

# North Byron Parklands – Trial Period Extension Modification **Response to Submissions**

May 2017





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## DISCLAIMER

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## 1 INTRODUCTION

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. The Parklands site is home to two of Australia's most iconic annual international cultural music and arts festivals, Splendour in the Grass (Splendour) and Falls Festival Byron (Falls Festival).

Parklands is proposing to modify the existing concept plan and project approval for the Parklands site (MP 09\_0028 MOD 4), to extend the current trial events period for 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 Environmental Assessment (EA) for the proposal was publicly exhibited by the Department of Planning & Environment (the Department) from 22 March to 26 April 2017. This Response to Submissions document has been prepared by Parklands, together with PJEP Environmental Planning Pty Ltd (PJEP) and Planners North, to provide a response to the key issues raised in submissions.

## 2 SUBMISSIONS SUMMARY

The Department received a total of 634 submissions in response to the exhibition, including:

- 7 from government authorities – Tweed Shire Council (TSC), Office of Environment and Heritage (OEH), Environment Protection Agency (EPA), Roads and Maritime Services (RMS), Rural Fire Service (RFS), Byron Shire Council (BSC) and NSW Police;
- 14 from special interest groups – South Golden Beach Progress Association, Australians for Animals Inc, Far North Coast Primary Schools Association, Conservation of North Ocean Shores Inc, Brunswick Heads Progress Association, Byron Environment Centre, SAE Institute Pty Ltd, Middle Pocket and Yelgun Progress Association, Pottsville Community Association Inc, Bangalow Progress Association, Ocean Shores Tidy Towns Association, Brunswick Valley District Primary Schools Sports Association, Burringbar Community Association Inc and Northern Rivers Guardians; and
- 613 from the general public.

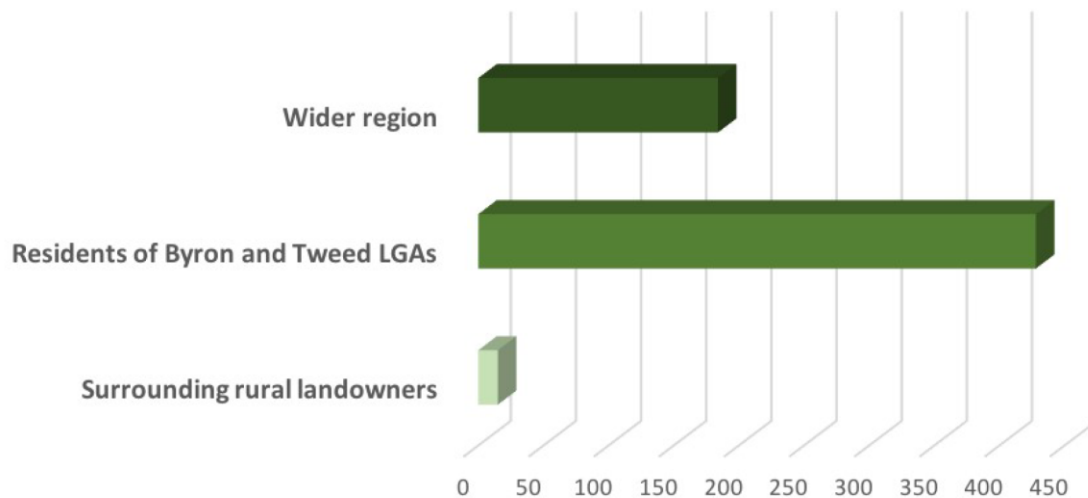
None of the government authorities object to the proposal however some raised concerns about the potential impacts of the proposal and made recommendations as to how these impacts should be avoided or minimised.

Submissions received from special interest groups and the general public were from a wide geographical area, with approximately 2% from rural landowners surrounding the project site, 68% from residents of Byron and Tweed local government areas, and approximately 30% from individuals in the wider region (see **Figure 1**).

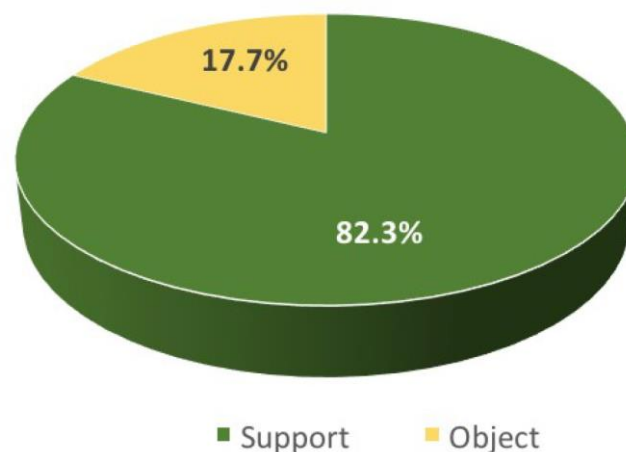
Of the 627 submissions from special interest groups and the general public, 516 (82.3%) support the proposal, while 111 (17.7%) object to the proposal (see **Figure 2**)<sup>1</sup>. Of the submissions from residents of Byron and Tweed local government areas, approximately 79% support the proposal, while 21% object to the proposal (see **Figure 3**).

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<sup>1</sup> It is noted that 8 submissions are classified on the Department's major projects website as "comments" however it was clear from the comments that they support the proposal.



**Figure 1:** Submitter Location – Public and Special Interest Groups



**Figure 2:** Submitter Stance – Public and Special Interest Groups

The submissions in support of the project generally cited employment opportunities, economic flow-on effects to businesses, and tourism and cultural opportunities and benefits that the proposal would generate. These submissions also supported the notion that the proposal can be undertaken with minimal environmental impacts, and that the cultural, community and creative industry benefits to the region were substantial.

The submissions objecting to and/or raising concerns cited a range of issues, including socio-economic issues (such as antisocial behaviour, illegal camping, littering), the approval process for the modification (including the consent authority, process and historical compliance), noise, traffic, flooding and public safety, and impacts on infrastructure and services.

The key issues raised in public and special interest group submissions, and the number of submissions in which each issue was raised, is illustrated in **Figure 4** below.





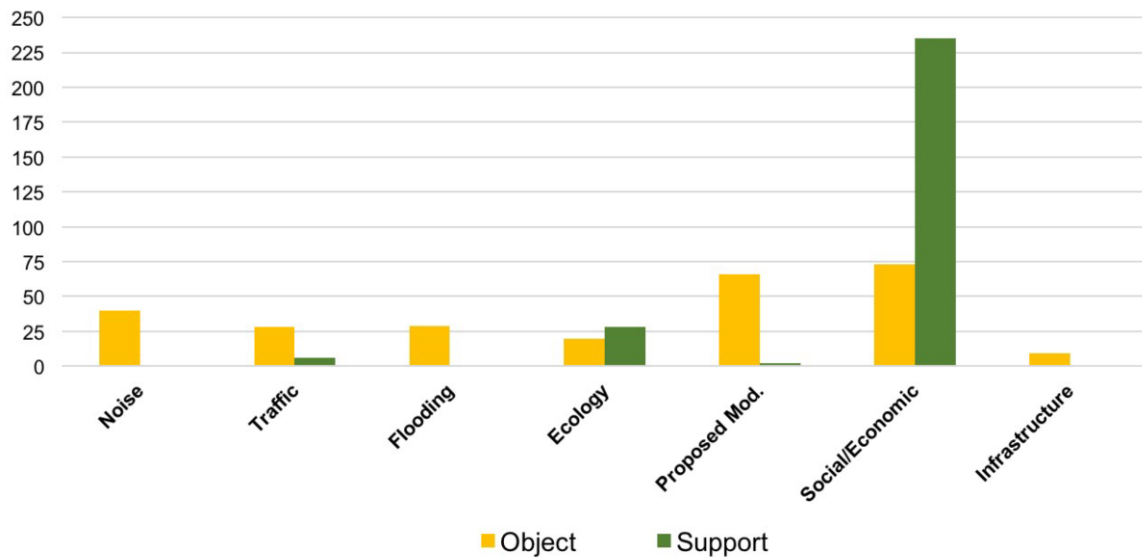
### SUPPORTS



### OBJECTS



**Figure 3: Submitter Locations and Stance – Byron and Tweed LGAs**



**Figure 4: Key Issues Raised in Public Submissions**

Further detail of the submissions received during the exhibition period is presented in the following table. The issues have been categorised (in the 'issues raised' column) using the key headings identified in the EA, to enable a consolidated response to the issues in Section 3 below.

**Table 1: Summary of Submissions**

| Stakeholder                              | Stance   | Issues Raised   | Issue Specifics   |
|--|----------|---|---|
| <b>Authority Submissions</b>             |          |   |   |
| Byron Shire Council (BSC)                | Comments | <ul style="list-style-type: none"> <li>Proposed Modification</li> <li>Traffic</li> <li>Flooding</li> <li>Noise</li> <li>Ecology</li> <li>Infrastructure and Services</li> </ul> | <ul style="list-style-type: none"> <li>Capping event patron capacities</li> <li>Pedestrians movement and safety</li> <li>Alternative site ingress/egress</li> <li>Public safety and evacuation management</li> <li>Managing meteorological variations</li> <li>Assessment of past ecological monitoring programs</li> <li>Onsite sewage management</li> </ul> |
| Environment Protection Authority (EPA)   | Comments | <ul style="list-style-type: none"> <li>Nil</li> </ul>   | <ul style="list-style-type: none"> <li>Nil</li> </ul>   |
| NSW Police                               | Comments | <ul style="list-style-type: none"> <li>Proposed Modification</li> </ul>   | <ul style="list-style-type: none"> <li>Maintaining capacity numbers at current levels</li> </ul>  |
| Office of Environment and Heritage (OEH) | Comments | <ul style="list-style-type: none"> <li>Ecology</li> </ul>   | <ul style="list-style-type: none"> <li>Proposed land swap</li> <li>Flora and Fauna Rehabilitation Program</li> </ul>  |
| Roads and Maritime Services (RMS)        | Comments | <ul style="list-style-type: none"> <li>Traffic</li> </ul>   | <ul style="list-style-type: none"> <li>Maintaining capacity numbers at current levels</li> </ul>  |
| Rural Fire Service (RFS)                 | Comments | <ul style="list-style-type: none"> <li>Nil</li> </ul>   | <ul style="list-style-type: none"> <li>Nil</li> </ul>   |
| Tweed Shire Council (TSC)                | Comments | <ul style="list-style-type: none"> <li>Noise</li> <li>Traffic</li> <li>Flooding</li> </ul>  | <ul style="list-style-type: none"> <li>Historical compliance with approved noise criteria</li> <li>Public transport adequacy</li> <li>Recent site flooding</li> <li>Public safety and evacuation management</li> </ul>  |





