



Mr Chris Ritchie  
Manager Industry Assessments  
NSW Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

Dear Mr Ritchie

**Exhibition of Modification Request for Cultural Events Site, North Byron Parklands,  
Yelgun (MP09\_0028 MOD 3)**

I write in response to your request for submissions into modification request MP09\_0028 MOD 3, Cultural Events Site North Byron Parklands Yelgun NSW.

On 22 October 2012, a delegate of the Minister for the Environment gave notice of a Non-Controlled Action Particular Manner (NCAPM) decision under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) to The Trustee for the Billinudgel Property Trust for the operation of cultural events at the North Byron Parklands, Yelgun.

Under section 77A of the EPBC Act, actions subject to a NCAPM decision must be undertaken in a manner consistent with the particular manners attached to that decision.

Particular manner 4 of the EPBC decision specifies:

*Noise levels must be continually monitored for the duration of events, at three points along the Jones Road boundary with the Billinudgel Nature Reserve, as defined at Appendix 1. Noise levels at these monitoring points must not exceed 65 dB(A).*

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.

I thank you for providing the opportunity to comment on the requested modification.

Yours sincerely

Alex Taylor  
Acting Director  
EPBC Compliance Monitoring Section  
Environmental Assessment and Compliance Division

3 July 2015