clear, Live Nation do not have any investment or interest in North Byron Parklands.  
Right from the start we have had a goal of 50,000 attendees with the knowledge we –  
we could host such a scale. We have the ticket demand, we have the physical space,  
10 we have a purpose-built venue and we have a vision to create a home away from  
home filled with music, art, discussion and connection. The Department of Planning  
has reduced the requested increments of capacity and growth and, while we  
understand their cautionary approach, after such a thorough trial it does have  
significant ramifications for Splendour in the Grass.

15 While we understand not everyone in this room is a support of Splendour in the  
Grass or North Byron Parklands we can assure you there are many thousands of  
Byron Shire residents who do attend, appreciate and support our festival at this site  
for both the experience they have and/or the benefits it promises the broader  
community. In what has been arguably the most measured and publicly scrutinised  
20 events venue in Australia it's apparent the site has excelled and the project should be  
approved. We urge you to support the application and the future of what will,  
without doubt, become one of the greatest facilities in Australia. Thank you.

25 PROF MACKAY: Thank you, Ms Ducrou. And our next presentation is from Jan  
Barham.

MS .....: .....

30 PROF MACKAY: Thank you for letting us know. Which means we will move on  
to a presentation from Richard Whitling from the Conservation of North Ocean  
Shores Group.

35 MR R. WHITLING: My name is Richard Whitling and I've a Bachelor of Applied  
Science and Resource Management and I'm here to represent Conservation of North  
Ocean Shores and I want to pay my respects the Ngarakwal/Githabul people. This is  
the last major wildlife corridor on the north coast connecting the hinterland forests,  
world heritage areas, with the lowland forests. It's a locality with – one of the most  
diverse localities in New South Wales, 50 threatened species, numerous Aboriginal  
40 sites, 470 plant species. The background provided by the planning department only  
suggests agricultural purposes but we know, having had some report here from  
Aboriginal people, it's thousands of years old.

45 Now, I want to bring up some recent history of governing input into this area,  
declaration of wetlands, a lot of money has gone into this, protection orders placed  
over the site, the Simpson Inquiry in 1990, the declaration of the Yelgun Ridgeland  
is a declared area of high archaeological sensitivity. Quite of bit of money has been  
put into the – the – into this land to protect this wildlife corridor. '95, there was

additions to the nature reserve, again in '96, additions, and then in '97 culturally significant land at Wooyung. Also, another interim protection order. The RTA redrafted plans for the Pacific Highway to avoid the wetlands and the nature reserve. Another stop work order. A second inquiry. The Cleland inquiry to look at environmental protection zones over this area and through the festival site.

The Government adopted the Cleland Inquiry zones over wildlife protection – over the wildlife corridor and the RTA invested half a million dollars to enhance the wildlife corridor with animal overpass and underpass. They also purchased additional lands for the wildlife corridor. Another stop work order. A 12 month interim protection order and peat fires which released toxic smoke for some months afterwards and a declaration of emergency was declared as that fire spread, so, local residents suffered from that. In 2005 another stop work order because there was a lot of land clearing going on which shouldn't have been, Billinudgel Property purchased a property in '96 and council approved a one-off festival. We successfully challenged that approval in the Land and Environment Court and the wildlife corridor is identified as a climate change .....

I have a petition here which we will present to the consent authority signed by 1700 local residents asking for the festival location to be moved on environmental grounds. This is an example of the lack of respect that patrons give to this site. This is a wildlife corridor. These are some of the major – these are experts with major concerns about the wildlife corridor, Andrew Benwell, an ecologist of 20 years' experience in this area. This is a – a study that we commissioned looking at the potential effects on the Yelgun side of festivals. David Milledge, another former ecologist with over 40 years' experience in this area. David Scotts from Wildlife Matters, Gary Opit who we heard from, biologist and ABC Environmental Show reporter. Chris Cherry, who we also heard from, biologist, and this is an assessment that was commissioned by the Environmental Defenders Office to assess the EIS and associated documents by Dr Martin Tierney and here's some extracts.

