

North Byron Parklands – Trial Period Extension Modification **Environmental Assessment**

March 2017





Prepared for:



North Byron Parklands
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Yelgun NSW 2483

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EXECUTIVE SUMMARY

North Byron Parklands (Parklands) operates a cultural events site at Yelgun near Byron Bay. The site is home to two of Australia's most iconic annual international cultural music festivals, Splendour in the Grass and the Falls Festival Byron.

The Parklands site operates under a concept plan approval and project approval, granted by the NSW Planning Assessment Commission (the Commission) on behalf of the Minister for Planning on 24 April 2012 (MP 09_0028).

The Commission granted the approvals subject to a 5 year trial period, up to the end of calendar 2017. The approvals allow up to 3 events each year (of up to 35,000 patrons), with a total of up to 10 event days per year.

The concept plan allows ongoing events after the trial period subject to planning approval, meeting certain conditions of approval, and the satisfactory performance of the trial events.

The events are subject to a range of performance and monitoring requirements. Parklands has now gathered over 4 years of operating data covering 8 festivals, which demonstrate that the events are now operating in accordance with the conditions of approval and the relevant performance and monitoring requirements.

North Byron Parklands has submitted a Preliminary Environmental Assessment to the Department of Planning & Environment (the Department) seeking approval for ongoing events after 2017, including events with up to 50,000 patrons. The proposal is classified as State Significant Development (SSD), and will be assessed under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). 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. However, it is envisaged that the assessment and approval timelines for the SSD application will extend well beyond the expiration of the trial period.

This puts upcoming Splendour in the Grass and Falls Festival Byron events at considerable risk. Planning for these events generally commences 18 months in advance of each festival, and requires the execution of legally enforceable agreements that include but are not limited to the performance dates and the location where the performance will take place. Changes to either of these parameters can result in financial penalties and/or cancellation of the event by the artist in question.

The Falls Festival Byron 2017 is currently unable to proceed under the trial period, as its operating dates include 1 and 2 January 2018. In addition, booking of international artists for Splendour in the Grass 2018 is well underway, and planning for Falls Festival Byron 2018 and Splendour in the Grass 2019 will commence this year.

To ensure the continuity of these events in lieu of the assessment and determination of the SSD application, Parklands is proposing to modify the existing concept plan and project approval to extend the trial period dates by 20 months, to 31 August 2019. No other changes to either the concept plan or project approval are 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, which translates into 14 event days based on the current medium/large events.

The proposed modification would allow the operation of Falls Festival Byron 2017 and 2018, in addition to Splendour in the Grass 2018 and 2019. It would also allow the continued monitoring of the performance of the events over this extended trial period, which would assist in the assessment of the longer term SSD application.

The key environmental issues associated with the cultural events site include traffic, noise, biodiversity, flooding and hazards, water and wastewater management, community issues (including anti-social behaviour, littering, trespass and illegal camping) and socio-economics. Environmental assessment indicates that the proposed modification would not increase the nature or extent of these environmental impacts, although it would increase the duration of these impacts over the extended trial period.

Analysis of the performance of the trial events to date indicates that all of these environmental aspects are being managed generally in accordance with the applicable approval conditions and performance criteria, with recent Splendour in the Grass and Falls Festival Byron events achieving between 98% to 100% compliance with the approval conditions and performance criteria. Whilst some minor and temporary non-conformances have been identified during some events, these have been quickly rectified, and none have led to significant or unacceptable environmental impacts.

The trial period extension is expected to be able to be readily managed to continue this good performance, given Parklands' considerable event experience and the existing environmental management and reporting framework in place.

Importantly, economic assessment indicates that the annual Splendour in the Grass and Falls Festival Byron events are generating significant tourism and economic benefits for Byron Bay and the North Coast region, with the 2016 events generating:

- direct expenditure of \$55.1 million, of which \$16.6 million was in the Byron Shire;
- gross value added of \$60.7 million, with \$17.1 million in the Byron Shire;
- 788 full time equivalent jobs, including 246 jobs in the Byron Shire (representing 2.25% of the Byron Shire workforce); and
- a range of direct contributions to local community organisations, which have totalled more than \$575,000 since 2001.

Further, the North Byron Parklands site fulfills an important cultural and social need, helping to cement Byron's image as an iconic centre for the arts, music, entertainment and culture.

Accordingly, it is considered that the proposed modification represents the continued orderly use and development of the land. It is respectfully requested that the Minister or his delegate, having due regard for the information submitted in this Environmental Assessment, grants approval to the proposed trial extension of the North Byron Parklands cultural events site.



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1 INTRODUCTION

1.1 Overview

North Byron Parklands (Parklands) operates a 259 hectare cultural events site at Yelgun, approximately 22 kilometres north of Byron Bay on the North Coast of NSW (see **Figure 1.1**). The Parklands site is home to two of Australia's most iconic annual international cultural music festivals, Splendour in the Grass (Splendour) and Falls Festival Byron (Falls Festival).

North Byron Parklands is proposing to modify the existing concept plan and project approval for the Parklands site, to extend the current trial events period for an additional 20 months. This Environmental Assessment has been prepared by PJEP Environmental Planning Pty Ltd (PJEP) and Planners North on behalf of North Byron Parklands, to assist the consideration of the proposal under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

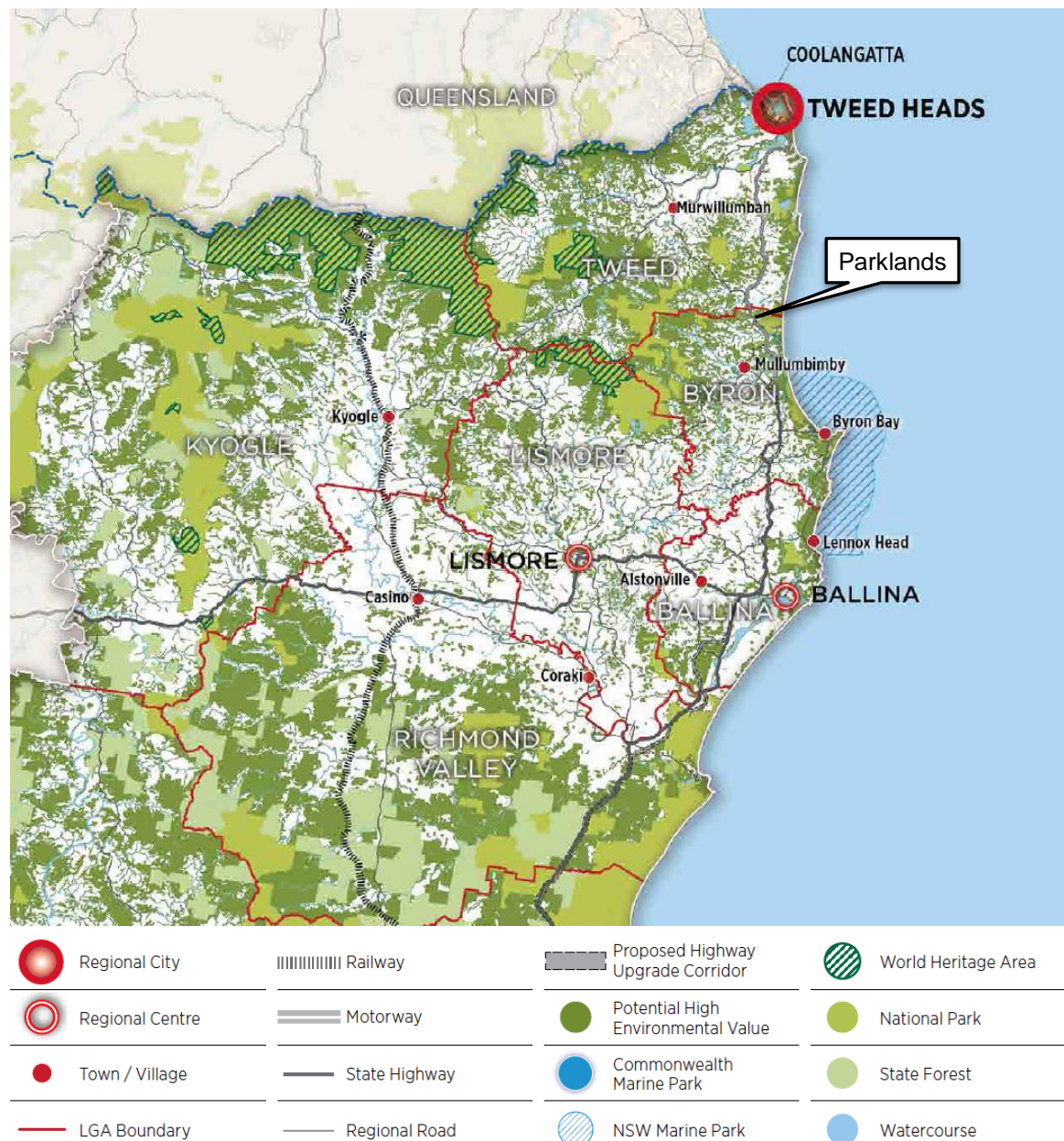


Figure 1.1: Regional Context (Source: Department of Planning & Environment)



1.2 History of Parklands

Splendour and the Falls Festival are two of the world's best known cultural music festivals. Splendour has been run annually since 2001, with the first 9 festivals held at Belongil Fields outside of Byron Bay. The Falls Festival started in 1993 in Lorne Victoria, and expanded to Byron Bay in 2013.

In 2008, Parklands and the event operators for Splendour identified the need for a purpose-built sustainable cultural events site in the Byron Shire, noting that cultural events would contribute greatly to the region's economy, workforce and cultural mix. For Parklands, the current site at Yelgun met a number of key criteria being:

- it is a large cleared and relatively flat site, with a natural amphitheatre ideal for outdoor events;
- the surrounding land is relatively sparsely settled;
- it is close to a major highway and interchange;
- it is within close proximity to a number of key urban areas and cultural centres;
- it has relatively good access to transport; and
- the site is conducive to noise attenuation, being surrounded by hillsides on most sides.

In 2008, Byron Shire Council granted consent for a temporary place of assembly with camping and associated infrastructure at the site. The consent allowed for the Splendour 2009 event to be held with a capacity of 22,500 patrons. However, following an appeal against the legal validity of Council's consent, the Land & Environment Court ruled the approval invalid on the basis that a relatively small but integral part of the proposal was prohibited. This resulted in the Splendour 2009 event being held at the Belongil Fields site, and the next two events being held at Woodford in Queensland.

In 2010, Parklands lodged a concurrent concept plan application and project application under the former Part 3A of the EP&A Act for the use and development of the site for cultural events (MP 09_0028). The then Minister for Planning and Infrastructure was the consent authority for the proposal, as the project met the criteria¹ for major development under the former *State Environment Planning Policy (Major Development) 2005*.

The proposed concept plan involved:

- use of the site for cultural, educational and outdoor events with associated camping, with varying event sizes of up to 50,000 patrons (after 5 years), and a total of up to 10 event days per year (in the first 5 years);
- an administration building and gatehouse building;
- a water treatment plant and wastewater treatment plant;
- a cultural centre;
- a conference centre with associated accommodation;
- a comprehensive vegetation management plan; and
- ancillary infrastructure, including road works and car parking.

The project application involved development of Stages 1 and 2 of the events site, including:

- Stage 1:
 - event use and associated camping and temporary structures;
 - a 2.3 kilometre spine road linking the northern and southern site areas, including an underpass of Jones Road;
 - event laneways and car parking;
 - upgrading the western portion of Jones Road, and upgrading access intersections;

¹ As development for the purpose of tourist facilities, major convention and exhibition facilities or multi-use entertainment facilities that would employ 100 people or more.



- ancillary infrastructure including hardstand areas, a resource centre, stormwater works, entry treatment and signage;
 - commencement of the vegetation management works;
- Stage 2:
 - an administration building and gatehouse building;
 - an on-site water harvesting, filtration and reticulation system; and
 - an on-site wastewater treatment and management system.

Stage 3, involving the development of the cultural centre and conference centre, and completion of the vegetation management works, is to be subject to a separate application.

On 24 April 2012, the NSW Planning Assessment Commission (the Commission), under delegation of the Minister, approved the concept plan and project application.

The layout of the approved project is shown on **Figure 2.2**.

In approving the project, the Commission concluded that the use of the site for cultural, educational and outdoor events and the associated events is appropriate, and that large outdoor events should be able to be carried out without significant impacts on the community, subject to effective environmental management planning and monitoring.

Notwithstanding, the Commission adopted a precautionary approach by approving the project subject to a number of terms and conditions, including allowing:

- outdoor events for a trial period of 5 years, up until the end of calendar 2017;
- up to 3 trial events a year, with capacity gradually increasing over the trial period, including:
 - one large trial event a year (with up to 35,000 patrons in Year 5);
 - one medium trial event a year (with up to 25,000 patrons in Year 5);
 - one small trial event a year (with up to 15,000 patrons in Year 5); and
- a total of up to 10 event days per calendar year.

The concept plan allows ongoing events after the trial period, subject to separate planning approval and the satisfactory performance of the trial events.

The approvals have been modified on three occasions under Section 75W of the EP&A Act since the original approvals, including:

- MOD 1 – approved by the Department on 3 December 2012. This modification involved minor typographical amendments to Conditions B4 and E18 of the project approval;
- MOD 2 – approved by the Department on 29 January 2013. This modification involved a minor typographical amendment to Condition C32 of the project approval relating to a mis-description of Yelgun Creek; and
- MOD 3 – approved by the Commission on 22 April 2016. This modification involved amendments to both the concept plan and project approval, including changes to noise management conditions, approval for small community events, and various administrative amendments.