| <i>Stakeholder</i>  | <i>Stance</i> | <i>Issues Raised</i>  | <i>Issue Specifics</i>   |
|---|---------------|---|--|
| <b>Special Interest Group Submissions</b>                   |               |   |  |
| Australians for Animals                                     | Objects       | <ul style="list-style-type: none"> <li>Proposed Modification</li> <li>Social and Economic Impacts</li> <li>Proposed Modification</li> </ul> | <ul style="list-style-type: none"> <li>Historical ticket sales evidence</li> <li>Validity of economic data</li> <li>Antisocial behaviour</li> <li>Illegal camping</li> <li>Police concerns and public safety</li> <li>Impact on police services</li> <li>Council as consent authority</li> <li>Ability to extend trial approval</li> </ul> |
| Bangalow Progress Association                               | Objects       | <ul style="list-style-type: none"> <li>Traffic</li> </ul>   | <ul style="list-style-type: none"> <li>Capacity of local roads to deal with traffic</li> <li>Impacts on infrastructure</li> </ul>  |
| Brunswick Heads Progress Association                        | Objects       | <ul style="list-style-type: none"> <li>Proposed Modification</li> <li>Noise</li> <li>Flooding</li> </ul>                                    | <ul style="list-style-type: none"> <li>Council as consent authority</li> <li>Historical compliance with consent</li> <li>Historical compliance with approved noise criteria</li> <li>Public safety and evacuation management</li> </ul>  |
| Brunswick Valley District Primary School Sports Association | Supports      | <ul style="list-style-type: none"> <li>Social and Economic Impacts</li> </ul>   | <ul style="list-style-type: none"> <li>Purpose built venue suitable for range of sporting pursuits</li> <li>Suitable to host various cultural events</li> </ul>  |
| Burringbar Community Association                            | Supports      | <ul style="list-style-type: none"> <li>Social and Economic Impacts</li> </ul>   | <ul style="list-style-type: none"> <li>Generation of employment</li> <li>Boosts trade for local businesses</li> </ul>  |
| Byron Environment Centre                                    | Objects       | <ul style="list-style-type: none"> <li>Proposed Modification</li> <li>Noise</li> <li>Heritage</li> <li>Ecology</li> </ul>                   | <ul style="list-style-type: none"> <li>Council as consent authority</li> <li>Historical compliance with consent</li> <li>Historical compliance with approved noise criteria</li> <li>Indigenous issues management</li> <li>Proposed land swap</li> </ul>   |
| Conservation of North Ocean Shores                          | Objects       | <ul style="list-style-type: none"> <li>Infrastructure and Services</li> <li>Proposed Modification</li> <li>Flooding</li> </ul>              | <ul style="list-style-type: none"> <li>Permanent sewage treatment plant</li> <li>Council as consent authority</li> <li>Relocate to Blues Fest site</li> <li>Public safety and evacuation management</li> </ul>   |
| Far North Coast Primary School Sports Association           | Supports      | <ul style="list-style-type: none"> <li>Social and Economic Impacts</li> </ul>   | <ul style="list-style-type: none"> <li>Purpose built venue suitable for range of sporting pursuits</li> </ul>  |
| Middle Pocket and Yelgun Progress Association               | Objects       | <ul style="list-style-type: none"> <li>Proposed Modification</li> <li>Flooding</li> <li>Noise</li> <li>Traffic</li> </ul>                   | <ul style="list-style-type: none"> <li>Council as consent authority</li> <li>Public safety and evacuation management</li> <li>Historical compliance with approved noise criteria</li> <li>Capacity of local roads to deal with traffic during emergencies</li> </ul>   |
| Northern Rivers Guardians                                   | Objects       | <ul style="list-style-type: none"> <li>Proposed Modification</li> <li>Social and Economic Impacts</li> <li>Noise</li> </ul>                 | <ul style="list-style-type: none"> <li>Council as consent authority</li> <li>Income loss experienced by local businesses</li> <li>Historical compliance with approved noise criteria</li> </ul>  |



| <b>Stakeholder</b>                       | <b>Stance</b> | <b>Issues Raised</b>   | <b>Issue Specifics</b>  |
|--|---------------|--|---|
| Ocean Shores Tidy Towns Committee        | Supports      | <ul style="list-style-type: none"> <li>Ecology</li> <li>Social and Economic Impacts</li> </ul>   | <ul style="list-style-type: none"> <li>Extensive revegetation of site</li> <li>Professionally managed venue</li> </ul>  |
| Pottsville Community Association         | Objects       | <ul style="list-style-type: none"> <li>Flooding</li> <li>Proposed Modification</li> <li>Traffic</li> </ul>   | <ul style="list-style-type: none"> <li>Public safety and evacuation management</li> <li>Relocate to Blues Fest site</li> <li>Capacity of local roads to deal with traffic during emergencies</li> </ul>   |
| SAE Institute                            | Supports      | <ul style="list-style-type: none"> <li>Social and Economic Impacts</li> </ul>  | <ul style="list-style-type: none"> <li>Generation of employment</li> <li>Supports and grows the creative industries sector</li> </ul>   |
| South Golden Beach Community Association | Objects       | <ul style="list-style-type: none"> <li>Proposed Modification</li> <li>Social and Economic Impacts</li> <li>Infrastructure and Services</li> </ul>                  | <ul style="list-style-type: none"> <li>Council as consent authority</li> <li>Ability to extend trial approval</li> <li>Antisocial behaviour</li> <li>Police concerns and public safety</li> <li>Onsite sewage management</li> </ul>   |
| <b>Public Submissions</b>                |               |  |   |
| Various                                  | Supports      | <ul style="list-style-type: none"> <li>Social and Economic Impacts</li> <li>Ecology</li> <li>Infrastructure and Services</li> <li>Traffic</li> </ul>               | <ul style="list-style-type: none"> <li>Generation of employment</li> <li>Boosts trade for local businesses</li> <li>Supports regional tourism</li> <li>Supports and grows the creative industries sector</li> <li>Fosters greater community participation</li> <li>Safely managed and operated events</li> <li>Extensive revegetation of site</li> <li>Range of sustainable projects</li> <li>World class composting toilets and grey water treatment systems</li> <li>Well managed traffic systems</li> </ul>  |
| Various                                  | Objects       | <ul style="list-style-type: none"> <li>Social and Economic Impacts</li> <li>Proposed Modification</li> <li>Infrastructure and Services</li> <li>Traffic</li> </ul> | <ul style="list-style-type: none"> <li>Illegal camping activities</li> <li>Antisocial behaviour</li> <li>Litter management</li> <li>Drugs/alcohol affected patrons</li> <li>Impacts on Emergency Services delivery during events</li> <li>Police concerns and public safety</li> <li>Mobile phone connectivity</li> <li>Validity of economic data</li> <li>Council as consent authority</li> <li>Historical compliance with consent</li> <li>Permanent sewage treatment plant (STP)</li> <li>Leachate management of existing composting toilet system</li> <li>Pedestrians movement and safety</li> <li>Internal traffic congestion issues</li> </ul> |



| Stakeholder | Stance | Issues Raised  | Issue Specifics   |
|-------------|--------|--|---|
|             |        | <ul style="list-style-type: none"> <li>Noise</li> </ul>    | <ul style="list-style-type: none"> <li>Managing meteorological variations</li> <li>Historical compliance with approved noise criteria</li> <li>Attenuation of sensitive receiver residence</li> </ul> |
|             |        | <ul style="list-style-type: none"> <li>Flooding</li> </ul> | <ul style="list-style-type: none"> <li>Public safety and evacuation management</li> </ul>   |
|             |        | <ul style="list-style-type: none"> <li>Ecology</li> </ul>  | <ul style="list-style-type: none"> <li>Independent assessment of past assessments</li> <li>Proposed land swap</li> <li>Koala impacts</li> <li>Patrons trampling bushland</li> </ul>                   |

In addition to the submissions, the Department has also requested additional information in relation to a number of matters, including:

- Consistency – clarification of the number of event days;
- Compliance – clarification of statements regarding 100% compliance;
- Traffic – additional information on alternative/additional traffic control measures;
- Ecology – summary of monitoring results during the trial period;
- Social – additional information on measures to minimise adverse social impacts; and
- Complaints – additional information on complaints management.

These issues are also addressed in Section 3 below.

## 3 CONSIDERATION OF ISSUES

A detailed consideration of the issues raised in submissions is presented in the following sections. Examples of key issues raised in various submissions are shown in *italics*, followed by Parklands' response to the issues.

### 3.1 Noise

#### 3.1.1 Historical Compliance with Approved Noise Criteria

*Tweed Shire Council:*

*"There have been historical compliance issues relating to noise. It appears that noise continues to be the main issue raised by nearby receptors during events. If the modification to extend the trial period is approved, Council considers it important that the event be subject to a continuing regulatory focus by the Department of Planning."*

Since the Planning Assessment Commission's (the Commission's) granting of the trial approval, Parklands has continued to improve its management of amplified entertainment noise across events. As outlined in the EA, the original "background plus" noise criteria were not well suited to noise from events, and resulted in uncertainty for both the community and Parklands. Prior to Modification 3, there were a number of non-compliances with the "background plus" noise criteria which set noise levels as low as 42dB(A) and did not regulate lower (C- weighted) frequencies.

When approving Modification 3 in April 2016 the Commission opined that *"The determination refines the existing noise controls applying to the trial period. In particular, the establishment of an additional noise control category (C- weighted frequency noise) will limit and mitigate the most invasive bass type noise. The Commission also considers that the recommended noise limit change from background plus to 60dB (A) LAeq, 10- minutes provides for a more appropriate noise compliance restriction."*



As an example of this continuous improvement, the noise management measures adopted at Splendour in the Grass 2016 (Splendour 2016) resulted in zero non-compliances at the eight continuous noise monitoring positions located in the community including three ecological receptors. The 313 attended measurements undertaken during this event identified one marginal exceedance (0.4 dB) of the 63 Hz criterion for a single 10 minute period. Adjustments were made immediately, and the noise levels complied for the subsequent monitoring sample.

The number of amplified music related noise calls to the Community Hotline totalled 22, a substantial reduction when compared to the number of noise related calls received for the same event in 2015 (117 noise related calls). As well as complying with the new limits, an analysis of the description of the noise experienced by the community (via the community hotline) highlighted that the adverse effects of noise on the local community, particularly with respect to the lower frequencies (i.e. bass) were reduced versus the previous noise regime.

*Middle Pocket and Yelgun Progress Association:*

*“Yelgun Valley is heavily affected by ongoing noise during festival periods, festivals have breached there [sic] allowable levels regularly. We are now having to deal with potentially higher levels of noise following on from the third modification sought during the trial leaving affected residents with little or no recourse but to complain to the festival operator hotline.”*

Yelgun Valley is close to the Parklands site, separated by the Pacific Highway and Tweed Valley Way. As part of each event’s approved Acoustic Monitoring Program, unattended continuous noise loggers are located in consultation with members of the Regulatory Working Group at residential locations surrounding the site. During Splendour 2016, a noise logger was placed for 7 days at Receptor 6 (Yelgun Valley), with the results showing that for this 168 hour period there were no exceedances of the noise criteria related to amplified entertainment noise. An additional 47 attended measurements along Yelgun Road during this period also confirmed compliance with the approved noise criteria.

The same results were recorded for Falls Festival Byron 2016 (Falls Festival 2016). Zero non-compliances were identified from either the 168 hours of unattended continuous noise logging at Receptor 6, or the 55 attended measurements along Yelgun Road during the event.

It is acknowledged that residents may experience sound from the event at times. In addition to ensuring noise levels comply with the approved noise criteria, Parklands’ Community Management Standard (NBP 015) requires large events to provide complimentary tickets to residents listed below in recognition of their proximity to the site:

- immediate neighbours who share a common boundary with North Byron Parklands receive 8 x general admission event tickets per residence (i.e. council approved dwellings); and
- surrounding neighbours who reside in Yelgun Road, Billinudgel Road, Tweed Valley Way and Wooyung Road receive 4 x general admission event tickets per residence (i.e. council approved dwellings).

Approximately 400 such tickets are provided to these residents for Splendour and Falls Festival events.

### 3.1.2 Managing Meteorological Variation

*Byron Shire Council:*

*“An increase in and more proactive approach to noise management and mitigation is required prior to and during events to address any potential impacts on surrounding and nearby residents that may need to be resolved due to issues such as changes in weather (wind, cloud cover etc).”*



Parklands' website provides the community with information relating to noise management at the site and specifically the impacts of meteorological conditions. Certain weather conditions may increase or decrease noise levels observed at a given receptor location during an event. This is because certain weather conditions can focus sound-wave propagation paths at a particular area. Of particular importance to the propagation of noise from the event sound system are temperature, wind (including speed and direction) and the presence of temperature inversions.

Located within each event's community hotline centre is an acoustic manager responsible for coordinating attended monitoring activities based on calls to the hotline, ongoing routine monitoring measurements undertaken by field acoustic engineers and the live monitoring of Parklands' two weather stations which feed continuous information to the acoustic manager including:

- wind direction;
- wind speed;
- humidity; and
- temperature.

These continuous data sets are used to proactively manage amplified entertainment noise by predicting sound-wave propagation paths and directing field acoustic engineers to these areas to monitor sound levels as and when meteorological conditions change. Adjustments to both frequency spectrum and volume are made as required. This approach, employed since Falls Festival 2015, has resulted in ongoing compliance with the approved noise criteria at all subsequent events, as well as a significant reduction in calls to the community hotline regarding noise matters.

