

Brunswick Heads Progress Association

PO Box 168

Brunswick Heads NSW 2483

11 January, 2019

Independent Planning Commission

NSW Government

**North Byron Parklands Cultural Events Site SSD 8169 and MP 09 0028 MOD 3**

Dear Chair and Panel Members,

We oppose the proposal by North Byron Parklands to expand its operations. We read the proposal with incredulity. The site is unsuitable for the existing operation. To allow an expansion simply defies logic. We listened to the presentations at the public hearing at Ocean Shores and were dismayed at the presentations by community groups who have in effect been bought off by Parklands. In contrast to these groups’ simplistic, self-interested presentations, community members who spoke against the proposal offered reasoned arguments based on factual evidence. We will reiterate some of those arguments here, and hope that you will see the merit of these arguments in your deliberations.

1. **Compliance**
	1. Self-monitoring of key performance indicators and the unquestioning acceptance by the Department of Planning is most galling to this community. We do not believe that the applicant has met key performance indicators during the trial period. The Department of Planning has erred in not questioning the self-monitoring by the applicant and by ignoring evidence provided by the community that disproved claims made by the applicant.
	2. Common sense dictates the independent oversight is needed. The Regulatory Working Group needs to be an independent body that is not controlled by Parklands in the way that has occurred during the trial. The RWG needs to consist of representatives of Byron and Tweed Councils and community representatives from both shires. It needs to report directly to the Department of Planning
	3. Monitoring of noise, traffic and residential amenity needs to be undertaken jointly by the Councils and the Department of Planning. Costs should be borne by Parklands.
2. **Safety**
	1. The geographic constraints of the site impact upon the safety of patrons of the festival. NSW police reports have repeatedly expressed grave concerns regarding access to the site in an emergency that could involve crowd control, the evacuation of numbers of individuals needing medical assistance or the evacuation of the entire site. Increasing the number of festival patrons by 10 to 15,000 per event and by increasing the number of major events to 8 per year can only exacerbate the concerns of the police force. These concerns have not been addressed by the applicant or the Department of Planning. They seem to be in the too hard basket, and therefore the applicant seems to be relying on the hope that any partial or whole evacuation never eventuates. How has evacuation been included in any risk assessments completed for this proposal?
3. **Ecology**
	1. NBP’s ecological self-monitoring has been criticised since the very beginning. They pay an ecologist to do it. At an RWG meeting in the early years the ecologist told the meeting that he could only do so much. The OEH poked holes in the monitoring early on and called for clear KPIs repeatedly, but the Department has still not insisted on any real improvements.
	2. The numerous breaches listed at the end of the first performance report show some of the problems with the ecological monitoring that were obvious from the start Also, several submissions to the DOP regarding modifications to the approval and this most recent SSD have pointed out the serious problems with ecological monitoring. NBP continues to maintain that no adverse ecological impacts have been detected, but the data simply do not support that conclusion because the monitoring has been so inadequate.
	3. The criticisms of the monitoring run to many pages and include a rigorously independent review by Dr Martin Denny, an esteemed ecologist and an equally detailed critique by a local ecologist who is very familiar with the area. Continuing to repeat “no adverse impacts” is misleading. And the current recommendations now call for “adaptive management” and downplay any concern about adverse impacts to a major Wildlife Corridor and the Nature Reserve
4. **Social Impacts**
	1. The increase in the numbers of festival-goers and the increase in the number of large festivals will have further negative social impacts. Even with the present number of visitors and events Parklands is adding to the dramatic increase in the number of visitors to Brunswick Heads in recent years. The impact of busloads of festival-goers on a small town during Falls at the height of the holiday season is dramatic. It feels as though he town has been invaded by hordes
	2. Affordable housing has been overlooked in this debate. As more landlords turn to Air B&B the supply of affordable housing available to renters has fallen dramatically.
	3. Local high schools have had to re-schedule Yr 12 exams as a consequence of the effects of drug-taking at Splendour in the Grass

Thank you for the time to enable us to make this submission. The actions of the proponents and the Planning Department can sap the energy of community members especially when we are excluded from discussions and are rode rough shod over. We trust that sanity prevails and that this festival site is not allowed to develop any further.