

# **North Byron Parklands**

## **Response to Submissions**

**MP09\_0028 Modification 3 – Lodged May 2015**

**October 2015**



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# 1. Introduction

## 1.1 Background

In April 2012, the Planning & Assessment Commission (PAC) granted a five-year trial approval for the North Byron Parklands (Parklands) cultural event site. This approval permits a series of trial events that are to be monitored and reviewed. The PAC envisaged that event-related activities would be adjusted, where required, to fully trial the site.

Parklands' owners supported the recommendations made by the then Department of Planning and Infrastructure (DP&I) to the PAC as the recommended conditional approval aligned with regulatory best practice as applied to other outdoor event sites in NSW, Australia and similar venues globally.

Due to community concerns mainly around noise, traffic and the unknown social impacts on the local surrounds, the PAC decided to restrict its approval to a five-year trial, deleted the ability to hold small community events and set noise criteria different from most other outdoor venues. Despite the proponent/DP&I recommendations, the PAC did not set any criteria for bass music sounds (usually the more intrusive noise frequency). Parklands is now on the way to fulfilling its ambition to be Australia's premier world class sustainable cultural events hub, bringing significant employment, economic benefit and cultural value to regional New South Wales.

After five large events in the trial period, the response from patrons, artists, and much of the local community has been extremely positive. To date, event implementation improvements have been made through refinements to systems and procedures rather than by modification of the trial approval terms.

However, it has been identified that a number of modifications to the existing trial approval would further improve performance at this venue. This modification application comprises three key aspects as follows:

- To improve community amenity, set criteria to better manage lower frequency sound emissions from events held at the venue and align noise criteria with more common statewide, national and international noise protocols for outdoor venues;

- Allow small community, non-music focused events such as school cross-country runs, open-air cinema, and charity days to be held at the site; and
- Adjust consent condition language to meet best practice, remove ambiguity, delete regulatory duplication and correct wording errors.

The modification (**Mod 3**) was placed on public exhibition by the Department of Planning and Environment (DP&E) from Friday 5<sup>th</sup> of June to Monday 22<sup>nd</sup> of June 2015. A total of 1,473 submissions were received. 1,395 submissions in support of the modification were received, and of those supportive submissions, 308 were from local residents living in the Byron Shire and Northern Rivers. 68 objections were received.

## 1.2 Purpose of this report

The main purpose of this report is to respond to matters raised in the submissions received by the DP&E. This report will be submitted to DP&E who will distribute it to government agencies and the Planning and Assessment Commission (PAC) for consideration in the modification's assessment and determination.

In addition to Parklands' responses to submissions provided in the following section, **Appendix A** provides updated consent condition language to meet best practice, remove ambiguity, delete regulatory duplication and correct wording errors. These updated changes have been made in light of various responses to submissions.

## 2. Summary of submissions and response methodology

### 2.1 Exhibition Details

The modification was publicly exhibited for two weeks and two days, from 5 June to 22 June 2015 at the following locations:

- DP&E Information Centre, 23-33 Bridge Street, Sydney;
- Tweed Shire Council, Murwillumbah Civic Centre, 10 - 14 Tumbulgum Road, Murwillumbah; and
- Byron Shire Council, 70-90 Station Street, Mullumbimby.

The modification was also available for review on the DP&E's website and various government agencies were invited to make submissions. Exhibition details were advertised by the DP&E in the Byron Shire News, Byron Shire Echo and Tweed Daily News (a copy of the advertisement is included in **Appendix B**).

## 2.2 Submissions received

During the exhibition period a total of 1,473 submissions were received in response to Modification 3 including a large number of submissions by supporters (1,395). Each of the submissions were classified (by the author of the submission) into one of the following three categories:

- **Supports** - comprising submissions that were supportive of modification 3 proceeding;
- **Objects** - comprising submissions that objected to modification 3 and/or the creative industries/music industry in general; and
- **Comments** - mainly comprising submissions made by government agencies that did not necessarily support or object to modification 3, but rather made comments on matter such as assessment scope and methodology.

Each of the submissions and their classifications are provided on the DP&E website at:

[http://majorprojects.planning.nsw.gov.au/?action=view\\_job&job\\_id=6789](http://majorprojects.planning.nsw.gov.au/?action=view_job&job_id=6789)

Based on the classification of submissions, **1,395** respondents supported modification 3 while **68** were opposed to it. The remaining 10 submissions provided general comments regarding the modification. The majority of submissions (approximately 1,458) were from individuals with 15 from organisations and government agencies. A breakdown of submissions by classification (support, object or comment) and respondent type is provided in Table 2.1.

**Table 2.1 Breakdown of submissions by classification and respondent**

Respondent type	Submissions received from:		
	Supports <sup>1</sup>	Objects <sup>1</sup>	Comments <sup>1</sup>
Community Member	1,395 Individuals	62 Individuals	1 Individual
Non-government Organisations / Community Group	<ul style="list-style-type: none"> <li>Byron Bay Runners Inc</li> </ul>	<ul style="list-style-type: none"> <li>South Golden Beach Community Association</li> <li>Conservation of North Ocean Shores Inc</li> <li>Wooyung Action Group</li> <li>North Coast Environment Council</li> <li>Friends of the Koala Inc</li> <li>Coalition for Festival Sanity</li> </ul>	<ul style="list-style-type: none"> <li>Middle Pocket and Yelgun Progress Association</li> </ul>
Government			<ul style="list-style-type: none"> <li>Department of Planning and Environment</li> <li>Department of Environment</li> <li>Tweed Shire Council</li> <li>Office of Environment and Heritage</li> <li>Byron Shire Council</li> <li>Roads and Maritime Services</li> <li>Primary Industries NSW</li> <li>NSW Trade and Investment</li> </ul>

Notes: 1. Based on submissions publicly available on DP&E's website and classifications made by submission authors.

### 3. Response to Submissions

This section provides an analysis of supporting, objecting and commenting submissions received during the public exhibition period. The key issues raised by each of these groups is documented and responded to by Parklands. Detailed responses to each commenting and objecting submission can be located in:

- **Appendix E** – Commenting Submissions; and
- **Appendix F** – Objecting Submissions.

The 1,395 supporting submissions, which are in favour of modification 3, have been included in **Appendix G** without responses.

#### 3.1 Submission analysis

During the public exhibition period a total of 1,473 submissions were received. Figure 3.1 represents the breakdown of submissions received during the public exhibition period and their classification by submitting author.

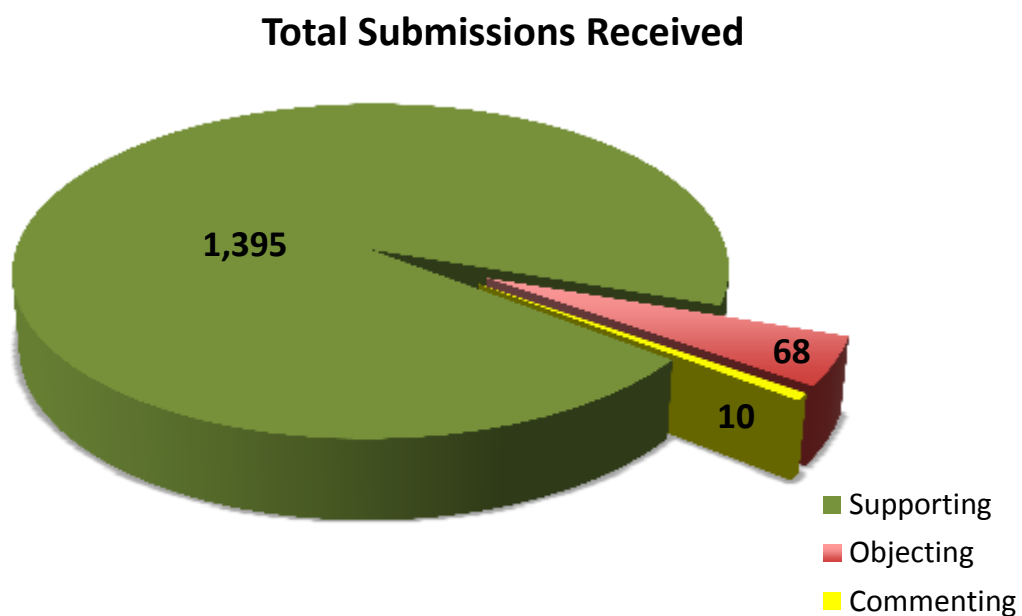


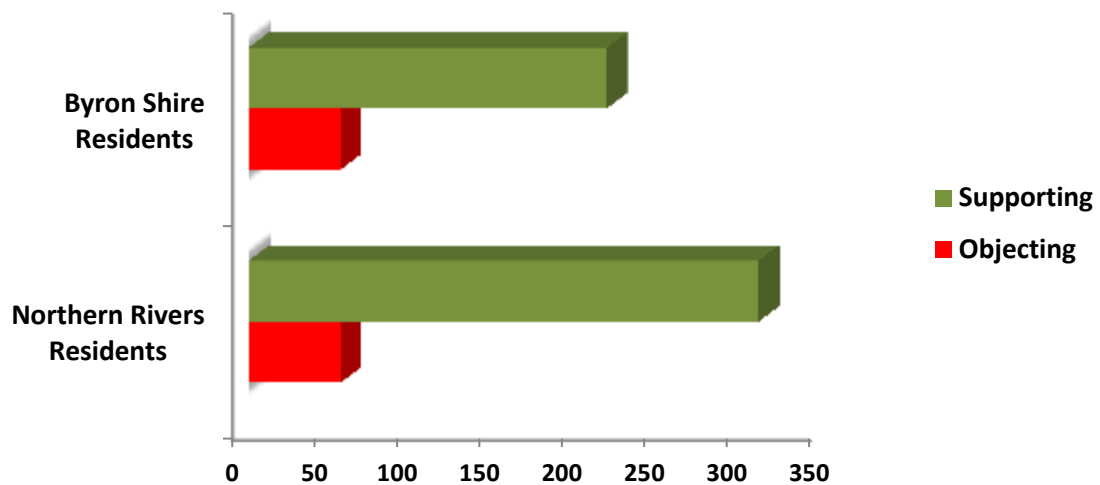
Figure 3.1 Total Submissions Received

Of the 1,395 submissions received supporting modification 3 a total of 309 submissions were submitted by residents in the Northern Rivers. Of these, 217 submissions were made by Byron Shire residents (as opposed to 56 objections by residents in this Shire).

Figure 3.2 provides a comparison between supporting and objecting submissions received from residents within Byron Shire and resident submissions received within the Northern Rivers (including Byron Shire).

Figure 3.2 Local and Regional Resident Submissions

### Local and Regional Resident Submissions



To gain a better understanding where submissions were generated geographically, Figure 3.3 provides the 309 supporting and 56 objecting local and regional submissions received based on the postcode provided by the resident making the submission.

The remaining 1,086 supporting and 6 objecting submissions that were not generated within Byron Shire of the Northern Rivers region are not included in this analysis.

**Supporting Submissions**



**Objecting Submissions**



**Figure 3.3 Local and Regional Resident Submissions by Postcode**

Figure 3.4 provides the same postcode analysis on local (Byron Shire Residents) supporting and objecting submissions only.

**Supporting Submissions**



**Objecting Submissions**



**Figure 3.4 Local Resident Submissions by Postcode**

### 3.2 Supporting submissions

A total of **1,395** submissions received were classified as **supporting** Modification 3. Of these, 309 submissions were received from residents within the Northern Rivers. Byron Shire residents accounted for 217 supporting submissions.

