

Hill Top Residents Action Group Response to proposed Modification 5 of Approval of Southern Highlands Regional Shooting Complex (SHRSC)

- Original approval as a State Significant Project was granted by the NSW Government under its powers to by-pass normal approval requirements. Independent experts criticised the proposed development on grounds of soil and water contamination, fire hazards, impact on flora and fauna, road safety and noise. Perhaps most concerning for local residents was the proximity of the proposed shooting range to Hill Top, with associated issues around road safety, fire and noise. And the placement of the range in what was environmentally protected land bordering the Nattai National Park.
- The conditions imposed on the approval by the Minister for Planning were imposed to provide protection to the community in areas where the normal channels of approval were by-passed. The placing of an absolute limit on gunfire noise of 75dB(A) was such a protection. As were the allowable days of shooting.

Arithmetic averaging

- It is a matter of simple arithmetic that an absolute limit of 75 dB(A) gives the community greater protection than an arithmetic average of 75 dB(A). An arithmetic average of 75dB(A) means that half the shots not exactly at 75 dB(A) will be greater than 75 dB(A), or if less than half they will be greater than 75 dB(A) by a larger amount. There is no way that an arithmetic average of 75 dB(A) provides the same protection as an absolute limit. An arithmetic average limit allows louder shooting than an absolute limit at the same level.
- Recent testing of the ranges has shown all shots to be less than 75 dB(A). This means an arithmetic average of considerably less than 75 dB(A). Calculations show that the average is generally around five dB(A) below the loudest shots.
 - On the one hand this means there will be no problem operating the ranges within an absolute limit of 75 dB(A).
 - On the other, it means that a lower arithmetic average limit could be introduced to give similar protection to a 75 dB(A) absolute limit. This would reasonably be an arithmetic average limit five dB(A) below the current absolute limit of 75 dB(A). Even then, it would allow some shots to be louder than 75 dB(A), as currently prohibited.
 - Please refer acoustic expert's Rob Bullen's advice on this matter in the attached.
- It may be that the EPA has introduced new standards of arithmetic average limits for NSW shooting ranges. That does not mean that the Hill Top ranges should have an arithmetic average given that residents' original protection was expressed in terms of the more restrictive absolute limit. The proposed change to arithmetic averaging is objected to.

Permitted days of shooting

The conditions of the approval of the SHRSC included a limit to daytime shooting of four days a week. While shooting noise on more days of the week is a serious issue, there are other considerations such as traffic approaching and through Hill Top. The

Approval limits of four days a week for daytime shooting and no shooting permitted after 5 pm except on the indoor ranges should be maintained to maintain protection of residents' amenity.

The changes to conditions A6 and A7 in relation to hours of use of the range are objected to. The proposed changes are to enable the range to be used in accordance with the future range daytime use recommendations contained within Table A1 of the NSW Environmental Protection Authority's Target Shooting Ranges: Application Note for Assessing Noise Compliance.

Mod 5 requests that the outdoor range hours of use be changed from 4 days per week to potentially 7 days per week and additional nighttime use of the range between 5pm and 10pm up to 3 days a week. This is a significant increase over the hours of use approved under Conditions A6 and A7 currently and is not substantiated. Residential areas are entitled to some respite from noise and activity of shooters. Further there needs to be certainty in the hours of operation.

The hours of operation of the range should remain the same.

Similarly there is no justification for the proposed changes to condition A10 to increase the number of special events from 3 to 12. There is no justification for this increase and it is noted that other conditions of the approval can be varied for such special events.

The proposed changes to condition A11 are objected to. The applicant seeks to change the requirement for an independent auditor report to be prepared to exclude an independent assessment of compliance with noise limits. The role of the auditor, who is no longer independent, has increased such that the auditor can make a recommendation for changes to hours of operation subject to measurements of past noise levels undertaken in a manner where there is considerable flexibility with the auditor to exclude certain shots deemed not representative.

It is noted that independent auditor testing has not been undertaken. This is no reason to change the condition. The applicant should comply with conditions of consent in relation to independent audits, particularly in relation to noise.

Evaluation of impact on residents

- At the hearing of a previous (unsuccessful) modification the PAC said the impact of any proposed changes on residents needs to be evaluated. This has not been done in respect of the above proposed modifications (arithmetic averaging and days of shooting).

Planning Assessment Commission to determine

- Given the Shooters, Fishers and Farmers Party's high investment in the SHRSC development, the lobbying it has undertaken in the NSW parliament and the balance of power in NSW Government as it relates to the Shooters, Fishers and Farmers Party, it is appropriate that this modification be determined by a Planning Assessment Commission.

- Further, the changes proposed in Mod 5 have the potential to completely change the character and nature of operation of the facility with extended hours of operation, flexible conditions and a lack of independent monitoring. It greatly reduces the certainty of the consent and affords the residents of Hill Top little respite and no certainty on the meaning of important conditions of consent relating to noise limits and hours of operation. These changes should not be taken lightly. Careful scrutiny is required by the PAC prior to any determination is made.