The impacts upon individual species from noise and light and high numbers of attendees is not addressed. It has mostly focused on threatened species. The survey data showed that a number of species will be affected despite what the EIS says. There's no assessment of long-term changes for any individual species. There's a lack of assessment of the edge effects and other indirect impacts upon Marshalls Ridge Wildlife Corridor. Lack of short-term or long-term assessment of the effects of light and noise upon the nature reserve. These are quotes from Dr Tierney. There are inaccurate monitoring of fauna and flora within the nature reserve. No long-term monitoring has been proposed. Noise and lights.

The project EIS relies upon interviews with a few zoologists to work out the impacts upon noise and lights and it fails to address the significant body of scientific literature that could have been used. Examples of that literature follow. Just a few quick slides. All of these – this type of literature, of course, has references to other literature attached to it at the end. CONOS also commissioned a – a – a report ourselves. This was a report by Benwell and Scotts to look at the potential impacts

on wildlife and – from cultural event sites. Over 75 references are listed there. Breaches of consent, well, the Department of Planning only had one compliance audit and they noted a – a number of penalty issues – a number of issues but issued only minor penalties which is lunch money for this sort of organisation.

5

So the penalties that they did find, there's about a 11 of them, Splendour in the Grass '14, breaching noise limits; Splendour in the Grass '15, breaching noise limits; Splendour in the Grass '15, exceeding patron numbers, the same for Splendour in the Grass '16 and the Falls event at 2016, exceeding patron numbers again. Falls '16, didn't comply with the hours of approval; and, in 2017, didn't provide maps and plans in a timely way; four of the nine bonfires were not fenced. Well, these are some of the offences that the Department came up with, canvassing non-camping areas, exceeding patron numbers again in Splendour in the Grass 2017, commencing temporary construction before allowable start dates.

15

And this is an example of how far the noise travels in our amphitheatre which is Brunswick Valley. The noise can travel up to 10 kilometres away. It's very much dependent on the wind. Some local residents up to a kilometre away, their windows shake, so you can imagine the types of effects it might have on wildlife. These are reports we've got from various people and quote from them of noise impacts. Up to 20 12 kilometres away. We commissioned sound reports from sound engineers and here's – we did that for three years. This particular one relates to a 2014/13 where sound limits were exceeded by 15 decibels (A) at residential locations and note that's (A) and not the base levels which are far more intrusive, and here is another report from them, a 2015 Splendour in the Grass, where it was exceeded 12 decibels (A) 25 and, in ecological zones, 16 decibels (A).

So here are some of the examples – as I said, the department didn't pick up on all the possible breaking of conditions of consent, camping in too close to vegetation lines, 30 offsite camping, pollution of waterways within the site. Now, the Environmental Impact Statement and Planning Department Assessment. I will focus on that. So this is supposed to have no impact in a wildlife corridor. The specialist's reports from the EIS entirely focus upon the event site and pay little attention beyond the site. They say there will be no changes to fauna populations over time – over time. 35 However, if you dive deeper into the specialist's reports that come from the various performance reports you do actually find effects upon fauna but this is on the festival site. For example, Splendour in the Grass 2017 monitoring showed that bird and species counts were lower than overall average. The same for 2014. Lower – lower than average bird species counts. This is from their own reports but you won't find 40 them in the EIS.

Two-thousand-and-seventeen Falls events, bird species show a decline and did not recover. These include the Sacred Kingfisher, the Golden Whistler, the Rufous Whistler, the White Scrubwren and Little Shrike-thrush. Two-thousand-and- 45 thirteen/14 performance report showed lower than usual bird counts in some of the forest blocks close to the event. Most of the specialist's reports show that flying foxes avoided trees that were illuminated and they also noted that there was some

impacts upon swamp wallabies. So far from no impacts. And the EIS admits to not being able to find much published information and, as I've shown you, there is quite a bit. Instead, they drew their information from interviews with zoologists. So I showed those examples of literature and those sources show that increased noise and light will effect a wide range of birds, fauna, bats, marsupials such as koalas, lizards and insects all known to be affected by noise and lights in the literature.