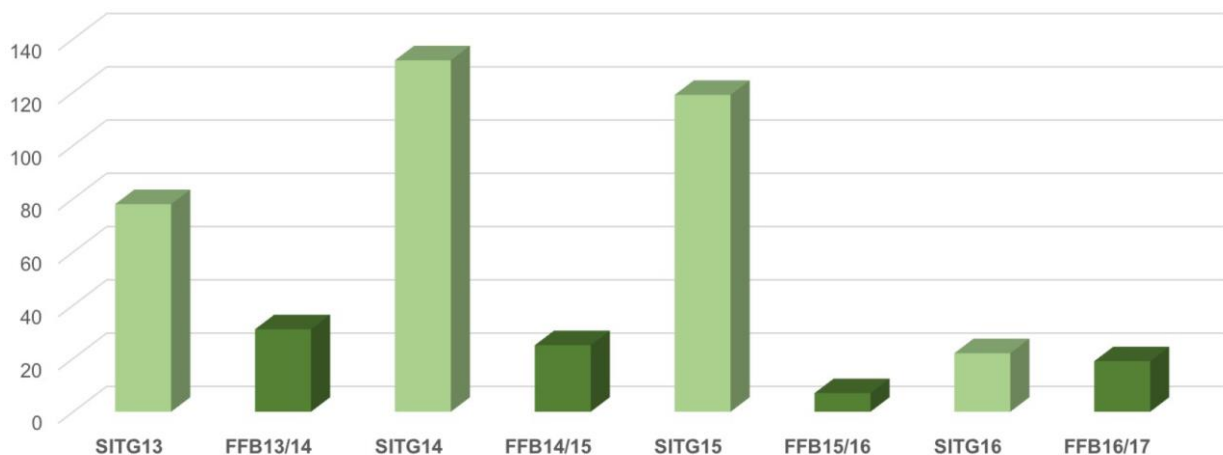


Figure 5: Noise-Related Calls to Community Hotline

### 3.1.3 Attenuation of Sensitive Receiver Residence

Name withheld:

*"Non compliance with Attenuation. I say this, because Parklands has a requirement to attenuate our home against noise which, in accordance with the Approval, was to be carried out before the first festival was held on site, back in 2013. My home is an identified sensitive receiver in the Project Approval & adjoins the festival site. Four years have past [sic] and Parklands still have not complied with the soundproofing of our home. The Department has not enforced these consent conditions"*

Parklands has worked with this resident since 2013 to attenuate parts of their dwelling. As part of the Department's request in December 2014, an attenuation assessment was undertaken by an acoustic attenuation expert before detailed architectural plans were prepared and a scope of works developed. After further negotiations, the scope of works was then approved and signed off by the



resident. Three registered builder quotes were obtained in April 2016. Parklands has complied with the attenuation requirements as stipulated in the Department's letter dated 19 December 2014 and awaits approval from the resident to commence these works.

## 3.2 Traffic

### 3.2.1 Public Transport Adequacy

*Tweed Shire Council:*

*"Feedback from the community has been such that whilst buses did run through the Tweed Coast towns, they were full before reaching Pottsville, leaving many patrons stranded and relying on taxis and other means, such as walking, to get to the site."*

At both Splendour and Falls Festival events, buses operate to and from locations surrounding the venue, providing destinations with either frequent 'Shuttle' services or timetabled 'Scheduled' services. Bus services operate between the venue and Byron Bay, Suffolk Park, Mullumbimby, Brunswick Heads, Ocean Shores, New Brighton, South Golden Beach, North Ocean Shores, Pottsville, Hastings Point, Cabarita, Casuarina, and Kingscliff.

It is noted that bus services were significantly affected at Splendour 2016 because of internal traffic congestion on the Friday evening of the event. Following consultation with NSW Police and RMS, changes to internal traffic flows were implemented including the relocation of the patron drop off/pick up zone and the taxi rank to the southern car park. These changes resulted in bus services returned to normal over the remaining event days.

In planning for Splendour 2017, these changes have been incorporated into the revised Traffic and Transport Management Plans given their proven success in mitigating the internal traffic congestion experienced on the Friday night of Splendour 2016. Parklands is aware how critical it is to maintain patron confidence that bus service services will be timely and have the capacity to transport all patrons as required.

Given the popularity of the event bus services, routes have expanded each year to new locations north and south of the venue. Patrons are encouraged to pre-book bus trips to assist with programming bus services to specific locations. However, not all patrons pre-book bus trips which can result in oversubscribed buses. To better address this issue, Falls Festival 2016 sent "push notifications" via its "Falls App" advising patrons travelling by bus to SMS the event patron line advising that buses were full and not stopping at their stop. More than 18,000 patrons downloaded the "Falls App" and as a result of notifications received from waiting patrons, additional buses were commissioned immediately along affected routes. Splendour 2017 will adopt this approach.

### 3.2.2 Capping Event Patron Capacities

*Roads and Maritime Services:*

*"Roads and Maritime is supportive of the proposed 20 month extension, to August 2019, of the trial period for events at North Byron Parklands provided maximum patron numbers are restricted to 35,000 for large trial events and 25,000 patrons for medium trial events. Further to this the requirements of Part B2 (4) of the Concept Plan Approval and Part B2 of the Project Approval dated 24 April 2012 should remain and in particular; - There have been no small trial events at the site to date therefore any small event would be the first trial and should be limited to 10,000 patrons. - The 2016 large trial event had 32,500 patrons and experienced operational difficulties from a traffic and safety perspective. Consequently Roads and Maritime has requested patron numbers be restricted to 32,500 patrons attending the 2017 Splendour in the Grass event (large trial event). Any*





*subsequent increase in patron numbers for the large event should be subject to satisfactory performance of previous events”*

Noted. Parklands agrees that any subsequent increase in patron numbers for the large event should be subject to satisfactory performance of previous events, and not increase above the capacity limits for each event category, as stipulated in Condition B2(2) of the project approval.

### **3.2.3 Pedestrian Movement and Safety**

*Byron Shire Council:*

*“On and off site traffic and parking management is crucial including pedestrian safety for those walking to and from the event site or utilising the Yelgun Rest Stop as a de-facto pick up / drop off point. A more comprehensive approach to traffic and parking management to address the current conflict that occurs on the surrounding road network during events is necessary and should include Police and or appropriately qualified security and traffic personnel”*

Pedestrian safety is a critical aspect to the operation of Parklands that is managed through the event’s safety management plan and traffic management plans. Offsite parking and subsequent pedestrian access to the venue is prohibited for all events. Ingress and egress to the site via Tweed Valley Way by pedestrians is not safe as this public road does not provide footpath access.

Both Parklands and the event organisers have worked with NSW Police and RMS regarding the management of the Yelgun Rest Stop. While Parklands and event staff do not have jurisdiction to request anyone to move on from the Yelgun Rest Stop, security staff are placed at this location to advise patrons that a) they cannot park vehicles at the rest stop and walk to the venue and b) the rest stop is specifically for motorists taking a break from driving. The area is constantly monitored and any issues radioed to the event Emergency Management Centre for action.

Patrons can access the Parklands site by either private vehicle or public transport. The venue is located too far from urban centres to make walking to the site viable. However, it is acknowledged that due to the internal traffic congestion experienced at Splendour 2016 on the Friday evening and the associated delays experienced by the planned bus services, there were unacceptable waiting times placed on patrons trying to leave the venue by either private vehicle or public transport. As outlined in the EA, these delays resulted in some patrons leaving the site by foot and caused potentially dangerous situations with the conflict of pedestrians and vehicles.

While the internal traffic congestion was rectified on the Saturday and Sunday of Splendour 2016, additional measures have been, and will continue to be, implemented for future events to better manage this situation, including:

- the relocation of all drop off/pick up traffic to the southern carpark;
- additional security, lighting and signage between the northern car park and southern carpark/drop off zone;
- signage at the main entrance informing patrons that there is no pedestrian access onto Tweed Valley Way; and
- security staff in the southern car park to monitor pedestrian movements onto Tweed Valley Way.



### 3.2.4 Alternative Egress/Ingress

*Byron Shire Council:*

*“an alternate access needs to be provided through to Wooyung Road in Tweed Shire to take pressure off the main entrances on Tweed Valley Way when the site is in use”*

Noted. Whilst traffic assessment and past traffic performance indicates that the additional access is not necessary for the existing approved project (inclusive of existing approved patron levels), Parklands agrees that an additional access would assist in providing options for patrons entering or exiting the venue. To this end, Parklands is investigating the additional access as part of the State Significant Development (SSD) application for continued use of the Parklands site after the trial period. The additional egress/ingress road would extend from the northern boundary of the venue to Wooyung Road, and would include widening and sealing the existing emergency access road and constructing a suitable intersection at Wooyung Road.

### 3.2.5 Capacity of Local Roads to Deal with Traffic During Emergencies

*Pottsville Community Association:*

*“Any required northern evacuation route through Pottsville would not be supported due to the disruption in traffic it would create for our residents and the flood liability of Wooyung Rd.”*

*Middle Pocket and Yelgun Progress Association:*

*“The surrounding road system will not handle the numbers of patrons, emergency vehicles and local traffic in any emergency situation and therefore festivals should not be allowed to operate on the site past the end of trial in December this year.”*

Parklands and the event organisers for Splendour and Falls Festival have developed comprehensive emergency management and evacuation plans that cover a range of different incidents and scenarios. These plans have been prepared in consultation with emergency service authorities, and are implemented in close consultation with these agencies. They are also tested as part of ongoing simulation exercises, and updated where necessary to ensure continual improvement.

For example, the Bushfire Emergency Evacuation Plan (BEEP) is prepared in consultation with members of the Regulatory Working Group (RWG) before each event. Members include NSW Rural Fire Service, NSW Police, State Emergency Services, Byron Shire Council and community representatives. The BEEP is then sent to the Local Emergency Management Committee (LEMC), comprised of key emergency management agencies, for endorsement.

Included in the BEEP and other emergency plans (such as Parklands' Flood Risk Management Plan) are details of the surrounding road network and various egress/ingress points (see **Figure 6**). These egress/ingress points have been mapped by emergency services and are used to inform these agencies of available evacuation pathways based on specific threats. To date the BEEP has undergone eight iterations of the above consultation and endorsement process, and is considered to be a very robust document by emergency services.

The Parklands site is located adjacent to the National Highway (with a 22,000/hour vehicle capacity) and the Tweed Valley Way (the former Pacific highway), and as such access to and from the site for emergency vehicles is well catered for. Parklands' dedicated emergency evacuation road has been constructed above the 1:100 year flood level, and also provides unimpeded access by patrons to Wooyung Road and Tweed Valley if necessary. This is in addition to Gates A, B, C and D which allow patrons to exit onto Tweed Valley Way and the National Highway.



**Figure 6:** Local Emergency Road Network

### 3.2.6 Internal Traffic Congestion

*Name withheld:*

*"I have attached photos of a small sample of Facebook comments left by Splendour patrons last year upset at how long it took to leave the site in an "orderly" fashion. Four to eight hours waiting to get out of the gates is too long regardless of whether or not it is an emergency situation"*

Parklands has hosted eight events since the first event in July 2013. Other than normal minor internal traffic delays associated with any large outdoor event, only one event has experienced significant internal traffic congestion and that was Splendour 2016. As outlined in the EA, this event experienced a significant modal shift in the way a large number of day patrons travelled to and from site, which was reflected in a larger than normal number of people being dropped off and collected either by private vehicle or Uber rides.

On Friday 22 July 2016, traffic controllers noted upwards of 800 vehicles entering the site and dropping patrons off at Guest Services in the northern carpark between 3pm and 6pm. These same vehicles returned between 10.30pm and midnight, greatly impacting the ability of buses to enter and depart the bus turnaround facility, which resulted in long delays to transport patrons off site.

A meeting on Saturday 23 July 2016 between Parklands, Splendour in the Grass, NSW Police, RMS and traffic controllers identified this as the principal cause of the delays, and resolved to move the drop-off/pick up zone to the southern carpark. This change dramatically improved traffic flows at the end of the show on this day. An additional meeting held on Sunday 24 July 2016 between Parklands, Splendour organisers, NSW Police, RMS and traffic controllers resolved to also move the taxi rank to the southern carpark. As a result of these changes all traffic patterns immediately



returned to normal operating parameters on the Sunday evening with no adverse impact on the surrounding road network. Parklands and the event organisers have since held debriefs with RMS and NSW Police, and the following range of measures will be implemented in the future including:

- implementation of a permanent drop off and taxi zone in the southern car park;
- appropriate traffic signage clearly indicating drop off and taxi zone locations;
- additional lighting towers located at the drop off and taxi zones and the pedestrian pathway leading to and from the event area;
- additional security in the southern car park to manage pedestrian movements; and
- further information on the event websites covering drop off and taxi zone locations and access to these facilities.