1.3 Events Conducted to Date

Since the approvals, North Byron Parklands has invested over \$25 million to develop the Parklands site.

Parklands has now held a total of 8 large and medium events under the project approval, including four Splendour events and four Falls Festival events. **Table 1.1** outlines the events that have occurred to date.



The events are subject to a comprehensive suite of environmental, health and safety (EH&S) management, monitoring and reporting requirements, and consultation with key stakeholders. These requirements are outlined in Section 2.4.

Consideration of the performance of the trial events is provided in Section 5.

Table 1.1: Events Held To Date

Trial Event	Event	Date	Permitted Patrons	Actual Patrons	Event Days*
1 st Large	Splendour 2013	Jul 13	25,000	25,000	4
1 st Medium	Falls Festival 2013	Dec 13 - Jan 14	15,000	15,000	4
2 nd Large	Splendour 2014	Jul 14	27,500	27,500	4
2 nd Medium	Falls Festival 2014	Dec 14 - Jan 15	17,500	17,500	4
3 rd Large	Splendour 2015	Jul 15	30,000	30,000	4
3 rd Medium	Falls Festival 2015	Dec 15 - Jan 16	20,000	13,980	4
4 th Large	Splendour 2016	Jul 16	32,500	32,500	4
4 th Medium	Falls Festival 2016	Dec 16 - Jan 17	22,500	22,500	4

* Event days do not include bump-in and bump-out days that occur on both sides of an event for the assembling and dismantling of temporary infrastructure. The project approval (as modified in MOD 3) allows up to 21 bump-in days and 14 bump-out days per event.

In addition to these medium and large events one small trial event, involving a primary school cross country event involving more than 10 north coast schools with approximately 820 school children and parents, was held on the site in June 2016. Parklands has been approached to hold additional similar small events on the site in 2017.

1.4 Future Events

Whilst successfully managing the Parklands site under the existing concept plan and project approval, the 5 year trial period and cap on patron numbers has caused business uncertainty and restricted the ability to invest in long term infrastructure.

Subsequently, North Byron Parklands is now seeking to move beyond the trial period, and to re-define the event size and frequency to allow for large events of up to 50,000 patrons (under limited circumstances).

To this end, in April 2016 North Byron Parklands submitted a further modification application to the Department seeking to modify the approvals under Section 75W (of Part 3A) of the EP&A Act. The applications sought amongst other things to allow ongoing events after the end of the trial period.

However, on 4 November 2016 the Land & Environment Court found that the applications could not legally be processed as a modification to the original approvals under Part 3A of the EP&A Act.

To address this issue, in November 2016 North Byron Parklands submitted a preliminary environmental assessment to the Department seeking approval for ongoing events after the trial period, with events of up to 50,000 patrons (under limited circumstances). The proposal is classified as State Significant Development (SSD), and will be assessed under Part 4 of the EP&A Act. On 18 January 2017, the Department issued Secretary's Environmental Assessment Requirements (SEARs) for the proposal.



The SEARs for the SSD application outline a comprehensive framework of environmental assessment requirements for the proposed ongoing use of the Parklands site following the end of the trial period. Parklands seeks to fully address 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 however, 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 and Falls Festival events at considerable risk. Planning for these events generally commences 18 months in advance of the event, and requires the execution of legally enforceable local and international artist agreements that include but are not limited to the performance dates and the location where the performance will take place. Changes to either of these parameters can result in financial penalties and/or cancellation of the event by the artist in question.

The Falls Festival 2017 is currently unable to proceed under the trial period, as its operating dates include 1 and 2 January 2018. In addition, booking of international artists for Splendour 2018 is well underway, and planning for Falls Festival 2018 and Splendour 2019 will commence this year.

1.5 The Proposed Modification

To ensure the continuity of these events in lieu of the assessment and determination of the longer term SSD application, North Byron Parklands is proposing to modify the existing concept plan and project approval to extend the trial period by an additional 20 months, to 31 August 2019.

No other changes to either the concept plan or project approval are proposed. 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, which translates into 14 event days based on the current medium/large events.

The proposed modification would allow the operation of Falls Festival 2017 and 2018, in addition to Splendour 2018 and 2019. It would also allow the continued monitoring of the performance of the events over this extended trial period, which would assist in the assessment of the longer term SSD application.

1.6 Consultation

Parklands consulted with the Department and a number of key stakeholders in preparing the proposed modification. Consultation was undertaken by way of telephone and/or email, and included provision of background information on the SSD application and the proposed modification, as well as detail on the scope and need for the proposed modification.

A summary of the stakeholders consulted and the issues raised is provided in the following table. Additional detail on the consultation material and feedback provided to Parklands is provided in **Appendix C**. Many of the stakeholders noted that they would provide further consideration upon formal exhibition of the proposal by the Department.



Table 1.2: Consultation Summary

Stakeholder	Key Issues Raised
Byron Shire Council	<ul style="list-style-type: none">• Consent authority• Clarification of proposal scope
Tweed Shire Council	<ul style="list-style-type: none">• No specific issues raised
Roads and Maritime Services	<ul style="list-style-type: none">• Clarification of proposal scope
Rural Fire Services	<ul style="list-style-type: none">• Clarification of proposal scope• Maintenance of existing bushfire measures
Office of Environment & Heritage	<ul style="list-style-type: none">• Clarification of proposal scope• No specific issues raised
Safework NSW	<ul style="list-style-type: none">• Clarification of proposal scope• No specific issues raised
NSW Police	<ul style="list-style-type: none">• Safety of patrons, staff and the community
NSW State Emergency Service	<ul style="list-style-type: none">• Clarification of proposal scope• Flood risk management
Parklands Regulatory Working Group (RWG) Community Representative	<ul style="list-style-type: none">• Need for the proposal• Assessment of SSD application• Wastewater management (need for sewage treatment plant)• Performance reporting (interim report for Falls Festival 2016)
Immediate neighbours	<ul style="list-style-type: none">• Clarification of proposal scope• Need for the proposal• Consent authority• Assessment of SSD application• Existing negotiated agreements



2 THE SITE

2.1 Location and Context

The Parklands site is located on the NSW far north coast, approximately 22 kilometres north of the Byron Bay town centre and 35 kilometres south of Tweed Heads, in the Byron local government area (see **Figure 2.1**).

The site is located directly to the east of the Pacific Highway (M1 Motorway) and Tweed Valley Way, the latter of which provides primary access to the site. Tweed Valley Way is a 2-lane regional road that provides efficient access to the Pacific Highway via the Yelgun Interchange, located approximately 1 kilometre south of the site. Additional highway interchanges are located at Brunswick Heads further to the south of the site, and Cudgera Creek to the north of the site.

The site is physically divided into two main areas to the north and south of Jones Road and Marshalls Ridge, which traverse through the central portion of the site on an east-west alignment.

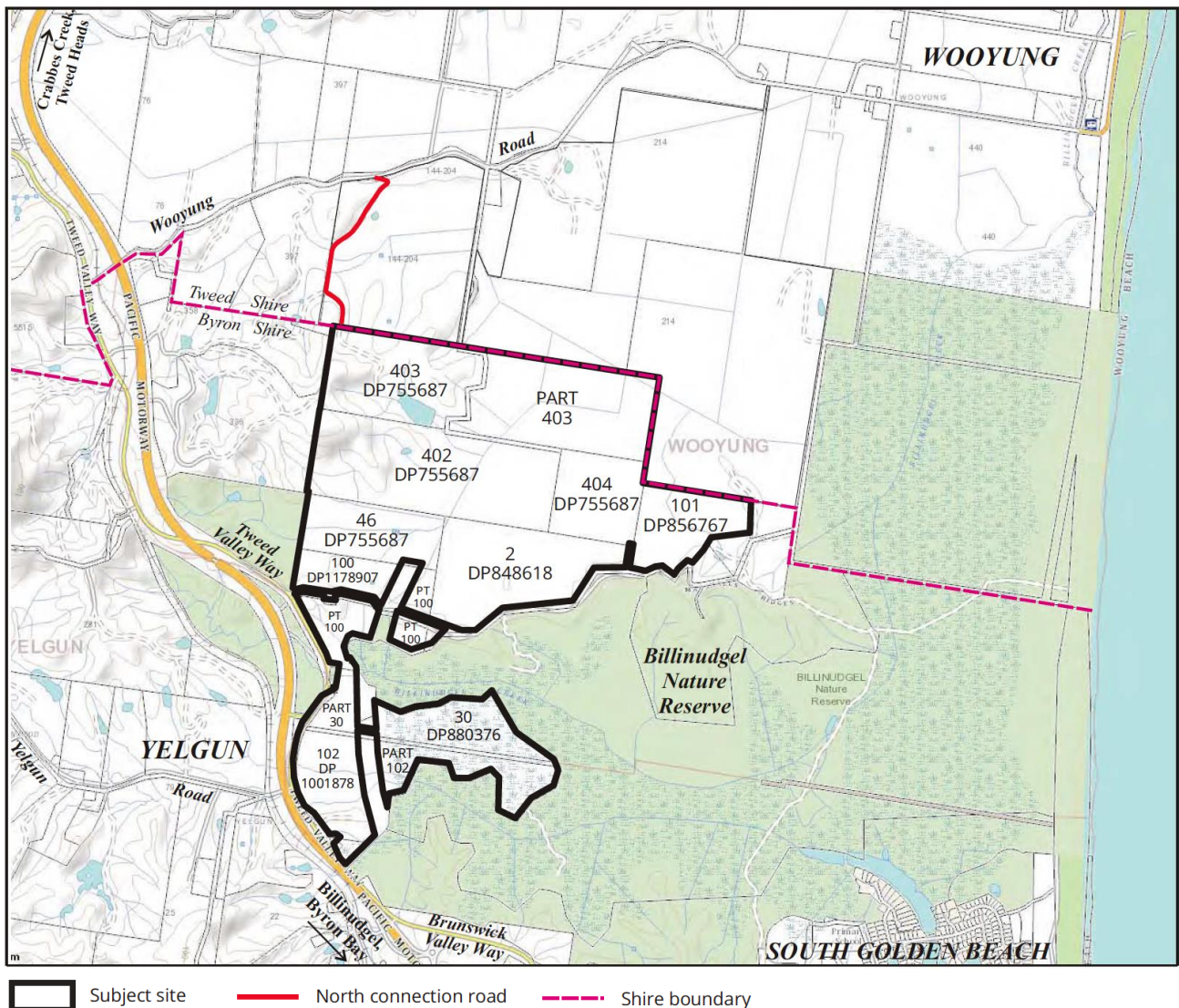


Figure 2.1: Location Plan (Source: Parklands)



2.2 Site Description and Ownership

The Parklands site has a total area of approximately 259 hectares, of which approximately 106 hectares (41%) comprises cleared area used for events, and 153 hectares (59%) comprises vegetated areas (and waterbodies) used for biodiversity management (see **Figure 5.5**).

The Parklands site is owned by Billinudgel Property Pty Ltd, and includes the following land parcels:

- Lots 402, 403, 404 in DP 755687;
- Lots 410 in DP 755687;
- Lot 1 DP in 1145020;
- Lot 46 in DP 755687;
- Lot 10 in DP 875112;
- Lot 2 in DP 848618;
- Lot 101 in DP 856767;
- Lot 30 in DP 880376;
- Lots 101, 102 & 107 in DP 1001878; and
- Lot 12 in DP 848618.

2.3 Land Use

Land use on the Parklands site is divided between the cleared event and camping areas, and the habitat protection and establishment areas which are managed in accordance with the approved Vegetation Management and Biodiversity Plan (VMBP) for the site (see Section 5.5).

As outlined in Section 1.2 above, the existing approvals allow up to a maximum of 10 event days per year (plus bump-in and bump-out days). General activities outside events include habitat restoration activities (tree planting, weed removal, etc), programmed fauna and flora monitoring, mowing of grass, maintenance of drains and repairing of fences. While no livestock activities are currently carried out on site, the site is maintained for rural purposes between events.

2.3.1 Existing Infrastructure

Parklands has established a range of infrastructure to support the cultural events site, in accordance with the existing approvals. The approved land use structure plan is shown on **Figure 2.2**, and the current development on the site is shown on **Figure 2.3**. A brief outline of the approved and/or constructed infrastructure is provided below.

Temporary Event and Camping Structures

The event and camping area comprises approximately 97 hectares, and is located in the northern portion of the site, to the north of Jones Road.

Event use and structures vary depending on the size and nature of the event, but generally involve the following:

- assembly and dismantling of the temporary infrastructure and structures for the event (ie. 'bump in' and 'bump out' periods) which occur typically in the 3 to 21 days prior and 1 to 14 days following the event;
- entertainment in performance tents and spaces;
- temporary camping facilities;
- ancillary facilities including stalls, food outlets, bars, toilet and shower facilities; and
- management and monitoring of event compliance.

Temporary camping occurs in association with events on the site. Campers are accommodated on site in tents and movable dwellings such as camper vans. The existing approvals cap the maximum number of campers for any event at 25,000.



Figure 2.2: Approved Land Use Structure Plan (Source: Parklands)



Figure 2.3: Existing Site Plan (Source: Parklands)



Access and Local Road Upgrades

Access to the Parklands site is provided via five entry gates, including:²

- Gate A – on Jones Road. Gate A provides access for service vehicles only, during event days;
- Gate B – on Tweed Valley Way approximately 200 metres north of Gate C. Gate B provides access for public transport vehicles;
- Gate C – on Tweed Valley Way. Gate C is the primary access to the site for patrons;
- Gate D – on Tweed Valley Way, approximately 350 metres south of Gate C. Gate D provides a secondary access for patrons, and is used only when required during large events;
- Gate E – located on the northern boundary to Wooyung Road. Gate E provides access for emergency vehicles only.

