

Consultation Detail

A range of stakeholders were contacted including various regulatory agencies, community representatives and adjoining landowners with respect to the proposed modification seeking to extend the trial approval by 20 months. Information was provided over the phone and/or via email. A copy of the email sent to stakeholders is provided below.

Stakeholder responses are provided in Table 1.

Follow Up Email Sent to Stakeholders

Dear [insert name],

Thank you for taking the time to discuss North Byron Parkland's proposed modification to its current trial approval by phone on [insert date]. As mentioned during our phone call the reason to seek an extension to the trial approval is two-fold.

Firstly, Parklands has already submitted a Preliminary Environmental Assessment to the Department of Planning and Environment (DP&E) requesting permanent approval for ongoing events after 2017. The proposal is classified as a State Significant Development (SSD) and therefore will be assessed under Part 4 of the Environmental Planning and Assessment Act 1979. On 18 January 2017, the Department issued Secretary's Environmental Assessment Requirements (SEARs) for the proposal.

The SEAR's is a comprehensive list of environmental assessment requirements for the proposal. Parklands is committed to wholly responding to the SEARs requirements by undertaking detailed expert analysis and assessment of a wide range of technical matters, including consultation with key stakeholders and the broader community. However, due to the extensive nature of the SSD it is envisaged that the assessment and approval timelines for the permanent application will extend well beyond the expiration of the Parklands trial approval period (i.e. 2018 or beyond).

Secondly, under the current trial approval Falls Festival Byron 17/18 cannot operate as the event includes the 1st and 2nd of January 2018. As this event is part of a national event schedule, these dates cannot be changed. In addition, negotiations involving binding legal contracts with several international artists are well advanced for Splendour in the Grass 2018 and negotiations covering Splendour in the Grass 2019 will commence towards the end of this year. Both events require certainty regarding the venue including dates that are covered by a valid planning approval.

It is important to note that no other changes to either the Concept Plan or Project Approval are being sought. Specifically, event days and patron numbers would remain the same as currently approved, as well as all other existing consent conditions. The only change would be the trial period dates, essentially extending the trial period by an additional 20 months. With our current two events, this translates into 14 event days over the 20-month period. This modification seeks to ensure that both Splendour in the Grass and Falls Festival Byron can operate while the State Significant application is processed by the DP&E. The proposed modification would address all relevant environmental and amenity matters associated with the trial period extension, and allow the continued monitoring of the performance of the events over this period.

Government agencies and the broader community will have the opportunity to provide the DP&E with detailed submissions if desired through the public exhibition phase of the assessment process.

Key Points to note:

- Parklands is home to two iconic international events;
- Parklands has invested over \$25 million in the development of the site and has held 8 medium/large trial events;
- Parklands has developed a comprehensive suite of management plans and monitoring programs to minimise environmental impacts and track the performance of the events;

- Whilst some non-compliances have been identified, particularly in relation to traffic management and noise, these have been temporary, and have been able to be rectified through a process of monitoring and adaptive management;
- The Department's compliance reporting also indicates that whilst some non-compliances with the original noise limits were identified (which have since been amended), overall management practices employed were satisfactory;
- For some time, Parklands has been working towards securing further approval for the ongoing use of the site for cultural events after the end of the trial period;
- To this end, in November 2016 Parklands submitted a Preliminary Environmental Assessment to the Department seeking approval for events after the trial period;
- The proposal is classified as State Significant Development (SSD), and as such the Minister is the consent authority for the proposed. On 18 January 2017, the Department issued Secretary's Environmental Assessment Requirements (SEARs) for the proposal;
- The SEARs outline a comprehensive framework of environmental assessment requirements for the proposal. Parklands seeks to fully respond to these requirements by undertaking detailed expert analysis and assessment of a wide range of technical matters, including consultation with key stakeholders and the broader community;
- Unfortunately, it is envisaged that the assessment and approval timelines for the SSD application will extend well beyond the expiration of the current trial period;
- This puts upcoming Splendour in the Grass and Falls Festival events at considerable risk, particularly as planning for these events generally commences 18 months in advance of each festival;
- To ensure the continuity of these events in lieu of the assessment and determination of the SSD application, Parklands is seeking approval for the proposed modification to extend the trial period by 20 months (or 14 event days based on the existing two events);
- Importantly, the trial period extension would allow the continued monitoring of the performance of the events over the extension period, which would assist in the consideration of the longer term SSD application; and
- It would also enable the continuation of the significant social and economic benefits generated by the Parklands site and the annual Splendour and Falls Festival events. Apart from the obvious cultural benefits, assessment indicates that the two events generate around \$35 million in economic output in the Byron Shire, and account for some 2.25% of the total Byron Shire workforce.