### 3.2.7 Impacts on Infrastructure

*Bangalow Progress Association:*

*“The Shire does not have the infrastructure to cope with such an enormous influx of festival goers. The Shire's access roads have unacceptable added road congestion making it impossible for local commuters to estimate the time it will take them to travel to work or take their children to schools.”*

Comprehensive traffic assessments undertaken for the concept plan and project approval have demonstrated that the local road network is able to accommodate event related traffic without causing significant impacts on the network. Detailed post-approval traffic monitoring, as reported in Performance Reports and summarised in the EA, also indicates that the traffic associated with events is acceptable, and is generally meeting applicable Level of Service criteria and the consent conditions.

One of the key benefits of being able to camp large numbers of patrons onsite is the ability to keep people at the venue and reduce traffic movements to and from the site. Falls Festival Byron provides camping for 85% of its patrons, which leaves approximately 3,000 people travelling to the venue either by bus or private vehicle. Ticket sales postcode data indicates that the majority of these day patrons are locals that live north or south of the site.

Splendour in the Grass on the other hand has a greater percentage of day patrons, with approximately 13,000 people securing accommodation offsite. These patrons either arrive by private vehicle (2,100 cars with an average occupancy rate of 2.8 person per car, totalling 5,880 patrons) or by one of the many bus services provided by the event. In order to minimise the number of private vehicles travelling to and from events, incentive based car-pooling is promoted to patrons via the event website. As one of the ways to encourage ride-sharing, events require that all vehicles entering the site have the appropriate pre-purchased ‘Vehicle Pass’. The number of vehicle passes available each day is capped which serves to limit the number of vehicles entering the site each day, reducing the potential for traffic congestion local roads and site entries.

Patrons that car-pool are eligible for a \$30 redemption voucher against the cost of their vehicle pass. Event and camping ticket holders who have pre-purchased the appropriate camping vehicle pass, and arrive with 3 or more valid ticketholders in their car, are eligible to receive a \$30 redemption voucher. Event ticket holders who have pre-purchased the appropriate day parking pass, and arrive with 4 or more valid ticketholders in their care, are eligible to receive a \$30 redemption voucher.

The Splendour in the Grass festival also includes weekend event days to further minimise impacts on local roads during peak hours.



### 3.2.8 Traffic Control Measures

Department:

*“Section 5.3.2 [of the Environmental Assessment] notes a number of alternative/additional traffic control measures. Clarify how these would be implemented to ensure the requested additional events would have minimal impacts upon the surrounding road network.”*

As indicated in Table 5.1 of the EA, the first Splendour trial event resulted in some traffic KPI non-compliances on two of the event days for short periods. Following the implementation of adaptive management measures, subsequent events have generally complied with all of the project approval conditions and KPIs associated with traffic, with the notable exception of Splendour 2016 (which is discussed in detail in the EA and in Section 3.2.6 above).

Adaptive management measures implemented included:

- additional Traffic Controls Plans submitted to the local traffic committee;
- additional traffic monitoring devices;
- 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 and additional vehicle processing lanes;
- additional vehicle messaging board placements;
- improved access routes and internal road network within Parklands;
- improved directional signage upon entering Parklands through to various destinations within Parklands;
- additional communication strategies to patrons about traffic arrangements; and
- relocating taxi and kiss and ride facilities to the south of the site.

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 incentive based monetary redemption programs for patron vehicles with multiple passengers;
- enforcement of on-street parking bans;
- provision of bicycle parking; and
- provision of event bus services and bus parking facilities.

These measures would continue to be designed, implemented, monitored and reviewed in accordance with Parklands' existing traffic management plans as required under the project approval, including:

- Transport Management Plan (Condition C9) – which is required to be prepared for each event to the satisfaction of the Local Traffic Committee;
- Traffic Control Plan (Condition C10) – which is required to be prepared for each event to the satisfaction of the Local Traffic Committee;
- Traffic Monitoring Program (Condition C12) – which is required to be prepared for each event to the satisfaction of the Department; and
- Traffic Evaluation Report (Condition C12) – which is required under the Traffic Monitoring Program.



## 3.3 Flooding

### 3.3.1 Recent Site Flooding

*Name withheld:*

*"The level of risk associated with flooding as depicted by the photos provided over a number of years in the campground area is an unacceptable risk to the public and as such an extension is not in the public interest"*

According to the State Emergency Service, the seasonality of flooding in the region is generally the result of two distinct weather patterns; ex-tropical cyclones and intense depressions (east coast low pressure systems) close to the coast. In the early months of the year, tropical cyclones originating in the Coral Sea may move south and there have been occasions when the path of a cyclone has produced rains of duration and intensity to produce a flood in the Northern Rivers catchments.

The most potent cause of flood rain events is the development of intense depressions close to the coast which usually form off either southern Queensland or northern NSW in a trough from the Coral Sea or from a shallow system. Depressions can develop at any time of year, but are most likely when sea surface temperatures are high and the air is humid. Therefore, most flood events on the Far North Coast and the Brunswick Valley catchment occur in the first half of the year with a peak period from February to April.

Rainfall patterns are also dependant on weather patterns that occur throughout the year. Flooding is more prevalent in a La Nina year when rainfall is significantly greater than the mean average rainfall. Thunderstorms, which generally occur during the summer, can also result in localised flooding which could impact specifically on the site.

Ex-tropical cyclone Debbie was a 1 in 120 year storm event that wreaked havoc and flood related damage across coastal areas of Queensland and the Northern Rivers in NSW. Significant flooding across the Tweed, Byron and Lismore local government areas was experienced by thousands of homes and businesses from Thursday 30 March 2017. North Byron Parklands did not escape flooding of parts of its camp grounds, however the storm event was an excellent test of Parklands' Significant Rainfall Forecasting System (SRFS).

In 2013, Parklands invested in two state-of-the-art weather stations capable of providing real time data covering rainfall, stream gauge heights, temperature, wind speed and directions. This wealth of continuous data is fed into the wider Bureau of Meteorology (BoM) weather monitoring systems and has helped improve local weather forecasting capabilities.

Debbie was a tropical low which moved slowly down the east coast of Queensland and, typical of these weather systems, provided multiple days' notice of its likely pathway. Parklands, using its weather forecasting system and liaising with the BoM and emergency services, received advice more than 96 hours before Thursday 30 March 2017 (the most intense rainfall day) that up to 300mm could fall across the site. Under Parklands' Flood Risk Management Plan, this would have resulted in the immediate cancellation of an event, or if an event was in progress, the immediate evacuation of patrons (which including all cars, and mobile infrastructure would take less than 8 hours, almost 4 days before the forecast event).

The SRFS accurately predicted the flood impacts likely to occur at Parklands and unlike many other locations, the venue avoided loss of property and equipment. While the probability of a 1:100 year rainfall event occurring during an event day at Parklands (of which there are only currently 8 per year) is more than 1:3,650, Parklands' SRFS has demonstrated its effectiveness and accuracy in predicting flood events.





### 3.3.2 Public Safety and Evacuation

*Byron Shire Council:*

*"In light of the recent floods that impacted the northern part of the Shire, a review of any emergency evacuation plan needs to be provided to ensure that in times of flood or other emergency events that patrons can leave the site in a timely and safe manner"*

*Tweed Shire Council:*

*"The safety of patrons is raised as a concern with regard to the evacuation of over 30,000 people from the site during a flood event. Photos are provided below which indicate the level of inundation during the recent floods (31 March 2017) affecting the region. Taking into account previous concerns raised by NSW Police (with regard to the inability to evacuate the site within 8 hours), and the rapid rise of the floodwater as evidenced by the stream gauges, concerns are raised with regard to the proponent's responsibility to ensure the safety of patrons, should a cultural event occur at the same time as a large flooding event"*

Emergency evacuation plans are continuously reviewed prior to and after events. Each event's Safety Management Committee, comprising event personnel, traffic managers, security service providers and crowd management specialists, review emergency evacuation plans across a range of emergency incident types. These incidents include bushfire, flooding, terrorism, medical (e.g. heart attack in front of the main stage or a gastroenteritis outbreak in the camping grounds). Detailed plans are developed for each of these scenarios and then consulted with relevant emergency service agencies as part of a continuous improvement approach to incident management.

Emerging technologies also play a role in better managing potential emergency incidents. These include the use of drones, fixed wireless cameras, mobile phone locating capabilities, real time tracking and location of security staff and Parklands' two onsite weather stations telemetrically linked to both the Bureau of Meteorology and each event's Emergency Management Centre.

These weather stations include two rain gauges and two stream gauges in the local area to improve monitoring of rainfall and creek conditions in real time. There is a rain gauge in the Upper Crabbes Creek catchment and a combined rain gauge and stream gauge on a drainage channel at the northern site boundary which drains to Crabbes Creek. There is also a combined rain gauge and stream gauge on Yelgun Creek at the culvert under the Tweed Valley Way on the western site boundary.

Parklands has a dedicated web interface with these gauges. This interface also has links to other BoM webpages which provides other forecasting and monitoring data which is useful for flood emergency management at the Parklands site.

The Flood Risk Management Plan recognises that protection of life is of critical and primary importance. The Plan also recognises the need for protecting the assets of patrons, artists and suppliers, but this is secondary to protection of life and limb.

To assist in managing flood risks and communicating response actions, six flood alert levels have been developed for use in the plan. They have been colour coded to further assist in communication. They are:

1. Normal – White – daily monitoring of weather forecasts and warnings.
2. Flood Watch – Blue – Flooding might be a possibility – more frequent weather and warning monitoring and preparatory actions.
3. Flood Warning – Yellow – Flooding is expected to occur – Continuous weather and warning monitoring and get ready to evacuate.



4. Evacuation – Orange – All patrons, artists, suppliers and staff to leave the site by vehicle. Continuous weather and warning monitoring.
5. Take Refuge – Red –Flooding is an immediate threat to patrons and they must take refuge on flood free land. Continuous weather and warning monitoring.
6. Cancel – Black – imminent flood threat or actual flooding makes it unrealistic for the event to be held or to continue.

These flood alert levels may be revised up or down depending on the changing forecasts and actual conditions. Once a decision is made to cancel an event this cannot be revised.

Models based on past event times for patrons to leave site on “camper-bump out” days plus provision for all other staff and supplier vehicles would require 8.5 hours for evacuation. However, this time would be reduced to 6 hours if vehicles could be directed north onto Wooyung Road and then the Coast Road through Pottsville, via the emergency access road.

In the very unlikely case that vehicular evacuation is not possible before the access roads are cut by floodwaters, patrons on site would be asked to walk to the Flood Emergency Assembly Area.

The rates of rise shown in modelled flood event hydrographs make it clear that pedestrian evacuation from flood affected areas to high ground is readily achievable. The furthest anyone would have to walk from a flooded event area to the flood emergency assembly point is about 800 to 900m. Even at a very slow walking pace of 2kph (which could occur with large crowds), it would take no more than 25 minutes to reach flood free ground.

The nominated Emergency Assembly Area for flood related emergencies is the Amphitheatre, at the western end of the event area and neighbouring flood-free high-grounds north and west of the Amphitheatre. The Amphitheatre, located in a flood-free zone, has toilet facilities, water supply, and can host significantly more than the maximum patron numbers currently approved under the project approval. The Amphitheatre can be reached using the spine road and the emergency access road (plus a number of existing mapped farm tracks), which are built above the 1 in 100 year flood level and would be entirely flood free.