But the EIS says, well, this – these impacted species are going to be recover and return to their ranges but that's an assertion that isn't backed by any evidence. Long-term decline in populations is likely to occur. Obviously, fauna are going to vacate their home range when they see – campers arrive and noisy music events. Fauna can vacate nests, eggs, juveniles and move away during the events and, having moved away, they move into another territory and create competition with other fauna. But the EIS gives no consideration to these long-term effects upon fauna as a result of behavioural changes. Almost all the event studies regarding the impact of noise and light are focused within the event site. Where are the studies of the impacts of the broader area?

The EIS does not address edge effects from within the Parklands and the Marshalls Ridge Wildlife Corridor, wetlands or the nature reserve. It gives little attention to the noise and light upon the adjoining Billinudgel Nature Reserve and monitoring has consisted within the reserve of, one ..... recorder, two, no cameras and some scattered bird transects and this was tokenistic. It only began three years after monitoring the site began. So, therefore, there's no adequate baseline information and insufficient data to determine impact on the nature reserve, the nature reserves in – within zone 1 of the Sensitive Receiver Map, and so it's subject to the greatest amount of noise and it's classed as a Sensitive Receiver previously.

The EIS gives no level of light incursion into the nature reserve and, remarkably, condition C31 allows the festival to exceed noise criteria if a relevant owner, presumably Sensitive Receiver, agrees to allow that. How will the festival liaise with the nature reserve and allow extra noise level to be pushed upon the animals in the reserve? It's – it's very important to get baseline information before you can look at the effects on the – the nature reserve and this hasn't been done. The baseline information – information was not collected and, hence, they can't assess the impacts on the reserve and now it's impossible because the festival has been running five years. You can't get baseline information. The only way to do it now is to look at published literature which describes potential impacts but that has not been undertaken either.

There's major gaps in the effects of noise and light upon the fauna beyond the site and into Billinudgel Nature Reserve. The Department of Planning has highlighted six issues. Incredibly, nature reserve is not one of the top six despite the Office of Environment and Heritage, National Parks and Wildlife again raising concerns about the potential impacts on the reserve. The consent and conditions look at acquiring a strategy but this should have been fulfilled prior to – in – during the trial stage. For

this reason we're opposed to permanent approval or further trials within the area.  
Thank you.

5 PROF MACKAY: Thank you, Mr Whitling. And our next presentation is from Norman Sanders.

10 DR N. SANDERS: Wake up. Come on, everybody, wake up. It has been a long afternoon. Hi. My name is Dr Norm Sanders. I am a retired academic and it's a good thing, too. Now, I was an assistant professor of geography at the University of California in Santa Barbara. I've been a lecturer at ANU and one of my specialities in California – well, I had several but one was remote sensing, the other was noise studies. Now, there's a bit misapprehension about noise. You cannot actually measure noise. You can measure sound levels. Noise is subjective. Noise depends on the listener. To Splendour's patrons, 110 dB is music. To the residents of Ocean Shores it's worse than noise. It makes us angry because we can hear it. Just the fact that we can hear it. It can 5 dB – 5 dB above the ambient and we can hear it and this community is angry.

20 I mean, 1700 names on petitions. You get people that say, "Yes. Well, we" – "we" – like – like Jessica Ducrou says, "Yes. People don't complain anymore." It's just that we've complained so often and nobody has listened we've almost given up, but not quite, and that's why we're here; right? Right. Okay. Now, look, I ask you, panel, Commissioners, now you people have homes. I – I'm – I'm sure you don't live in cars. How would you like it if somebody moves into right next door to your community with a mega festival and you say, "I don't" – "I don't know but I don't think I like it", and so you go through a bunch of hearings, and you know you don't like it after they've had one or two, and then the State says, "No. Well, you like it. Shut up. Go away." Well, we don't go away and the State keeps rubberstamping these decisions over and over and over again until it gets bigger and bigger and bigger.

35 Now, what does it do to our community? Besides make us angry, I am one of the people – well, the volunteers that cleans up the lookout at Ocean Shores. During festival's time I have needles, bongs, condoms and during that time we have people sleeping in cars on the roads, on the streets and using our front yards for toilets. Now, this is not good. You people wouldn't like it. We don't like it. Okay. We're angry. We're so angry that it – there is a proposal in the community to take out a class action against Splendour – a class action against Splendour and the State Government. Now ..... has got some money, we will have a bit of that, and Splendour has a lot of money. We figure \$50,000 per resident, how is that, compensation; okay? Fifty? That's okay. That comes out of 50 million bucks.

