



25 January 2009

Mr Jason Linnane
Recreation Services Manager
Port Stephens Council

Dear Jason,

TRRA Submission - Debrief - 2008 Fly Point New Years Eve Event

Thank you for your email dated 9 January, in which you agreed to my request to have two TRRA representatives attend the Debrief on the 2008 New Years Eve music event at Fly Point. TRRA has held its own debriefing session based on comments received from its members and monitoring of the conduct of the event detailed in the attached Submission.

The Objectives of the debrief as circulated by Sarah Blackmore are noted and our submission will make comments on the matters raised. However, the objectives in focusing on opportunities for "improvement" seem to assume that it is a foregone conclusion that the event is a desirable concept and that it will continue in future years. Our understanding was that the Council had approved the Cattleyard Promotions development application for 2008 and that its request for approval of the event in 2009 and 2010 was subject to an evaluation of performance and outcomes from the 2008 event. Accordingly, TRRA believes that the first objective of the debrief should be a general report on the conduct of the Event, its compliance with the conditions imposed and its impact on Fly Point residents, surrounding areas and the community at large.

TRRA recommends that Council undertake a detailed and transparent analysis of the cost of this event to the ratepayers, including its administrative costs in the lead-up, its traffic management, its supervision on the night and its clean-up and repair bills following the event. This needs to be compared with the revenue received by Council. TRRA also requests details of the cost of providing the additional police and who paid for these. Another question for Council and the Community is whether the "rent" received by Council from the promoters is fair and reasonable having regard for their profits from the event. This would need to take into account that the event occupied a prime public reserve depriving residents and visitors from enjoyment of this parkland for the best part of two days.

The majority of TRRA members question whether Council should approve an event of this nature given the growing concern at community, State and National levels in relation to alcohol and drug use by young people. Others are of the view that it is inevitable that young people will seek an opportunity to celebrate the occasion and that it is better to offer an organised venue where it is possible to exercise a measure of control.

TRRA again questions whether this event would be better held at another venue such as Tomaree Sports Complex which was originally designed to take events such as this. This is more central to the many participants coming from south and west of Nelson Bay and should facilitate dispersal after the event. Noise here will not affect any residents. It will also return Fly Point to the community and visitors who previously enjoyed this as a location to watch the fireworks and celebrate New Year's Eve. We feel this central park should be available to, and safe for young children, families and elderly residents as well as young people. This year Fly Point was excluded to the general public for almost two peak days.

Our members observing from near-by third floor balconies (which had direct line of sight into the venue) reported that those inside the enclosure paid scant attention to the fireworks displays. Their attention appeared to be on the music and dancing. Accordingly, TRRA questions whether a location for the music event away from the fireworks would affect the attendance.

The largest impact of the event has been on the Fly Point for Families Group and residents at Little Beach who we understand will be urging Council to transfer the event from this site.

We look forward to contributing to the debrief and it would be appreciated if a copy of our submission could be circulated to participants beforehand.

Yours sincerely

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REPORT ON THE CONDUCT OF THE NEW YEARS EVE MUSIC EVENT- FLY POINT 2008

**by
Tomaree Ratepayers and Residents Association
January 2009**

MONITORING

TRRA has held its own debriefing session based on comments received from its members and affected residents. Members also undertook inspections along the Victoria Parade waterfront, at Fly Point and nearby parklands and at Little Beach on the afternoon of New Year's Eve, during the music event, at its conclusion and on the following morning at 6.30 am and 9.30 am. TRRA has also received a report from the Fly Point for Families Group which monitored the entire event including measurement of noise levels.

MAJOR ISSUES

Conduct of the Event

TRRA did not have a presence inside the enclosure so can only comment from observations made by members from nearby third floor balconies (which had direct line of sight into the venue) and the experience of neighbouring residents.

The general impression was that the additional conditions, increased security and noise monitoring resulted in a lesser impact on residents with more bearable noise levels and anti-social behavior kept under better control. The music volume was reduced after midnight and the concert closed on time at 1.00 a.m.



We would appreciate a report from those responsible for supervision inside the event (Promoters and the Police and Council) on compliance with conditions relating to crowd management and alcohol service.

We would also appreciate information on the attendance figures, the origin of attendees (where were ticket sales offered and what figures are available on where tickets were bought?). Another significant figure

would be a break-down for those in the over 18 age group and those under that age.

Clean-up and removal of equipment by the promoters within the leased area was prompt and effective. It was noted that the main burden for rubbish collection in the surrounding areas was left to Council employees.