## 3.4 Ecology

### 3.4.1 Proposed Land Swap

*Office of Environment and Heritage:*

*“The proponent is to prepare a new Terms of Agreement (replacing existing Heads of Agreement), between Billinudgel Property Pty Ltd ATF the Billinudgel Property Trust (owner) of the North Byron Parklands and the NSW Minister (for the environment) administering the NPW Act, or an appropriate delegate. The new agreement is to be completed in consultation and to the satisfaction of the National Parks and Wildlife Service and finalised by 31 December 2017. The new terms of the Agreement must:*

- a. Identify and map all the lands depicted on Figure 7 “land to be dedicated to DECC” of the revised Ecological Structure Plan approved by the Department of Planning and Environment and show land parcels as either Stage 1 (land swap) or Stage 2 (land dedication);*
- b. Set out the operative and administrative provisions required to manage and transfer all lands;*
- c. Set out the time for when the required parcels of land will be dedicated to the OEH.”*

Parklands is willing to prepare a new agreement to dedicate land. As part of the work for the State Significant Development (SSD) application for permanent approval of the Parklands site that is currently being prepared, Parklands is updating the relevant mapping and will undertake



consultation with the National Parks and Wildlife Service. Subject to the orderly review of a revised agreement, Parklands believes that the general terms of that agreement should be able to be settled by 31 December 2017.

Dedication is proposed to occur shortly after the issue of a satisfactory development consent for the permanent use of the North Byron Parklands site for events (i.e. the proposed SSD application).

### 3.4.2 Flora and Fauna Rehabilitation Program

Office of Environment and Heritage:

*“Revise the North Byron Parklands Flora and Fauna Rehabilitation Program to:*

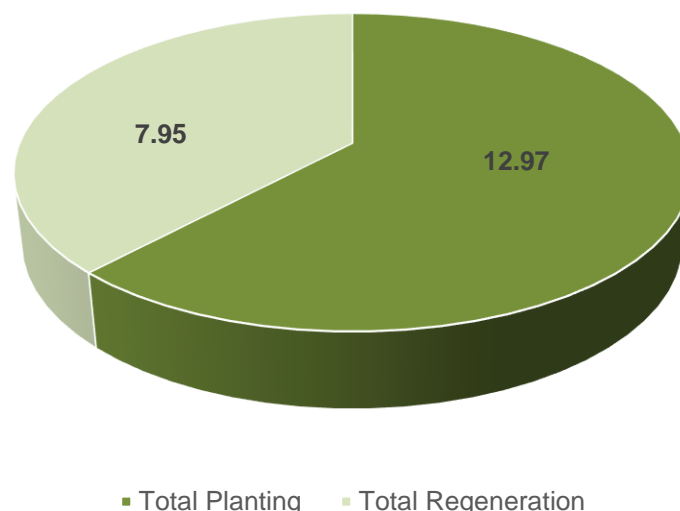
- a. Deliver on the 12.9 hectares of proposed new habitat under the Ecological Structure Plan to provide the buffer to the Billinudgel Nature Reserve and the SEPP 14 wetlands;*
- b. Define and map the preferred plant community type(s) to be created over the site in consultation with the OEH;*
- c. Provide performance based actions, include a staged approach to the rehabilitation of the site if required to achieve the preferred plant community type(s);*
- d. Provide the timeframe to achieve the target habitat creation under the existing consent and any post consent (ongoing) requirements as per the 10 year plan; and*
- e. Reference the newly drafted “Terms of Agreement” (as per recommendation 1) in Section 7.4 Dedication of Land Parcels to OEH.”*

It is noted that the proposed modification does not involve any change to the disturbance area of the site or direct flora and fauna impacts, or any change to ecological management or monitoring.

Parklands’ Flora and Fauna Rehabilitation Plan was developed in consultation with representatives of the OEH in early 2016 and originally lodged with the Department in August 2016. As a result of a number of requested changes the final plan was submitted in December 2016. In this latest plan (Section 7), Parklands clearly commits to delivering on the 12.9 hectares of proposed new habitat under the Ecological Structure Plan to provide the buffer to the Billinudgel Nature Reserve and the SEPP 14 wetlands.

At the time this plan was lodged the following level of rehabilitation had been undertaken:

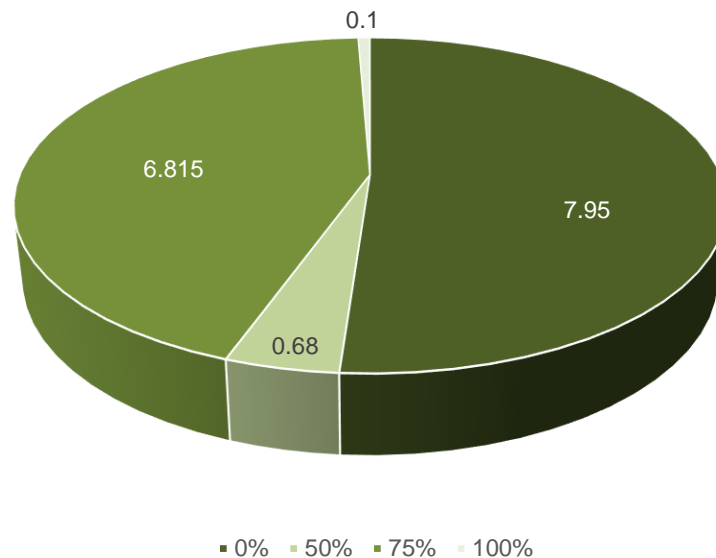
For Managed Parklands, the total areas identified for low density planting and natural regeneration are shown on **Figure 7** below.



**Figure 7: Total Managed Parklands (Hectares)**



The areas currently planted by the percentage completed are shown on **Figure 8** below.



**Figure 8: Managed Parklands Planted By % Completed**

Parklands agrees to work in consultation with the OEH to define and map preferred plant community type(s) to be created over the site, noting that all plants to date are native and endemic to the region.

The FFRP already provides a range of performance based actions (what is being planted, where and when as described and mapped across 64 defined polygons). Based on extensive consultation with OEH, Parklands has agreed to accelerate completion of the 10 year rehabilitation program to 5 years. As such, all works are programed to be completed by 31 December 2017.

### 3.4.3 Assessment of Past Ecological Monitoring Programs

*Department:*

*“Provide a summary of the ecological results obtained during the trial period and the management measures implemented to minimise impacts upon flora and fauna to date. This should include a review of all results obtained. Results should be utilised to inform how indirect and cumulative impacts will be managed should an extension be granted.”*

*Byron Shire Council:*

*“A further review of the veracity of the ecological monitoring that has occurred to date on koalas and other threatened species in the immediate vicinity of the site.”*

The project approval requires preparation and implementation of a Flora and Fauna Monitoring Program (Condition C20), to monitor and assess the impact of the project on flora and fauna within and adjacent to the site. This program was developed in consultation with members of the Regulatory Working Group including the Office of Environment and Heritage, National Parks and Wildlife Services and Byron Shire Council before being finalised and then approved by the Department in 2013.

A key component of the Flora and Fauna Monitoring Program is the Event Impact Monitoring (EIM). The EIM focuses on key groups of flora and fauna with the intention of identifying:

- any ecological impacts as a result of events, particularly on fauna within the site and Billinudgel Nature Reserve;



- requirements to ensure there are no significant impacts on the function of the Marshall's Ridge Wildlife Corridor;
- measures to ensure there are no significant impacts on threatened species and communities; and
- presence of Eastern Grass Owl (*Tyto longimembris*).

To date, a range of individual survey and/or monitoring reports have been developed and include:

- Performance Report No.s 1 to 4: Appendices B1 Environmental Performance Report and B2 Results and Analyses of Event Impact Monitoring Data (North Byron Parklands 2014a, 2014b, 2015, 2016);
- August 2007 Fauna Survey of North Byron Parklands (Fitzgerald 2007);
- February 2009 Fauna Survey of North Byron Parklands (Fitzgerald 2009);
- North Byron Parklands Biennial Fauna Survey (Fitzgerald 2014);
- Yelgun Koala Survey and Koala Plan of Management (Biolink 2007);
- Yelgun Koala Survey Koala Habitat Reassessment (Biolink 2008);
- North Byron Parklands SEPP No. 44 Koala Survey and Habitat Reassessment (Biolink 2013); and
- North Byron Parklands Koala Survey and Habitat Reassessment (Biolink 2016)

Numerous surveys have been undertaken within the study area from 2007 to 2016, including eight EIM events and seven other surveys. Sampling methods for EIM and other surveys are summarised below, with full details available in the documents listed above.

The monitoring methods for EIM were developed and approved as part of the Flora and Fauna Monitoring Program (2013) and are summarised in **Table 2** below. This program has been implemented during the eight events listed in **Table 3**.

**Table 2: Summary of Ecological Survey and Monitoring Methodology (2007 – 2016)**

| <b>Target Group</b>      | <b>Sampling Methodology</b>   |
|--------------------------|---|
| Vegetation               | Vegetation condition and changes before and after each event recorded at 27 permanent photo-points across the Parklands   |
| Forest Birds             | Monthly samples (ten X 20 minute / 200m transects) taken before, during and after each event over three consecutive days between December and February (Falls Festival) and between June and August for Splendour in the Grass. Sampling events are undertaken by three experienced observers. Impact sites within the Parklands; control sites within Billinudgel Nature Reserve |
| Forest Birds – plantings | Birds monitored at two sites in established (~9 year old) native plantings in the Marshall's Ridges area – commenced 2015   |
| Waterbirds               | 20-minute point counts of waterbirds around the 2 ha constructed dam on-site recording species and abundance before, during and after each event  |
| Eastern Grass Owl        | Targeted survey and call playback each July during event years – 2013, 2014, 2015, 2016   |
| Terrestrial Mammals      | Ten hair funnels deployed at each of 5 locations at 20 m intervals along a bird transect. The sampling for four nights before, during and after each event.   |
| Terrestrial Fauna        | Two sand traps deployed (within an area of 20 m <sup>2</sup> ) on three nights before, during and after each event at eight locations along tracks. Traps raked the night before sampling and checked each morning.<br>Two motion sensor wildlife cameras deployed in the Marshall's Ridges area to monitor fauna presence – commenced 2015.                                      |
| Microchiropteran Bats    | Three locations sampled by Anabat call detectors. Anabats deployed for three nights before, during and after each event. Two locations are within the   |



| Target Group  | Sampling Methodology  |
|---------------|---|
|               | event area (dam and flyway) and the third nearby within Billinudgel Nature Reserve. |
| Flying-foxes  | Incidental survey whilst ecologist on site during events                            |
| General Fauna | Incidental road kill observations   |

*Note: Minor methodology changes have been made during the life of the project.*

**Table 3:** List of Events Monitored

| Event               | Ecological Monitoring dates | Number of approved patrons per day |
|---------------------|-----------------------------|------------------------------------|
| Splendour 2013      | Before: June;               | 25,000                             |
| Splendour 2014      | During: July;               | 27,500                             |
| Splendour 2015      | After: August               | 30,000                             |
| Splendour 2016      |                             | 32,500                             |
| Falls Festival 2013 | Before: December;           | 15,000                             |
| Falls Festival 2014 | During: January;            | 17,500                             |
| Falls Festival 2015 | After: February             | 20,000                             |
| Falls Festival 2016 |                             | 22,500                             |

A number of other surveys have been undertaken at Parklands. Prior to 2013, these were to support the environmental approvals process. Subsequent surveys have been undertaken as part of the approvals requirements. This is primarily the 2014 biennial fauna survey. A summary of these surveys and the method employed is provided in **Table 4**.