A number of local road upgrades have been undertaken to accommodate these accesses and traffic associated with the development, including:

- upgrade of the western 340 metres of Jones Road to 2-lane bitumen seal;
- intersection upgrade for site access on Tweed Valley Way at Gates B, C and D; and
- intersection upgrade for site access on Jones Road at Gate A.

Internal Road Network and Car Parking

Internal access within the site is provided via a privately-owned 'spine road', which provides access between the northern and southern areas of the site for agricultural and event purposes. The spine road is 2.3 kilometres in length, and has a width of 7 metres.

To minimise the potential for conflict with local traffic using Jones Road, the spine road includes an underpass of Jones Road.

Access within the event areas is catered for via a network of laneways and associated infrastructure, including:

- 4 metre wide event laneways within the site to service events;
- vehicle car parking and pedestrian access including bus/taxi/car shuttle bus set-down and pick-up areas;
- associated drainage infrastructure;
- pedestrian accesses connecting the northern and southern parts of the site; and
- a bus terminus, taxi and 'kiss and ride' facilities.

The project has been designed to minimise private car use as far as practicable through the employment of a range of strategies such as public transport incentives, car parking pricing, car pooling systems and public transport use included in event ticketing.

Car parking areas comprise grassed or gravel areas with constructed laneways servicing the car parks. Car parking occurs either within the dedicated car parking area in the southern portion of the site or within the event area, depending on the type, size and nature of event. Generally, the southern parking area is only required during large events, and is sized to accommodate expected parking demand for a 35,000 patron event.

Resource Recovery Centre

To assist Parklands in meeting its waste, recycling and materials conservation commitments, a dedicated resource centre is located adjacent to the bus terminal within the central portion of the site. The resource centre comprises a number of temporary facilities including recyclable storage

² It is noted that the Gate IDs have been re-arranged since the original project application, however the use of each gate has not changed.



skips, general waste bins and compactors, as well as temporary liquid waste (sewerage and grey water) holding tanks. All temporary liquid waste tanks are appropriately bunded.

Water and Sewerage

Stage 1 of the project application involved the use of temporary/transportable toilet and shower facilities with potable water supply and wastewater being transported to and from the site by appropriately licensed vehicles.

In 2014, Parklands obtained approval from Byron Shire Council for an innovative water and wastewater management system that significantly reduces (by about 90%) the need to dispose solid waste to external sewage treatment plants. The system involves:

- installation of 246 waterless composting toilets in 10 amenities blocks on site;
- a grey water collection and treatment system; and
- harvesting of potable water from the roofs of the amenities blocks.

Further detail on water and wastewater management is provided in Section 5.8.

2.3.2 Other Approved Infrastructure

Administration and Gatehouse Buildings

An administration building and a gatehouse have been approved (but not yet constructed) as part of the project application.

The administration building will be located between Jones Road and the northern car parking area. The approved building has a floor area of approximately 175m² and will provide office space, amenities, and meeting rooms for event staff and management.

The gatehouse building will be located to the south of Jones Road, adjacent to Tweed Valley Way and the Gate B entry. The approved gatehouse has a floor area of approximately 100m² and will provide a base for event staff to manage the site entry and southern car parking area during large events.

Water and Sewerage

As outlined in Section 1.2 above, Stage 2 of the project application involved the development of an on-site water treatment plant and a wastewater treatment facility to service the project.

Since the original project approval, Parklands has continued to review more sustainable water and wastewater management models. To this end, as outlined above Parklands has since obtained approval from Byron Shire Council for a revised water and wastewater management system that avoids the need for an on-site wastewater treatment plant.

Further detail on water and wastewater management is provided in Section 5.8.

2.3.3 Other Concept Plan Infrastructure

As outlined in Section 1.2, Stage 3 of the concept plan includes the development of a conference centre and cultural centre. These aspects of the project were not included in the original project application, and as such will require separate development consent.

Conference Centre

The conference centre would be located in the northern portion of the site, to the west of the events area. The facility would host conferences for up to 180 persons, and have a floor area of approximately 500m².



The accommodation component of the conference centre would comprise tent, cabin and motel unit style accommodation units. Overnight accommodation would be provided for up to 60 guests.

Cultural Centre

The cultural centre would be located adjacent to, and/or integrated with, the approved administration building. The centre is intended to provide for the exhibition of indigenous and non-indigenous heritage and culture, as well as being an administrative point for local indigenous community operations.

The facility would comprise a public interactive area and offices comprising a floor area of approximately 110m², an additional workshop for training young people in a range of potential employment fields, and a depot for the indigenous rainforest restoration team.

The facility is also able to serve as the home base for eco/indigenous programs, activities and attractions, including ecological and cultural walks and tours, subject to further consultation and agreement with Aboriginal stakeholders.

Associated with the cultural centre, an endemic seed bank and nursery to propagate rainforest and 'bush tucker' (indigenous foods) is planned.

2.3.4 Surrounding Land Use

The site is situated in a rural-residential locality in the north-eastern corner of the Byron Shire. Local residential communities in proximity to the event area on the site include:

- Brunswick Heads, approximately 6 kilometres to the south-east;
- South Golden Beach, approximately 2 kilometres to the south-east;
- Ocean Shores, approximately 3 kilometres to the south-east;
- Billinudgel, approximately 2.5 kilometres to the south;
- Yelgun, approximately 1.5 kilometres to the south-west;
- The Pocket and Middle Pocket, approximately 3 kilometres to the south-west;
- Crabbes Creek, approximately 3 kilometres to the north-west;
- Mooball, approximately 4 kilometres to the north-west;
- Wooyung, approximately 1.5 kilometres to the north-east; and
- Pottsville, approximately 7 kilometres to the north-east.

The Pacific Ocean is approximately 1 kilometre to the east of the site.

With regard to surrounding land uses, the site is bound mostly by pasture and agricultural lands. The Billinudgel Nature Reserve is located to the south and east of the site, and the Pacific Highway and Tweed Valley Way are located immediately to the west. An extensive area of wetlands listed under *State Environmental Planning Policy No. 14 – Coastal Wetlands (SEPP 14)* is located immediately to the south-east of the site.

Sensitive receivers in the immediate vicinity of the site include residences on rural-residential properties, which are shown on **Figure 5.4**.



2.4 Event and Environmental Management

North Byron Parklands has established a comprehensive framework for the management of environmental, health and safety risks and aspects associated with the cultural events site. The framework encompasses all of the applicable requirements in the concept plan and project approval, and strives towards continual improvement of the Parklands site and events.

The key elements of the framework are illustrated in **Figure 2.4** below.

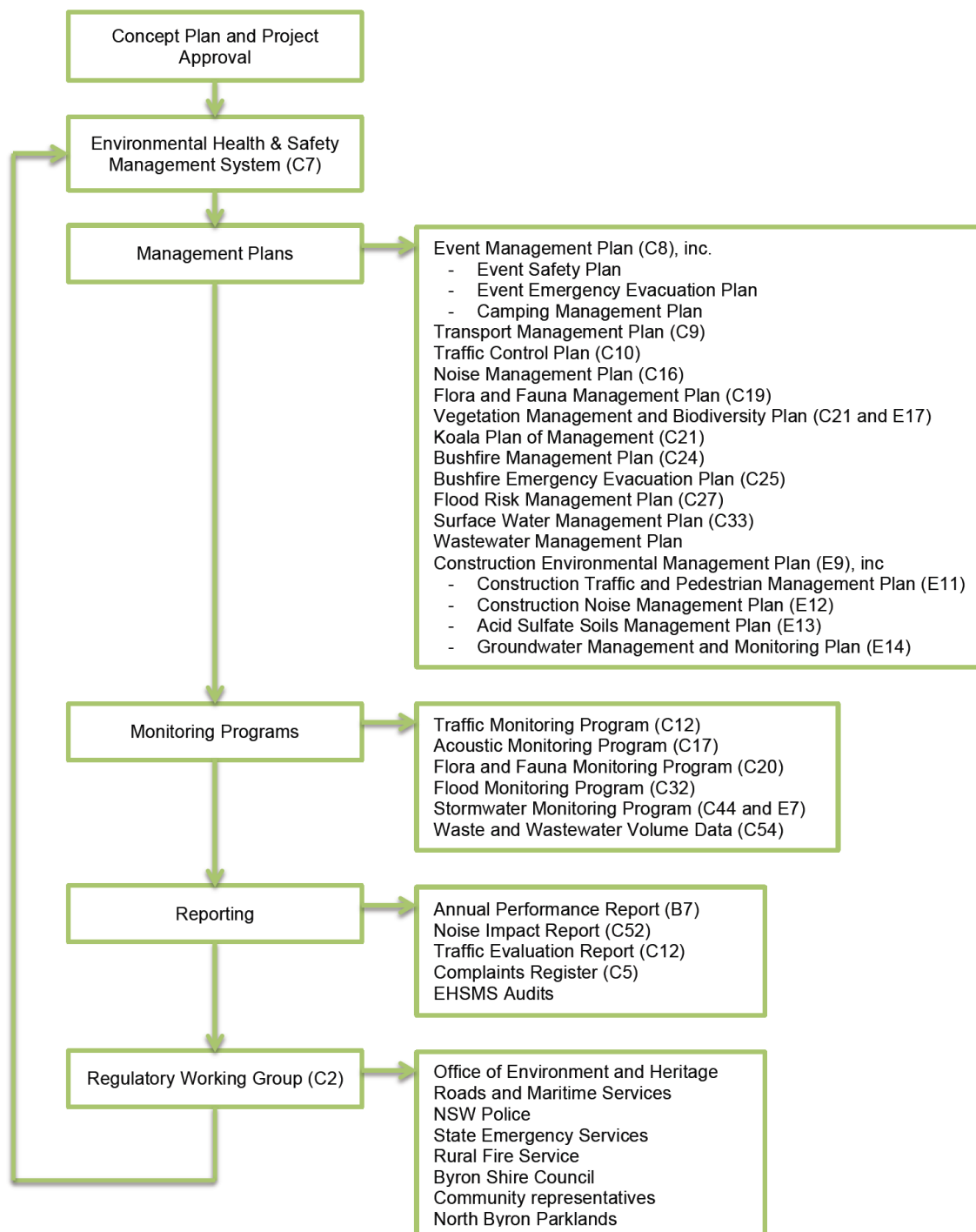


Figure 2.4: Environmental Management Framework
(with applicable project approval conditions shown in brackets)



Environmental Health and Safety Management System

Parklands' EHSMS is an integral component of site and event management, and has been developed in accordance with the project approval and relevant Australian Standards, including:

- AS/NZS ISO 14001 – *Environmental Management Systems*; and
- AS 4804 – *Occupational, Health and Safety Management Systems*.

The EHSMS sets out guiding principles in relation to a range of matters including:

- EH&S policy;
- EH&S aspects and risk assessment;
- legislation and other requirements;
- objectives and targets;
- roles and responsibilities;
- training and awareness;
- non-conformance and corrective action;
- reporting and auditing; and
- management review.

The EHSMS includes a total of 185 key performance indicators (KPIs) under 15 'EH&S Standards' which cover the key environmental, health and safety aspects associated with the Parklands site and events. The standards include:

- safety management;
- transport and traffic management;
- environmental management;
- water management;
- wastewater management;
- fire management;
- offsite management;
- noise management;
- evacuation management;
- first aid management;
- camping;
- flood management;
- temporary structures;
- waste management; and
- community management.

The 15 standards and 185 KPIs are used to guide the various environmental management plans and monitoring programs and, importantly, are used to track the performance of the events. The KPIs are used as a continuous improvement tool, rather than a measure of consent compliance.

Performance of the site and events is detailed in the annual Performance Reports, which are submitted to the Department and Byron Shire Council, and published on Parklands' website.

Management Plans and Monitoring Programs

Parklands has prepared a range of management plans and monitoring programs that detail measures for managing EH&S aspects associated with the site and events. The key management plans and monitoring programs are outlined in **Figure 2.4** (which also include references to the relevant project approval conditions). It is noted that some of the plans, including the Event Management Plan, Transport Management Plan, Traffic Control Plan, Traffic Monitoring Program and Bushfire Emergency Evacuation Plan are required to be prepared, submitted and/or approved by the relevant authorities prior to each event.



The monitoring programs include provisions for detailed monitoring (including real-time monitoring) of key environmental aspects – including traffic, noise, meteorological conditions and flora and fauna – before, during and after events.

Performance Reporting

As outlined above, Parklands is required to prepare an annual Performance Report in accordance with the project approval and the EHSMS. Parklands has now prepared four Performance Reports covering the first four years of the trial period. All of the Performance Reports are publicly available on Parklands' website.

The Performance Reports include detail on:

- events held during the reporting period;
- compliance with the EHSMS Standards and KPIs;
- compliance with project approval conditions;
- monitoring and management plans;
- licences, permits and approvals;
- performance and trends;
- complaints and stakeholder relations; and
- opportunities for continual improvement.

Regulatory Working Group

In accordance with Condition C2 of the project approval, Parklands has established and maintains a Regulatory Working Group (RWG) to advise on certain aspects of the project (eg. traffic, noise, bushfire, flora and fauna, etc.), and to review and advise on the performance of the project.

The RWG comprises a total of approximately 15 representatives nominated from its member groups, which include State government organisations, Byron Shire Council, community representatives and Parklands (see **Figure 2.4**). An independent chairman approved by the Department coordinates the RWG.



3 PROPOSED MODIFICATION

3.1 Proposed Changes to the Project

North Byron Parklands is proposing to modify the concept plan and project approval for the cultural events site (MP 09_0028) to extend the current trial period by a further 20 months, to 31 August 2019.