Rather than respond to each individual supporting submission the following section provides a summary of the key reasons these individuals believe modification 3 should be approved. The 1,395 supporting submissions are provided in their entirety in **Appendix G**.

### 3.2.1 Summary of key reasons for support

Aspect	Parklands Response
<p><b>Local Job Creation</b></p> <ul style="list-style-type: none"> <li>Jobs in the region are difficult to secure due to limited opportunities;</li> <li>Parklands and its associated events are a significant employer in the region;</li> <li>Unemployment rates (particularly for young people) are higher than other areas in NSW; and</li> <li>Many existing businesses, which provide jobs, rely on income derived from Parklands.</li> </ul>	<p>As part of the monitoring and measurement element of Parkland’s Performance Reporting commitments, regular economic impact assessments are undertaken. The latest such report dated September 2015 covering Splendour in the Grass 2015 and Falls Festival Byron 2014/15 identifies the following local economic outputs for eight days of event usage at the site:</p> <ul style="list-style-type: none"> <li>Total direct expenditure by both festival organisers and attendees was \$46.8 million. Byron Shire accounted for 29% of the total (\$13.5m);</li> <li>The total economic output is measured at \$107.8m; Byron Shire accounted for \$28.1m of this total; and</li> <li>The creation of 196 Equivalent Full Time (EFT) jobs in Byron Shire in 2015 is significant as it represents 1.79% of the Byron Shire workforce. This is sizable given that these EFT jobs are generated by only two events held at North Byron Parklands.</li> </ul>
<p><b>Advancing Tourism</b></p> <ul style="list-style-type: none"> <li>Parklands attracts tens of thousands of tourists each year;</li> <li>Tourism is the most significant industry in Byron and the northern rivers;</li> <li>Large numbers of individuals and families depend on tourism related jobs and income; and</li> <li>The events held at Parklands have generated thousands of bed nights across various</li> </ul>	<ul style="list-style-type: none"> <li>Splendour in the Grass 2015 and Falls Festival Byron 2014/15 generated local economic outputs for eight days of event usage at the site 28,995 room nights in commercial accommodation in Byron Shire and 7,721 room nights in other Northern NSW accommodation (these numbers do not include camping at Parklands);</li> <li>Splendour in the Grass operates in a traditionally quiet tourism period during winter. Bringing 30,000 patrons to the Shire significantly bolsters tourism and accommodation rates; and</li> <li>Many patrons tend to stay in the Shire or wider Northern Rivers region up to</li> </ul>

Aspect	Parklands Response
accommodation providers.	two days before and after each event further adding to and expanding the tourism economy.
<p><b>Commitment to Compliance</b></p> <ul style="list-style-type: none"> <li>• Parklands has demonstrated a high level of compliance with its existing consent;</li> <li>• Compliance with traffic, ecology and other key indicators has been very high; and</li> <li>• Parklands’ performance reports reflect a well-managed venue.</li> </ul>	<ul style="list-style-type: none"> <li>• The latest Performance report which is a publicly available document shows a very high level of compliance with consent conditions, statement of commitments and other licenses and approvals;</li> <li>• The performance pathway from Performance reports 2013 to 2014 show a consistent pattern of continuous approval; and</li> <li>• Parklands has continued to build on and refine its Environmental Health and Safety Management Manual which is the primary vehicle for implementing its “plan, do, check, act” model.</li> </ul>
<p><b>Noise Management</b></p> <ul style="list-style-type: none"> <li>• The trial approval process has allowed events to improve noise management year on year;</li> <li>• Focussing on managing low frequencies which can be more intrusive will improve community amenity; and</li> <li>• Current noise criteria are not realistic or achievable.</li> </ul>	<ul style="list-style-type: none"> <li>• A significant amount of data now collected shows that low frequency emissions can be better managed. Setting noise criteria for this currently unregulated part of the spectrum will improve the amenity for the surrounding community;</li> <li>• Parklands has successfully entered into “neighbourhood agreements” with all adjoining land owners except one;</li> <li>• More recent onsite noise attenuation measures (such as mass barriers) have been effective in containing emissions on site; and</li> <li>• The Community Manager has helped to inform the community about noise matters and has improved relationships through the provision of transparent information relating to noise and how it is managed.</li> </ul>
<p><b>Providing a Venue for Community Events</b></p> <ul style="list-style-type: none"> <li>• Parklands is a suitable venue for hosting small</li> </ul>	<ul style="list-style-type: none"> <li>• Parklands has received numerous requests from educational institutes, schools, community groups, sporting organisations and not-for-profit groups to hold community oriented, non-music focussed events at this venue;</li> </ul>

Aspect	Parklands Response
<p>community related events;</p> <ul style="list-style-type: none"> <li>• Small events can deliver a range of culturally diverse community benefits;</li> <li>• The site is only currently used for 8 days a year; and</li> <li>• Small community events have low impacts and would benefit local community organisations.</li> </ul>	<ul style="list-style-type: none"> <li>• With limited community facilities in Byron Shire (particularly in the north of the Shire) Parklands would make an ideal venue for many of these groups and organisations; and</li> <li>• Typically, small community events proposed to date involve less than 600 persons and operate primarily in daylight hours, thereby greatly reducing any impacts external to the site.</li> </ul>
<p><b>Managing Social Impacts</b></p> <ul style="list-style-type: none"> <li>• The community manager and offsite response team has managed offsite issues well;</li> <li>• The behaviour of festival patrons has been commended by residents and businesses across both shires; and</li> <li>• The planning and systems operated by events have been very effective in reducing any antisocial behaviour.</li> </ul>	<ul style="list-style-type: none"> <li>• NSW Police, Tweed Shire Council and Byron Shire Council data shows that anti-social behaviour has not been prevalent as a result of events at Parklands;</li> <li>• The latest community hotline register shows zero calls or emails raising concerns about antisocial behaviour; and</li> <li>• The ongoing community liaison roles undertaken by the Community Manager and the litter response team have been effective in managing social issues associated with festivals.</li> </ul>
<p><b>Conserving and Enhancing the Environment</b></p> <ul style="list-style-type: none"> <li>• Significant regeneration of parts of Parklands has occurred restoring old grazing land into forest;</li> <li>• Parklands has developed and implemented an environmental management system designed to better manage environmental outcomes;</li> <li>• Events run numerous environmental programs</li> </ul>	<ul style="list-style-type: none"> <li>• As part of its Habitat Restoration Program Parklands has planted tens of thousands of trees and helped to connected previously fragmented forest blocks;</li> <li>• The level of environmental monitoring before, during and after each event is unprecedented for outdoor venues and shows no significant fauna or flora impacts arising from the activities at this site;</li> <li>• Significant periods of downtime between events provide a large area of land</li> </ul>

Aspect	Parklands Response
such as tree planting which has improved environmental outcomes across the site.	for fauna and flora habitat in a region dominated by intensive farming and a busy national highway.
<p><b>Fostering the Creative Industries</b></p> <ul style="list-style-type: none"> <li>• The Byron region is a hotspot for the creative industries. Parklands plays a big role in supporting this important sector; and</li> <li>• Parklands have helped grow the creative industries sector in the region, which employs large number of people.</li> </ul>	<ul style="list-style-type: none"> <li>• Byron Shire Council identifies the creative industries sector as one of nine key focus areas that foster the prosperity of the shire through sustainable job creation;</li> <li>• The creation of 196 Equivalent Full Time (EFT) jobs in Byron Shire in 2015 local economic outputs for eight days of event usage of the site which support the creative industries is significant as it represents 1.79% of the Byron Shire workforce; and</li> <li>• Parklands could further increase its support for the creative industries if it could host small events (i.e. cinema, art shows, circus, etc).</li> </ul>

### 3.3 Commenting submissions

A total of **10** submissions providing comments were received by the DP&E. Of these, 8 submissions were received from government agencies, 1 from a community group and 1 from an individual. It is important to note that none of the 8 government agencies have objected to Modification 3. The following tables provide Parklands’ response to each commenting submission received. Further, each commenting submission is provided in full plus Parklands’ response provided in blue text in Appendix E.

*Department of Planning and Environment, Sydney NSW (Ref. MP09\_0028 MOD 3)*

Aspect	Parklands Response
<p>Noise - The Department recommends reviewing the requested noise limits and providing 'zones' for varied noise levels</p>	<p>Agreed – Parklands now proposes revised noise criteria based on a zonal arrangement as follows:</p> <p><b>Inner Zone</b></p> <ul style="list-style-type: none"> <li>• Between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 65dB(A) LAeq, 10-minutes or 75dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band; and</li> <li>• Between midnight and 2am amplified entertainment noise from the event at sensitive receivers must not exceed 55dB(A) LAeq, 10-minutes or 70dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band.</li> </ul> <p><b>Outer Zone</b></p> <ul style="list-style-type: none"> <li>• Between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 60dB(A) LAeq, 10-minutes or 70dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band; and</li> <li>• Between midnight and 2am amplified entertainment noise from the event at sensitive receivers must not exceed 50dB(A) LAeq, 10-minutes or 65dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band.</li> </ul>

Aspect	Parklands Response
	<p>For the outer zone these newly proposed noise criteria would result in the following reduction in noise limits versus the blanket limits requested in the modification as submitted:</p> <ul style="list-style-type: none"> <li>• 11am to midnight <ul style="list-style-type: none"> <li>○ A-weighted – 65dB(A) <b>down to 60dB(A)</b>; and</li> <li>○ C-weighted – 75dB(C) <b>down to 70dB(C)</b>.</li> </ul> </li> <li>• Midnight to 2am <ul style="list-style-type: none"> <li>○ A-weighted – 55dB(A) <b>down to 50dB(A)</b>; and</li> <li>○ C-weighted – 70dB(C) <b>down to 65dB(C)</b>.</li> </ul> </li> </ul>
<p>Noise – Please provide further justification for the dB(C) limits proposed using data collected from previous events (i.e. complaints data where bass was specified, monitoring results at residences, etc.)</p>	<p>During the SITG15 event the number of acoustic engineers per event day/night shift were increased from 3 to 5 engineers to capture a greater number of noise level samples. Increasing the number of acoustic engineers allowed the event to not only capture data associated with calls to the community hotline, it also provided a significant number of additional noise samples to be collected during the event. In total there were 296 attended noise samples taken across the event period at varying locations and during varying meteorological conditions (refer Appendix D). In particular, these attended noise samples captured lower frequency data (C-weighted).</p> <p>What this additional low frequency data from the SITG15 event showed was that the proposed C-weighted noise criteria of 75dB(C) between 11am and midnight and 70dB(C) between midnight and 2am was potentially too intrusive for some receptors, particularly in higher density residential areas. As discussed above, it is now proposed to implement a zonal arrangement (inner and outer zones) with differing noise criteria that will improve the amenity of community members. In particular, reductions in bass frequency noise criteria have been made. For the outer zone the following noise criteria reductions are proposed:</p> <ul style="list-style-type: none"> <li>• 11am to midnight <ul style="list-style-type: none"> <li>○ A-weighted – 65dB(A) down to 60dB(A); and</li> <li>○ C-weighted – 75dB(C) down to 70dB(C).</li> </ul> </li> </ul>