**Table 4:** Summary of Other Ecological Surveys Undertaken at Parklands

| Survey type  | Year | Methods employed   | Reference       |
|--------------|------|--|-----------------|
| Fauna survey | 2007 | Anabat detection   | Fitzgerald 2007 |
|              |      | Bird survey (incl. call playback)                                    |                 |
|              |      | Drift fence and pitfall traps  |                 |
|              |      | Elliot traps   |                 |
|              |      | Flying-fox census  |                 |
|              |      | Frog survey  |                 |
|              |      | Harp trapping  |                 |
|              |      | Incidental observations incl. of tracks, scats, diggings and remains |                 |
|              |      | Reptile survey   |                 |
|              |      | Spotlighting   |                 |
| Fauna survey | 2009 | As per 2007 fauna survey above                                       | Fitzgerald 2009 |
| Fauna survey | 2014 | Anabat detection   | Fitzgerald 2014 |
|              |      | Bird survey incl. call playback                                      |                 |
|              |      | Elliot traps   |                 |
|              |      | Frog survey  |                 |
|              |      | Harp traps   |                 |
|              |      | Sand traps   |                 |
|              |      | Spotlighting   |                 |
|              |      | Waterbird surveys  |                 |
| Koala survey | 2007 | Incidental observations incl. of tracks, scats, diggings and remains | Biolink 2007    |
|              |      | Analysis of historical records                                       |                 |





| Survey type  | Year | Methods employed  | Reference    |
|--------------|------|---|--------------|
|              |      | Site assessment – habitat quality and koala searches (KSAT) |              |
| Koala survey | 2008 | Site assessment – habitat quality and koala searches (KSAT) | Biolink 2008 |
| Koala survey | 2013 | Site assessment – habitat quality and koala searches (KSAT) | Biolink 2013 |

The numerous fauna records, including threatened species, which are periodically acquired from the Parklands site and from Billinudgel Nature Reserve, are reported in annual Performance Reports, and are provided with location data to OEH. More threatened fauna species have been recorded on the Parklands site since the 2012 approval than were recorded before. Koala monitoring has been outsourced to Biolink Consultants Uki, who were chosen by Byron Shire Council to prepare the Byron Coast Koala Plan of Management. Analysis of bat call files and hair samples are also outsourced to independent specialists.

Six different reputable ecologists have worked at the Parklands site. Further, the Department and the Commonwealth Department of Environment sent ecologists and compliance officers to review the flora and fauna monitoring programs during Splendour 2016. As a result of these departmental audits, no non-compliances were issued to Parklands, nor any opportunities for improvement.

Parklands recently engaged Eco Logical Australia to undertake a detailed review of the flora and fauna monitoring undertaken to date, and to provide a summary of the results of this monitoring. Eco Logical's report is attached as **Appendix A**.

The summary report concludes that the overall survey and monitoring results to date indicate that the cultural events at the site and adjacent Billinudgel Nature Reserve have caused only very minor, temporary and reversible impacts on the ecological attributes of the locality, including threatened species, populations and communities.

The report notes that increased light and noise levels have some temporary impact on local fauna movements and site usage during the period of each event. However, comprehensive EIM data indicates that once these factors cease to operate and the site returns to pre-event conditions, fauna presence and habitat values return to baseline conditions. Moreover, the report concludes that there is no evidence of declines in any environmental values at the Parklands, indicating no cumulative effects of ongoing events.

Flora and fauna management during the trial period will continue to be managed in accordance with Parklands' approved Flora and Fauna Management Plan (Condition C19), Vegetation Management and Biodiversity Plan (Condition C21 and E17) and Flora and Fauna Monitoring Program (Condition C20). Given the findings of the monitoring reports and Eco Logical's review, no changes to these plans and programs are considered to be required for the proposed modification.

### 3.4.4 Koala Impacts

*Name withheld:*

*"26 threatened species use the Marshall's Ridge Wildlife Corridor, including the locally threatened species of Koala and Long Nosed Potoroo. The NBP site itself includes high quality Koala habitat. There are less than 100,000 Koalas left in the wild. This development threatens to make them extinct in this locality"*



*Name withheld:*

*"The site is immediately adjacent to Billinudgel Nature Reserve and the Jones Road (Marshall's Ridge) Wildlife Corridor, home to koalas and approximately 50 other threatened and endangered species."*

Initial surveys undertaken by Biolink in 2007 recorded localised koala use of a section of the Parklands site confined to a relatively small cell (approximately 3ha) of core koala habitat (as defined by *State Environmental Planning Policy No 44 - Koala Habitat Protection*) focused on remnant vegetation in the east of the site.

As a consequence of this finding, a short-term (12 month) site specific Koala Plan of Management (KPoM) was prepared which *inter alia* required reassessment of the site prior to commencement of development activity to check for any changes to the area of identified core koala habitat. The reassessment (Biolink 2008) documented a decline in the extent of koala activity within the habitat area over the intervening 12 month period to the extent that the level of use at that time was considered to be relic and/or transient. No other evidence of koala activity was recorded elsewhere on the site in 2008.

An updated assessment of koala activity at the Parklands site was undertaken by Biolink in 2013 on behalf of Billinudgel Property Trust. However, no koala activity was recorded and no koalas were observed during the 2013 surveys.

A further assessment of koala activity at the Parklands site was recently undertaken by Biolink in 2016, which identified a number of mostly "old" scats in the northwest section of the property (outside of the project area). The survey, conducted over 5 days, did not result in any sightings (note: over four whole of property surveys no koala sightings have been made).

Notwithstanding, Parklands will continue to undertake biennial surveys, with the most appropriate time frame for this work likely to be the same as that proposed for the Byron Coast Comprehensive KPoM.

### **3.4.5 Patrons Trampling Bushland**

*Name withheld:*

*"Why should this little hamlet be so impacted by having a troupe of people, with so little apparent regard for the bush, beach vegetation, the well being of residents and public safety"*

Events held at Parklands are highly controlled in nature and designed to keep patrons within designated areas (i.e. event areas, camping grounds and car parks). As part of the environmental management requirements for each event, all forest blocks are fenced off to exclude patrons from these areas.

A flora photo-point assessment is undertaken by a suitably qualified botanist before and after each event to identify potential or actual impacts on flora. The following conclusions were made from the flora photo-point assessment undertaken for Falls Festival 2016:

*"There were no direct impacts on native vegetation detected by the photo series comparison presented here. Impacts were minimal (minor trampling) on pasture-grass areas with rapid recovery associated with the summer growing season. No directly measurable impacts on native vegetation (forest) from the event were detected or apparent using the photo-point method (or from observations) during the period of this study."*



## 3.5 Infrastructure and Services

### 3.5.1 Onsite Sewage Management

*Byron Shire Council:*

*“A further review of the adequacy of waste management including on site sewerage management to occur in light of recent extensive flooding to ensure there is no pollution potential”*

Solid waste management plans are developed for each event and aim to minimise the creation of general waste (directed to landfill) while increasing the ability to capture materials suitable for reuse and recycling. During events, primary waste and recycling infrastructure is located in a flood free area of the site which is connected by a service road built above the 1:100 year flood level. All waste and recycling materials are transported by licenced operators and disposed of at appropriately licenced waste and recycling facilities.

As part of Parklands' Environmental Policy, which seeks to make North Byron Parklands a world class sustainable cultural arts and music venue, alternative low impact solutions were investigated to manage and treat onsite generated sewage and greywater.

Parklands worked in consultation with a range of stakeholders, including Byron Shire Council, to identify and develop such technologies. As a result, Council provided approval to build and operate 246 composting toilets (S68 Approval No. 70.2013.1033.1, dated 23 July 2013). A 920kL greywater treatment system was also approved by Council to deal with shower water generated at events (Approval No.70.2013.1028.1, dated 29 May 2014).

The composting toilets:

- are waterless (saving potable water);
- are low odour;
- use natural biological processes to break down the waste; and
- avoid multiple truck movements to Council's sewerage treatment plant (reducing greenhouse gas emissions).

Composting bins are stored at each amenity block while the material matures over a 10-12 week period. If in the event of potential flooding, as was the case with Cyclone Debbie, the bins are moved to the resource centre hard stands which are entirely flood free. During Debbie, a number of empty greywater tanks did dislodge and float some distance from their amenity blocks. Operating procedures have been amended to ensure all wastewater tanks are filled post event to avoid them from floating/moving under flood conditions.

The greywater treatment system is located approximately 30 metres above sea level and is not subject to flooding.

*South Golden Beach Progress Association:*

*“Our council has raised issues with the handling of sewage and water on the site (Byron Shire Council's comments to the Department of Planning, 11 Jan 2017), and these concern us as well. Despite Parklands' claims, water and sewage issues are not resolved. Until they are, neither an extension nor the permanent approval NBP wants can be supported”*

Council's comments referred to in this submission were in relation to the proposed State Significant Development (SSD) application and in particular, its concerns about its capacity (and that of Tweed Shire Council) to accept effluent from 50,000 patrons. Council was concerned about the long-term feasibility of offsite effluent disposal and recommended the proponent investigate all options for on-site treatment. These comments are not directly related to the proposed modification.



Currently, Parklands has more approved composting toilets than any other outdoor venue in Australia (246 units). Together with the on-site greywater treatment capabilities, Parklands is managing and treating the vast majority of its liquescent waste streams on site.

### 3.5.2 Permanent Sewage Treatment Plant

*Conservation of North Ocean Shores:*

*“Stage 2 of the Project Approval outlined in consent condition A2(b) needs to be completed before the end of the Trial which includes a requirement to establish a water treatment plant and a wastewater treatment plant. To date Parklands have not commenced these works”*

The proposed modification seeks to extend the term of the trial period and, accordingly, the Stage 2 work specified in the project approval is not required at this time. As outlined above, Parklands has gained the relevant approvals from Byron Shire Council to implement a more sustainable approach to wastewater treatment, and have been implementing a range of water harvesting programs as part of the trial. It is envisaged that the SSD application currently being prepared will address a sustainable approach to water treatment and wastewater treatment solutions into the future.

### 3.5.3 Leachate Management of Existing Composting Toilet System

*Name withheld:*

*“There are 264 'battery' style composting toilets i.e. converted wheelie bins, each of which when full would require a minimum of 2.5months to become inert. Whilst this toileting arrangement has been approved, it doesn't address the problem of attention to the volume of liquid that has to be drained off...i.e. urine.....mixed with grey water and disposed of onsite [sic]....particularly during any wet weather event. Check weather and climate data i.e. both and you will find that the 'wet' season in this transitional zone between sub-tropical and east coast warm temperate has a 'wet' period coinciding with the Xmas/New Year festival. It is a site which has a high water table as clearly evident by the condition of a substantial area during this latest extended 'dry'. The entire farm was emerald green with lush grass growth. The top soil was not 'dry' in the sense indicating a moisture deficiency”*

The composting toilet bins each have a leachate valve located at the bottom of the bin. These valves are connected by a series of “pick up” piping that direct liquids to a 1,000 litre automated float pump sump. When liquids, including shower water reach a certain level within the sump, the liquids are automatically pumped to two interconnected 23,000 litre waste water tanks (i.e. each amenity block has a 56,000 litre wastewater storage capacity. During events this wastewater is routinely pumped out of the wastewater storage tanks and transferred to the approved 920,000 litre greywater treatment facility.

None of the liquids from either the composting toilets or the showers are released directly to any lands across Parklands. Rather, all such liquid is directed under licence to the onsite greywater treatment facility (Byron Shire Council Approval No.70.2013.1028.1, dated 29 May 2014).

## 3.6 Proposed Modification

### 3.6.1 Maintaining Event Patron Capacities at Current Levels

*Roads and Maritime Services:*

*“Roads and Maritime is supportive of the proposed 20 month extension, to August 2019, of the trial period for events at North Byron Parklands provided maximum patron numbers are restricted to 35,000 for large trial events and 25,000 patrons for medium trial events. Further to this the requirements of Part B2 (4) of the Concept Plan Approval and Part B2 of the Project Approval dated*



*24 April 2012 should remain and in particular; - There have been no small trial events at the site to date therefore any small event would be the first trial and should be limited to 10,000 patrons. - The 2016 large trial event had 32,500 patrons and experienced operational difficulties from a traffic and safety perspective. Consequently Roads and Maritime has requested patron numbers be restricted to 32,500 patrons attending the 2017 Splendour in the Grass event (large trial event). Any subsequent increase in patron numbers for the large event should be subject to satisfactory performance of previous events"*

Noted and agreed.

*NSW Police*

*"Tweed Byron Local Area Command have reviewed the submission and the only issue that police raise is that the number of events and maximum permitted patrons remain at current levels. This being 3 trial events per year. 1 large 35000 maximum patrons per event day, 1 medium 25000 patrons and one small event 15000 patrons"*

Noted and agreed.