No other changes to either the concept plan or project approval are proposed. 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, which translates into 14 event days based on the current medium/large events.

The proposed modification would allow the operation of Falls Festival 2017 and 2018, in addition to Splendour 2018 and 2019. It would also allow the continued monitoring of the performance of the events over this extended trial period, which would assist in the assessment of the longer term SSD application.

3.2 Proposed Changes to the Approval Instruments

The proposed modification would require only minor amendments to the concept plan and project approval instruments, including:

- amending the dates for the end of the trial period from the end of '2017' to '31 August 2019'. Terms and conditions where this change is required include:
 - Concept Plan – Table of Contents and Terms B2(1), B4(1), B4(2), C1(1), C1(2) and C1(3); and
 - Project Approval – Conditions A2(a)(1)(i) and B2(1); and
- amending the tables describing the trial events to include the words 'and subsequent trials' after the words 'fifth trial' where this appears in the tables. Terms and conditions where this change is required include:
 - Concept Plan – Term B2(4); and
 - Project Approval – Condition B2(2).

4 PLANNING CONTEXT

4.1 Environmental Planning and Assessment Act

4.1.1 Section 75W

The original concept plan and project approval for the North Byron Parklands cultural events site was approved by the Commission, as delegate of the then Minister for Planning and Infrastructure, under Part 3A of the EP&A Act. Although Part 3A of the Act has now been repealed, modifications to approved projects continue to be assessed and determined under Section 75W of Part 3A, in accordance with the transitional provisions of the Act.

It is considered that the proposal can be considered as a modification to the project as approved, rather than a new project in its own right, as it:

- does not affect the approved use of the project (ie. a cultural events site);
- does not involve any change to the site or project area;
- does not involve any change to key elements of the approved project, including site infrastructure, maximum patron numbers per event, event days per year, hours of operation, environmental management and monitoring provisions, etc.;



- involves only a relatively modest extension to the trial events, comprising a total of 20 months;
- is consistent with the concept plan approval, which allows events after 2017 for up to 35,000 patrons per event day subject to the satisfactory performance of the trial events;
- does not involve any change to the nature and extent of the environmental impacts associated with the existing project (see Section 5); and
- would enable the continued monitoring of the performance of the trial in lieu of the assessment of the SSD application for the ongoing use of the site.

4.1.2 Objects of the Act

Development under the EP&A Act is required to have regard to the objects set out in Section 5 of the Act. The proposed modification is considered to be consistent with the objects of the Act, the most relevant of which are reproduced below:

- (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment* – the proposal provides for the proper management of resources, including agricultural land resources and ecological resources;
- (ii) *the promotion and co-ordination of the orderly and economic use and development of land* – the proposal facilitates the continuation of significant employment-generating purposes on the site for a further 20 months;
- (v) *the provision and co-ordination of community services and facilities* – the proposal is not expected to have significant adverse impacts on existing community services and facilities;
- (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats* – the proposal is not expected to result in any significant adverse environmental impacts (see Section 5); and
- (vii) *ecologically sustainable development* – the proposal is consistent with the principles of ESD, including:
 - *the precautionary principle* – the project as modified is not predicted to pose any threat of serious or irreversible environmental damage;
 - *inter-generational equity* – the project as modified is not predicted to adversely affect the health, diversity and productivity of the environment for the benefit of future generations;
 - *conservation of biological diversity and ecological integrity* – the project as modified is not predicted to have any significant adverse impacts on biodiversity; and
 - *improved valuation, pricing and incentive mechanisms* – the project is consistent with this principle.

4.2 Environmental Planning Instruments

Given the relatively minor extent of changes associated with the proposed modification, the proposal is considered able to be undertaken in a manner that is consistent with applicable environmental planning instruments. Consideration of the applicable instruments is presented in the following table.

Table 4.1: Consideration of Environmental Planning Instruments

Instrument	Consideration
SEPP 14 – Coastal Wetlands	SEPP 14 aims to protect coastal wetlands from clearing, draining, filling and levee construction, and preserve them in the environmental and economic interests of the State. The site contains a small portion of SEPP 14 wetland (No. 57) near the southern boundary, but outside the project area. Consistent with the approved project,



<i>Instrument</i>	<i>Consideration</i>
	<p>Parklands has protected the wetland and created new wetland habitat adjoining the SEPP 14 boundary.</p> <p>The proposed modification does not involve any change to the approved project area, and would provide for the continued management of the on-site wetland over the extended trial period.</p>
<i>SEPP 44 – Koala Habitat Protection</i>	<p>SEPP 44 aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas.</p> <p>A small area of core koala habitat had been previously identified in the eastern part of the site, but later assessments for the project confirmed that this area does not classify as core koala habitat as it does not contain a resident population of koalas. Nonetheless, given the presence of core koala within the locality (including within Billinudgel Nature Reserve), North Byron Parklands has developed a Koala Plan of Management (KPoM) as part of the Vegetation and Biodiversity Management Plan for the project. The KPoM has been developed in accordance with SEPP 44 and the conditions of the project approval (Condition C21).</p> <p>The proposed modification does not involve any change to the project areas, and would provide for the continued management of the on-site habitat over the trial period extension, in accordance with the existing KPoM.</p>
<i>SEPP 55 – Remediation of Land</i>	<p>SEPP 55 aims to provide for a statewide planning approach to the remediation of contaminated land, and in particular, to promote the remediation of contaminated land for the purpose of reducing risk of harm to human health or any other aspect of the environment.</p> <p>Clause 7 of the SEPP requires a consent authority to consider whether the land to which a proposal relates is contaminated, and if the land is contaminated, to be satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation), prior to granting consent.</p> <p>The potential for contamination within the site has been assessed as part of the planning for the concept plan and project approval, which found that the site was not contaminated and is suitable for its cultural events use.</p>
<i>SEPP 64 – Advertising and Signage</i>	<p>SEPP 64 aims to ensure that any signage associated with a development, including any advertisement, that is visible from a public place is compatible with the desired amenity and visual character of an area, is suitably located and is of a high quality and finish.</p> <p>The proposed modification does not involve any significant change to signage for the Parklands site or trial events, other than the continued use of temporary signage over the extended trial period. All such signage is able to be managed in a manner that is broadly consistent with the aims, objectives and provisions of SEPP 64.</p>
<i>SEPP (Infrastructure) 2007</i>	<p><i>SEPP (Infrastructure) 2007</i> aims to facilitate the effective delivery of infrastructure across the State.</p> <p>Clause 104 of the SEPP applies to traffic generating development and ensures that the RMS is given the opportunity to make representations on certain traffic generating developments before a consent authority makes a determination on the proposal.</p>



<i>Instrument</i>	<i>Consideration</i>
	<p>The Parklands cultural events site meets the thresholds in schedule 3 of the SEPP (as it involves parking for 200 or more motor vehicles), and is therefore traffic generating development for the purposes of the SEPP. The RMS has been consulted in relation to the broader Parklands project.</p> <p>The proposed modification does not involve any change to road, access or traffic management associated with the existing Parklands site, although it would involve additional traffic movements associated with the additional trial events. The existing approvals include a number of conditions to ensure the effective management of traffic associated with events. As outlined in Section 5.3, it is considered that traffic associated with the additional events is able to be managed to an acceptable level of performance.</p>
<i>SEPP (Miscellaneous Consent Provisions) 2007</i>	<p>SEPP (Miscellaneous Consent Provisions) 2007 aims (amongst other things) to ensure that suitable provision is made for ensuring the safety of persons using temporary structures, and to encourage the protection of the environment by managing noise, parking and traffic impacts and ensuring heritage protection.</p> <p>The proposed modification does not involve any change to temporary structures approved under the existing concept plan and project approval, although it does involve the continued use of these structures over the extended trial period. It is considered that the use of these temporary structures is able to be readily managed in accordance with the aims, provisions and matters for consideration in the SEPP.</p>
<i>SEPP (Rural Lands) 2008</i>	<p>SEPP (Rural Lands) 2008 aims to facilitate the orderly and economic use and development of rural lands for rural and related purposes, and to implement measures designed to reduce land use conflicts.</p> <p>The proposed modification does not involve any change to existing development on the site, and does not adversely affect the use of the site for continued agricultural purposes outside the trial events.</p>
<i>Local Environmental Plans</i>	<p>The site encompasses a number of land use zones under both the <i>Byron Local Environmental Plan (LEP) 2014</i>, and the <i>Byron LEP 1988</i>. Land use zones within the site include (see Figure 4.1):</p> <ul style="list-style-type: none"> • Byron LEP 2014: <ul style="list-style-type: none"> ○ RU1 Primary Production; ○ RU2 Rural Landscape; • Byron LEP 1988: <ul style="list-style-type: none"> ○ 1(a) (General Rural Zone); ○ 1(b1) (Agricultural Protection (b1) Zone); ○ 7(k) (Habitat Zone); and ○ 9(a) (Proposed Road Zone). <p>The proposed modification does not involve any change to the approved uses or development within each of these zones, other than the continued use of the site for the extended trial period. As such, it is considered that the proposal would not alter the project's consistency with the local environmental plans, and that the project as modified is able to be managed in a manner that is generally consistent with the objectives of the applicable zones.</p>

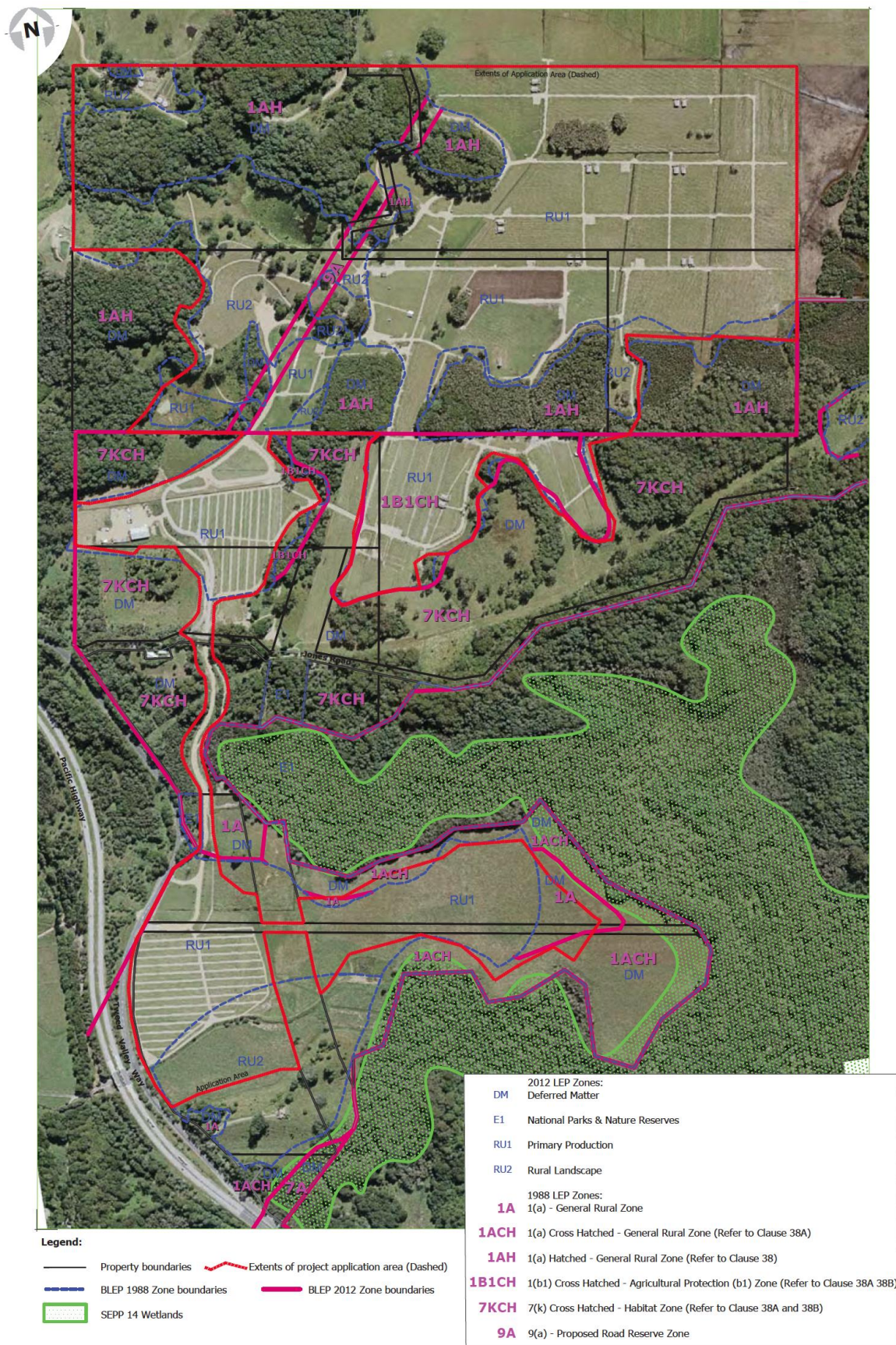


Figure 4.1: Zoning Plan (Source: Parklands)



4.3 Commonwealth Legislation

In addition to NSW planning approvals, approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is required for 'controlled actions' that have the potential to have a significant impact on Matters of National Environmental Significance (MNES). Nine MNES are listed under Part 3 of the EPBC Act of which the following two are relevant to the Parklands site:

- listed threatened species and ecological communities; and
- migratory species.