Impact on Surrounding Areas

A significant number of revellers camped in the nearby reserves, in Magnus/Trafalgar Streets and at Little Beach. Alcohol was being consumed in these areas from early afternoon and some groups continued drinking until mid-morning. These areas were left with considerable litter much of which was empty beer and other alcoholic drink containers.

Throughout New Years Eve and the morning of New Years day local residents and beach-goers (including many children) were continually exposed to drunken behaviour and loud foul language. We believe that this behavior and language would have been offensive to a significant portion of society.



*Informal camping area on Trafalgar street mid-day
New Years Day*



*Campers and litter in Little Beach Car Park mid-day
New Years Day*

While camping at these locations may be unauthorized, TRRA appreciates that it may be better tolerated than forcing young people to drive home after the event affected by alcohol. TRRA questions whether public toilet facilities were anywhere near adequate for this number of drinkers and campers. TRRA recommends that if Council continues to support these events, regardless of their location, there must be suitable, controlled camping facilities provided at or near the venue funded by the promoter (including the after-event clean-up).

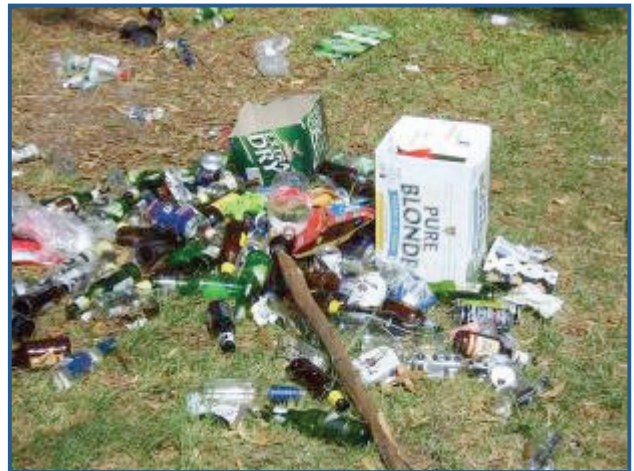
A number of residents of Little Beach, concerned for their safety and the level of anti-social behavior, reported their concerns to police mid-afternoon on New Year's Eve. Police attended and we understand the offending people were moved on.

One TRRA member, a long term resident of Little Beach, has indicated that she was not prepared to risk taking her grandchildren around to Fly Point to watch the fireworks due to the number of people in the area surrounding the concert seriously affected by alcohol and their anti-social behavior. Prior to the introduction of music events she had felt no security threat and enjoyed taking her family to the Point to view the fireworks. Fly Point residents also feel threatened and are reluctant to leave their properties for fear of damage by alcohol affected youths. For the past three years these residents have experienced rampant youths urinating on their buildings and in their gardens.

A serious concern expressed at the TRRA debrief was the fact that the Music Event displaced the general public from a high use recreational venue for the best part of two days and in particular on New Year's Eve. This venue was previously a preferred vantage point to watch the fireworks and was occupied by a large number of family and other age groups.

Alcohol Control

In the lead-up to the Event Council introduced an Alcohol Free Zone covering the entire Nelson Bay waterfront and in public spaces surrounding the enclosure. This was well publicized in the hope that it would guard against excessive consumption by those attending and those gathering in the surrounding streets and parklands. TRRA observers reported that the prohibition in these areas was widely ignored with many young people drinking alcohol as they walked towards Fly Point and in the surrounds as the night progressed. TRRA observers reported a large group of people were parked and drinking from around lunchtime in the reserve opposite the venue and that there was no sign of police action.



Alcohol aftermath Shoal Bay Road/Trafalgar Street

Police were observed to intervene in situations where groups were becoming offensive or where it appeared that under-aged drinking was involved. The task of fully enforcing a prohibition seemed beyond the resources deployed.

TRRA understands that there may have been some uncertainty as to the location and timing of the alcohol restrictions. This needs to be addressed and clarified.

The gathering of family groups on the hill south of Victoria Parade was observed to be reduced compared with previous years. This may have been a response to the publicity surrounding the alcohol free zone. Family groups and picnickers have previously occupied this vantage point, enjoyed a drink and behaved responsibly, leaving minimal litter.

Policing

Observers reported that the Police presence was effective in managing the traffic, the crowds and in keeping anti-social behavior under control. Most importantly, the police patrols continued throughout the night covering the early hours of the morning when the most serious problems have arisen in past years.

Nevertheless, there were situations requiring Police intervention to stop altercations and there were physical clashes with police officers. At least one fight among revellers required ambulance attendance. While it is appreciated that this is part of police work, TRRA questions whether Council should be encouraging (approving) events which are a catalyst for such behavior.