### **3.6.2 Capping Event Patron Capacities**

*Byron Shire Council:*

*"The events held to date as evidenced by the Environmental Assessment document show that none of the medium or large events have exceeded 32,500 patrons. It is acknowledged that the approval allows up to 35,000 patrons. However, given the number of concerns in recent times raised by community about the operation of the site and its compliance with conditions, it is considered appropriate to cap the number of patrons to no more than 32,500 for any extended trial period that may be granted until such time as any new development application is considered and assessed for maximum site usage and patron numbers accordingly"*

Other than the internal traffic congestion issue experienced at Splendour 2016, Parklands continues to demonstrate a high level of compliance with its project approval conditions and key performance indicators. The traffic matter was addressed quickly and effectively in concert with relevant government agencies demonstrating a strong ability to implement adaptive management measures as and when required. Given the proven success of measures implemented on the Saturday and Sunday of Splendour 2016 to mitigate traffic congestion, both Parklands and the event organisers are confident that these issues will not be repeated. Parklands believes the approach articulated above by the NSW Police and the Roads and Maritime Service to be appropriate as it is based on performance outcomes.

### **3.6.3 Council as Consent Authority**

*Australians for Animals:*

*"Given the current approval deems the Byron Council as the relevant entity to provide future approvals, and that this current modification comes under the Project Approval, it is unclear why Byron Council has been removed from the process or on what legal grounds this has occurred"*

The proposal represents a modification to the original concept plan and project approval. As the Minister for Planning was the consent authority for the original concept plan and project approval, he is also the consent authority for the proposed modification.

The relevant consent authority is determined under the provisions of the *Environmental Planning and Assessment Act 1979* and the applicable statutory environmental planning instruments. Under this legislation, Byron Shire Council does not have an approval role, however Council is closely involved in consultation and the assessment of the proposal.



### 3.6.4 Ability to Extend Trial Approval

*Byron Environment Centre:*

*"The proposed extension is attempting to be based on the original planning Consent which was granted under Part 3A Legislation that has now been rescinded, and as such the proposal is a both a fraudulent attempt to pervert the original alleged 5 year Trial Consent, and an attempt for a new additional "Extension" Consent unguided by existing planning legislation. With the Rescission of the Part 3A Legislation, any proposed consent would be in breach of the now governing development decision of the Land and Environment Court that Rejected Consent for a similar Trial proposed by Byron Shire Council (with the L&E Court Points of Claim being 1) That the Development was in breach of the then 7k Habitat Zoning that specifically prohibited development of a Place of Public Assembly, and 2) That the Development had failed to demonstrate that no environmental harm would take place)."*

The reference to the Land and Environment Court rejecting consent for a similar trial relates to proceedings taken against Byron Shire Council in relation to its approval of a Development Application for the subject site on 6 August, 2008. Following that decision, a concept plan application and project application were made pursuant to the then Part 3A of the *Environmental Planning & Assessment Act 1979*. On 24 April 2012, the Planning Assessment Commission, as delegate for the Minister of Planning, granted concept plan and project approval (MP08\_0200) under Part 3A.

Although Part 3A of the EP&A Act has now been repealed, the concept plan and project approval remain a 'transitional Part 3A project' under the transitional provisions of the Act. In accordance with these transitional provisions (in particular Clause 12 of Schedule 6A), transitional Part 3A projects can continued to be modified under the former Section 75W of Part 3A. Thus, pursuant to the saved Section 75W, the proposed amendments to the project approval and concept plan are able to be lawfully made and determined.

### 3.6.5 Historical Ticket Sales Evidence

*Australians for Animals:*

*"With no independent audit of ticket numbers, Condition C53 is relevant to the modification request. At no stage has the Director General ever provided confirmation of patron numbers which are relevant to any modification proposal. This information should be included in any application as aerial photos and police estimates suggest the limits to patrons have not been complied with. Numbers of staff, security and other personnel should also be included"*

Condition C53 of the project approval requires Parklands to "Within 28 days of the conclusion of an event, evidence must be submitted to the Secretary to confirm that patron numbers within the event did not exceed the numbers specified within this approval."

Of the eight events held to date, eight patron ticket reports have been submitted to the Department (generated by the third party ticket sales agency) clearly highlighting the number of patron tickets sold for that event.

### 3.6.6 Relocate to Blues Fest Site

*Pottsville Community Association:*

*"In the interim the festivals could be held at the neighbouring Permanent Bluesfest festival site, only 10kms from the existing site."*





*Name withheld:*

*"There is a site not 10 minutes down the road that has grounds that are council controlled and seem to have the flood situation in hand as they did not turn to mud in or after this horrific event of so much rain. Its where they hold the Blues.... this Festival Group. could be moved to there permanently"*

The Bluesfest site is too small and has vehicle accessibility constraints which make it quite unsuitable for the operation of Splendour in the Grass and the Falls Festival. In this regard, the Parklands site has an area of approximately 260 hectares, while the Bluesfest site has an area of approximately 100 hectares.

The Bluesfest approval is limited to only one multi-day event per annum. The maximum size of an event at the Bluesfest site is 25,000 persons including patrons, staff and performers (i.e. a patron size of only about 21,000 persons). Further, the event cannot readily be carried out a week either side of New Year, which would significantly affect the operation of the Falls Festival.

This site also only has a camping ground capacity of approximately 6,000 patrons compared to Parklands' 20,000 camping capacity.

### 3.6.7 Historical Compliance with Consent

*Department:*

*"The Department requests clarification on the statement that events have been 100% compliant (Section 5.2)."*

The compliance levels specified in the EA are taken directly from the Performance Reports, which have been prepared and submitted to the Department in accordance with Condition B7 of the project approval. Section 5.2 (and Figure 5.1) of the EA indicates that 100% compliance with the conditions of approval and Parklands' EHSM KPIs has been achieved for two events to date, namely Falls Festival Byron 2015 and Falls Festival Byron 2016. Compliance for other events has ranged between 92 and 98%.

Details of the compliance for Falls Festival Byron 2015 are provided in Performance Report No.4 (December 2016). Details of the compliance for Falls Festival Byron 2016 will be provided in Performance Report No.5, which is due to be submitted to the Department in December 2017. In lieu of the finalisation and submission of Performance Report No.5, the relevant compliance tables for Falls Festival Byron 2016 are attached as **Appendix B**.

*Brunswick Heads Progress Association:*

*"Parklands have breached the current consent conditions on numerous occasions. This has been documented by residents groups and the Department of Planning."*

Parklands has received two penalty infringement notices for exceeding the noise criteria in 2014 and 2015. In each case a fine of \$3,000 was issued by the Department. Since Modification 3, which amended the noise criteria to regulate lower frequencies and set A-weighted frequencies more in line with other outdoor venues across NSW and Australia, no further breaches of the criteria has taken place.

Parklands has also received a number of written opportunities for improvement from the Department covering camping set back distances from forest blocks, on site litter issues and improvements to the community hotline. In all cases, Parklands has made the necessary changes to ensure that it complies with the project approval.



Parklands audits each event's performance against more than 90 project approval conditions as well as Parklands' Environmental Health and Safety Management Manual (EHSMM), which includes 15 Parklands Standards and 185 key performance indicators contained within these Standards. The EHSMM currently incorporates the following standards:

1. Safety Management;
2. Transport and Traffic Management;
3. Environmental Management;
4. Water Management;
5. Wastewater Management;
6. Fire Management;
7. Offsite Management;
8. Noise Management;
9. Evacuation Management;
10. First Aid;
11. Camping;
12. Flooding;
13. Temporary Structures;
14. Waste Management; and
15. Community Management.

Compliance with the project approval conditions and the EHSMM key performance indicators are submitted as part of the annual Performance Report to the Department, as well as being placed on Parklands' website for public viewing purposes.

### 3.6.8 Event Days

*Department:*

*"Table 1.1 suggests that four days are requested for each event. Clarify the number of event days that would be associated with this modification request."*

As outlined in Section 3 of the EA, the proposed modification does not seek to make any change to currently approved event days.

## 3.7 Social and Economic Impacts

### 3.7.1 Antisocial Behaviour

*South Golden Beach Community Association:*

*"We experience regular problems with traffic, noise, illegal camping on our streets, telecommunications problems, and frequent displays of anti-social behaviour by festival goers, such as uninvited campers helping themselves to residents' water supplies and using residents' properties as toilets. As the festivals have grown in size, these problems have grown in proportion, leaving residents frustrated and often worried for their safety when tens of thousands of people descend on this ordinarily quiet and peaceful area. It's clear that word has gone out that South Golden Beach is so close to Parklands that ticket-holders can avoid the traffic jams, crowds, and expense of staying at Parklands by camping for free on our streets and catching the bus to the festivals"*

*Department:*

*"Submissions raised the social impacts of the events held at the North Byron Parklands, including anti-social behaviour, littering, and trespassing. The Department notes that the EA includes some management measures to address these impacts, however these issues continue to be significant"*



*amongst the community. The Department requests information regarding additional measures that would be implemented to minimise and manage social impacts should an extension be granted.”*

Event patrons typically spend between \$350 - \$500 securing event and camping tickets to festivals held at Parklands. The majority of patrons prefer to camp at Parklands. For Falls Festival Byron, approximately 85% of patrons' camp at Parklands. The majority of the remaining 3,000 patrons are local ticket buyers. For Splendour in the Grass, approximately 13,000 patrons secure accommodation offsite with approximately 25% (approximately 3,000 patrons) being local ticket buyers.

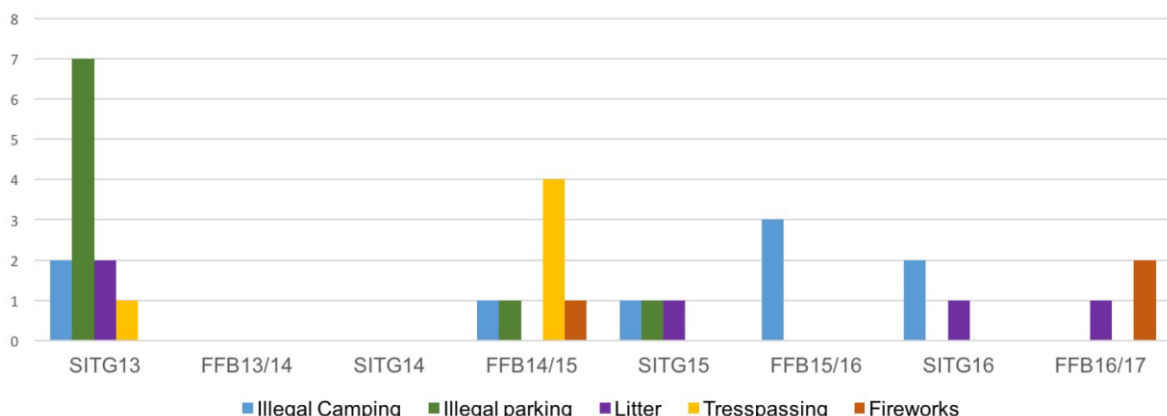
While cultural events such as music festivals generate considerable positive benefits for patrons, bands, promoters, food outlets, accommodation providers and the local economy, there are also impacts on the wider community such as traffic congestion and noise emissions. These impacts, while temporary in duration, can cause disruption in the lives of local residents and businesses.

Details of measures to minimise antisocial impacts associated with the Parklands project are outlined in Section 5.9 of the Environmental Assessment. The following information, taken from Parklands' website, provides additional details on the strategies put in place to minimise the impact of events for the community:

#### **Establishment of a Community Hotline**

The community hotline provides community members with the opportunity to contact Parklands both during events, and at other times, to provide feedback or complaints regarding events on the site. Calls to the hotline are recorded for reporting purposes and where necessary, action is taken to address the concerns raised. The hotline is advertised via full page advertisements in local papers 2 weeks prior to each event. Letter box drops to 3,000 businesses and residences north and south of the site advertising the community hotline number is also undertaken prior to an event.

The community hotline is the most accurate mechanism for recording and monitoring issues raised by the community. Calls to the hotline regarding antisocial issues such as illegal camping, illegal parking, litter and trespassing totalled 28 over the past eight events, or 3.5 calls to the hotline per event. **Figure 9** below highlights the number of calls to this hotline regarding antisocial issues over the past eight events.