Regards

Mat Morris
General Manager

Table 1. Stakeholder Responses

Stakeholder	Comments
Byron Shire Council, Mayor	Contacted by phone. Believes it is reasonable to seek an extension to continue operations but is disappointed that Council is not the consent authority. Discussed the Stage 2 infrastructure clause that currently prohibits Council from approving events at Parklands under the Concept Approval. Is there any way this clause could be amended to allow Council to be the consent authority? The community was more likely to be supportive if events were approved by Council moving forward. A follow up email with detailed information about the Mod was sent to the Mayor.
Byron Shire Council, RWG Councillors (3)	An email was sent to the 3 Byron Shire Councillors who currently sit on the RWG outlining the proposed Mod and the reason for requesting it. The Mod will be discussed at the forthcoming RWG scheduled for Friday 7 th of April 2017. Parklands has not received any response to this email to date.
Byron Shire Council, Director, Planning	Contacted by phone. Message left providing details of the proposed Modification and advising a follow up email providing sufficient information about the Mod would be sent. An invitation to discuss the Mod at a future time was offered.
Byron Shire Council, Manager, Planning	Had received the email from Parklands regarding the Mod. The Manager sought clarification around the length of the proposed Mod and advised that Council would wait until any formal notification was received from the DP&E before making any comments. Parklands advised the Manager of the other government agencies and community members that had been contacted including the meeting held with the 3-council nominated RWG community representatives.
Tweed Shire Council, Deputy Mayor	Contacted by phone. Message left providing details of the proposed Modification and advising a follow up email providing sufficient information about the Mod would be sent. An invitation to discuss the Mod at a future time was offered.
Tweed Shire Council, Team Leader, DAs	Discussed the purpose of the Mod and the reasoning behind it. The Team Leader had provided comments in relation to the SSD and understood the project. The Team Leader was advised that a call had also been made to the Deputy Mayor to inform this person about the Mod. The Team leader advised that the Council would likely provide a response as part of the public exhibition process.
Roads and Maritime Services, Manager Special Events	Contacted by phone. Will consider the proposed Mod in further detail once the formal submissions process occurs. A follow up email was sent to the Manager providing additional details relevant to the proposed Mod.
Roads and Maritime Services, Manager Land Use Assessment	Discussed the Mod with the Manager of Land Use Assessment who was the contact person for the Department's comments covering the SSD. Details of the Mod were canvassed. It was agreed the Manager would benefit from attending the forthcoming RWG meeting which would discuss the Mod in further detail. The Manager was advised that a follow up email would provide more detail surrounding the Mod and that the RMS was welcome to provide any feedback or comment either directly to Parklands or as part of the public exhibition process.
Rural Fire Services, Coordinator, Far North Coast	Discussed the Mod in detail and advised that apart from the extension of time no other aspects of the trial approval would change. The Coordinator who has been the primary RFS contact for this development understood Parkland's need for continuity while the SSD was being assessed. The coordinator had no concerns about the extension of the trial period subject to maintaining all current bushfire controls and measures. The RFS was invited to make any submissions as part of the public exhibition process. The Coordinator was also advised the Mod would be discussed at the forthcoming RWG scheduled for Friday 7 th of April 2017.
Office of Environment & Heritage, Senior Team Leader Planning	An email was sent to the Senior Team Leader providing details of the proposed modification. Parklands has not received any response to this email to date.
Office of Environment & Heritage, Regional Operations Officer	Discussed the Mod with the Regional Operations Officer who was the contact person for the Department's comments covering the SSD. The Officer understood why the extension was being sought and asked for clarification about exactly what aspects of the trial approval would be changed. The Officer was informed that only the dates would be changed with all other mitigation and management measures operating as per the trial approval. The Officer was advised that a follow up email would be sent to OEH providing additional clarification. This email was sent to this officer.
Safework NSW, Far North Coast Inspector	The Inspector was contacted by phone and the proposed Mod was discussed. In particular, the Inspector was advised that no additional event days or increases in