45 Now, maybe half the State have Splendour. Can Splendour approve this? Certainly they can because it's not little old Jessica Ducrou's Byron Bay music gig anymore. It is Live Nation. A US outfit which owns 51 per cent. Fifty-one per cent of the profits go overseas and they have a lot of money because they have operations in 40 different countries. They claim they have 550 million people attending their events.

They are big bikkies and I'm afraid what we're seeing here is if – I'm – I'm going well, too – the – if these proposals go through for enlarging it, if they get up to 100,000, guess what? Jessica – Jessica is going to get bought out and it's going to be Live Nation, 100 per cent, money going overseas and Jessica can retire to her palatial residence in Wategos.

Okay. You guys claim you're committed to building community confidence and trust in the decision making process for major development and land use planning for maintaining a high level of independence, expertise and transparency. Well, I hope you do. Who do you support; a multi-national – an American multi-national or how about a suffering Australian community? It's up to you.

PROF MACKAY: Thank you, Mr Sanders. And we will now move to have someone we had to skip over earlier while he was unavailable, Mr Adam Collett, please.

MR A. COLLETT: Thank you so much for hearing me today and I especially want to pay my respects to all the elders, past, present and emerging, particularly the families that have come here today and shared from their heart, and I am a local Byron boy. I've been around since I was four years old and, in the end, I just try to do what I can for the community and from work – being on the board of the Byron Youth Service to working with all of the different Indigenous communities across our region. I've been back for seven years. Thank you. And, essentially, have really sunk my teeth and my heart into community and cultural development and how can we be getting everybody working together, how can we build capacity in our community and especially in our Indigenous communities.

And so after running events for many years, and working with all the different communities, I had a pretty remarkable opportunity to be able to throw this Fields of Healing community event up at the Parklands, just a few weeks ago, and it came about because this group, Unity Earth, who work around the world to bring people together, all races, all nations, all the elder groups did an event – the Return to Country of Mungo Man. So repatriation of 40,000 year old bones down near Mildura and they threw that event. From that they met somebody up at the Parklands who were, I understood, looking to do more community-oriented events. So they met me and, based on all the work that I was doing, they offered me – you know, I just put in my hands to help drive it.

So I spent two very quick months, where I would have liked to have a year, doing as deep consultation as I could, with my colleagues and my networks and the different families I work with, to put together something that truly honoured, you know, the vision of a lot of the elders and a lot of the families here to do, you know, multicultural world Indigenous-type gatherings. So, when we got there, what was very different for me was getting to see the actual beauty of the Parklands and being able to do a totally drug and alcohol free family friendly not-for-profit event. Really, it – it showed me that, you know, there's a lot of for and there's a lot of against but,

to me, the opportunity for us as a community – like all things to make use of our land and of our community assets.

5 So we had a lot of beautiful people from around the world and a lot of very  
incredible cultural – intercultural things that would never, ever normally take place  
and that was a real opportunity for – for us to put culture on the map and the  
Parklands – be – their being such a sacred place, as you’ve heard, you know, and to  
be able to really honour it in that way was really deeply special and, essentially, this  
10 is the thing that we – that I’m really passionate and that we’re really passionate  
about, is not just putting culture on the map but putting the community on the map.  
This one particular, that’s my dad who has never connected with his Maori roots and  
this was an opportunity for him to make that connection and the responses that I’ve  
been getting from the community, from people in tears, literally dozens of people,  
are telling me it was, you know, the most transformative gathering that they’ve ever  
15 been to and I just wanted to read quickly a couple of those because one of them said:

It was one of the most beautiful, powerful experiences and deep respect for the  
sharing of the wisdom from so many. There was such a spirit of love and unity.  
20 That is how we should be living all the time, and that was actually Aunty Annabelle  
Walker, who is my godmother, from Tabulam, from the ..... People. And a number  
of the elders that came, including some of the families that were represented, all got  
to have that space together, and some of them, including ones that came from  
Yamba, were so inspired they would like to do a Field of Healing down in Yamba  
and start other regional programs. In everything we do, we want to have outcomes  
25 and impact for our community. So we did some bush tucker planting, we created  
jobs, we work with SAE to bring in students. I brought in Social Future and AIM,  
Ocean Shores, community associations; like, how can we as a community make the  
best possible use of this?