Aspect	Parklands Response
	<ul style="list-style-type: none"> <li>• Midnight to 2am               <ul style="list-style-type: none"> <li>○ A-weighted – 55dB(A) down to 50dB(A); and</li> <li>○ C-weighted – 70dB(C) down to 65dB(C).</li> </ul> </li> </ul>
Adjust the units of the dB(C) limits to align with proposed practice in the AMP for Splendour in the Grass 2015 (i.e. Leq, 63Hz).	Agreed. The consent mark-up in <b>Appendix A</b> has been amended to reflect this change.
Noise – Please provide justification as to how the limits proposed would '... <i>deliver greater amenity to the surrounding community</i>	<p>Based on the significant number of additional noise samples collected during the SITG15 event further analysis was undertaken to determine the appropriateness of the proposed noise criteria, particularly the lower end or bass frequencies.</p> <p>What this additional low frequency data from the SITG15 event showed was that the proposed C-weighted noise criteria of 75dB(C) between 11am and midnight and 70dB(C) between midnight and 2am was potentially too intrusive for some receptors, particularly in higher density residential areas. As discussed above, it is now proposed to implement a zonal arrangement (inner and outer zones) with differing noise criteria that will improve the amenity of community members.</p> <p>For the outer zone the following noise criteria reductions are proposed:</p> <ul style="list-style-type: none"> <li>• 11am to midnight               <ul style="list-style-type: none"> <li>○ A-weighted – 65dB(A) down to 60dB(A); and</li> <li>○ C-weighted – 75dB(C) down to 70dB(C).</li> </ul> </li> <li>• Midnight to 2am               <ul style="list-style-type: none"> <li>○ A-weighted – 55dB(A) down to 50dB(A); and</li> <li>○ C-weighted – 70dB(C) down to 65dB(C).</li> </ul> </li> </ul>
Noise – Please confirm how the adverse weather conditions will be measured at the site. In particular the identification of temperature inversions.	The presence of adverse meteorological conditions will generally be determined in accordance with the methods described in Appendix E of the Industrial Noise Policy. Specifically, where possible, the presence of temperature inversions will be established through analysis of sigma-theta in accordance with the Turner Method. It is noted that G class atmospheric stability is typically considered the worst-case conditions due

Aspect	Parklands Response
	<p>to the possibility of strong temperature inversions occurring. This class was added to the original scheme developed by Pasquill to accommodate extreme stable conditions typically observed in rural areas.</p> <p>Despite this, moderate and strong temperature inversions can occur in both F class and G class atmospheric stability conditions respectively. As such, it is important that the presence of temperature inversions not be limited to G class conditions in isolation. Rather, the presence of these should be defined to include both F and G class atmospheric stability.</p>
<p>Ecology – States that ... <i>'restoration undertaken to date (. . .) is well beyond the requirements of the consent conditions'</i> - please provide detailed information to support this statement, particularly in relation to aspects that area requested to be modified.</p>	<p>The statement refers to progress made in relation to the project’s approved habitat restoration plan. Currently in its third year, Parklands committed to implement the revised ecological structure plan over ten years with a minimum of 5% of the plan implemented each year. Based on the investment in habitat restoration to date and the progress documented in the annual habitat restoration reports, more than the minimum 5% per annum has been achieved. Details of the progress of Parklands Habitat Restoration Program have been provided to the DP&amp;E included in both annual Performance Reports submitted to date. Progress regarding this plan has also been communicated to the members of the Regulatory Working Group.</p> <p>It should be clear that no modification to this plan has been requested and the balance of the restoration works will be implemented within the timeframes committed to.</p>
<p>Traffic - In relation to small community trial events, please provide additional data and analysis to ensure that 3000 vehicles would not result in impacts to the surrounding road network without any traffic controls</p>	<p>Greg Alderson and Associates (Traffic Engineers) were engaged to undertake additional Traffic Impact Assessment (TIA) to specifically address the matters raised by DP&amp;E and RMS (<b>Appendix C</b>). As part of the TIA analysis of traffic surveys collected at a wide range of festivals, trade shows, sporting and field shows highlights that small events have the potential to create concentrated peaks in event traffic, which could temporarily cause congestion at the Yelgun Interchange and Link Road intersection. This congestion could occur both during arrival and departure.</p> <p>The TIA shows that the traffic load on the Yelgun Interchange and Link Road intersection during events such as fairs and non-music camping events is acceptable. Level of Service and queue lengths comply with the current consent traffic KPI’s (C10) for events up to 3,000 patrons.</p> <p>Other events however, such as trade shows, non-music festivals and cinema events (due to more defined</p>

Aspect	Parklands Response
	<p>start and finish times) could cause congestion at the Link Road intersection during arrival, with the potential of queuing on the motorway off ramps and onto the motorway in some situations. During departure, the right turn from Tweed Valley Way onto the Link Road could also become congested. For events with a defined start and finish time, these traffic aspects could be mitigated as follows:</p> <ul style="list-style-type: none"> <li>• Option A: for a 3,000 patron event, at least 50% of patrons would have to arrive by bus, or;</li> <li>• Option B: a maximum patronage of 1,500 patrons is set for these events.</li> </ul> <p>Parklands are happy to commit to such traffic management strategies for small community trial events. Greg Alderson and Associates consulted with RMS (Grafton Office) on the 4<sup>th</sup> of August 2015 regarding the TIA and advised that the RMS had no issues with the findings within this report.</p>
Table 2.1 - Please include operating hours with this table.	Operating hours have been included (refer <b>Appendix E</b> ).
Table 2.2 - Please review adverse weather condition data and align with zone limits	<p>Table 2.2 employed worst-case conditions with source to receptor winds as described in the ISO standard. The implementation of the Concawe meteorological algorithms within the ISO standard calculation procedure will, in most cases result in a slight reduction of receptor noise levels as a result of the way it is implemented. As such, the data presented in Table 2.2 is considered to be representative of worst-case predicted receptor noise levels. It is noted that comparison of these predicted receptor noise levels with those observed for past events held at Parklands has indicated that the predictions are conservative and typically not exceeded.</p>
Recommend additional clarification on what stipulates a small community event in definition	<p>It is agreed that the definition of <i>small community trial event</i> could be expanded to better stipulate the nature of these events. The attached consent document markup (<b>Appendix A</b>) includes a change of definition as follows:</p> <p><b>Small community trial event</b> is a non-music focused event, such as a trade show, fun-run, food fair, school carnival, moonlight cinema and the like with up to 3,000 patrons.</p>
Also, 'small community trial event'	It is agreed that this definition should include the word "trial". The consent mark-up ( <b>Appendix A</b> ) has been

Aspect	Parklands Response
	amended to reflect this change.
Condition B3 – Noise Restrictions - Recommend inclusion of limits. Recommend that these be outlined in terms of 'zones'	<p>As responded to above, Parklands now propose to adopt the following zonal noise criteria:</p> <p><b>Inner Zone</b></p> <ul style="list-style-type: none"> <li>Between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 65dB(A) LAeq, 10-minutes or 75dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band; and</li> <li>Between midnight and 2am amplified entertainment noise from the event at sensitive receivers must not exceed 55dB(A) LAeq, 10-minutes or 70dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band.</li> </ul> <p><b>Outer Zone</b></p> <ul style="list-style-type: none"> <li>Between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 60dB(A) LAeq, 10-minutes or 70dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band; and</li> <li>Between midnight and 2am amplified entertainment noise from the event at sensitive receivers must not exceed 50dB(A) LAeq, 10-minutes or 65dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band.</li> </ul> <p>It is proposed that these zonal noise criteria (see <b>Appendix D</b>) are inserted in consent condition C16 – Noise Management Plan. The consent mark-up (<b>Appendix A</b>) has been amended to reflect this change.</p>
Condition B4 - Traffic Management and car parking. Please include justification for use of the southern car park for events of 10,000 patrons	The use of the southern car park for events of 10,000 patrons or more simply provides a great level of flexibility in terms of traffic management for this scale of events. It is not a critical aspect and as such Parklands are happy to withdraw this proposed amendment.
Condition B5 - Timing and duration of trial events. Please clarify the inconsistency with Condition C57	Parklands concur with the need to have timing and duration consistent and Condition C57 has been amended to accord with our requested modification for condition B5.
Condition B6 – Campers. Please include justification	From a best practice traffic management perspective allowing camping patrons to arrive onsite up to two

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<p>for the increased camper arrival and departure days. Why is this considered to be necessary?</p>	<p>days prior to the first event day reduces traffic arrival peaks (particularly on the day prior to the first event day). Typically 10-15% of camping patrons will arrive on this first camper arrival day. To date each event has nominated an additional “event day” as part of the event dates approval process with the DP&amp;E. Effectively this arrangement allows events an extra day to accept camping patrons. For example, the SITG event is a three-day event, however to better manage camper arrivals and traffic flows four event days are sought from the DP&amp;E (being Thursday, Friday, Saturday and Sunday). This arrangement thereby allows camper arrivals to commence on the Wednesday. Allowing the three additional camper arrival days means that approved event days (being a maximum of 10 days) can be allocated specifically for days that events operate rather than for the provision of camper arrivals. Note there would be no increase to camper departure days (i.e. a maximum of three departure days would remain static).</p>
<p>Condition C8 - Event Management Plan. Please include justification as to why an event management plan is not required for each trial event</p>	<p>An Event Management Plan is required for all small, medium and large trial events as currently defined in the approved Concept and Project Approvals issued by the PAC. However, an Event Management Plan is not deemed necessary for a small community trial event. The cost to produce an Event Management Plan for a small community event (i.e. community fun run) would be prohibitive and would likely result in the event not proceeding. The level of detail required in an Event Management Plan is not necessary for small community events and for this reason Condition C8 is proposed to be amended to allow this to occur.</p>
<p>Condition C10 - Traffic Control Plan - Please obtain confirmation from RMS and Council that they are both satisfied with this approach</p>	<p>Both RMS and Council have been consulted regarding the proposed amendments to the Traffic Control Plan. The changes reflect agreement from both parties regarding their respective roles in the endorsement of TCPs and approving of reduced speed zones and special event clearways. This is also why neither Council nor the RMS raised any issues or comments in the response to the Modification during public exhibition covering these aspects.</p>
<p>Condition C15 - Speed Changes - Please obtain confirmation from RMS and Council that they are both satisfied with this approach</p>	<p>Council is the approving authority for any speed changes of the surrounding local road network. Both RMS and Council have been consulted regarding the proposed amendments to C15. The changes reflect agreement from both parties regarding which agency is responsible for approving speed changes on surrounding roads. This is also why neither Council nor the RMS raised any issues or comments in the response to the Modification during public exhibition covering speed change approvals.</p>


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Condition C16 - Noise Management Plan Please consider the inclusion of zones which detail the differing requirements	<p>As responded to above, Parklands now propose to adopt the following zonal noise criteria:</p> <p><b>Inner Zone</b></p> <ul style="list-style-type: none"> <li>• Between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 65dB(A) LAeq, 10-minutes or 75dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band; and</li> <li>• Between midnight and 2am amplified entertainment noise from the event at sensitive receivers must not exceed 55dB(A) LAeq, 10-minutes or 70dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band.</li> </ul> <p><b>Outer Zone</b></p> <ul style="list-style-type: none"> <li>• Between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 60dB(A) LAeq, 10-minutes or 70dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band; and</li> <li>• Between midnight and 2am amplified entertainment noise from the event at sensitive receivers must not exceed 50dB(A) LAeq, 10-minutes or 65dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band.</li> </ul> <p>It is proposed that these zonal noise criteria (see <b>Appendix D</b>) are inserted in consent condition C16 – Noise Management Plan. The consent mark-up (<b>Appendix A</b>) has been amended to reflect this change.</p>
Condition C16 - Noise Management Plan Please review units of dB(C) limits	Parklands have adjusted the units of the dB(C) limits to align with proposed practice in the AMP for Splendour in the Grass 2015 (i.e. Leq, 63Hz). The consent mark-up ( <b>Appendix A</b> ) has been amended to reflect this change.
Condition C16 - Noise Management Plan - Recommend review of the INP re: adverse weather conditions (i.e. should be defined as 'G-class weather events')	The presence of adverse meteorological conditions will generally be determined in accordance with the methods described in <b>Appendix E</b> of the Industrial Noise Policy. Specifically, where possible, the presence of temperature inversions will be established through analysis of sigma-theta in accordance with the Turner Method.

