



## Regulatory Working Group

### Minutes (revised)

**Wednesday 27<sup>th</sup> February 2013 - 10.00am to 1.00pm**  
**Parklands Office – 54 Jones Road, Wooyung (02 6680 4049)**

#### **Present:**

Peter Ryan (Chair, Regulatory Working Group)  
Chris Cherry (Community Representative)  
Paul Arrowsmith (Community Representative)  
Simon Millichamp (Community Representative)  
Cr Diane Woods (Byron Shire Council)  
Inspector Greg Jago (NSW Police)  
Corey Philip (Rural Fire Service)  
Adrian Deville (OEH)  
Alan Goodwin (National Parks and Wildlife Service)

Mat Morris (General Manager, North Byron Parklands)  
Dr Mark Fitzgerald (Ecologist, North Byron Parklands)  
Rob Doolan (Town Planner, North Byron Parklands)

#### **Apologies**

Cr Sol Ibrahim, Todd Hayman (Roads and Maritime Services), Alan Bawden (Rural Fire Service),  
Cr Basil Cameron.

## Agenda Items

### 1. Introductions

#### Confirmation of previous minutes

The Chairperson presented the previous minutes. Members of the RWG confirmed these minutes as true and accurate. Minutes will be posted on the Parklands website.

### 2. Meeting Focus

The Chairperson outlined that the focus of the meeting related to the following items requiring consultation with the RWG (per Project Approval dated 26<sup>th</sup> April 2012):

- Security Services;
- Illegal Camping;
- Litter;
- Flora and Fauna Management Plan; and
- Flora and Fauna Monitoring Program

The Chairperson advised there would also be time at the end of the meeting for any other matters of consideration.

### 3. Project Update

- Since the last RWG meeting the capital works program has commenced. Parklands received all required approvals from Council and works commenced in early November 2012;
- ADJ Constructions have been contracted for on-site works. Details of this contractor, the project engineer and the private certifying authority are clearly listed on the site notice at the corner of Jones Road and Tweed Valley Way;
- Parklands have expanded its ongoing community consultation processes. Now consisting of regular immediate neighbour newsletters, letterbox drops to over 2,400 people in the north of the shire and regular Community Update advertisements in the Byron News. Regular newsletters were distributed between September and December 2013. No newsletters were issued in January or February 2013 due to project weather delays (and therefore little to report). However, ongoing consultation by way of meetings, emails and telephone calls with Jones Road residents was carried out during this period. Parklands will continue to update the broader community by way of letterbox drops and advertisements;
- In relation to the habitat restoration program, Parklands has installed 1.3km of fencing along the northern and north-eastern boundary creating a continuous 20-metre buffer zone along these boundaries. It is proposed to vegetate these buffers to create fauna corridors and discussions with Council and other interested parties has taken place;
- The eastern portion of the southern car park has been fenced off and NBP will revegetate buffer zones to the wetland in line with its habitat restoration plan (previously submitted to the RWG);

- The central forest blocks have now been fenced (using plain wire). This is the first time in over fifty years cattle have been excluded from these forest blocks. Parklands have engaged the Madhima Gulgan bush regeneration team to manage weed eradication in these blocks;
- Parklands has now built a greenhouse to propagate plants for various habitat programs;
- In partnership with Southern Cross University, Parklands has applied for a number of grants under the NSW Environmental Trust covering research on various bush rehabilitation treatments;
- As a result of ex-tropical cyclone Oswald and heavy rains in mid February, parts of the site were rain affected and would have precluded the hosting of an event at these times. Like many parts of the Shire affected by localised flooding, the nature of the rainfall events were such that they were predictable well in advance of their rainfall impacts;
- Manly Hydraulics have been engaged to install two weather monitoring stations which will be linked telemetrically to the Bureau of Meteorology, further adding to local weather prediction capabilities; and
- At present the construction program is still on track for a July 2013 event.

#### **4. Flora and Fauna Reports**

Dr Mark Fitzgerald presented the Flora and Fauna Management Plan and the Flora and Fauna Monitoring Program. Dr Fitzgerald provided an overview of both the documents and the methodology behind the monitoring program including the monthly monitoring fauna program currently underway to provide a greater level of background data. Dr Fitzgerald reported that weather conditions had hampered some aspects of the monitoring program. Bird trials were being carried out monthly and interestingly cicadas had affected the December results. Sand traps have not yet been installed at RMS road culverts as NBP is waiting on permission from them to install these in the culverts (as rain and wind can otherwise ruin data).

Biolink has been engaged to undertake a third koala assessment of the site prior to the first event. Adrian Deville made reference to the recent Biolink report covering the Blues Sites.

Mark Fitzgerald named Dr Steve Phillips and Dr David Rohweder as the other ecologists that will take part in the simultaneous monitoring as required by the proposed Monitoring plan.