On 22 October 2012, the then Department of Sustainability, Environment, Water, Population and Communities advised that the Parklands project was not a controlled action, provided the development was undertaken generally in accordance with the approval issued by the State government. The decision was also based on the implementation over the trial period of additional measures relating to:

- restricted access to threatened species habitat/Billinudgel Reserve;
- additional noise management;
- wetland buffer zone;
- fire management,
- traffic control; and:
- an environmental bond.

Parklands has implemented and generally met all conditions relating to the Commonwealth's original decision.

The proposed modification does not involve any change to the nature or extent of impacts on MNES, although it would increase the duration of the existing impacts over the extended trial period. This increased duration is not expected to result in any significant impact to MNES. Notwithstanding, Parklands will refer the proposed modification to the Commonwealth to confirm whether it is a controlled action.

4.4 Strategic Planning Context

4.4.1 Rural Land Use Strategy

Byron Shire Council's recently adopted *Rural Land Use Strategy* provides a strategic framework to guide the use of rural land for living, working and recreation.

The proposed modification is considered to be consistent with the Strategy particularly as it relates to the rural environment, economy and community. The project as modified would maintain the site for rural uses, minimise land use conflict through environmental management and design, and protect significant scenic landscapes through conservation and ongoing vegetation improvement across the site.

4.4.2 Far North Coast Regional Strategy

The Department's *Far North Coast Regional Strategy* seeks to manage the region's high growth rate in a sustainable manner through protecting the unique environmental assets, cultural values and natural resources of the region while ensuring that future planning maintains the character of the region and provides for economic opportunities.

The proposed modification is considered to be broadly consistent with the Strategy, in particular those objectives related to environmental sustainability and employment generation. The Parklands site has been designed to protect and celebrate the natural, economic, cultural, social



and scenic qualities of the site and surrounds. Environmental management measures, intensive monitoring and ongoing habitat restoration ensure that natural and cultural resources are maintained and improved in the long term.

The Strategy also identifies tourism as an important economic element of the regional economy noting a distinct opportunity to add to the region's existing assets. The proposed modification would further these objectives by ensuring the continuity of two of the region's most iconic and economically valuable tourism events, Splendour in the Grass and the Falls Festival Byron. Socio-economic benefits associated with the Parklands site are discussed in more detail in Section 5.9.

4.4.3 Draft North Coast Regional Plan

In March 2016, the Department released the *Draft North Coast Regional Plan* for public exhibition. Once adopted, the Plan will replace the *Far North Coast Strategy*, providing a decision-making framework which integrates environmental and social considerations to achieve ecologically sustainable development.

The proposed modification is considered to be broadly consistent with the goals and directions of the draft Plan, particularly:

- Goal 1 – which aims to protect the natural environment, Aboriginal and historic heritage and productive landscapes;
- Goal 4 – which aims to promote a prosperous economy with services and infrastructure; and
- Direction 4.1 – which seeks to expand nature based and cultural tourism on the North Coast.



5 ENVIRONMENTAL ISSUES

5.1 Approach to Assessment

The proposed modification does not involve any physical changes to the approved project, or changes to the nature or extent of the environmental impacts associated with the cultural events site. However, it does involve an extension to the duration of the existing impacts over the trial extension period, which would comprise a 20 month period.

Accordingly, the assessment of environmental impacts associated with the proposal has focused on the performance of the trial period to date, with consideration of the proposed extension as required.

As outlined in Section 2.4, Parklands has developed a comprehensive environmental framework for the management of events and the site, the key components of which include the:

- EHSMS;
- some 20 event and environmental management plans; and
- annual Performance Reports.

Consideration of the performance of the trial events to date has had regard to compliance with the project approval conditions, as well as compliance with Parklands' environmental management framework.

5.2 Overall Compliance To Date

As outlined in Section 2.4, Parklands' EHSMS includes 185 KPIs across 15 Standards, which encompass the relevant project approval conditions and Parklands' commitments. Assessment of the performance of the events against each of these KPIs, as well as the project approval conditions, is detailed in the annual Performance Reports.

A summary of the compliance of the events with the project approvals conditions and KPIs, since the beginning of the trial period, is provided on **Figure 5.1** below.

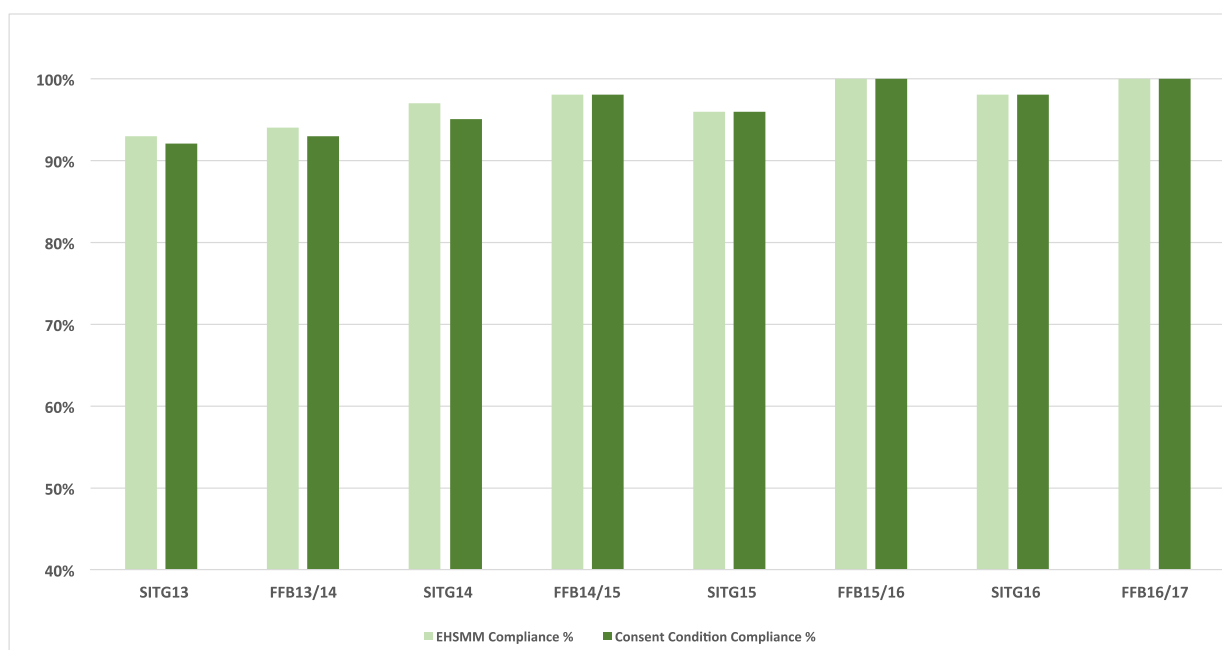


Figure 5.1: Event Compliance to Date (Source: Parklands)



As indicated in the figure, Parklands has achieved between 92% to 100% compliance with the KPI's and consent conditions since the beginning of the trial, with between 98% to 100% compliance over the past three events. The data indicates that Parklands has achieved a high level of compliance over the trial period, and has demonstrated a process of adaptive management and continual improvement over this period.

The non-compliances in the first year of the trial period were primarily in relation to traffic and noise management (see Sections 5.3 and 5.4). The non-compliances identified more recently relate to Splendour 2016, and included:

- non-compliances with two traffic-related KPI's, which occurred for relatively short periods on two event days (see Section 5.3 for further details); and
- a non-compliance with a bushfire-related KPI, associated with contractor tents being identified within the 10 metre defendable space exclusion zone to unmanaged bushland.

The continual improvement in performance is reflected in calls to Parklands' Community Hotline, which have shown a considerable decline in complaints over the trial period, as indicated in **Figure 5.2**.

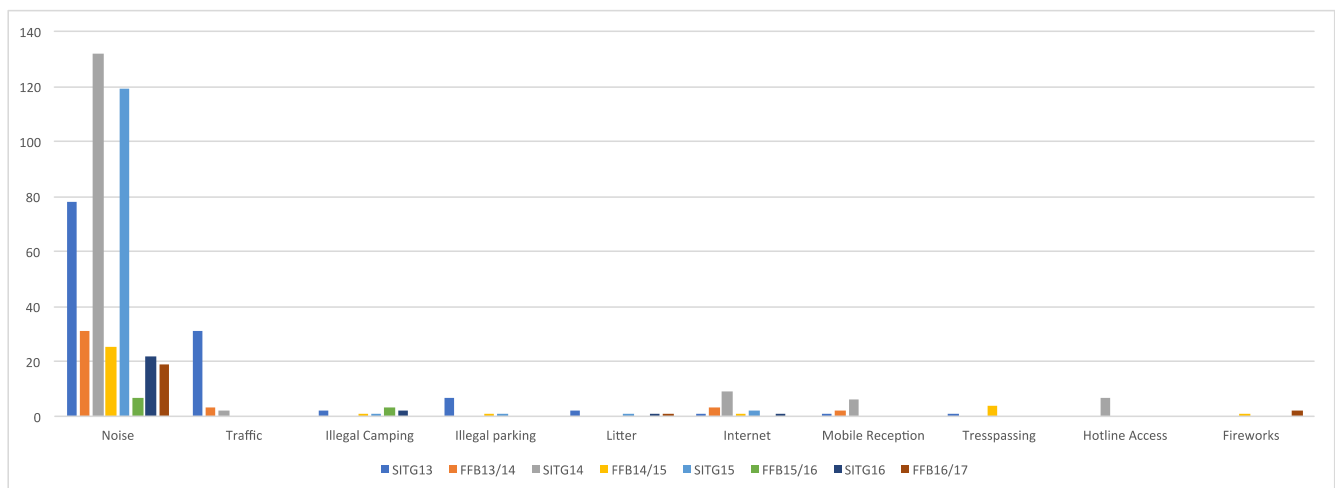


Figure 5.2: Community Hotline Register (Source: Parklands)

Whilst noise continues to be the key issue raised by callers to the hotline, noise-related complaints show a downward trend over the trial period for both events.

The detailed compliance tables from each of Parklands' annual Performance Reports are attached for reference in **Appendix A** and **Appendix B**, and full copies of the annual reports are available on Parklands' website.

5.3 Traffic

5.3.1 Background

The key traffic-related issue identified during the assessment of the original project was the capacity of the Yelgun Interchange and its ability to distribute traffic to and from the Tweed Valley Way during events. There is a risk that should traffic become congested at the interchange off-ramps, vehicles could queue to the Pacific Highway, increasing the risk of accidents on the motorway.



To manage these risks, the project approval and Parklands' KPIs include requirements on Parklands to achieve the following key performance outcomes at the interchange:

- minimum Level of Service (LoS) of C to be maintained at the Yelgun Interchange;
- minimum LoS of D to be maintained along Tweed Valley Way;
- queue lengths on the link road between Tweed Valley Way and the Yelgun Interchange to be limited to a maximum of 70 metres; and
- queue lengths on the northbound off-ramp to be limited to a maximum of 210 metres (from the give way yield line).

Parklands has also developed a range of comprehensive traffic management and monitoring plans in consultation with (and to the approval of) the relevant roads authorities, the RWG and the Department. These include the following, which are prepared for each event:

- Transport Management Plan;
- Traffic Control Plan;
- Traffic Monitoring Plan; and
- Traffic Evaluation Report (prepared after each event).

5.3.2 Performance

A summary of the performance of the trial events against the key project approval conditions and KPIs is provided in the following table.

Table 5.1: Traffic Performance

Condition/KPI	Event							
	Splendour 2013	Falls Festival 2013	Splendour 2014	Falls Festival 2014	Splendour 2015	Falls Festival 2015	Splendour 2016	Falls Festival 2016
Yelgun Interchange Min LoS C	Complied for 4 of the 6 days	Complied	Complied apart from one 45min period	Complied	Complied	Complied	Complied for 5 of the 6 days	Complied
Tweed Valley Way Min LoS D	Complied for 4 of the 6 days	Complied	Complied	Complied	Minor delays due to poor weather	Complied	Complied for 4 of the 6 days	Complied
Link Road Queue Length Max 70m	Complied for 4 of the 6 days	Complied	Complied	Complied	Complied	Complied	Complied for 5 of the 6 days	Complied
Northbound Off-ramp Queue Length Max 210m	Complied for 4 of the 6 days	Complied	Complied	Complied	Complied	Complied	Complied for 5 of the 6 days	Complied
Southbound Off-ramp Queue Length Max 50m	Complied for 4 of the 6 days	Complied	Complied	Complied	Complied	Complied	Complied	Complied
No Queuing on Pacific Hwy	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied
No Queuing on Tweed Valley Way (for through traffic)	Complied for 3 of the 6 days	Complied, apart from 1 short period	Complied	Complied	Complied for 4 of the 6 days	Complied	Complied for 4 of the 6 days	Complied



As indicated in the table, the first Splendour trial event resulted in some non-compliances on two of the event days for short periods. Following implementation of adaptive management measures, subsequent events have generally complied with all of the project approval conditions and KPIs, with the notable exception of Splendour 2016. Adaptive management measures implemented included:

- additional traffic controls plans submitted to the local traffic control committee;
- additional traffic monitoring devices (eg. tube counters);
- changes to internal traffic flows;
- changes to vehicle accreditation processing arrangements;
- parking cars with campers in dedicated parking lines to improve load-in times;
- working with NSW Police to streamline vehicle search requirements;
- additional vehicle messaging board placements;
- additional dedicated electronic distributions to patrons about traffic arrangements; and
- relocating taxi and kiss and ride facilities to the south of the site.

With regard to Splendour 2016, the event exceeded the LoS and queue length KPIs for relatively short periods on the Friday and Saturday evenings of the event, and resulted in some patrons moving off site by foot and onto the public road corridors. The Tweed Valley Way LoS KPI was exceeded for approximately 2 to 2.5 hours on each evening, while the queue length KPIs were exceeded for less than 30 minute periods.