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	<p>It is noted that G class atmospheric stability is typically considered the worst-case conditions due to the possibility of strong temperature inversions occurring.</p> <p>This class was added to the original scheme developed by Pasquill to accommodate extreme stable conditions typically observed in rural areas. Despite this, moderate and strong temperature inversions can occur in both F class and G class atmospheric stability conditions respectively. As such, it is important that the presence of temperature inversions not be limited to G class conditions in isolation.</p>
<p>Numbering of conditions (from C16 in Annexure A) should be reviewed as they do not align with the existing approval from this point forward</p>	<p>The consent mark-up (<b>Appendix A</b>) has been amended to reflect this change. Parklands apologises for this typographical error.</p>
<p>Condition C17 - Acoustic Monitoring Program - In relation to the statement '<i>where no noise agreement is in place</i>' - the Department assumes that the limits proposed are for those residents with agreements and that there would be different limits for others. The Department recommends providing means to delineate zones to enable this to be more accurately defined and managed by Parklands</p>	<p>As responded to above, Parklands now propose to adopt the following zonal noise criteria:</p> <p><b>Inner Zone</b></p> <ul style="list-style-type: none"> <li>• Between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 65dB(A) LAeq, 10-minutes or 75dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band; and</li> <li>• Between midnight and 2am amplified entertainment noise from the event at sensitive receivers must not exceed 55dB(A) LAeq, 10-minutes or 70dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band.</li> </ul> <p><b>Outer Zone</b></p> <ul style="list-style-type: none"> <li>• Between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 60dB(A) LAeq, 10-minutes or 70dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band; and</li> <li>• Between midnight and 2am amplified entertainment noise from the event at sensitive receivers must not exceed 50dB(A) LAeq, 10-minutes or 65dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band.</li> </ul>

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	<p>It is proposed that these zonal noise criteria are inserted in consent condition C16 – Noise Management Plan. Events are required to develop their Acoustic Monitoring Program (AMP) in line with the requirements of the approved Noise Management Plan (including the noise criteria). The AMP is consulted with members of the Regulatory Working Group (RWG) prior to being forwarded to the Secretary for approval. The consent mark-up (<b>Appendix A</b>) has been amended to reflect this change.</p>
<p>Condition C18 - Noise Mitigation - '<i>over more than two consecutive events</i>'. The Department requests that this be justified</p>	<p>Currently this noise mitigation condition can be triggered by any “sensitive receiver identified in the NMP or AMP or the landowner of a residence where subsequent noise monitoring shows that the noise generated by activities onsite is greater than the specified noise criteria”. Such a requirement means that an event may breach the specified noise criteria, for example, as a result of a particular meteorological condition such as a strong source to receiver wind or temperature inversion.</p> <p>With Parklands now adopting a zonal noise criteria arrangement as suggested by the DP&amp;E it now seems appropriate that this condition be applied to the “inner zone” given sensitive receivers in this zone have higher noise criteria as a result of their proximity to the venue.</p> <p>The reasoning behind modifying this condition to include '<i>over more than two consecutive events</i>' allows such adverse meteorological conditions to be taken into account and also allows the event to implement additional onsite noise mitigation measures to address any elevated noise emissions relating to an affected sensitive receiver.</p> <p>As such it is proposed that C18 be worded as follows:</p> <p>“Upon receiving a written request from any sensitive receiver located in the Inner Zone as depicted in the approved NMP, where subsequent noise monitoring shows that the noise generated by activities onsite is:</p> <ol style="list-style-type: none"> <li>a) Greater than the specified inner zone noise criteria;</li> <li>b) Is sustained in duration for that event (i.e. a minimum of 3 x 10 minute samples on any given event day) and</li> <li>c) That such inner zone noise criteria exceedances have occurred over at least two consecutive events;</li> </ol> <p>The proponent shall implement additional noise mitigation measures at the residence in consultation and</p>

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	agreement with the landowner. Mitigation measures may be in the form of double glazing, secondary glazing of 'weak' areas, insulation and must be reasonable and feasible. If within three (3) months of receiving this request from the landowner, the proponent and landowner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution".
Condition C20 - Updated Koala Plan of Management - 'if a resident population of koalas becomes established ... 'Please justify this addition through indicating the surveys that have been undertaken to indicate that there is no resident koala population	<p>The following whole of property Koala surveys have been carried out:</p> <ul style="list-style-type: none"> <li>• Yelgun Koala Survey (SEPP 44 Assessment) &amp; Koala Plan of Management, July 2007;</li> <li>• Byron Coastal Koala Habitat Survey, March 2012 (Biolink undertook searches across Parklands as part of this Council initiated assessment);</li> <li>• SEPP No. 44 Koala Survey/Habitat Reassessment, April 2013;</li> <li>• Koala Habitat Assessment, March 2014; and</li> <li>• Biennial Fauna Survey Report, October 2014;</li> </ul> <p>These assessments are in addition to the fauna and flora monitoring program survey and assessments which are carried out one month before, during and one month after an event held at Parklands. To date these assessments have been undertaken covering SITG2013, FFB13/14, SITG2014, FFB14/15 and SITG2015.</p> <p><b><u>No sightings of any Koala or Koalas at Parklands have ever been made during any of these extensive whole of property surveys and/or the five before/during/after event monitoring programs undertaken to date.</u></b> Eight years of assessments have not identified a single Koala on this site, let alone a "resident population".</p>
Condition C25 - Bushfire Emergency Evacuation Plan - Please clarify the frequency that this would be undertaken	Prior to any small, medium or large event taking place. The consent mark-up ( <b>Appendix A</b> ) has been amended to reflect this change.
Condition C37 - Erection of Temporary Structures - Provide further detail of the works that would be undertaken outside of 'daylight hours' and detail of	The following work can be undertaken inside erected facilities but outside of daylight hours. The following activities set out below do not create noise or light emissions sufficient to generate disturbance.

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<p>how these works would be undertaken to ensure that they would not generate disturbance</p>	<ul style="list-style-type: none"> <li>• Electrical wiring;</li> <li>• Painting;</li> <li>• Erection of acoustic drapes;</li> <li>• Office administration activities;</li> <li>• Cleaning;</li> <li>• Emergency sign installations;</li> <li>• Food preparation for workers;</li> <li>• Installation of fire safety equipment (i.e. extinguishers, etc);</li> <li>• Art installations;</li> <li>• Décor; and</li> <li>• Other similarly quiet preparatory activities.</li> </ul>
<p>Condition C41 - Positioning of Event Stages and Sound Equipment - Please provide further justification on the removal of this condition</p>	<p>This information is currently captured in both the Noise Management Plan and event specific Acoustic Monitoring Programs. Condition C41 is an unnecessary duplication of the requirements already captured in C16 and C17 of the project approval.</p>
<p>Condition C42 - Acoustic Monitoring - Please provide further justification for the removal of specific elements within this condition</p>	<p>This information is currently captured in event specific Acoustic Monitoring Programs approved by the DP&amp;E. Condition C42 is an unnecessary duplication of the requirements already captured in C17 of the project approval.</p>
<p>Condition C51 - Emergency Evacuation Plans - Please provide information on locations where these plans could be installed to provide patrons with adequate information in the event of an emergency</p>	<p>It is not considered appropriate to provide predetermined evacuation routes or locations to patrons. Each emergency will have its own specific characteristics and the assigned emergency managers will determine the specific evacuation circumstances for that emergency event. For example, bushfire evacuation routes will be very different to flood evacuation routes (one heads for the lowland open spaces while the other directs patrons to the higher more forested areas of the venue). The evacuation commands will then be distributed by means of the established chain of command.</p> <p>During a cultural event at the site, the specific Event Management Plan for that event contains detailed</p>

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	<p>response procedures for emergency management, including emergency evacuation. Emergency management during a large event has the following characteristics:</p> <ul style="list-style-type: none"><li>• Centralised Communications Model;</li><li>• On site Event Management Centre (EMC);</li><li>• Assigned primary assembly area;</li><li>• On site weather station &amp; METEYE data with BOM Special Weather Fire Forecasting Service providing site specific real time FDI data;</li><li>• Network of Security officers positions across the site to provide situation reports to the EMC during an emergency;</li><li>• 24 hours Event Security Coverage; and</li><li>• Extensive traffic control contingency plans to allow priority for emergency services.</li></ul>  <p>EMC in Operation Splendour in the Grass 2015</p>

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	<p>The human resources available on site to respond to an emergency coordinated by the EMC includes:</p> <ul style="list-style-type: none"> <li>• On site police with Police Command Centre;</li> <li>• RFS Command Centre (subject to consultation with and agreement by the RFS Far North Coast Team);</li> <li>• Private medical provider with doctors, Registered Nurses and Paramedics;</li> <li>• Up to 325 security personnel including fire wardens providing internal and external security;</li> <li>• Over 300 staff including fire wardens in camping areas; and</li> <li>• All event and camping zone areas are managed and supervised by fire wardens</li> </ul> <p>Emergency responses including evacuations are coordinated by the onsite Event Management Centre. The EMC is staffed with security, first aid, together with NSW Police. The EMC implements the Event Risk Assessment and Emergency Evacuation Plan that is a coordinated plan incorporating plans such as the flood and bushfire evacuation plans.</p>
<p>Commitment A111 - Ecological Impact Review - Please provide further justification for the removal of this commitment</p>	<p>The requirements of the ecological impact review have been incorporated into the Performance Report submitted annually to the Department. Included in the Performance Report is a detailed review of environmental performance against consent conditions, Parklands Environmental Health and Safety Management Manual and event specific Event Management Manual requirements. Specific environmental aspects covered in the Performance report include:</p> <ul style="list-style-type: none"> <li>• Impact prediction and performance;</li> <li>• Habitat restoration program;</li> <li>• Summary of monitoring results; and</li> <li>• Flora and fauna trends.</li> </ul> <p>Comprehensive environmental documentation covering environmental monitoring, analysis and performance assessment are included in the Performance Report including:</p>

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	<ul style="list-style-type: none"> <li>• Specific Environmental Performance reports for events in the calendar year being reported against;</li> <li>• Results and analysis of event impact monitoring data;</li> <li>• Permanent photo point vegetation assessment; and</li> <li>• Biennial fauna survey (depending on timing).</li> </ul> <p>The performance report is consulted with members of the RWG and the final report is made available to members of the public via the Parklands website.</p>
Commitment C3 - Managing demand on emergency and local services - Please provide further justification for the removal of ambulance services	The term “major event” is not defined in the current project approval. The proponent used the term “major event” in its original environmental assessment to define events greater than 35,000 patrons. The current project approval does not allow events greater than 35,000 patrons. Therefore the request to remove this commitment.
Commitment C8 - Transport and Traffic Management - This differs from Condition B4	The only aspect that differs from Condition B4 is in relation to the Level of Service (LoS) along the Tweed Valley Way (B4 says Los C). Parklands met with the RMS regarding this requirement and it was agreed that the more appropriate performance indicator was LoS D. Parklands has written correspondence from RMS to this effect.
Commitment C8 - Transport and Traffic Management - Please provide justification for removal of public transport mode share commitments	The public transport mode share commitments made under Commitment C8 relate to “70% and 100% capacity events”. The proponent used the terms “70% and 100% capacity events” in its original environmental assessment to define events greater than 35,000 patrons when it was seeking a maximum capacity of 50,000. The current project approval does not allow events greater than 35,000 patrons. This requirement should have been removed when the PAC modified the approval and provided the current trial approval. Therefore the request to remove this commitment.
Commitment C9 - Environmental Management - Please provide further justification regarding the deletion of the following “implementation of environmental repair works”	<p>The reference to environmental repair works under Commitment C9 refers to works described in B12 of the current Project Approval. The B series of commitments related to the construction phase of the project and have been fully implemented.</p> <p>The Private Certifying Authority responsible for the construction works signed off on these works as part of the completed construction certificate. As such, this Commitment is no longer required.</p>