30 And, you know, it was a deeply humbling thing for me, but the opportunity I got to  
see on that site, you know, understand – you know, and a lot of my colleagues here  
I’ve known since Bentley days and I’ve known from all the different things, and I  
really try my hardest to work amongst the community in every single different  
capacity. And Fields of Healing was really this incredible representation from so  
35 many different parts of the community, and I have to tell you that the response that  
I’ve been getting has been absolutely remarkable, for people to get a glimpse at what  
is possible should we be able to do these types of community events moving forward.  
So as someone who really loves this place, loves the culture, loves just bringing  
people together in general, since my mother was at Woodstock and I’ve always  
40 wanted to – to do things like that, to bring people together.

The founder of Woodstock called me the other day and he would like to start  
working together, and it’s those – not to do the – you know, Woodstock, but it’s  
those opportunities for people who want to bring peace, bring healing, bring  
45 connection in the community, that people like myself and some of my incredible  
colleagues – and I work with amazing people around the community of all ages,  
mostly young, elders, everything. We all see that this is an incredible opportunity to

bring the people together and to really leave a positive impact for everybody, so thank you so much.

5 PROF MACKAY: Thank you, Mr Collett. Our next presenter, please, will be Basil Cameron.

MR B. CAMERON: G'day. How are you? Good afternoon. Good afternoon, everyone. First of all, I would like to acknowledge that we do meet on Bundjalung country. I would like to pay my respect to elders, past, present and future. I would like to thank you, Chair, for giving me this opportunity this afternoon. Today I speak as a Byron Shire councillor who has been part of the journey prior to and since the trial approval in 2012. I also speak as a council representative from the regulatory working group since its inception. Today I would like to concentrate on a review of the challenges of environmental management of the site and project and the role of the RWG – that's the regulatory working group – in meeting these challenges.

I'll keep this high level, but note that many other speakers, including in the last few minutes, have provided extensive detailed examples of the problems with environmental management and biodiversity monitoring that I will refer to. As you would be aware from the application assessment and many other speakers, the project site is highly constrained environmentally. Most notably, the site sits within a regionally significant wildlife corridor that provides for avian and terrestrial movement of wildlife between the Mount Warning caldera and the coast. A glance at satellite imagery shows that coastal development has meant that this wildlife corridor between mountains and the coast is significant, because it is now an isolated regional occurrence.

One reason that such an important green belt has been retained is due to the presence of the Billinudgel nature reserve stretching from the eastern side of the site to the coast. Jones Road ridge line, which dissects the property site, is a key connector between the slopes and the coast. Development of the southern car park and the events site on the northern side of this ridge have significantly impacted on the functioning of this critical corridor. Due to the regional significance, the management of the project site faces challenges that go beyond mentioning the many site constraints. Critically, effective site management needs to be assessed for its broader impacts on surrounding areas, particularly the functioning of the broader wildlife corridor.

Given the critical nature and position of the corridor, it is not appropriate to accept any level of impacts. In this case, the outcome must be to retain and improve the functioning of the corridor. In short, the community has had a long interest in the environmental management of this area. As you have heard from many others today, the strength of feeling in the community around these issues remains high. So how have the environmental values of the site been managed and addressed through the RWG? The RWG was established by condition C2 of the trial approval to broadly – and I quote:

*...oversee environmental management.*

Specifically, and amongst other items, the RGW had a role to – and I quote –

5       *...to review the proposed management in relation to the – the habitat restoration program, the Marshalls Ridge Wildlife Corridor, impacts on threatened species and endangered ecological communities, monitoring proposals for pre-construction and ecological surveying.*

10      Quite an extensive range of roles. Once the trial commenced, the RWG was also required to review the proponents performance with respect to environmental management and community relations for events, and where appropriate:

15       *...make recommendations to the Director-General on measures or strategies to improve performance.*

That's a direct line out of that condition. In addition, the RWG was to review community concerns or complaints with respect to environmental management and community relations. In looking at the extent to which the RWG was able to  
20      undertake these tasks, it's necessary to make some observations about the participants and operation of the RWG. (1), most members represented agencies with specific and discrete concerns; for example, RMS for traffic management and police for safety agency – sorry, for safety. Agency members generally attended as part of their working day. (2), agency members often had regulatory functions and  
25      powers, a potentially big stick that – that allowed for a greater level of influence that helped to ensure timely consideration and resolution of their specific concerns.

