

To: The NSW Minister for Planning
RE: S.75W Modification Application for MP 09_0028
Date: 17 June 2015

I strongly object to North Byron Parklands' proposed modifications to their project approval.

Parklands has approval for a five-year trial period. The Department of Planning, Byron Shire Council, and we in the community are watching to see how Parklands manages the site in line with the approval. For that reason, no consideration should be given to changing the noise criteria at this point. The trial period is not over. Keep the goal posts, boundaries, and rules in place until the game is over and we can see if they're able to comply with the current conditions.

My greatest concern is that the proposed new limits for dB(A) noise are much higher than the current limits. The current limits range from 43-55 dB(A) until midnight and 38-50 dB(A) from midnight until 2AM, as shown in Tables 2.2 and 2.3 in the proposal. Parklands proposes fixed limits of 65-70 dB(A) up to midnight and 55-60 dB(A) from midnight to 2AM. I'm sure you realise that 70 decibels is perceived as four times as loud as 50 dB and eight times as loud as 40 dB. So the actual noise perceived by residents will be much, much louder if you approve the proposed increase. For Parklands to claim, as they are now, that this will be good for the community is outrageous. I have a hearing loss, and yet I am still disturbed by the festival noise.

I agree that dB(C), or bass, noise should have limits, but the limits proposed here are questionable (75 dB(C) until midnight; 70dB(C) until 2AM). After Splendour 2013, which was very disturbing, the Department recommended similar limits for bass levels and said that the effects on nearby residents should be assessed. Parklands specified these levels as aspirational targets for the next two events: Falls 2013 and Splendour 2014. Noise remained a problem at both events, and numerous complaints were lodged both with regard to bass noise and higher-frequency noise, especially during Splendour. Breaches in the noise limits at Splendour 2014 resulted in the Department imposing a \$3000 fine, but the most significant issue was that the noise was so disturbing to residents. To protect residential amenity in this very quiet area, lower limits should be set for the bass noise than what Parklands proposes. The less boom-boom we hear, the better. Preferably, none at all.

Also, I object to allowing Parklands 5 decibels to be added to their limits if the wind blows or if there is some other "adverse" weather condition. The wind blows a lot of the time in this coastal region and carries festival noise with it, so even more people are disturbed if the wind is blowing during a festival. Parklands should adjust to the wind by turning the volume down or putting up more sound barriers (such as sound-reducing covers over the main stages) instead of expecting to have the limits increased!

If you approve the proposed, new dB(A) and dB(C) limits, Parklands will be able to say they are staying within government-approved limits regardless of how much disturbance they cause to those of us who live here. That would be *very* wrong, especially since the PAC expressed concern about how well the promoters could operate *without* disturbing the quiet surrounding area. By their own admission, Parklands can't keep the noise within the existing limits. Raising the limits is not the answer! If any change is to be made, the limits should be lowered. Remember: This whole exercise is a TRIAL.

We understood the basic problem in 2012 when the PAC came to our community to listen to our concerns about this development: Performers and fans want loud music. We residents want the peace and quiet in our homes that we're used to when the festivals aren't here. Many people said in 2012 that the site was the wrong place for big festivals with amplified music. We weren't against the festivals. We were against having them in the middle of this quiet residential area. Now that we're living with the development, we feel even more strongly that it's the wrong location for big festivals with amplified music. The promoters do not need to put on their festivals here. If they can't control the noise, they should move their operations elsewhere!

I also strongly object to Parklands' claim that they want to have the same noise limits as other festival sites in NSW. They say these other locations had very few complaints when Parklands' preferred noise limits were used. However, all locations are not the same. Looking at their examples, I think they're comparing apples to lemons. Most of the examples are one-day events, with different hours of operation, different numbers of stages, and different numbers of performers and attendees. The multiple-day events at Parklands are very different, and the actual complaints to *Parklands* so far have been much more numerous: 73 during Splendour 2013, 34 during Falls 2013, 139 during Splendour 2014, and 22 during Falls 2014. (The actual number of people who tried to complain was higher because Parklands has had trouble with their complaint hotline. At one event, for example, the hotline didn't function at all for periods of time because the mobile phones the operators were using couldn't get a signal.) The large number of noise complaints that have been registered so far, under the current noise limits, strongly indicate that the limits should not be raised just because different events elsewhere have higher limits. The PAC purposely set lower levels for Parklands, and the limits should be kept as is or lowered.

I also object to allowing the main stages to operate until 2AM on New Year's Eve. I and many others don't want to suffer loud music that late at night. If it were just one night, I could tolerate it, but the Falls festival goes on for days, from 11AM to midnight every day before, during, and after NYE. It's too much.

I have been disgusted with the noise monitoring and management that Parklands has done so far. In 2013, the readings were so incomplete that the Department said

they didn't know if the noise limits had been exceeded or not. I was disturbed during that event and don't even know if my complaints were registered by Parklands. In 2013, Parklands didn't do required monitoring at the Falls festival, so there were no readings even to look at, but Falls that year was much noisier than Splendour. In 2014, Parklands at last did the required monitoring, and the Department hit them with a \$3000 fine for exceeding the limits. No surprise there as they were louder than they had been the year before! In 2014, Falls managed the noise better, but Parklands still got complaints and one of the stages operated for an hour past midnight. Why didn't the manager of Parklands shut it down at once, as he had the authority to do? After the first four festivals, my conclusion is that Parklands has done an inexcusably poor job with noise management. They should be expected to improve their noise monitoring and management. You shouldn't be rewarding them with an increase in the noise limits *and* an increase in numbers of attendees. This is counterintuitive.

What bothers me the most is the sense of entitlement that Parklands seems to feel, thanks to the Department giving them Part 3A status when the Land and Environment Court had ruled against them. Since getting their state approval, they haven't acted like they're undertaking a trial and have to prove themselves. Instead, they're complaining that the conditions of approval are too onerous and must be changed. It's appalling.

I urge you to put stricter dB(C) limits in place for Parklands and either keep the existing dB(A) limits as they are or lower them to protect our residential amenity. As to allowing them the right to have still more events on their site, I'd like to see them concentrate on managing festival noise instead of expanding their operations with still more events, even if those are only so-called small community events. I think they should adhere to the existing conditions regarding the number of events on site for the full five-year trial!

One last point. Because the proposal document is quite long and detailed, the Department should have allowed a lot more than two weeks for interested parties to process the information and prepare submissions. The public is put at a real disadvantage by having such a short time to consider the numerous proposed modifications.