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Commitment C9 - Environmental Management - - Please provide further justification regarding the deletion of the following “direction of event lighting”	The issue of event lighting and its direction is adequately covered under Commitment C9 (13).
Commitment C9 - Environmental Management - Please provide further justification regarding the deletion of the following “types of lights”	Commitment C9 (8) referred to the “use of low-pressure sodium vapour lights which are less attractive to insects or bats, where possible”. Unfortunately the “market” reality is that there is no supplier in Australia that provides low-pressure sodium vapour light towers. As such it is not possible to provide this type of lighting.
Commitment C9 - Environmental Management - Please provide justification for the inclusion of ' ... overhead lighting should be ( ... ) directed downwards, where possible'	The primary purpose of lighting is to provide a high level of safety to patrons and staff. In some cases, safety has been compromised due to the requirement to either direct lighting in a certain way and/or the provision of certain numbers of lighting towers being limited in order to meet environmental requirements. As such, the proponent is seeking the ability to manage lighting in a manner that does not compromise safety and which, where possible, can meet the requirements that support better environmental outcomes. Safety of patrons and staff is the number one priority of Parklands.
Commitment C11 - Wastewater Management - Please provide justification for the removal of part 12	Parklands will retain part 12 of Commitment C11.
Commitment C12 - Fire Management - Please provide justification for not seeking approval of managed fires prior to each event	<p>Managed bonfires are only utilised in the non-bushfire season. Details of proposed bonfires and their locations are included in each Bushfire Emergency Evacuation Plan (BEEP), which is reviewed by members of the RWG prior to being submitted to the Local Emergency Management Committee for endorsement. Parklands has also developed a Bonfire Management Procedure (NBP Procedure 004) as part of its Environmental Health and Safety Management Manual and this procedure will be included in all future BEEPs. The procedure has been presented to the Rural Fire Service (RFS) for their consideration and all comments received have been incorporated into the final document. The procedure covers the following points:</p> <ul style="list-style-type: none"> <li>• Pre-event bonfire activities;</li> </ul>

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	<ul style="list-style-type: none"> <li>• Bonfire management during an event;</li> <li>• Extinguishment of bonfires; and</li> <li>• Post-event activities.</li> </ul> <p>As such the RFS will still be required to provide their approval covering bonfires as part of the BEEP approval process.</p>
<p>Commitment C12 - Fire Management - Please provide justification for the removal of the requirement to engage RFS staff at each event</p>	<p>Parklands have developed a strong working relationship with the NSW Rural Fire Service. The statement that “Rural Fire Service personnel <u>shall</u> be engaged for the duration of the event” is not enforceable by Parklands. While Parklands has been fortunate that RFS has been present for all events to date, this has always been and always will be on the basis of their operational capacity at the time. The RFS have communicated with Parklands that if due to operational constraints they were unable to provide an onsite presence, they would always respond to a fire incident in exactly the same manner that they provide fire protection to the rest of the community.</p> <p>As this requirement is not enforceable it is requested that it be removed or changed to “Rural Fire Service personnel <u>will</u> be engaged for the duration of the event subject to operational constraints”.</p>
<p>Commitment C12 - Fire Management - Please provide justification as to the removal of the elements specific to each event</p>	<p>The terms “major event” is not defined in the current project approval. The proponent used the term “major event” in its original environmental assessment to define events greater than 35,000 patrons. The current project approval does not allow events greater than 35,000 patrons. Therefore the request to remove this point under C12.</p>
<p>Commitment C14 - Noise Management - Please provide additional justification for the removal of these commitments (aside from inclusion in management plans)</p>	<p>The purpose of revising this commitment was to achieve greater consistency with the current project approval. In many cases the original commitments were based on the proponent expecting to receive noise criteria similar to those issued to other outdoor events in NSW and Australia. As clearly stated in Condition A5 of the Project Approval (A5 (a)) in the event of any inconsistency between “the conditions of this approval and the Statement of Commitments included at Schedule 3, the conditions of this approval prevail”. As such every attempt has been made to include various commitments (that do not conflict with the current approval outlined) in C14 within either the Noise Management Plan or the event specific</p>

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	Acoustic Monitoring Program. Those that clearly conflict with the current project approval (i.e. “After midnight achieve a 55dB(A) level outside bedroom windows”) are asked to be removed.
Project Description (under the Concept Plan) - Addition of demountable - this is not consistent with the project approval	It is agreed that the insertion of “demountable” needs to be consistent between the concept approval and the project approval. Parklands have corrected this in the attached post-exhibition updates to the modifications sought.
Definitions (under the Concept Plan) - 'small community trial event'	The small community trial event definition has been changed as discussed above.
Definitions (under the Concept Plan) - Consistency with modifications requested within the Project Approval. Please review	<p>We have completed a review of the modifications to the Project Approval against the Concept Plan Approval and the following additional changes were undertaken to harmonise the two approvals:</p> <ul style="list-style-type: none"> <li>• Correct quantum for small trial event;</li> <li>• Correct quantum for medium trial event; and</li> <li>• Correct quantum for large trial event.</li> </ul>

***Department of Environment, Canberra ACT (119308)***

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The modification request seeks a tolerance of 5 dB over 65 dB(A) maximum noise limits under certain circumstances. The Department of the Environment seeks clarification as to how this requested tolerance relates to monitoring locations; specifically how it applies to the monitoring points along the Jones Road boundary with the Billinudgel Nature Reserve, as defined at Appendix 1 of the EPBC decision.	The modification seeks a tolerance of 5dB(A) over 65dB(A) maximum noise limits under certain circumstances (i.e. adverse meteorological conditions) with respect to “sensitive receptors” as defined in the existing project approval (i.e. residence, education institution, health care facility and/or religious facility). The three monitoring points along the Jones Road boundary within the Billinudgel Nature Reserve, as defined at Appendix 1 are not affected by this request for tolerance (i.e. the maximum noise limit for these locations will remain at 65dB(A)).

**Tweed Shire Council, Murwillumbah NSW (118703)**

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No objections are raised to the proposed changes to the definitions of large, medium and small trial event	Noted.
No objection to the addition of the definition of small community event, however due to the matter of outdoor cinema events having amplified sound inclusive of low frequency element, it is recommended that these events be included within the small trial event	Noted.
Tweed Shire Council has concerns with regard to the proposed removal of C16 (1). During the trial period it is not considered appropriate to remove the requirement to consider background noise levels. The Review of Noise Limits FINAL report prepared by Air Noise Environment dated April 2015 has not presented the background noise data, as conditionally required, in a format as stipulated within the NSW Industry Noise Policy across the 3 periods: day, evening and night. An understanding of the background vs. exposure levels will aid in understanding the level of disturbance experienced by the community in relation to background levels. The introduction of considering low frequency monitoring would also aid in the understanding of	Noted. It appears that the Environmental Health Officer who has prepared the response by Tweed Shire Council may have misunderstood the intent of Modification 3. That is, to move away from a “background-plus” noise criteria regime to one of absolute limits (both A and C weighted) at affected boundaries. The Review of Noise Limits FINAL report prepared by Air Noise Environment dated April 2015 is not “conditionally required” to present background noise data, rather the report was prepared specifically for this modification and to demonstrate that by setting noise criteria for the currently unregulated C-weighted frequencies, this would improve overall community amenity.

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<p>comparisons. Sleep disturbance in particular is considered an issue where the level of exposure, measured LA1, 1 min, is 15 dB(A) above background, LA90, 15 min, measured outside of the bedroom window</p>	
<p>Concern is also raised with regard to the proposed amendment of C16 (2). The report provided does not present proposed limits in comparison of complaints received and details of the noise exposure levels that triggered the complaints. Would it be that the proposed limits are below the noise exposure experienced that trigger complaints?</p>	<p>The Review of Noise Limits FINAL report prepared by Air Noise Environment dated April 2015 focused significantly on data captured by the community hotline covering 4 events held at North Byron Parklands. The resulting analysis highlighted that a majority of calls to the community hotline were in response to bottom end or C-weighted sound. To address this issue the modification seeks to establish C-weighted noise criteria. The current trial approval does not have any such bottom end limits.</p>
<p>There is also very little commentary on the potential for sleep disturbance and the noise exposure limits set in consideration of the duration of the event. People exposed to low-level noise that is audible, unwanted, uncontrollable, unpleasant in character and if the home provides no refuge from it have the potential to become highly stressed. Sleep arousal is also a function of both noise level and the duration of the noise. Note: It is generally agreed speech interference levels starts at around 50 dB(A) for octave bands centred on the main frequencies 500 Hz, 1 kHz and 2 kHz. For normal speech communications at a distance of approximately 1 m, a background noise of no more than 45 dB(A) is</p>	<p>After analysing data from SITG15 and consulting with the DP&amp;E, Parklands now proposes the following zonal noise criteria:</p> <p><b>Inner Zone</b></p> <ul style="list-style-type: none"> <li>• Between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 65dB(A) LAeq, 10-minutes or 75dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band; and</li> <li>• Between midnight and 2am amplified entertainment noise from the event at sensitive receivers must not exceed 55dB(A) LAeq, 10-minutes or 70dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band.</li> </ul> <p><b>Outer Zone</b></p> <ul style="list-style-type: none"> <li>• Between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 60dB(A) LAeq, 10-minutes or 70dB (lin) measured as Leq, 10-minutes in the 63</li> </ul>

Aspect	Parklands Response
<p>preferable, 55 dB(A) is just acceptable and 65 dB(A) will require extra vocal effect to be understood. The limits proposed, if deemed adequate for the remainder of the trial period, should be "and" not "or" in 3(a) and (b) with the time period of measurement being 15mins, not 10mins, in line with standard practice</p>	<p>hertz 1/1 octave band; and</p> <ul style="list-style-type: none"> <li>Between midnight and 2am amplified entertainment noise from the event at sensitive receivers must not exceed 50dB(A) LAeq, 10-minutes or 65dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band.</li> </ul> <p>With respect to changing C16 from “or” to “and” Parklands believes it is important to comply with both A and C weighted noise criteria. Using “or” instead of “and” achieves this requirement.</p> <p>Regarding the sampling period, the Regulatory Working Group members requested 10-minute time sample periods to allow more measurements to be taken. This change was also consulted with the NSW EPA, who while not the regulator for noise, have provided written advice that they have no objection to this sampling time period.</p>