(3), agency members tended to only be concerned with the issues that fell within the particular regulatory framework in which they attended – which they operated. By  
30      and large, agency members did not buy into issues outside of such frameworks. By contrast, community members attended as volunteers, and critically, had to – had a brief to cover issues across all agencies and the community. This represented a significant workload for community representatives, and I pause here to acknowledge the very substantial and dedicated commitment made by community  
35      representatives during the life of the RWG. The provision of timely and satisfactory information to support community representatives is obviously critical, and from my experience, there was insufficient commitment by the proponent to ensure this.

(6), the lack of effective support for community representatives in their role was  
40      exacerbated by the unwillingness of the Department to deal with concerns raised by the lack of effectiveness in the RWG machinery. It is noted that the draft conditions of consent provide for an RWG, but in a more limited way. The RWG may still make recommendations to the secretary. However, this is now limited to the performance of outdoor events, rather than the environmental management of the  
45      overall site, adjacent areas and project. Community representatives also lacked effective regulatory muscle in regard to having issues considered and addressed.

Herein lies a major weakness of the RWG structure. While condition C(2)(d) does provide that the RWG may make recommendations to the Director-General on measures of strategies to improve performance, this ability was effectively stymied by the initial refusal of the proponent to accept or consider recommendations made by community representatives. Critically, this occurred early on when issues around biodiversity management were still in development, including issues of wildlife monitoring, the result being that no credible baseline has been established for the presence and diversity of wildlife and monitoring methodologies have not been consistent or regularly deployed. Examples of this can be detected by careful reading of the biodiversity assessment report, despite the headline claim that no long-term adverse impacts have been detected during monitoring. For one, this claim is stated for event monitoring only, and not – and I quote:

*...the impact of the project on flora and fauna within and adjacent to the site.*

As stated in condition C(20). Event impact monitoring, or EIM, is limited to the survey – to one survey before, during and after each event, and does not consider the broader impacts of the overall project. This is particular important, given the proposal to include the operation of a conference centre on the site. This is less than adequate, given the important relationship of the site to the broader wildlife corridor. It can be noted that overall site monitoring has not been conducted regularly, with fauna surveys being conducted in 2009, '14, and, it would appear from the report, less comprehensively in 2017, leaving a gap in monitoring data that should be contemporary, and at a very detailed level, given the proposal to increase numbers.

In some cases, methodologies have changed between pre-trial monitoring and later event monitoring. For example, the biodiversity report states at table 13 of appendix F that ..... surveys undertaken in 2007 and '09 are different and cannot be compared to EIM surveys. In another instance, acoustic monitoring of habitat areas was discontinued at an early stage. Some surveys utilise monitoring methods that are not adequate. Hare traps, for example, may indicate species present but not the number and dispersal of such species. It is often claimed, as per the biodiversity report, that habitat restoration means that the site has greater biodiversity than under its previous grazing use.

While the regeneration is to be applauded, it is not logical to claim that impacts of events are ameliorated by such. It is suggested that the movement of fauna along the wildlife corridor was less impacted by the grazing use than events. However, the only way to measure impacts of events is through the establishment of a credible baseline and consistent robust monitoring regime. To return to the RWG, these outstanding issues around environmental management and many others were raised comprehensively by community representatives at an early stage. However, the machineries of the RWG as described has been unable to satisfactorily address issues and ensure improvements in monitoring and biodiversity management.

This now undermines the proposal due to inadequate, inconsistent baselines and a lack of credible monitoring. So what is required? (1), a better defined, robust and

clear compliance regime that ensures that community representatives can bring the same level of regulatory support to discussions that agency members are able to exert. That means ensuring that the Department cannot simply deflect queries from community representatives back to the RWG without ensuring an effective  
5 framework for the operation of the RWG. A clearly stated and accessible framework for the timely provision of comprehensive information to community representatives.