Parklands and its traffic consultants undertook a detailed review of this issue, both as it occurred and after the event, in consultation with the RMS and emergency services. The review found that the congestion was primarily the result of on-site traffic congestion at the pick-up and drop-off facility, which impeded parking and movement in the northern car park and bus turnaround facility, which in-turn caused congestion and queuing on the public road network. The congestion at the pick-up and drop-off facility was identified as being largely the result of an unprecedented increase in ride-sharing services (such as Uber) and parent/family pick-ups compared to previous events.

An adaptive management approach was implemented during the event in conjunction with applicable regulatory agencies, with the issue fully resolved by the Sunday of the event by moving all taxi and shuttle bus pick-up and drop-off's to the southern car park. With this change, traffic flows returned to normal, bus services were on schedule and the KPI's returned to compliance.

Whilst Parklands' acknowledges that this issue increased traffic congestion and safety risks for a short period during the event, it is noted that no traffic-related complaints were received via Parklands' Community Hotline during the Splendour 2016 event. Traffic complaint data over the past 8 events is shown on **Figure 5.3**.

This change to pick-up and drop-off arrangements is now being implemented for all future large events. In this regard, all traffic-related KPIs were achieved at the subsequent Falls Festival 2016 event.

Other transport and demand management measures that are being implemented as part of Parklands' traffic management plans to reduce traffic volumes on the Yelgun Interchange and key intersections include:

- spreading traffic flows to the Cudgera Creek and Brunswick Heads Interchanges (to ease congestion on the Yelgun Interchange), through use of variable messaging signs at each of the interchanges;
- use of clear directional signage and traffic controllers;
- discouraging on-site parking through parking charges;
- encouraging car pooling through reimbursement of parking charges for vehicles with multiple passengers;



- enforcement of on-street parking bans;
- provision of bicycle parking; and
- provision of event bus services and bus parking facilities.

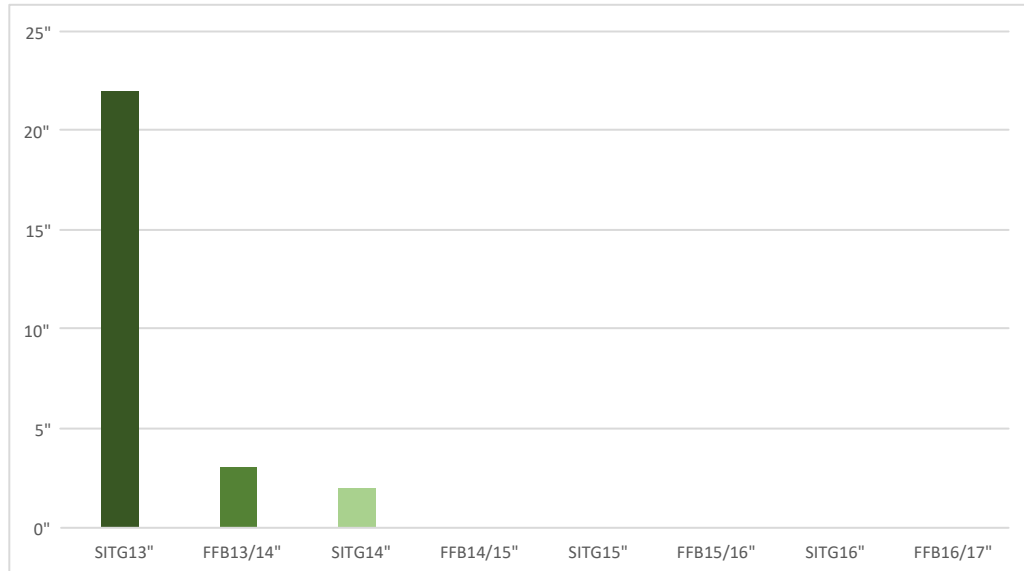


Figure 5.3: Traffic Complaint Data (Source: Parklands)

5.3.3 Proposed Modification

The project as modified is expected to be able to be managed in accordance with the project approval and Parklands' KPIs, subject to the continued implementation of demand management strategies in Parklands' transport and traffic management plans. These plans are required to be updated and approved prior to each event in consultation with, and to the approval of, the applicable authorities.

The proposed modification does not involve any increase to existing maximum patron numbers or event days per year, and as such is not expected to result in any increased traffic impacts on the public road network. It is noted that the original traffic modelling for the project was based on projected traffic volumes to up to 2030, and as such is considered to remain relevant to the proposed trial period extension.

5.4 Noise

5.4.1 Background

Event noise was a key issue raised by the community and regulatory stakeholders during the assessment of the original project application. It is also the most common issue raised in calls to Parklands' Community Hotline.

To this end, noise has been subject to significant environmental assessment and modelling both during the original project application and in subsequent modifications (ie. MOD 3). It is also the focus of significant monitoring and assessment before, during and after each event, and has been subject to assessment by the Department's Compliance Branch.

In this regard, the Department has sent a number of officers to both Splendour and Falls Festival events to undertake detailed compliance audits and to monitor noise. Overall, the audits have found that management practices employed during the events were satisfactory, although some non-compliances and areas for improvement were identified in relation to noise conditions. The



Department issued two penalty infringement notices (PINS) to Parklands in relation to non-compliances associated with the Splendour 2014 and 2015 events.

A key reason for these non-compliances was the way that the noise criteria in the original project approval were formulated. In this regard, the original approval included noise limits based on a 'background plus' approach, with the criteria based on the background noise level at the receiver location plus either 5 or 10 decibels depending on the time of day.

This framework is used for industrial developments regulated under the *NSW Industrial Noise Policy*, but is not particularly suited to short-term noise emissions such as those produced by events. Most events are regulated under a set noise goal (eg. 65 dBA), which must be met at all off-site receivers. Such a set level provides a greater level of certainty for both the event operator and the community as to the expectations for noise performance.

The 'background plus' model was found to be problematic for a number of reasons, particularly because background noise fluctuates markedly between sites and between the winter and summer seasons, when the Splendour and Falls Festival events are held.

As a result of the non-compliances identified in Splendour in 2014 and 2015, and the resulting PINS, Parklands undertook detailed analysis of acoustic data collected during events to determine how best to manage sound emissions at future events, particularly in winter when background noise is significantly lower. The analysis found that low-frequency noise emissions from drum and bass are likely to be the cause of most of the disturbance and complaints from events. Parklands has since implemented a range of measures to mitigate these and other noise emissions, including:

- re-orientation of stages;
- placing a wall of 500 kilogram hay bales around stages;
- using innovative speaker arrays, drapes and roof sheeting to direct and contain noise spill;
- providing greater community liaison support on acoustic management, including a team of acoustic engineers to continually monitor noise;
- co-locating the Noise Control Co-ordination Centre (NCCC) with the Community Hotline personnel to facilitate rapid response to complaints; and
- continuous front-of-house noise monitoring data to the NCCC, stage managers and production team, for all stages.

Further, in May 2015 Parklands sought to modify the project approval conditions to move from the 'background plus' noise criteria model to absolute criteria, and to include specific criteria for low-frequency noise emissions. Following detailed assessment by both the Department and the Commission, on 22 April 2016 the Commission approved the proposed modification (ie. MOD 3) subject to the revised noise limits summarised in the following table. The noise zones referred to in the table are shown on **Figure 5.4**.

Table 5.2: Revised Noise Limits

Time	Noise Criteria $dB_{LAeq}(10\ min)$	
	Inner Zone (Zone 1)	Outer Zone (Zone 2)
11 am – midnight	60 dBA	55 dBA
	70 dB(lin) ¹	65 dB(lin) ¹
Midnight – 2 am	45 dBA	45 dBA
	60 dB(lin) ¹	55 dB(lin) ¹

¹ Low frequency noise in the 63 hertz 1/1 octave band

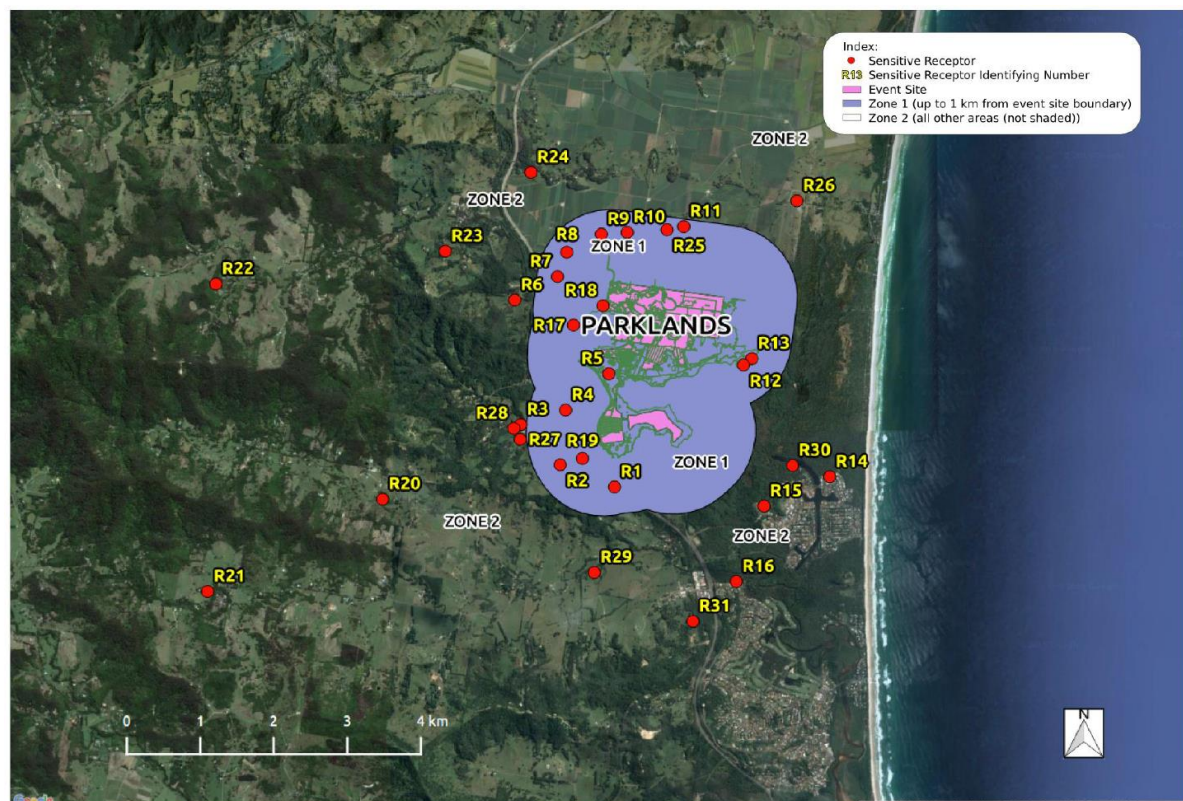


Figure 5.4: Noise Assessment Zones and Sensitive Receivers (Source: Parklands)

The Commission's determination report noted that these noise limits were consistent with, or in some cases more stringent than, noise limits for contemporary outdoor venues both in Australia and overseas. Further, the Commission noted that low-frequency noise is not regulated at all in the benchmarked Australian venues and international events such as the Glastonbury Festival.

5.4.2 Performance

Since the implementation of the above mitigation measures and revised noise criteria, Parklands has achieved compliance with all of the noise-related project approval conditions and its KPIs. The adaptive management approach and the continual improvement in performance is reflected in the number of noise-related calls to Parklands' Community Hotline, which have shown a marked downward trend over the trial period (see **Figure 5.2**). It is considered that the Performance Reports demonstrate that the recent events are being managed to an acceptable standard and generally in accordance with the community's expectations.

Notwithstanding, noise does continue to be the issue most raised in calls to the hotline. To ensure noise is effectively managed and to promote continual improvement, Parklands implements a range of measures in accordance with the project approval and its EHSMS, including preparation and implementation of a comprehensive:

- Noise Management Plan, that includes a range of mitigation measures to minimise noise spill;
- Acoustic Monitoring Program, that includes amongst other things:
 - continuous unattended monitoring before, during and after events;
 - attended monitoring at sensitive receiver locations, including in response to calls to the Community Hotline;
 - implementation of the NCCC which includes real-time monitoring of noise levels for all stages, monitoring of local meteorological conditions, and liaison between Centre, Community Hotline personnel, stage managers and production personnel; and
- Noise Impact Reports for each event.



5.4.3 Proposed Modification

The proposed modification does not involve any change to noise levels, noise limits or event days per year, although it does increase the duration of the trial period by an additional 20 months.

As outlined above, while some noise-related non-compliances were identified during early trial events, recent events have demonstrated compliance with the project approval conditions. They have also demonstrated a successful adaptive management approach to noise management, and a continual improvement in noise performance. It is considered that this in turn demonstrates an acceptable level of environmental performance.

The proposed modification would enable continued assessment of the performance of the events over the extended trial period, which would assist in the assessment and consideration of the longer term SSD application. In particular, it would allow the continued assessment of the events under the relatively new noise limits, which have only been in place for two events to date.

5.5 Ecology

5.5.1 Background

The site is located in an area of significant ecological value, with Billinudgel Nature Reserve immediately to the east of the site, SEPP 14 wetlands to the east and south-east, and the Marshalls Ridge wildlife corridor extending through the central portion of the site.