**Office of Environment and Heritage, Coffs Harbour NSW (119471)**

Aspect	Parklands Response
<p>OEH acknowledges that some work in line with the Ecological Structure Plan has been implemented by the proponent. However, the exact scope and timing of implementing the Ecological Structure Plan and other rehabilitation works are currently not clearly defined in enough detail to enable accurate auditing of the existing approval conditions</p>	<p>Parklands have since provided documentation to OEH highlighting the habitat restoration works to date. Further, Parklands met with Mr Krister Waern from OEH and the Parklands Bush Regeneration Manager and undertook a comprehensive site tour. During this tour the Officer was shown the extensive level of tree plantings and naturally occurring regeneration (as a result of cattle removal) across the site and in line with the Vegetation Management and Biodiversity Plan. The Officer confirmed that the habitat restoration works were important in terms of improving previously cleared lands. Parklands have agreed to quantify habitat restoration works undertaken to date as part of its ongoing habitat restoration reports generated each year.</p>
<p>OEH recommends the following conditions of approval for the modification proposal: 1. North Byron Parklands must develop an</p>	<p>Parklands has a Habitat Restoration plan that has been reviewed by the Regulatory Working Group, approved by the Secretary and which is three years into a ten-year plan. To date this program has significantly improved habitat values across key areas of the site and is considered to be well documented</p>

Aspect	Parklands Response
<p>implementation schedule for all works associated with the Ecological Structure Plan and the current approval documents in consultation with the Regulatory Working Group and OEH.</p> <p>2. The works to be implemented under the Ecological Structure Plan must be detailed in the implementation schedule for the remainder of the approved five year trial period.</p> <p>3. The implementation schedule must be finalised to the satisfaction of the Department of Planning and Environment by 30 September 2015.</p> <p>4. All works identified in the finalised implementation schedule must be completed by 31 December 2017</p>	<p>and managed. Based on the investment in habitat restoration to date and the progress documented in the annual habitat restoration reports, Parklands is on track to undertake the balance of the restoration works within the timeframes originally committed to. Parklands have agreed to quantify habitat restoration works undertaken to date as part of its ongoing habitat restoration reports generated each year.</p>

***Byron Shire Council, Mullumbimby NSW (118824)***

Aspect	Parklands Response
<p>Noise impacts associated with the event site is a key community issue. Council is particularly concerned with conditions that relate to noise levels as Council has received a number of complaints from the surrounding residents in relation to previous events</p>	<p>Noted.</p>
<p>Council understands that it is the Department of Planning and Environment's role to enforce the conditions of the development approval, including</p>	<p>Noted.</p>

Aspect	Parklands Response
noise monitoring	
The Department of Planning and Environment should not support the modifications unless satisfied that the proposal will not result in significant adverse impacts on the natural and built environments and the amenity of the locality	Noted.
If the proposal is supported, the Department should ensure adequate measures are applied to mitigate impacts where appropriate	Noted.

***Roads and Maritime Services, Grafton NSW (119139)***

Aspect	Parklands Response
The modification to the Level of Service (LoS) performance criteria for the Tweed Valley Way and Brunswick Valley Way is accepted. The change from LoS C to LoS D is consistent with previous advice from Roads and Maritime to your Department	Noted.
There are concerns with the modification to have small events up to 3000 patrons. Data from events previously held at the site indicates the highway is the primary travel route to the North Byron Parklands site. The link road between the Yelgun Interchange roundabout and the Tweed Valley Way has a limited capacity before queuing vehicles	Greg Alderson and Associates (Traffic Engineers) were engaged to undertake additional Traffic Impact Assessment (TIA) to specifically address the matters raised by RMS (refer <b>Appendix C</b> ). As part of the TIA analysis of traffic surveys collected at a wide range of festivals, trade shows and a sporting field, shows that small events have the potential to create concentrated peaks in event traffic, which could temporarily cause congestion at the Yelgun Interchange and Link Road intersection. This congestion could occur both during arrival and departure. The TIA shows that the traffic load on the Yelgun Interchange and Link Road intersection during events such as fairs and non-music camping events is acceptable. Level of Service and

Aspect	Parklands Response
impact on the interchange southbound off ramp	<p>queue lengths comply with the current consent traffic KPI's (C10) for events up to 3,000 patrons.</p> <p>Other events however, such as trade shows, non-music festivals and cinema events (due to more defined start and finish times) could cause congestion at the Link Road intersection during arrival, with the potential of queuing on the motorway off ramps and onto the motorway in some situations. During departure, the right turn from Tweed Valley Way onto the Link Road could also become congested.</p> <p>For events with a defined start and finished time, these issues could be mitigated as follows:</p> <ul style="list-style-type: none"> <li>• Option A: for a 3,000 patron event, at least 50% of patrons would have to arrive by bus, or;</li> <li>• Option B: a maximum patronage of 1,500 patrons is set for these events.</li> </ul>

***Primary Industries NSW - Aquaculture & Aquatic Environment, Wollongbar, NSW (118667)***

Aspect	Parklands Response
The proposed modifications do not trigger involvement from Fisheries NSW.	Noted.

***NSW Trade & Investment - Division of Resources & Energy, Maitland, NSW (118663)***

Aspect	Parklands Response
The Department of Trade and Investment - Geological Survey of NSW has no resource issues to raise regarding the above matter.	Noted.

### 3.4 Objecting submissions

A total of **68** submissions were received and classified by the DP&E as objecting to modification 3. Of these submissions 6 were from non-government organisations/community groups and 62 from individuals. The key issues have been listed in the following table along with Parkland’s response.

Each of these submissions is individually reproduced in Appendix F with Parklands’ detailed response provided in blue text.

Aspect	Parklands Response
Concerned about an increase in sound	<p>Parklands and the events have worked closely with their noise consultants (ANE) and used the learnings from SITG14 to develop and present a set of proposed noise criteria that, in addition to being consistent with industry best practice, would result in a reduction in sound emissions experienced by sensitive receivers during previous festivals. The current noise criteria is based on “background-plus” limits which penalises events held during winter months. During winter background levels are up to 10dB lower than those recorded in summer. This has been repeatedly verified by way of multiple winter and summer background surveys undertaken by Parklands.</p> <p>So while front of house music levels have been consistent between Falls Festival (a summer event) and Spendour in the Grass (a winter event) only Falls festival has been able to comply with the existing project approval’s noise limits, while Splendour in the Grass has not (due to the drop in ambient background noise levels). As such Parklands are proposing noise criteria that are based on an absolute level at the boundary of the receiver. This is very much in line with how other outdoor festivals are regulated in both NSW and other parts of Australia. It is important to note that the proposed A-weighted limits would result in both events complying with this criterion, while <b>not increasing</b> A-weighted emissions at these receivers.</p>

Aspect	Parklands Response
	<p>Historically, where concerns have been raised by the community in relation to noise, a review of both the community hotline register and noise samples taken across consecutive events shows that many residents are hearing the bass or bottom end, which can be a more intrusive sound wave for some people. The current project approval sets no limits for this bottom end and it is Parkland’s assertion (based on the noise assessment work undertaken by ANE, refer <b>Appendix D</b>) that in setting such limits events would be required to set levels at stages to meet this criteria offsite. Currently no such restriction applies.</p> <p>The net result of the proposed noise criteria would therefore be an overall reduction in noise emissions at sensitive receivers (not an increase), thus markedly improving the amenity of the surrounding community.</p> <p>Since lodging this modification in May 2015, another large trial event, Splendour in the Grass 2015 (SITG15) has been held at Parklands. In total there were 296 attended noise samples taken across the event period at varying locations and during varying meteorological conditions.</p> <p>This data has since been analysed as part of the DP&amp;E’s request to review the proposed noise limits. In particular, the data has been assessed in terms of the establishment of varied noise ‘zones’ to increase community amenity. For the SITG15 event two categories of data sets were analysed being samples taken as a result of calls to the community hotline and additional samples taken by acoustic engineers surrounding the venue where music (event related sound) was audible. In both cases A and C weighted samples were collected. Importantly, apart from a number of samples affected by traffic noise, A-weighted levels were recorded between 41 and 59 dB(A), similar to the 5 day Blues Fest event.</p> <p>This data has shown that implementing a varied noise criteria based on two zones (an inner and outer zone arrangement) would mean that the noise criteria proposed for the outer zone could be reduced from that originally proposed in Modification 3.</p>

Aspect	Parklands Response
	<p>The data sets show that the inner zone could be based on a distance of one kilometre from the boundary of the venue property, while the outer zone would cover all areas surrounding the venue (including those with higher housing densities such as South Golden Beach, Fern Beach and North Ocean Shores). All of receptors located in the inner zone have formal agreements in place with the venue and/or receive tickets to the event.</p> <p>At a meeting with the DP&amp;E on 3<sup>rd</sup> of September 2015 the following revised noise criteria was proposed by Parklands based on a zonal arrangement as follows:</p> <p><b>Inner Zone</b></p> <ul style="list-style-type: none"> <li>• Between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 65dB(A) LAeq, 10- minutes or 75dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band; and</li> <li>• Between midnight and 2am amplified entertainment noise from the event at sensitive receivers must not exceed 55dB(A) LAeq, 10- minutes or 70dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band.</li> </ul> <p><b>Outer Zone</b></p> <ul style="list-style-type: none"> <li>• Between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 60dB(A) LAeq, 10- minutes or 70dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band; and</li> <li>• Between midnight and 2am amplified entertainment noise from the event at sensitive receivers must not exceed 50dB(A) LAeq, 10- minutes or 65dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band.</li> </ul>

Aspect	Parklands Response								
	<p>For the outer zone these newly proposed noise criteria would result in the following change versus the blanket limits provided in the modification as submitted:</p> <ul style="list-style-type: none"> <li>• 11am to midnight <ul style="list-style-type: none"> <li>○ A-weighted – 65dB(A) down to 60dB(A); and</li> <li>○ C-weighted – 75dB(C) down to 70dB(C).</li> </ul> </li> <li>• Midnight to 2am <ul style="list-style-type: none"> <li>○ A-weighted – 55dB(A) down to 50dB(A); and</li> <li>○ C-weighted – 70dB(C) down to 65dB(C).</li> </ul> </li> </ul>								
Parklands cannot be compared to other festival sites	<p>It is noted that the unsuitability of the existing noise limits is not expected to be limited to the current Parklands venue. In fact, most venues in Australia able to accommodate events of the size supported by Parklands would similarly be restricted in their ability to operate within these existing noise limits.</p> <p>ANE’s report (North Byron Parklands, Mod 3, Part 2, Table 3.3) provides a summary of the noise limits applied to a range of outdoor music entertainment events in Australia (including multi-day outdoor camping festivals and multi-use outdoor venues).</p> <p>A review of the information provided in Table 3.3 indicates that noise limits for other venues similar to Parklands include:</p> <table border="1" data-bbox="848 1042 2002 1348"> <thead> <tr> <th data-bbox="848 1042 1144 1098">Camping Event</th> <th data-bbox="1144 1042 1413 1098">Setting/LGA</th> <th data-bbox="1413 1042 1709 1098">Noise Limits</th> <th data-bbox="1709 1042 2002 1098">Number of Complaints</th> </tr> </thead> <tbody> <tr> <td data-bbox="848 1098 1144 1348"> Falls Festival (Lorne, VIC)  28<sup>th</sup> December 2014 to 1<sup>st</sup> January 2015  <b>Five Day Event</b>  (11am – 2am) </td> <td data-bbox="1144 1098 1413 1348"> Rural  Surf Coast Shire </td> <td data-bbox="1413 1098 1709 1348"> <ul style="list-style-type: none"> <li>• 11am to 11pm – 65 dB(A) Leq at the residence</li> <li>• 11pm to 2am – 55 dB(A) Leq at the residence</li> </ul> </td> <td data-bbox="1709 1098 2002 1348"> No complaints </td> </tr> </tbody> </table>	Camping Event	Setting/LGA	Noise Limits	Number of Complaints	Falls Festival (Lorne, VIC) 28 <sup>th</sup> December 2014 to 1 <sup>st</sup> January 2015 <b>Five Day Event</b> (11am – 2am)	Rural Surf Coast Shire	<ul style="list-style-type: none"> <li>• 11am to 11pm – 65 dB(A) Leq at the residence</li> <li>• 11pm to 2am – 55 dB(A) Leq at the residence</li> </ul>	No complaints
Camping Event	Setting/LGA	Noise Limits	Number of Complaints						
Falls Festival (Lorne, VIC) 28 <sup>th</sup> December 2014 to 1 <sup>st</sup> January 2015 <b>Five Day Event</b> (11am – 2am)	Rural Surf Coast Shire	<ul style="list-style-type: none"> <li>• 11am to 11pm – 65 dB(A) Leq at the residence</li> <li>• 11pm to 2am – 55 dB(A) Leq at the residence</li> </ul>	No complaints						