Abandoned Bong near Fly Point Park

It is understood that 42 police were assigned to the supervision of the New Year's Eve Event. TRRA asks that information be provided on the cost of this deployment and if this cost was born by the State or if any others associated with the event shared in the cost.

Traffic Control

Road barricades were put in place across Victoria Parade adjacent to the last residence before the park. Despite a large illuminated road closure sign located South of Shoal Bay turn-off, vehicles continued to enter Victoria Road North only to find that there was no parking [15 angle parking spaces only]. As a result at least 60 vehicles an hour entered the area, made three point turns in front of house numbers 1 and 7, causing serious danger to pedestrians and beach goers alike.

TRRA recommends that regardless of the type of event at Fly Point Park, that manned barricades be set up at the entry to Victoria Parade [North] as per Australia day.

Damage to Public Facilities

It is understood that acts of vandalism were relatively minor compared with previous years and especially when compared with earlier events at Shoal Bay. Some traffic signs were ripped out and a railing on the sewerage pumping station on Victoria Parade bent over. It would be appreciated if council and the Police could provide further details on the extent of any damage.

Fly Point residents report that prior to the event being relocated from Shoal Bay to Fly Point, there was very little anti-social behaviour along the waterfront and in the park, (which was

then mainly occupied by family groups) and damage to public facilities and unauthorised camping were not issues.

For the last three years the event promoter has argued that it is not the attendees of the event, but outsiders that cause the problems. TRRA however has been advised by affected members that the event acts as a catalyst for drunken anti-social behavior - behavior which was not witnessed or experienced prior to the relocation of the event to Fly Point.



Traffic signs ripped out



Damaged rail along sewerage station

Close Down and Crowd Dispersal

The music terminated at 1.00 pm in line with the conditions of approval. The exodus was observed to be reasonably orderly and after the event hooliganism was not the problem that it was last year.

From where our observers were located it seemed that the public bus transport was not immediately accessible to the exit point. We would appreciate a report from the bus operator on the level of usage, and whether there is room for improved directions to this facility.

Clean-up

Council's clean-up started very early on New Year's Day and the Nelson Bay beachfront and Fly Point and surrounds were cleared of bottles and other rubbish by the time beach goers arrived. The Trafalgar Street/Shoal Bay Road area was cleaned up by Council staff in the afternoon. Clean up at Little Beach car-parks was later.

Given the task, Council is to be congratulated for its speedy and quite meticulous clean-up effort.

Impact on the General Public's Enjoyment of New Year's Eve

Observers have reported a decline in family groups in and around Nelson Bay on New Year's Eve when compared with previous years. This is a surprising result when all the reports from the tourist and business community point to a very buoyant 2008/2009 tourist season with a significant increase in visitors to the Tomaree Peninsula.

This may have been as a result of the much publicized tighter controls on alcohol consumption in public areas and/or a growing fear of the flow-on anti-social behavior associated with a major pop music event.

OPPORTUNITIES FOR IMPROVEMENT

TRRA's debrief concluded from reports received that this year's event was a significant improvement on last year's both in terms of noise levels and crowd behavior. The fact remains however, that an event of this nature will always be accompanied by a significant level of noise, public drinking and anti-social behavior and that the event displaces a wider cross-section of the community and visitors from a prime location to celebrate New Year's Eve and to enjoy the fireworks.

The general consensus was that if such an event is judged to be necessary in the Tomaree Peninsula, serious consideration should be given to relocating it to the Tomaree Sports Complex where it would not interfere with any residents or visitors, and where temporary camping could be easily accommodated. If transfer of revellers between the Sports Complex and Nelson Bay is deemed to be a problem, a bus service funded by the promoter could be the answer.

Please see next page for list of Threshold Issues.

THE THRESHOLD ISSUES

TRRA recommends that the debrief address the following key policy issues:

1. Is it right that Fly Point should be taken away from the community at large (ages 5 to 85) to celebrate New Year's Eve for the benefit of a small segment of the population.
2. Is it necessary and desirable for Port Stephens Council to continue to support and approve a Year's Eve Music Event?
3. In considering this question what are the costs to Council and the NSW government (police deployment) and how does this compare with the return to the promoter, and what is the flow-on benefit to the Nelson Bay business community?
4. Having regard to the above financial analysis, what is a reasonable "rent" for the Fly point venue to the promoter?
5. If it is decided that there is a need to provide an event of this nature on New Year's Eve, is Fly Point the most acceptable location, especially given that there are alternatives such as the Tomaree Sports Complex?