A number of threatened flora and fauna species and endangered ecological communities (EECs) listed under the NSW *Threatened Species Conservation Act 1995* (TSC Act) and/or the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) have been recorded within the site, including:

- 5 birds:
 - Comb-crested Jacana (*Irediparra gallinacea*);
 - Masked Owl (*Tyto novaehollandiae*);
 - Grass Owl (*Tyto capensis*);
 - Rose-crowned Fruit-dove (*Ptilinopus regina*);
 - White-eared Monarch (*Carterornis leucotis*);
- 5 bats and flying foxes:
 - Eastern Bent-wing Bat (*Miniopterus orianae oceanensis*);
 - Little Bent-wing Bat (*Miniopterus australis*);
 - Northern Long-eared Bat (*Nyctophilus bifax*);
 - Blossom Bat (*Syconycteris australis*);
 - Grey headed Flying-fox (*Pteropus poliocephalus*)
- 1 mammal (Koala, *Phascolarctos cinereus*³);
- 6 flora species:
 - Davidson's Plum (*Davidsonia jerseyana*);
 - Coolamon (*Syzygium moorei*);
 - Green-leaved Rose Walnut (*Endiandra muelleri* ssp. *bracteata*);
 - Stinking Cryptocarya (*Cryptocarya foetida*);
 - White Laceflower (*Archidendron hendersoni*);
 - Rough-shelled Bush-nut (*Macadamia tetraphylla*); and
- 4 EECs:
 - Swamp Sclerophyll Forest;
 - Sub-tropical Coastal Floodplain Forest;
 - Coastal Cypress Pine Forest; and

³ An old koala scat was identified on the site in early ecological assessments on the site, but assessments for the original project application, and subsequent whole of property assessments, have not identified any koala on the site. However, koala habitat is located to the east of the site in Billinudgel Nature Reserve.



- Lowland Rainforest of the NSW North Coast Bioregion.

The approved project is largely restricted to the existing cleared areas of the site, and did not require any significant clearing apart from a small area of trees (two thirds of which were exotic Camphor Laurels) for the Jones Road underpass. No direct impacts to threatened species or EECs was predicted or required.

The key biodiversity-related issues identified during the assessment of the original project related to indirect and cumulative impacts, and included:

- potential trampling and edge effects during events;
- noise and lighting impacts on fauna;
- traffic and road kill;
- impacts on sensitive areas including the SEPP 14 wetlands, the Marshalls Ridge wildlife corridor, Billinudgel Nature Reserve and core koala habitat areas; and
- impacts on the existing forest blocks within the site.

The project approval and/or Parklands' KPIs include a number of measures to mitigate these potential impacts to acceptable levels, including:

- a total ban on dogs (apart from controlled security dogs and assistance dogs);
- temporary fauna-friendly human exclusion fencing with a 10 metre buffer to forested areas;
- a buffer at least 30 metres to SEPP 14 wetlands for the southern car park;
- three fauna-friendly culverts under the spine road north and south of Jones Road, to assist fauna passage;
- restricting on-site traffic speed limits to 25 km/h;
- minimising light spill, particularly to forested areas;
- directing amplified noise away from forested areas as far as possible;
- implementation of detailed Ecological Impact Reviews involving fauna monitoring before, during and after each event;
- habitat restoration works in accordance with a detailed Ecological Structure Plan (see **Figure 5.5**), which will provide:
 - 5.9 hectares of additional habitat connecting forest blocks north of Forest Road and improving the Marshalls Ridge wildlife corridor; and
 - 12.9 hectares of new habitat with constructed wetlands in the southern car park providing a buffer to the Billinudgel Nature Reserve and the SEPP 14 wetlands;
- provision of funding for additional NPWS rangers to patrol Billinudgel Nature Reserve, and payment of performance bonds to rectify any identified impact; and
- a weed removal program.

These measures are implemented in accordance with Parklands' approved:

- Flora and Fauna Management Plan and Koala Plan of Management;
- Vegetation Management and Biodiversity Plan; and
- Flora and Fauna Monitoring Program.

In addition to these measures, Parklands and the Office of Environment & Heritage (OEH) have been in consultation since 2009 to facilitate a land swap which would involve dedication of some 28 hectares of high ecological value land adjacent to Billinudgel Nature Reserve that forms part of a priority fauna habitat (see **Figure 5.5**). Whilst Parklands continues to manage this area for habitat protection purposes, the dedication executed by the Minister of Environment on 25 April 2009 has been contingent on Parklands securing permanent approval for the cultural events site. The dedication will be pursued as part of the SSD application for ongoing use of the site.

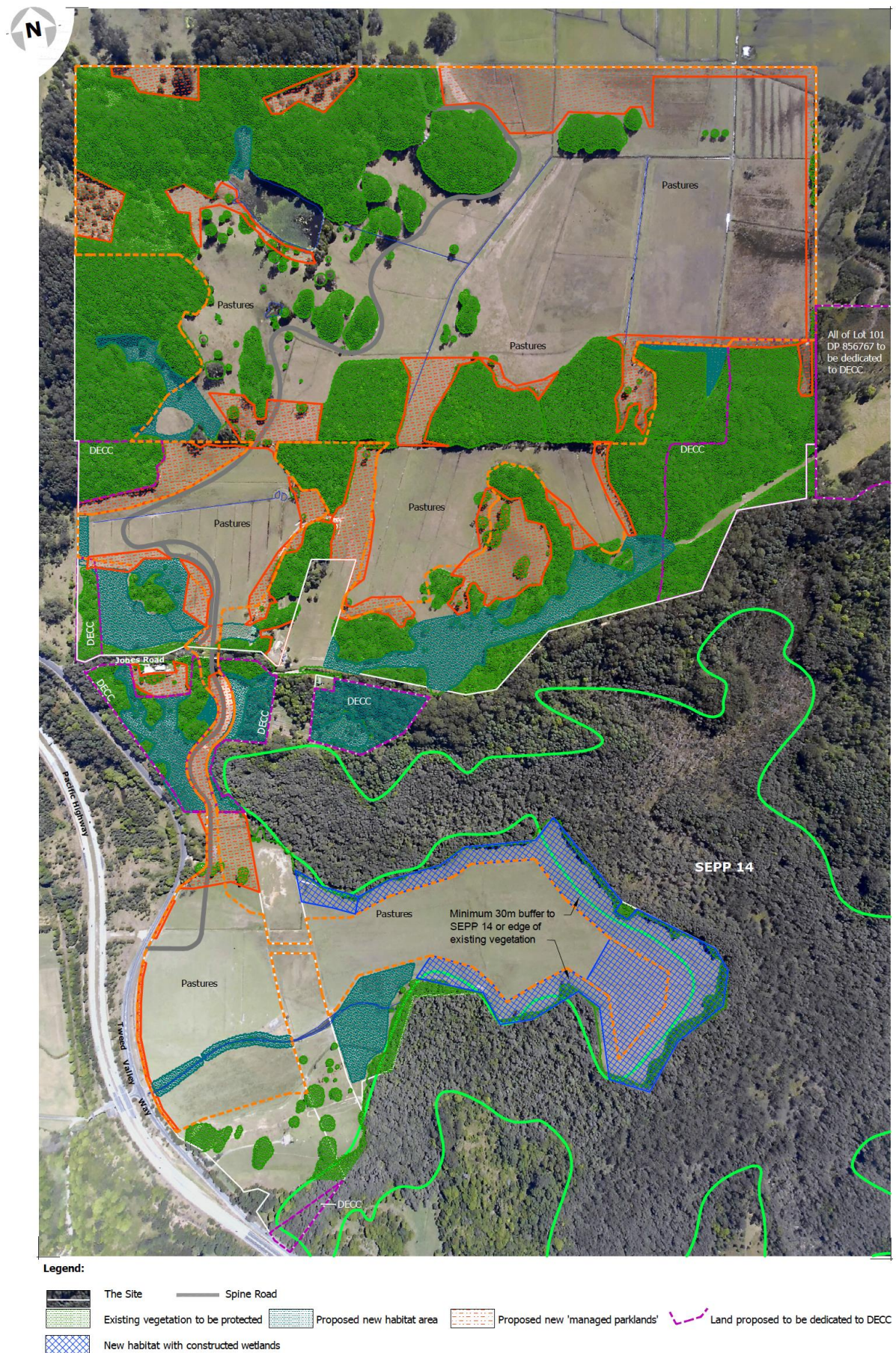


Figure 5.5: Ecological Structure Plan (Source: Parklands)



5.5.2 Performance

All events to date have been managed in accordance with the applicable biodiversity-related project approval conditions and KPIs.

A key component of the performance assessment is Parklands' Event Impact Monitoring (EIM) program, which is implemented by suitably qualified ecologists before, during and after each event. The EIM data from each event is included in the annual Performance Reports.

The EIM data collected to date indicates that the events have not resulted in any measurable impact on threatened flora and fauna species or EECs on or off the site, or significant impacts to biodiversity of the locality. Whilst some temporary reductions in water bird and mammal (eg. wallaby) numbers have been observed during events, these species quickly return following events, and the reductions are within natural fluctuation levels as a result of season, climate and food availability. Interestingly, some threatened bat species have been observed to increase in numbers during events, possibly exploiting insects attracted to light towers.

Parklands has implemented its habitat restoration program over the trial period, which forms part of the Vegetation and Biodiversity Management Plan. To date, more than 17,000 trees have been planted as part of this program, in addition to tens of thousands of trees that have naturally regenerated following cattle exclusion from the habitat management areas.

5.5.3 Proposed Modification

The proposed modification does not involve any change to the approved disturbance area of the site, or to the size or frequency of events.

Given the results of the Flora and Fauna Monitoring Program to date, the proposed trial extension is not expected to result in any significant adverse impacts on biodiversity of the locality. Importantly, the proposed modification would enable the continued implementation of Parklands' habitat restoration program and Vegetation and Biodiversity Management Plan over the extended trial period, which would benefit local biodiversity.

5.6 Flooding

5.6.1 Background

Flooding was identified as a key issue in the Department's assessment of the original project application.

The site is located within two main catchments, divided by the east-west alignment of Jones Road and Marshalls Ridge through the centre of the site. The majority of the northern camping/event area is within the Crabbes Creek floodplain, which forms part of the Mooball Creek catchment. The southern parking area is located within the Billinudgel Creek and Yelgun Creek floodplain, which is a tributary of Marshalls Creek.

Both floodplains are subject to inundation in large flood events. The original flood assessments for the project included detailed consideration of these potential flood impacts, including flood events up to the 1 in 100 year event and the probable maximum flood (PMF), including scenarios incorporating climate change predictions.



To manage these flood risks, a number of measures have been implemented under the project approval and Parklands' EHSMS, including:

- the spine road and key event laneways have been constructed above the 100 year flood level;
- a 0.75 hectare area within the event area has been developed above the 100 year flood level for campers with children and less mobile patrons;
- an emergency assembly area has been established on flood-free land in the north-western area of the site;
- key infrastructure (including electrical boards) and permanent structures have been (or would be) developed above the 100 year flood level;
- a detailed rainfall event forecasting system, rainfall recording station, and stream height gauging stations have been developed;
- parking is not permitted to the south of Yelgun Creek, and other parking is managed to use less flood prone areas preferentially; and
- a detailed Flood Risk Management Plan and Emergency Event Evacuation Plan have been developed.

5.6.2 Performance

All events to date have been managed in accordance with the applicable flood-related project approval conditions and KPIs. Splendour 2013 (the first trial event) experienced the greatest rainfall during an event, which totaled 23 millimetres across the event and bump-in bump-out days. Muddy conditions were also experienced during the Splendour 2015 event, due to some 33 millimetres of rain in the week leading up to the event, and 12 millimetres during the event.

No flood evacuations have occurred for any events on the site to date.

5.6.3 Proposed Modification

The proposed modification does not involve any change to the existing flood risk of the site, and it is considered that flood-related risks can continue to be managed in accordance with the existing flood management measures, and in consultation with the relevant authorities.

5.7 Bushfire Hazard and Emergency Evacuation

5.7.1 Background

The project site is surrounded by bushfire prone land, and as with any other event involving large numbers of patrons, presents risks associated with emergencies and evacuation.

These hazards and risks were considered in detail during the assessment of the original project application, and continue to be assessed, monitored and managed before, during and after all events. Emergency preparedness and response is integral to Parklands' EHSMS. Some of the key measures undertaken by Parklands to manage hazards and risks include:

- a comprehensive Event Management Plan is prepared for each event, that includes amongst other things:
 - an Event Safety Plan;
 - an Event Emergency Evacuation Plan; and
 - a Camping Management Plan;
- a comprehensive Bushfire Management Plan and Bushfire Emergency Evacuation Plan;
- hazards monitoring and feedback through the RWG, which includes representatives from the Rural Fire Service, State Emergency Service and NSW Police; and
- provision of detailed security, police and emergency service personnel during events, which are funded by Parklands in accordance with the services user pays systems. The resourcing requirements for each of these services are determined by the authorities themselves, in consultation with Parklands.



5.7.2 Performance

To date, the trial period has been managed generally in accordance with the approved safety and hazard management plans, and no large scale incidents or evacuations have occurred. Whilst some non-compliances of Parklands' KPIs have been identified (for example a number of contractor tenants were identified within the 10 metre exclusion zone to managed bushland), these issues have been promptly rectified. Parklands continues to liaise closely with Police and emergency services in relation to hazard and risk management for each event held on site, including various incident simulations and exercises.

5.7.3 Proposed Modification

The proposed modification does not involve any change to the hazards and risks associated with the approved project, although it does involve an increase in the duration of the existing risks over the extended trial period.

Based on the mitigation measures and performance to date, it is considered that these risks can continue to be effectively minimised and managed over the extended trial period.

5.8 Water and Wastewater Management

5.8.1 Background

The project as originally approved was based on a two-stage approach to water and wastewater management, given that the site is not connected to reticulated water and sewerage systems.