Aspect	Parklands Response			
	<b>Camping Event</b>	<b>Setting/LGA</b>	<b>Noise Limits</b>	<b>Number of Complaints</b>
	Falls Festival (Marion Bay, TAS) 29 <sup>th</sup> December 2014 to 1 <sup>st</sup> January 2015 <b>Four Day Event</b> (11am to 6am)	Rural Sorrell Council	<ul style="list-style-type: none"> <li>• 11am to 11pm – 65 dB(A) Leq at the residence</li> <li>• 11pm to 2am – 55 dB(A) Leq at the residence</li> <li>• 2am to 6am – 40 dB(A) Leq at the residence</li> </ul>	One Complaint
	Splendour in the Grass (Woodford QLD) <b>Four Day Event</b> 28 <sup>th</sup> July to 31 <sup>st</sup> July 2011 (24 hours)	Rural Moreton Bay Regional Council	<ul style="list-style-type: none"> <li>• 11am to midnight – 60 dB(A) Leq at the residence</li> <li>• Midnight to 2am – 50 dB(A) at the residence</li> </ul>	4 complaints
	Woodford Folk Festival (Woodford QLD) 27 December 2014 to 1 <sup>st</sup> January 2015 <b>Six Day Event</b> (10am to 2.00am)	Rural Moreton Bay Regional Council	<ul style="list-style-type: none"> <li>• 11am to midnight – 60 dB(A) Leq at the residence</li> <li>• Midnight to 2am – 50 dB(A) at the residence</li> </ul>	No complaints

Aspect	Parklands Response
	<p>Each of these mulit day camping events have absolute noise levels at receivers and for most time periods can operate up to 65dB(A). Under the current project approval Splendour in the Grass has limits for some receivers as low as 42 dB(A), almost a six-fold reduction in noise levels.</p> <p>To provide a level playing field it is important to consider how other regulators set noise limits. The literature review undertaken by ANE shows overwhelmingly that absolute noise limits at receivers is the more consistent approach, thereby avoiding seasonal fluctuations in ambient background levels.</p>
Concerned about environmental impacts	<p>In February 2015 Dr Mark Fitzgerald provided the following fauna assessment. Results of fauna surveys at North Byron Parklands in August 2007 and February 2009 indicated that greater than 75% of fauna species were recorded in native forests. Event Impact Monitoring (EIM) during the first two years of operation has therefore focussed on birds, small mammals and micro-bats within forested habitats in Parklands and in the Billinudgel Nature Reserve. Combined results of EIM include 13,000 records of 106 bird species and 5,700 records of approximately 20 microchiropteran bat species. Fauna species recorded include four threatened birds and nine threatened bats (8 micro-bats and the Grey-headed Flying-fox). The Osprey and Rose-crowned Fruit-dove were recorded in Parklands and all of the 9 threatened bat species were also recorded in Parklands.</p> <p>No evidence of significant adverse impacts from the conduct of events was evident for any of the fauna groups monitored or for native vegetation. Instead, clear patterns are evident of resource abundance influencing the number of birds, particularly large-scale blossom events, but also fruiting of Camphor Laurel. Greatest recorded abundance of micro-bats during the first Falls festival close to event activities suggest that event processes did not adversely affect this faunal group.</p> <p>Predicted adverse effects from events include: Grey-headed Flying-foxes avoiding blossom in illuminated tree canopies, but attending this tree canopy after lights were switched off. Changes to areas of non-native grassland within the event areas resulted in changes to the bird species present, as predicted.</p>

Aspect	Parklands Response
	<p data-bbox="846 290 1771 316">Dr Robert Kooymann provided the following flora assessment, also in February 2015.</p> <p data-bbox="846 379 2018 639">Permanent photo point monitoring of (25) selected ‘event’ areas on the North Byron Parklands property commenced in 2013. The brief was to monitor those areas in relation to the potential impacts of events on the native forest and other vegetation. Across the period of time monitored to date (2013-2015) there has been no discernible or measurable impacts on, or decline in, native forest habitats. The exclusion by fencing, and removal of cattle from remnant native vegetation areas has seen substantial easing of grazing pressure and damage to native vegetation, and the removal of the key source of trampling and soil compaction within forest areas.</p> <p data-bbox="846 703 2018 890">Reforestation and restoration of native forest vegetation has seen significant improvement both in terms of area and quality of native forest in selected locations. In preparing the site for events, fencing, extensive drainage, road construction, and expansion of hard surfaces was undertaken in close proximity to remnant forest vegetation. Despite those changes, no direct negative impacts of those actions or events on the existing forest vegetation have been observed or recorded during the monitoring period.</p> <p data-bbox="846 954 2018 1329">During the same period the large area of non-native pasture on the property has been released from grazing and subjected to more intensive tractor mowing and levelling. While some evidence of human-induced trampling of grassy areas following events has been observed, recovery to date has been rapid. Perhaps the biggest shifts in relation to grass cover are reduction in area by expansion of hardened surfaces, and the more intensive mowing. Together, those factors potentially simplify the structure of the grass sward across the property, and result in the loss of seasonal tall grass domination. Overall, the permanent photo point record shows rapid recovery of grassed areas following events, no measurable disturbance of native forest vegetation to date, improvement of native vegetation in response to cattle removal and forest rehabilitation, and a reduction in area and shift in the grassed areas from rough pasture to lawn like open spaces.</p>

Aspect	Parklands Response
History of non-compliance with noise limits	<p>The current noise limits derived from existing background levels are designed for permanent noise sources in order to control the audibility of the noise for nearby noise sensitive receptors (e.g. industry, permanent music venues such as pubs and clubs). Background plus noise limits are not appropriate for an activity that currently operates for 8 days per annum. The background data presented in the original Environmental Assessment was collected in the summer months when ambient background levels are much higher than in winter. Accordingly, the approving authority could not have been aware that during winter, when there is very little extraneous noise (insects, wind, etc), the background noise levels can sometimes be as low as 30 dB(A) for locations away from roadways. This in turn can result in noise limits as low as 40 dB(A) during the daytime and evening. As a consequence, the current noise criteria means that while the same event noise emissions generated in summer are below the set noise limits, these will be exceeded during winter.</p> <p>Despite SITG14's non-compliance with A-weighted noise criteria (due to the difference in summer and winter background levels), the event generated A-weighted emissions at sensitive receivers similar to those emitted by FFB 14/15 (which were in full compliance with existing noise criteria based on summer background levels).</p> <p>At SITG14 non-compliances with the LAeq background +10 dB and background +5 dB noise limits were observed from 8:00am, i.e. more than three hours prior to event entertainment commencing. Put simply SITG operating at the same music noise level as FFB, cannot comply with existing A-weighted background plus noise criteria due to significantly lower background levels in winter (up to 10 db(A) lower than in summer at many sensitive receivers).</p> <p>Parklands and the events therefore, have worked closely with their noise consultants (ANE) and used the learning's from previous festivals, to develop a set of proposed noise criteria that in addition to being consistent with industry best practice, would result in a significant reduction in sound emissions experienced by some residents during previous festivals.</p>

Aspect	Parklands Response
	<p>Since lodging this modification in May 2015, another large trial event, Splendour in the Grass 2015 (SITG15) has been held at Parklands. In total there were 296 attended noise samples taken across the event period at varying locations and during varying meteorological conditions.</p> <p>This data has since been analysed as part of the DP&amp;E's request to review the proposed noise limits. In particular, the data has been assessed in terms of the establishment of varied noise 'zones' to increase community amenity. For the SITG15 event two categories of data sets were analysed being samples taken as a result of calls to the community hotline and additional samples taken by acoustic engineers surrounding the venue where music (event related sound) was audible. In both cases A and C weighted samples were collected. Importantly, apart from a number of samples affected by traffic noise, A-weighted levels were recorded between 41 and 59 dB(A), similar to the 5 day Blues Fest event.</p> <p>This data has shown that implementing a varied noise criteria based on two zones (an inner and outer zone arrangement) would mean that the noise criteria proposed for the outer zone could be reduced from that originally proposed in Modification 3.</p> <p>The data sets show that the inner zone could be based on a distance of one kilometre from the boundary of the venue property, while the outer zone would cover all areas surrounding the venue (including those with higher housing densities such as South Golden Beach, Fern Beach and North Ocean Shores). All of receptors located in the inner zone have formal agreements in place with the venue and/or receive tickets to the event.</p> <p>At a meeting with the DP&amp;E on 3<sup>rd</sup> of September 2015 the following revised noise criteria was proposed by Parklands based on a zonal arrangement as follows:</p>

Aspect	Parklands Response
	<p><b>Inner Zone</b></p> <ul style="list-style-type: none"> <li>• Between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 65dB(A) LAeq, 10- minutes or 75dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band; and</li> <li>• Between midnight and 2am amplified entertainment noise from the event at sensitive receivers must not exceed 55dB(A) LAeq, 10- minutes or 70dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band.</li> </ul> <p><b>Outer Zone</b></p> <ul style="list-style-type: none"> <li>• Between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 60dB(A) LAeq, 10- minutes or 70dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band; and</li> <li>• Between midnight and 2am amplified entertainment noise from the event at sensitive receivers must not exceed 50dB(A) LAeq, 10- minutes or 65dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band.</li> </ul> <p>For the outer zone these newly proposed noise criteria would result in the following change versus the blanket limits provided in the modification as submitted:</p> <ul style="list-style-type: none"> <li>• 11am to midnight <ul style="list-style-type: none"> <li>○ A-weighted – 65dB(A) down to 60dB(A); and</li> <li>○ C-weighted – 75dB(C) down to 70dB(C).</li> </ul> </li> <li>• Midnight to 2am <ul style="list-style-type: none"> <li>○ A-weighted – 55dB(A) down to 50dB(A); and</li> <li>○ C-weighted – 70dB(C) down to 65dB(C).</li> </ul> </li> </ul>