There was discussion surrounding the methodology with Chris Cherry advising that she had arranged for three ecologists to review the monitoring program. The names of these ecologists were not provided to the group. Mat Morris advised that it was Parkland's policy not to respond to anonymous reports and requested that Chris Cherry provide the names of the three ecologists to whom she was referring.

Chris Cherry had concerns about the statistical validity of having two control sites rather than three. She also voiced concern regarding not having an impact site located in the Billinudgel Nature Reserve. Chris Cherry tabled 7 comments regarding the Flora and Fauna Monitoring Program, which Dr Fitzgerald agreed to consider and respond to.

**Action 1** – Dr Mark Fitzgerald to consider and respond to the 7 documented points tabled by Chris Cherry.

**Action 2** – With their permission, Chris Cherry to provide the RWG with the names of the three ecologists who have provided comments covering the Flora and Fauna Monitoring Program.

## **5. Illegal camping, littering, security services**

A host of aspects to be managed by Parklands and events held at the venue will be done so through the Environmental Health and Safety Management Manual (EHSMM). The EHSMM covers such issues as:

- Safety;
- Transport and traffic management;
- Environmental management;
- Water management;
- Waste water management;
- Fire management;
- Offsite management;
- Noise management;
- Evacuation;
- First aid;
- Camping;
- Flooding;
- Temporary structures; and
- Waste management.

Parkland's General Manager provided a paper outlining how the following three issues shall be managed (which also form part of the EHSMM):

- Illegal Camping;
- Litter; and
- Security Services.

Mat Morris advised that Parklands does not have any regulatory authority to deal with offsite illegal camping. However, Parklands will play an active role in identifying and reporting any illegal camping. This will be achieved through the preparation of an Offsite Response Strategy and the creation of an offsite response team. This shall be in addition to a dedicated community hotline which will be advertised on the North Byron Parklands website, in press ads and letterbox drops.

Cr Woods asked if there would be enough police to deal with illegal campers as community members have raised this concern to her and Cr Woods does not want to see Parklands blamed for illegal campers that are already an existing problem. Inspector Jago reported to members that it couldn't be legislated that camping in cars is illegal due to safety issues. Mat Morris added that people would not be permitted to sleep in their cars at the venue's car parks, unless people were

intoxicated or overly tired, in which case it would be safer to leave them in situ where they could be monitored.

In relation to littering, the event's Offsite Response Strategy also requires the creation of a Litter Response Team who will respond to identified or reported litter issues.

Security services would include security along Jones Road and adjacent to the Billinudgel Nature Reserve. Parklands and events will work closely with NSW Police and other regulatory authorities to ensure appropriate security measures are in place at all times.

## 6. General Discussion

- Noise monitoring locations – Chris Cherry and Paul Arrowsmith advised that a number of previous noise receptor locations had not been notified regarding participation in the current noise logging exercise. Mat Morris advised that letters were sent to all receptors and only a number of them had responded advising they wished to be a part of the program.

**Action 3** – Mat Morris to provide members with details of letters sent to receptors.

- Cr Woods raised the question of whether drug monitoring would be occurring on site? Inspector Jago confirmed that search warrants, drug sniffer dogs and breath tests would occur during events.
- Paul Arrowsmith raised the concern of traffic and security for residents of Yelgun Road. Mat Morris responded that discussions were being held with the RMS about providing traffic control and security points at this road to allow residents and their guests only to access this road.
- Paul Arrowsmith raised issue of dust for residents of Jones' Rd and security through from the northern end of this road. He also asked whether it was planned to bitumen Jones Road to avoid dust issues. Mat Morris responded that per the approval the first 340 metres of Jones Road was being sealed. With respect to a gate at the Billinudgel Nature Reserve on Jones Rd, NPWS is currently seeking permission from Byron Shire (who are the road authority for this road) to place the gate immediately prior to the last residence. Parklands supports this measure and have communicated such to both Council and NPWS.
- Adrian Deville asked what constraints (if any) the recent EPBC referral placed on the project. Mat Morris advised that Parklands was determined by the Department as "not a controlled activity" subject to undertaking our operations in a prescribed manner (i.e. complying with our current project approval).
- Cr Diane Woods asked if Council's traffic management committee is involved in the traffic management plan. Mat Morris advised that the traffic plans will be considered by the local traffic committee and then submitted to the Director General.

## **7. Schedule of Meetings**

The next meeting will be held on 1 May 2013.

The chairperson advised that Bushfire Management Plan, Evacuation Plan and the Noise Management Plan would all be addressed at the next meeting and provided 7 days prior to the meeting.

Corey Philip from the RFS advised that the proposed future meeting date of May 1, 2013 clashes with a prior meeting involving delegates from the RFS and Police and it would be difficult to attend. Mat Morris agreed that in the light of this information an alternative date may be considered or the Bushfire Management Plan and Bushfire Emergency Evacuation Plan would be further considered at scheduled meetings with the RFS before the proposed RWG meeting. Parklands have commenced meeting with RFS personnel to discuss these plans.

Meeting closed at 1pm.