And (3), a substantially revived framework for establishing credible baselines and an ongoing monitoring of the environmental performance. Our community has had a  
10 long and ongoing interest in the environmental management of the site due to its importance in monitoring and enhancing regional biodiversity. Given the high level of importance of this wildlife corridor and the potential for widespread and currently unmeasured impacts, it is recommended that no approval be given for the process –  
15 for the proposal until the proponent can demonstrate that credible baselines have been established and that ongoing management is supported by a robust, consistent and regular monitoring framework. Thank you very much for your time today.

PROF MACKAY: Thank you, Mr Cameron. Our next presenter is Naomi Parra. Actually, I'll have another – I'll make another call at the end. We'll perhaps move  
20 on then to Tracey Barnes, please.

MS T. BARNES: Thanks. Can I just say thank you for rescheduling. I did have a presentation assembly this morning, and I was going to say thankfully I'm last. Maybe not so lucky. My name is Tracey Barnes. I'm principal of Goonengerry  
25 Public School. I am the secretary of the Brunswick Valley District Primary School Sports Association and the secretary and the treasurer of the Far North Coast Zone PSSA, and the senior vice president of the North Coast School Sports Association. I need to give some context for the reasons that I am here. Students in our schools sport begin at school level, progressing through to representative, national and  
30 international events, depending on their level of skill.

Each level operates autonomously and with independent executive and financial responsibilities. School sports associations provide pathways for both able-bodied  
35 athletes and those with a disability to compete at higher levels of competition within a multitude of sports. There are 12 regions across our state. The region that I represent is North Coast Region, and it extends – no, I'll start again. Our North Coast Region is the longest of the government school associations in terms of geography, approximately 500 kilometres, and boundaries from the Queensland border in the north to Laurieton in the south and west to Dorrigo, Woodenbong,  
40 Hernani and Drake, stretching east to Norfolk Island and Lord Howe.

As an organisation, our North Coast Region has 198 primary schools, which is 15,200 students, 38 secondary schools, which is 25,666 students, a total of in excess  
45 of 40,000 students. The zone that I represent is the Far North Coast zone and we have 53 primary schools extending to the Queensland border. We have within that districts and schools. Each year, our zone organisation conducts carnivals in all major sports. Our three major carnivals are conducted in swimming, athletics and

cross country. These carnivals are selection carnivals which allow students to progress to the next level of competition, eventually culminating in participation in carnivals at state levels.

5 School sport is the biggest gifted and talented pathway in New South Wales, providing opportunities for both abled and disability students to competition. In recent times, it has become increasingly more difficult to find venues capable of hosting these events. Many sites in the past have been suitable but are now multi-use facilities and have gradually built infrastructure accordingly, making them less  
10 suitable for large sporting events. In addition, Byron Shire Council continues to charge schools and PSSA groups for use of facilities which puts financial pressure on parents, as user pays. Three years ago, our association, frustrated with lack of suitable facilities, to host our cross-country events approached the management of North Byron Parklands.

15 After extensive consultation with Parklands management and numerous site inspections, we hosted our first carnival in 2016. The event was an outstanding success for a variety of reasons. The site was central to the schools within our zone. Hosting sporting events at this level is largely user pays. Parents pay levies that  
20 allow us to hire venues, teachers, relief staff from schools to organise and manage our events, provide professional learning for teachers, purchase uniforms, pay umpires, referees, and assist families who struggle financially to engage in sport. North Byron Parklands generously donate their venue to our organisation, allowing us to divert those funds directly back to our students.

25 There is more than adequate parking for the large numbers of participants at no cost to parents. An increasing number of venues across our zone and local government areas have restricted paid timed parking. The fact that parents and visitors can park their cars for long periods free of charge is a significant factor for parents. There is  
30 also capacity for buses. Vehicles entering and leaving the site had no impact on the operation of our carnival, nor did they affect the course or the risk of students. The venue provided the opportunity for courses of different lengths to cater for a variety of age groups. It also allowed for flexibility for us to modify a course, depending on weather conditions and the terrain.