Aspect	Parklands Response
Proposed small events are poorly defined	<p>Parklands' application to host small community events is a reflection of the solid relationship developed with various community groups and local school and educational institutes keen to hold such events at Parklands. Allowing small community events at Parklands such as local school cross-country runs, open-air cinema and minor sporting events will provide a significant social asset to the community located in the north of Byron Shire, where such facilities are lacking. (North Byron Parklands Mod 3, Part 1, p10).</p> <p>While Parklands stated that Small Community Events would be non-music focussed it is agreed that a clearer definition is provided. As such Parklands proposes that the definition of a Small Community Trial Event is:</p> <p>“A non-music focused event such as trade show, fun run, food fair, school carnival, moonlight cinema and the like with up to 3,000 patrons”.</p>
Trial conditions should not change during 5 year trial period	<p>When setting event noise criteria the Planning &amp; Assessment Commission (PAC) stated, “noise control levels are to be reviewed after the first year of trial to assess their suitability and performance...” To facilitate the review required by the PAC and take into account the proponent’s observations with respect to bass noise emissions, a number of expert Acoustic Reports have been commissioned. To date, event implementation improvements have been made through refinements to systems and procedures rather than by modification of the trial approval terms. However, it has been identified that a number of modifications to the existing trial approval would further improve performance at the venue. The set of noise criteria recommended in the expert Acoustic Report equate to those previously recommended by the Department to the PAC following its assessment of the original application. (North Byron Parklands, Mod 3, Part 1, pii).</p> <p>Furthermore it is now proposed to implement a zonal arrangement (inner and outer zones) with differing noise criteria that will improve the amenity of community members. In particular, reductions in bass frequency noise criteria have been made and include:</p>

Aspect	Parklands Response
	<p><b>Inner Zone</b></p> <ul style="list-style-type: none"> <li>• Between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 65dB(A) LAeq, 10- minutes or 75dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band; and</li> <li>• Between midnight and 2am amplified entertainment noise from the event at sensitive receivers must not exceed 55dB(A) LAeq, 10- minutes or 70dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band.</li> </ul> <p><b>Outer Zone</b></p> <ul style="list-style-type: none"> <li>• Between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 60dB(A) LAeq, 10- minutes or 70dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band; and</li> <li>• Between midnight and 2am amplified entertainment noise from the event at sensitive receivers must not exceed 50dB(A) LAeq, 10- minutes or 65dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band.</li> </ul> <p>For the outer zone these newly proposed noise criteria would result in the following change versus the blanket limits provided in the modification as submitted:</p> <ul style="list-style-type: none"> <li>• 11am to midnight <ul style="list-style-type: none"> <li>○ A-weighted – 65dB(A) down to 60dB(A); and</li> <li>○ C-weighted – 75dB(C) down to 70dB(C).</li> </ul> </li> <li>• Midnight to 2am <ul style="list-style-type: none"> <li>○ A-weighted – 55dB(A) down to 50dB(A); and</li> <li>○ C-weighted – 70dB(C) down to 65dB(C).</li> </ul> </li> </ul>

Aspect	Parklands Response
<p>The community hotline does not reflect true number of complaints</p>	<p>Parklands and both events take all community concerns and complaints seriously and members of the community have the ability to lodge complaints by phone with the event hotline and by email. Parklands acknowledge the event hotline experienced difficulties for a number of hours during the very first event.</p> <p>However, since then Parklands is confident that the hotline receives and logs all calls, particularly with the improvements implemented at SITG15 that included installing a PABX system with multiple telephone lines and the recording of all incoming and outgoing calls to the hotline.</p> <p>The community hotline register is provided to the DP&amp;E post each event and copies are tabled with members of the Regulatory Working Group (RWG). The community hotline register for SITG15 recorded zero complaints regarding the hotline or access to this service, reflecting the effectiveness of the improvements that were recommended by community representatives sitting on the RWG.</p> <p>In addition to the hotline service, the Community Manager makes his mobile and email address available by way of a letter drop to 3,000 homes prior to each event for community issues and feedback. During event times this manager responds to issues, recommendations and complaints personally. Throughout the year the General Manager and Community Advocacy Officer respond personally to such matters.</p>
<p>Noise monitoring and noise management is inadequate</p>	<p>Parklands approach to acoustic monitoring and noise management is rigorous and highly detailed. Prior to the commencement of any event where amplified noise is a feature, a qualified acoustic consultant prepares and implements an Acoustic Monitoring Program (AMP) to monitor and assess the impact of noise generated by the event on the amenity of the area. The AMP has always been prepared in consultation with the RWG and is consistent with the provisions and limits within the NMP required under Condition C16.</p> <p>In addition, a Noise Management Plan (NMP) outlining measures to manage and minimise potential noise impacts of events is prepared by a qualified acoustic consultant. The NMP is prepared in consultation with</p>

Aspect	Parklands Response
	<p>the RWG, and submitted to the Secretary for approval at least 60 days prior to any event where amplified music is a feature. For more information regarding Parklands detailed monitoring and noise management procedures please see (North Byron Parklands Mod 3, Part 2, Annexure A, Section C16).</p> <p>Community representatives at the RWG have raised this same matter and Parklands acknowledges that there were problems with the original noise consultant, which was unfortunate because it has caused a number of inconsistencies in the earlier data sets. However, since SITG14 ANE have been engaged and have put in place a comprehensive monitoring and data analysis methodology, which has been tabled for consideration at numerous RWG meetings. ANE have also completed a comprehensive winter background survey, and have expanded on the existing summer background surveys by capturing data in December 2014 for a number of key receptors including R12 and R13. ANE also rewrote both the Noise Management Plan and the Acoustic Monitoring Program for events in plain English and have gone to great lengths to communicate results more clearly and consistently.</p> <p>To facilitate a greater understanding of the acoustic monitoring program now well established by ANE, the RWG Chairperson recommended Parklands convene a meeting with interested RWG members to discuss the technical aspects of noise monitoring. Parklands agreed to this action. (RWG Minutes, 1 April 2015). Further to this point Mayor Simon Richardson, a member of the RWG, said that it was an important role of the community representatives to disseminate accurate information provided by Parklands and the RWG to clarify misconceptions and respond to questions raised by members of the community. (RWG Minutes, 1 April 2015).</p> <p>Finally, with respect to the latest event held at Parklands (SITG15) in consultation with both the venue and event management it was agreed to increase the number of acoustic engineers per event day/night shift from 3 to 5 engineers to capture a greater number of noise level samples. Increasing the number of acoustic engineers allowed the event to not only capture data associated with calls to the community hotline, it also</p>

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	provided a significant number of additional noise samples to be collected during the event. In total there were 296 attended noise samples taken across the event period at varying locations and during varying meteorological conditions. It is unlikely that any other outdoor venue in Australia takes such numbers of attended noise monitoring samples.
Reject the use of the southern car park	Noted. Parklands withdraw its request to use the existing Southern car park for events under 20,000 patrons.
Proposed new noise limits will negatively affect community amenity	<p>Parklands appreciates that it's immediate and nearby neighbours are potentially the most impacted by event acoustics. To that end, Parklands commenced consultation with adjoining owners even prior to purchase of the property and subsequently has worked actively with neighbours to establish agreements and institute a range of programs to offset both perceived and actual impacts. These programs include:</p> <ul style="list-style-type: none"> <li>• Offering noise mitigation and/or compensation agreements to sensitive receivers R12 and R13;</li> <li>• Entering into a range of impact mitigation agreements with key adjacent land owners;</li> <li>• The implementation of a four-week pre-event 'community manager scheme'. The community manager is the first point of contact for community enquiries and concerns. He listens and documents community issues and identifies any concerning activities within a 3 km radius of the event;</li> <li>• The employment of a 'community advocate' to provide a clear and distinct voice at all planning team meetings for and on behalf of the community at large; and</li> <li>• Provision of complimentary tickets to nearby residents pursuant to the Community Management Procedure 001. (North Byron Parklands, Mod 3, Part 1, p12)</li> </ul> <p>Furthermore, prior to the commencement of any event where amplified noise is a feature, a qualified acoustic consultant must prepare and implement an Acoustic Monitoring Program (AMP) to monitor and assess the impact of noise generated by the event on the amenity of the area. The AMP must be prepared in consultation with the RWG and be consistent with the provisions and limits within the NMP required under</p>

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	<p>Condition C16. The AMP shall include, but not be limited to:</p> <p>Locations at which monitoring will be undertaken. As a minimum monitoring locations must include the most sensitive noise receivers (residential, where no noise agreement is in place between the proponent and the receiver and the adjoining nature reserve) as identified in the Noise Management Plan.</p> <p>It must be pointed out again that the current approval has no dB(C) noise criteria. This was an unfortunate oversight when the original trial approval was issued. Parklands has worked with DP&amp;E exploring aspirational noise criteria levels and from the last SITG15 the event has taken some 296 attended noise samples around the venue during the event days. This data has now been analysed and in consultation with the DP&amp;E the following zonal noise criteria have now been offered. Importantly the proposed zonal noise criteria (see <b>Appendix D</b>) will improve community amenity while allowing the event to comply with these “typical” outdoor venue limits.</p> <p><b>Inner Zone</b></p> <ul style="list-style-type: none"> <li>• Between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 65dB(A) LAeq, 10- minutes or 75dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band; and</li> <li>• Between midnight and 2am amplified entertainment noise from the event at sensitive receivers must not exceed 55dB(A) LAeq, 10- minutes or 70dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band.</li> </ul>

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	<p><b>Outer Zone</b></p> <ul style="list-style-type: none"> <li>• Between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 60dB(A) LAeq, 10- minutes or 70dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band; and</li> <li>• Between midnight and 2am amplified entertainment noise from the event at sensitive receivers must not exceed 50dB(A) LAeq, 10- minutes or 65dB (lin) measured as Leq, 10-minutes in the 63 hertz 1/1 octave band.</li> </ul>
Changes to Condition B3 (5) - eliminates RWG to recommend decreases in noise	This statement is incorrect. The RWG is still able to provide any recommendation to the Secretary under consent condition C2 (e) of the project approval.
Reject the 5dB allowance for adverse meteorological conditions	<p>With regard to a 5dB tolerance, the key noise management controls proposed in the modification allow such a tolerance at the receiver only during extreme meteorological conditions and must be accompanied by reasonable and feasible measures to manage dB(C) in the 63 Hz 1/1 octave frequency band. (North Byron Parklands, Mod 3, Part 1, p18).</p> <p>The presence of adverse meteorological conditions will generally be determined in accordance with the methods described in Appendix E of the Industrial Noise Policy. Specifically, where possible, the presence of temperature inversions will be established through analysis of sigma-theta in accordance with the Turner Method. It is noted that G class atmospheric stability is typically considered the worst-case conditions due to the possibility of strong temperature inversions occurring. This class was added to the original scheme developed by Pasquill to accommodate extreme stable conditions typically observed in rural areas. Despite this, moderate and strong temperature inversions can occur in both F class and G class atmospheric stability conditions respectively. As such, it is important that the presence of temperature inversions not be limited to G class conditions in isolation. Rather, the presence of these should be defined to include both F and G class atmospheric stability. It is noted that this was also recommended in a discussion paper released by NSW EPA (Discussion Paper Validation of Inversion Strength Estimation Method, March 2014), which recommend that the following be included in environmental licenses where allowances are provided for</p>

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	<p>specific atmospheric conditions:</p> <p><i>“temperature inversion conditions up to 3°C/100m and wind speeds greater than 2 m/s at 10 metres above ground level”</i></p> <p>It is noted that atmospheric stability under the above conditions would be described as F class due to the presence of wind speeds above 3 m/s.</p> <p>This information will be supplemented, where necessary, with other meteorological data collected at the site meteorological stations combined with subjective observations made by noise monitoring personnel on site. For example, subjective observations made during the recent SITG 2015 identified the likely presence of an adverse meteorological condition for a period of four hours on 26 July 2015 at approximately 9:30 pm. During this period, ambient temperature increased by 3-4 degrees indicating the presence of a warm air pocket trapped near to ground level by a low level temperature inversion. After four hours the temperature inversion can be observed to dissipate with ambient temperatures returning to normal.</p>