Stakeholder	Comments
	patron numbers formed part of the Mod. All existing workplace health and safety management systems and controls would still operate as part of the proposed extension. It was agreed additional information would be emailed to the Inspector regarding the Mod. This email was sent to the Inspector.
NSW Police, Commander, Tweed Byron LAC	The Commander of the Tweed/Byron Local Area Command was contacted by phone to discuss the Mod. The Commander advised the "major concern from the police perspective is ensuring the safety of festival patrons, staff and the community". The Commander also noted that the RMS had a few "issues" and that they should be contacted as well. The Commander was advised that the RMS were also being contacted in relation to Mod 4. The Commander was also advised that a follow up email would be sent directly to him in addition to several key operational and licensing police that had in-depth experience with the events held at Parklands.
NSW Police, Crime Manager	An email was sent to this Officer providing details of the Mod and the reasons Parklands is proposing to lodge the Mod.
NSW Police, North Coast Special Events	An email was sent to this Officer providing details of the Mod and the reasons Parklands is proposing to lodge the Mod.
NSW Police, Sergeant, Education and Development	An email was sent to this Officer providing details of the Mod and the reasons Parklands is proposing to lodge the Mod.
NSW SES, Far North Coast Manager	An email was sent to this Officer providing details of the Mod and the reasons Parklands is proposing to lodge the Mod.
NSW SES, Far North Coast Operations Manager	The Far North Coast Operations Manager was contacted by phone and details of the Mod were discussed. The Manager asked about patron size and event days and was advised that both aspects would not change from what is currently approved under the existing trial approval. The Flood Risk Management Plan in relation to the SSD application was also discussed and the Manager was advised that this plan was being revisited based on the proposed patron number increases being requested in that application. A follow up email was sent to the Manager providing additional details relevant to the proposed Mod.
Parklands RWG Community Representative	A meeting was held with the 3 RWG community representatives and the Chairperson to discuss the proposed Mod. The Reps asked, "why the extension is required" and "why such a situation wasn't considered 18 or 24 months beforehand". The reps were provided with a history of the approvals process and in particular the court case surrounding the pathway of trying to modify the trial approval to a permanent approval. The reps also asked "why the DP&E and PAC could not process the SSD application in a shorter period of time. Further discuss was held regarding the long lead times that events need to secure artists, sell tickets and the ability to have a venue locked in place as part of these processes. A question about the requirement to build a sewage treatment plant was discussed (stage 2 infrastructure). Parklands advised that under the proposed Mod the timeline for this infrastructure would also be extended. However, parklands discussed the current lower technology approach to liquid waste (composting toilets) and advised that the company would be pursuing this approach as part of the SSD application. The reps advised it would be helpful if Parklands could provide an interim performance report covering FFB16/17 which is not required to be formally reported on until December 2017. Parklands advised it would provide a summary performance report to the RWG at its meeting on the 7 th of April 2017 in addition to also using this meeting to further discuss the proposed Mod and any other planning considerations of interest to members. Follow up emails were provided to all members of the RWG including the community representatives further explaining the implications of the proposed Mod.
Immediate adjoining neighbour (Jones Road)	Contacted by phone. The resident understood the reasons behind the proposed Mod but expressed concerns about the SSD application. The resident advised that "current Consent Conditions call for Council to become the Consent Authority after 31 Dec 2017, therefore NBP should rightly be applying to Council". The resident further articulated that "even though NBP owns the site monetarily, they are stuck with us as opposing/concerned community members because of its sensitivity and our connection to it . As always, we have been and still are, happy to communicate with the owners for the best outcome possible". A follow up email was sent to the resident providing further details surrounding the proposed Mod.
Immediate adjoining neighbour (Jones)	Contacted by phone. The resident was wondering what parklands proposed to do to keep operating events post 2017. The resident enquired about event days and

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Road)	numbers and was advised that nothing would change except the dates of operation. The resident asked if the current agreements with Parklands would continue during the proposed extension and was advised that all agreements and commitments would continue. A follow up email was sent to the resident providing further details surrounding the proposed Mod.
Immediate adjoining neighbour (Jones Road)	Message left on Resident's landline phone. An email was sent to the resident providing details surrounding the proposed Mod.
Immediate adjoining neighbour (Jones Road)	Contacted by phone. Understands the need for business continuity. Discussed the fact that event days, patrons and all management and mitigation controls would remain in place. Did not raise concerns about the proposed Mod. A follow up email was sent to the resident providing further details surrounding the proposed Mod.
Immediate adjoining neighbour (Tweed Valley Way)	Contacted by phone. Had expected that such a Mod would be lodged given the current trial approval was due to expire at the end of 2017. Did not raise concerns about the proposed Mod. A follow up email was sent to the resident providing further details surrounding the proposed Mod.
Immediate adjoining neighbour (Tweed Valley Way)	Contacted by phone. Discussed the proposed parameters of the Mod. Did not raise any concerns regarding the proposed Mod. A follow up email was sent to the resident providing further details surrounding the proposed Mod.
Immediate adjoining neighbour (Wooyung)	Contacted by phone. Felt that something of this nature would take place given the impending expiration of the trial approval. Discussed the number of events under the proposed mod. No concerns or issues were raised. A follow up email was sent to the resident providing further details surrounding the proposed Mod.