35 Parents had an opportunity to view the – a large percentage of the course without encroaching on the competition area, and the toilet, shower and change room facilities were immaculate and highlighted the potential to sustain an even larger volume of people. The feedback we received at this time from parents, students and  
40 schools across the zone after the carnival was significant. Positive responses commented and thanked us for providing a purpose-built course where children could run a real cross country for the first time, and expressed what a brilliant venue the Parklands site was. Several students spoke to me on the day and appreciated the fact that they were not just running around an oval like they had to at district.

45 The overwhelming success of this initial carnival left no doubt in our minds that this was a relationship that would continue. North Byron Parklands once again opened

its doors to the Far North Coast zone in 2017, where we had up to 350 students visiting the site during the event. Once again, it was highly successful. A representative from our combined high schools and from our North Coast region attended the carnival and both expressed their preference to this venue as a site for future zone and regional events after seeing firsthand the exceptional facilities and potential offered by the Parklands site. School sport events are held during school hours and are generally noise-free to surrounding properties.

This year, the Far North Coast hosted a combined primary school and combined high school event. It increased the number of participants to approximately 650 athletes and an additional 25 staff. In consultation again with Parklands staff, we were able to modify our event to cater more than adequately for the inclusion of buses as a result of the high school teams' inclusion in our carnival. In addition, we were able to offer an exciting and challenging four, six and eight-kilometre course for our high school colleagues. Districts and Zone do not receive any additional funding from the Department of Education to conduct our events. North Byron Parklands offers a venue for hosting sporting and community events that is free of charge, well-maintained and professionally run.

No other local government facility in our zone is able to provide anything that comes close to this site. We have been able to invest funds into signage, course markers, sound systems, which allow us to run a more professional, safe, high-quality sporting event for our students and our parents. Every year that we host a carnival at Parklands, we build on the relationship between management and our executive that is both extensive and professional, and embedded strategic improvement measures have been put in place. Both PSSA and CHS conveners are made aware of community use guidelines, including risk assessments, traffic management, safety and rubbish removal, and we admire the way Parklands staff enforce and monitor the use to ensure effective, positive outcomes for stakeholders, including the residents of surrounding properties.

As a result, we are able to provide a high-quality sporting event to the students of the far north coast. Each year, we are continually amazed at the improvements that have taken place on the site. At a time when every business and local government organisation has their hand out for money, North Byron Parklands once again has demonstrated that it is a private facility who is decided to continual improvement of its own facilities and infrastructure and is prepared to give back to the local community. I have presented to the Commission in the past and I have been told that there is no – nothing new that should be said. The only thing that I need to emphasise is the only thing that has really changed is the height of the bar, and by that I mean the level of consultation and support.

We are made more than aware of the water recycling that goes on, how we are supposed to dispose of our rubbish, the regeneration areas that we can't encroach on. The other thing that has increased is the quality of the facilities, the number of students participating, the number of positive feedback from parents, staff and students, and the quality of our event that increases every year, despite the fact that

5 as an event we provide no financial benefit or otherwise to North Byron Parklands. I believe that you would be hard pressed to find a level of benevolence from any other local company or organisation. Parklands is more than just a concert venue twice a year. It is a valuable community facility. I would like to thank the Commission for the opportunity to speak on behalf of North Byron Parklands, and I've been endorsed by all the organisations I represent today to support unconditionally the application for permanent approval as a cultural events site. Thank you.

10 PROF MACKAY: Thank you, Ms Barnes. Ladies and gentlemen, could I ask if there is anyone present who has pre-registered who, because they have not been here, has not been afforded the opportunity to present today? I note that we – we do need to allow only those who have pre-registered to speak. Well, that being the case, could I thank both those in attendance as observers and all of the presenters for the courteous and respectful way in which you have participated in today's proceedings.

15 I reiterate that the period for receipt of comments on this proposal has been extended until 11 January 2019. I thank you again for your attendance. I would ask that when we finish up that the room be vacated fairly promptly, as we have some other matters with which we need to deal, but on that basis I will thank you and declare the meeting closed. Thank you.

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**RECORDING CONCLUDED**

**[4.15 pm]**