The approach essentially involved:

- Stage 1 – importation of potable water, with on-site collection and off-site treatment of wastewater at a licensed sewage treatment plant; and
- Stage 2 – development of a permanent on-site sewage treatment plant and water treatment plant to treat wastewater and produce potable water (from water harvested from farm dams on site).

5.8.2 Performance

Since the original project approval, Parklands has continued to investigate more sustainable water and wastewater management systems. To this end, in 2014 Parklands obtained approval from Byron Shire Council for an innovative water and wastewater management system that avoids the need to dispose any solid waste to external sewage treatment plants. The system involves:

- installation of 246 waterless composting toilets and 192 low flow showers in 10 amenities blocks on site;
- a grey water collection and treatment system; and
- harvesting of potable water from the roofs of the amenities blocks.

This revised water and wastewater management system was implemented in 2014, and has performed in accordance with the manufacturers specifications, the approval requirements, and Parklands' KPIs since its commissioning with no non-conformances identified to date.

5.8.3 Proposed Modification

The proposed modification does not involve any change to water and wastewater management associated with the approved project, apart from an increase in the duration of use of the existing infrastructure over the extended trial period. It is considered that this increased duration would not result in any adverse water or wastewater-related impacts.



5.9 Social and Economic Impacts

5.9.1 Background

The original concept plan and project application generated a significant response from the community, both for and against the project. In this regard, the Department received some 5,540 submissions in response to the public exhibition of the original proposal, of which:

- 4,821 (87%) were in support; and
- 719 (13%) objected.

Key issues raised in support of the project included:

- benefits to tourism and the economy;
- enhancement of Byron's image as a centre for culture, music and the arts;
- opportunities for local musicians and artists;
- cultural events promoting a sense of community and youth initiative; and
- improvements and benefits to local ecology through the proposed vegetation management works.

Key issues raised in objection to the project included:

- the size and scale of the events;
- biodiversity impacts;
- social impacts on the local community surrounding the cultural events site, including anti-social behaviour, alcohol and drug use, abusive and aggressive behaviour, trespassing, littering and illegal camping;
- noise and amenity impacts;
- traffic impacts;
- flooding and bushfire;
- impacts on community services and infrastructure; and
- other issues such as visual amenity and Aboriginal cultural heritage.

A considerable number of objections were received from the local community immediately surrounding the cultural events site, who would be most affected by amenity issues associated with the project.

The Department and the Commission considered these issues in their assessment of the project. In its determination, the Commission concluded that:

'...the site is suitable for outdoor events for cultural and educational purposes. Large outdoor events should be able to be carried out without significant impacts on the community if effective environmental management plans are implemented and performance is consistently monitored.'

Nonetheless, the Commission adopted the precautionary trial period approach, with events after the trial period to be subject to separate approval and the satisfactory performance of the trial events.

The project approval and Parklands' EHSMS include a range of measures to mitigate potential social impacts associated with the project, including:

- establishing the Regulatory Working Group (RWG), including community representatives, to oversee and advise on the performance of the events;
- establishing a Community Hotline for managing and responding to complaints and enquiries;
- employing a full-time environmental representative;
- employing a community manager before, during and after each large and medium event;
- publishing of Performance Reports on Parklands' website;



- notifying and keeping the community and relevant authorities up to date about each event;
- engaging security personnel, police and emergency services personnel for each event;
- a litter response team;
- resources to identify illegal parking and/or camping in the local area; and
- ongoing stakeholder consultation and engagement.

5.9.2 Performance

Social Impacts

The performance of the events in relation to environmental and amenity-related issues such as traffic, noise and hazards are addressed in separate sections above. As indicated, whilst some short-term issues have been identified during a small number of events, particularly in relation to traffic and noise management during early trial events, these issues have been able to be promptly addressed through adaptive management measures, and are being managed to an acceptable standard.

A summary of the performance of the events to date with respect to other key social issues is provided in the following table.

Table 5.3: *Social Impacts Analysis*

Issue	Analysis of Existing Performance
Anti-social behaviour	<ul style="list-style-type: none">• Feedback from NSW Police for the trial events indicates that caseloads in local villages and townships including Byron Bay are down on normal incident rates.• Local businesses advise that patrons are generally well-behaved.• However, some patron noise issues have been reported at Brunswick Heads bus stop. Events have placed security staff at the bus stop and patrons are reminded on the bus and event messaging to respect local neighbours.• The Community Manager also responded to a report regarding a group who had gathered and allegedly camped near South Golden Beach Community Hall. The Community Manager and Police also attended a complaint in Ocean Shores regarding a group gathering close to properties en route to festival buses on New Years Eve during the day.• Neither Byron or Tweed Council has raised anti-social behaviour from event patrons as a significant issue.• To date the Community Hotline has received minimal complaints about anti-social behaviour.• NSW Police has identified alcohol and drug use incidents on site. These issues are addressed through Responsible Service of Alcohol requirements, private security officers (between 200-300 guards depending on the size of the event), Red Frog volunteers, dedicated “chill out” zones and breath testing services which are available on site. Events also provide educational material via their website and mobile phone applications in addition to clearly articulated banned items and behaviour
Littering	<ul style="list-style-type: none">• Each event is required to provide a Litter Response Team (LRT) for the duration of the event. The LRT is responsible for monitoring roadsides and bus stops associated with the event. They are in regular contact with the Community Hotline and respond to any reported litter issues.• To date, 6 complaints about litter have been received and were responded to by the LRT.• The Community Manager takes before and after photos of key surrounding locations to verify the cleanliness (or otherwise) of these locations. Of the litter complaints made, a number of them were clearly not event patrons (e.g. Council bins located at beach entrances filled with picnic waste, etc).



<i>Issue</i>	<i>Analysis of Existing Performance</i>
Beach destruction	<ul style="list-style-type: none">• Original community feedback in relation to the project application raised concerns about beach ecology being destroyed, beaches being overrun with patrons and illegal camping on beaches.• The Community Manager actively documents surrounding beaches by taking photos. From these records and Council rangers feedback no such impacts or illegal camping on beaches has taken place.
Trespassing	<ul style="list-style-type: none">• There have been a number of reported incidents of non-patrons attempting to access events via private property. Events are responding by liaising with Police, Council rangers and neighbours, as well as providing increased static guards, regular security horseback and vehicular patrols and increasing signage, including at the entrances to the publicly accessible Billinudgel Nature Reserve walking tracks.
Illegal camping	<ul style="list-style-type: none">• Illegal camping is an issue for the Byron Shire throughout the year, however, to date, there have been 5 reports to the Community Hotline about illegal camping. Only two of those reports appear to be directly linked to festival patrons.

As outlined in the table, some incidents have occurred in relation to some events, and some sections of the local community surrounding the event site remain opposed to the development.

However, on the whole, it is considered that the events have been managed successfully and have not resulted in significant adverse social impacts. In this regard, Parklands has achieved compliance with the social-related project approval conditions and its KPIs for all events to date. The incidents that have occurred to date have been relatively isolated, temporary, and have been considerably less than that feared prior to the project approval. Any negative social impacts have been managed quickly and effectively, and are commensurate with any large cultural event involving large amounts of people. On balance, Parklands believes that the social benefits arising from each event have far outweighed the isolated incidents.

The continual improvement of the performance of the events is reflected in the number of calls to Parklands' Community Hotline, which have shown a considerable decline over the trial period (see **Figure 5.2**).

Notwithstanding, Parklands acknowledges the incidents that have occurred to date, and the issues raised by some stakeholders including NSW Police. Parklands is committed to addressing these issues through a number of measures, including:

- continuing to undertake incident simulation exercises with NSW Police;
- increasing lighting levels in licensed areas of events;
- maintaining pay for use levels of NSW Police Force members;
- improving site layouts in consultation with NSW Liquor licensing officers;
- partnering with Drinkwise Australia to promote a commitment to shaping a healthier and safer drinking culture in Australia;
- involvement in the STEER Youth Safe Transport Project, to assist patrons who are driving to make an informed decision on whether to drive home or not if they may be unsure of their blood alcohol concentration. This program will be expanded into the campgrounds on the Monday morning when campers are departing;
- partnering with Byron Youth Services, who also operate a free breath testing service;
- revision of the ticket terms and conditions which allow promoters to remove non-compliant patrons from the site; and
- expanding education programs to patrons surrounding alcohol and drug use through various social and media channels.

Parklands also acknowledges that the local community most affected are the immediate neighbours, and is committed to continuing to work with these stakeholders to identify



opportunities to reduce unintended impacts. Communications have included pre and post event meetings, property visits and contact via Parklands' Community Manager, emails and telephone calls. Parklands has now entered into agreements with all immediate landowners apart from one, and is implementing a Department-approved noise attenuation program with this landowner.

Community Grants Program

Parklands, together with the Splendour and Falls Festival event operators, have established the 'Parklands Community Grant Fund' to provide funding and in-kind support to community organisations and services. Since 2001, the Splendour in the Grass and Falls Festivals have donated approximately \$575,000 to community groups in the Northern Rivers.

Direct contributions to community groups during the most recent Performance Report reporting period totaled \$56,700, including grants to:

- Byron Bay Community Centre (\$15,000);
- Brunswick Heads Visitor Centre (\$10,000);
- Mullumbimby & District Neighbourhood Centre (\$8,000);
- Pottsville & District Men's Shed (\$5,000);
- Mullumbimby Showground Trust (\$4,750);
- Brunswick Valley Meals on Wheels Service Inc. (\$3,500);
- Crabbes Creek Primary School P&C Association (\$2,500);
- Brunswick Nippers, Junior Surf life Saving Club (\$2,000);
- Byron Youth Theatre (\$1,000); and
- Ocean Shores Primary School (\$5,000).

In addition to these direct contributions, over \$50,000 worth of event tickets were donated to charitable organisations and public schools to assist with fundraising activities.

Economic Benefits

In 2017, Parklands engaged RPS Australia to undertake a detailed economic impact assessment of the Splendour 2016 and Falls Festival 2016 events.

The assessment found that the two events generated:

- a total economic output of \$126.4 million, of which \$34.6 million is attributed to the Byron Shire;
- direct expenditure of \$55.1 million, of which \$16.6 million was in the Byron Shire;
- gross value added of \$60.7 million, with \$17.1 million in the Byron Shire; and
- 788 full time equivalent jobs, including 246 jobs in the Byron Shire (representing 2.25% of the Byron Shire workforce).

The economic assessment indicates that the two Splendour and Falls Festival events, operating over 8 event days, are generating significant economic benefits for Byron Shire and the North Coast.

5.9.3 Proposed Modification

The proposed modification would not result in any increase in the nature or extent of the existing social and economic benefits and costs associated with the project, however it would increase the duration of these existing impacts over the extended trial period.

In this regard, the proposed modification involves a total of only 14 additional event days (based on the existing two medium and large events) over 20 months, and would ensure the continuity of the iconic Splendour and Falls Festival events over this time.



The small number of additional event days is not expected to result in any significant negative social impacts in the local community over this time, and would result in significant economic benefits including around \$200 million in economic output and over 250 full-time jobs, based on the economic impact assessment. Importantly, the proposed modification would enable the continued monitoring of the events on a trial basis, in lieu of the consideration of the larger SSD application for the site.

5.10 Other Issues

Other issues associated with the proposed modification – such as visual amenity, air quality Aboriginal heritage, etc. – are not expected to be significant given that the proposal does not involve any change to the nature or extent of the approved project. It is considered that these issues are able to be readily managed in accordance with the existing project approval and Parklands' EHSMS.



6 JUSTIFICATION AND CONCLUSION

6.1 Proposal Need and Justification

The North Byron Parklands site is home to two of Australia's longest running and most iconic annual cultural music festivals, Splendour in the Grass and the Falls Festival Byron.

In April 2012, the Commission approved the use of the site for cultural events subject to a 5 year trial period, with events after this period to be subject to separate planning approval and the satisfactory performance of the trial events. In approving the project, the Commission noted that the site is suitable for outdoor events for cultural and educational purposes.

Since this time, Parklands has invested over \$25 million in the development of the site, and has held 8 medium/large trial events. It has also implemented a comprehensive suite of management plans and monitoring programs to minimise environmental impacts and track the performance of the events. The Department has also undertaken detailed compliance audits of a number of events.

Whilst some non-compliances have been identified, particularly in relation to traffic management and noise, and specifically during the early part of the trial period, these non-compliances have been temporary, and have been able to be rectified through a process of monitoring and adaptive management.

Overall, the events have demonstrated between 92% and 100% compliance with the project approval conditions and Parklands' own KPIs. This compliance has increased to between 98% and 100% over the past 3 events, which indicates that Parklands has achieved continual improvement in its environmental performance over the trial period to date. Calls to Parklands' Community Hotline have also significantly decreased over the trial period.

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 however, 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. This change would cover the events that are expected to be held and/or organised while the longer term SSD application is being considered.

Environmental assessment indicates that the proposed modification would not increase the nature or extent of the existing environmental impacts associated with the project, although it would increase the duration of these impacts for an additional 20 months. As outlined above, Parklands has achieved a good overall level of performance with the trial events to date, and it is expected that this is able to be continued over the extended trial period.

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.

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.

On balance, the environmental assessment indicates that the positive social, economic and environmental benefits associated with the cultural events site far outweigh the relatively isolated negative impacts, and that the continued operation of the Parklands site is in the public interest.

6.2 Conclusion

Having regard to all the salient environmental, social and economic issues, it is considered that the proposed modification represents reasonable and suitable development of the land. It is respectfully requested that the Minister for Planning or his delegate, having due regard for the information submitted in this document, grants approval to the proposed extension of the North Byron Parklands trial.



APPENDIX A



APPENDIX B



APPENDIX C