**Figure 9: Antisocial-Related Calls to Community Hotline**

#### **Community Manager**

Parklands has appointed a community manager who operates 4 weeks prior to, during and 2 weeks after any event held on the site. The community manager also attends Regulatory Working Group



meetings where community issues are regularly discussed. The community manager's role includes:

- developing and maintaining relationships with community members across events;
- monitoring patron/non-patron activities around the site (including illegal camping, illegal parking, litter and other matters as they arise);
- reporting issues to the appropriate regulatory authority as required;
- documenting and reporting issues; and
- ensuring the application of the Environmental Health and Safety Management Manual (EHSMM), particularly the Community Management Standard.

Parklands' EHSMM sets out the organisation's guiding policies, objectives and targets for the management of identified significant environmental, health and safety risks across all events and activities conducted on the site. One of the standards under this management manual deals with 'offsite management' issues during events. Matters including illegal camping, litter, illegal parking, and other community matters are dealt with under these standards.

### ***Community Advocate***

Parklands has appointed a community advocate who works year round with the Parklands planning team. The role of the community advocate is to keep an "ear to the ground" with respect to local concerns and to represent the needs of the local community at even the micro management level of project planning and event implementation.

### ***Regulatory Working Group***

To ensure regular communication between the community and regulatory bodies a Regulatory Working Group (RWG) has been formed. The RWG comprises a range of authorities and community representatives appointed by Byron Shire Council. Agencies involved include:

- NSW Police;
- Roads and Maritime Services;
- Byron Shire Council;
- Rural Fire Service;
- State and Emergency Service; and
- Office of Environment and Heritage

The objective of the RWG is to oversee the environmental performance and community relations for events held at Parklands covering the following defined aspects:

- the habitat restoration program;
- the Marshalls Ridge wildlife corridor;
- impacts on threatened species and endangered ecological communities;
- monitoring protocols for preconstruction ecological surveying;
- illegal camping;
- litter;
- provision of security services;
- noise;
- event traffic and car parking;
- flooding;
- bushfires; and
- evacuation procedures.

The minutes from the 13 RWG meetings held to date are available on Parklands' website. A review of these minutes indicates that antisocial behaviour has not been raised as an issue, other than opportunities to improve signage to deter illegal camping. While illegal camping has only been recorded via the community hotline 8 times over eight events, it was acknowledged that additional



signage around the venue would be beneficial. While the regulatory responsibility for policing illegal camping rests with the local government authority, events are also investigating opportunities to engage Council rangers on a pay for service arrangement.

In general, claims of antisocial behaviour have not been presented to the RWG, either via the community representatives or regulatory authorities. Illegal camping is a visible issue that occurs all year round in both LGAs, however Parklands Community Manager has not identified this issue as directly related to events at Parklands or one that is an activity on the increase.

### 3.7.2 Police Concerns and Public Safety

*Kelley Bogain:*

*“Also, the NSW Police recently submitted a report on Splendour 2016 to the DOP, raising concerns about on-site safety, emergency evacuation, and more”*

*Name withheld:*

*“The NSW Police recently submitted a report on Splendour 2016 to the DOP, raising concerns about on-site safety, emergency evacuation, and more. These should be taken very seriously as not only are they not prepared to deal with the huge numbers at NBP, their service to the local community suffers as they are tied up with the overflow from the site into surrounding towns”*

Parklands and both events have developed strong relationships with NSW Police and in particular, Police officers from the Tweed/Byron Area Command. Representatives from NSW Police have attended all Parklands Regulatory Working Group meetings held to date (13 meetings since 2013).

NSW Police has also been involved in all pre-event briefings and post-event debriefs where opportunities for improvements based on lessons learned are discussed and documented. NSW Police has also played a key role in event based incident simulation training covering such potential issues as flooding, bushfire, terrorism, disease outbreaks and complete evacuation of the site. Together, Parklands, event organisers and NSW Police have continued to improve emergency management systems through on-ground observations, simulation exercises and detailed event debriefing meetings.

The Police letter referred to by a number of submitters relates to the Preliminary Environmental Assessment (PEA) lodged with the Department in November 2016 by Parklands. This PEA is in support of the State Significant Development (SSD) application for permanent approval for the Parklands site, including an increase in patron numbers to up to 50,000 for certain events (as per the original approval request made in 2010).

In the subject letter, the NSW Police assertion that evacuating Parklands would take 8 hours is correct. However, the statement relates to evacuating all patrons and all vehicles. In the unlikely event of implementing an immediate flood or bushfire evacuation, all patrons could be evacuated to the dedicated refuge assembly areas in under 25 minutes (as described in Section 3.3.2 above).

For each event, NSW Police advises Parklands of the number of Police required for the event. Other than the drug dog operation, all requested NSW Police officers are hired on a user pay system. These officers are drawn from all over the State and the work that they undertake is outside of their “normal working hours”. This system ensures that local communities are not left under-resourced in terms of police men and women.

Events are supportive of any user paid services that the Police nominate as being required.



### 3.7.3 Validity of Economic Data

*Australians for Animals:*

*"Who checks the accuracy of NBP economic assessments? What kind of credibility can be given to these documents"*

*Katherine Hunt:*

*"The economic impact document which has been supplied is inherently flawed at all possible levels, ranging from the methodology used to determine calculations, assumptions (and lack of), and transparent reasoning.*

*I am highly disappointed that this has been allowed to bypass discussion at a public debate at local council level and as a tax payer I formally request that a public meeting is held so that the truth of the economic impact of this proposal can be discussed as it should be in a functioning democracy."*

The Economic Impact Assessment report referred to in the EA was undertaken by respected economists RPS Australia in early 2017. The report was undertaken in accordance with established economic impact assessment standards, based on financial information from both events covering calendar year 2016, including:

- visitation (patron numbers);
- on-site campers;
- offsite accommodation;
- offsite accommodation assumptions;
- food and beverage expenditure;
- direct festival expenditure on staff, contractors and suppliers; and
- contributions to charitable organisations.

The 2017 Economic Impact Assessment report follows similar reports undertaken for previous years. The reports are included within the respective Performance Reports.

### 3.7.4 Income Loss Experienced by Businesses

*Northern Rivers Guardians:*

*"Many local businesses lose revenue when festivals are going on because locals stay away. We do not want another 20 months of business and domestic disruption."*

Noted. While the economic data gathered by Parklands indicates that businesses in the Byron Shire and wider Northern Rivers region benefit significantly from events held at Parklands, it is acknowledged that a small number of businesses may be adversely affected by the hosting of such events. However, any such impact is likely to be small and as indicated in the Economic Impact Assessments, the events have an overwhelmingly positive net effect on the local and regional economy.

### 3.7.5 Illegal Camping Activities

*Name withheld:*

*"Camping is encouraged on site but there are ongoing issues of illegal camping by festival patrons which has not begun to be addressed."*

*Name withheld:*

*"The cost of camping at the Festival or finding rental is expensive and residents are aware of an increase in illegal camping and street parking. With a shortage of regulatory officers we are concerned that this will escalate, especially if the attendance numbers are increased even further."*

Under the proposed modification, patron numbers would not increase from those limits approved under the trial approval. Event patrons typically spend between \$350 - \$500 securing event and



camping tickets to festivals held at Parklands. The majority of patrons prefer to camp at Parklands. For Falls Festival Byron approximately 85% of patrons camp at Parklands. The majority of the remaining 3,000 patrons are local ticket buyers. For Splendour in the Grass, approximately 13,000 patrons secure accommodation offsite with approximately 25% being local ticket buyers.

During Splendour in the Grass, accommodation is readily available with the event occurring in the low season of the annual tourism cycle. In consultation with Byron Shire Council and other regulatory authorities that form Parklands' Regulatory Working Group, it is acknowledged that illegal camping is a year round issue, not confined to event days, occurring across both Byron and Tweed local government areas.

At the last RWG meeting held in April 2017, Parklands informed the group that a total of eight illegal camping calls have been made to the community hotline over the past 8 events. While two of these reported incidents were related to patrons attending an event, it was acknowledged that the community had a perception that the number of illegal camping incidents was much higher than those either reported to the hotline or identified by the community manager as part of patrols during event days.

To address this issue, Parklands advised the RWG that it is willing to discuss funding for additional Council rangers during events (on a pay for service basis), to focus on illegal camping and parking.

There was also a suggestion for Parklands to install signage at the commencement of Shara Boulevard (to the immediate south of the site) during events warning potential campers of the relevant laws and the likelihood of incurring a significant fine. Parklands has agreed to such signage, and will be installing the signage at future events.

### 3.7.6 Litter Management

*Mark Streten:*

*"As a resident, I express my fears with issues of grave concern to local residents in respect to ..., increased litter and debris in our waterways and on our beaches,"*

*John Sparke*

*"littering by Festival goers in our neighbourhood is very obvious to me and other residents."*

Parklands' Offsite Management Standard (NBP007) requires each event to provide a litter response team. This team is responsible for managing a number of areas for the duration of the event including Jones Road, Tweed Valley Way, Yelgun Road, the Yelgun Interchange and designated event shuttle bus stops.

In addition, the community manager liaises as required with the litter response team in relation to any identified litter issues located in North Ocean Shores, South Golden Beach, New Brighton, Ocean Shores and Brunswick Heads Township. Before and after photographs are taken of these locations to document litter generation as a result of patrons.

From this information it has been determined that, other than dedicated shuttle services (where event bins are provided), other locations within the community are not being adversely affected by litter. This assessment is reflected in the small number of calls over the past eight events in relation to litter (5 calls in total).

A gross pollutant trap is located within the primary northern drainage system located in the north-east corner of the camping grounds. All rainwater and surface water north of Marshalls Ridge (along



Jones Road) drains through this gross pollutant trap. The trap is monitored by event cleaning teams for the duration of the event.

### 3.7.7 Drugs/Alcohol Affected Patrons

*Name withheld:*

*"intoxication of patrons is a real concern [19 bars operating on this site] and also [as noted in the police report] with the consumption of illicit drugs increasing and then the challenge of police and others requiring the co-operation of the patrons."*

*Name withheld:*

*"The local communities are already dealing with a raft of negative unresolved impacts, not the least of which involve illicit drug use and alcohol. Increased numbers of young drivers on the roads in the Northern Rivers, under the influence of both/either, is not a positive outcome for our area."*

To obtain a "Limited Licence" for selling alcohol at a special event in NSW, the applicable authority (Liquor and Gaming NSW) must be of the opinion that the event would have a beneficial social or economic impact on the community at a regional, state or national level. The application for a limited licence must include how the proposed licensed area will be physically defined and how access will be controlled to prevent liquor being brought into or being taken away from the proposed licensed area, and ensuring responsible services practices are observed and intoxication prevented. In this regard, the following issues are taken into consideration:

- will liquor be available throughout the proposed licensed area or only in one consolidated area?
- is there an event management plan in place, with particular reference to the management of liquor and security?
- how will patrons attending the event be supervised and controlled?
- will security officers be engaged for the duration of the event?
- will local police be consulted in relation to security arrangements?
- where entertainment is to be provided at the event, describe the nature of that entertainment.
- describe the nature and quantity of food that will be available throughout the event.
- describe the availability of sanitary facilities and first aid services at the event.

In addition to the above, the licensee and all persons who serve liquor must have completed an approved responsible service of alcohol course. This training requirement also extends to security officers undertaking crowd control duties at the event.

To date, all events have obtained a limited licence for selling alcohol responsibly to its patrons.

As an additional measure, each of the events have partnered with 'STEER', which is a youth safe transport project which began as a series of school road safety presentations in 2010. The project has continued to evolve and now includes a range of road safety presentations and voluntary breath testing services at major music festivals, community events, presentations and private functions.

Both the Splendour and Falls Festival events clearly advise patrons that the sale or use of illegal drugs or illicit substances are strictly prohibited at these events. This is reinforced through the event ticket Terms and Conditions and Conditions of Entry. Information is provided on event websites, electronic newsletters, event social media channels and via the events' mobile phone apps, that bringing illicit substances and drugs to the event is strictly prohibited and will result in eviction from the event and subject to Police action. Events work closely with NSW Police and their drug operations providing the necessary resources and space to conduct patron searches including the deployment of drug detection dogs.





### 3.7.8 Impacts on Emergency Services Delivery During Events

Name withheld:

*"it is a duty of care of the state government, council, and festival organizers, to make sure that communities are not putting lives at risk when they cannot ring for an ambulance and get through to the emergency departments."*

Name withheld:

*"Local healthcare services, already grossly underfunded and understaffed are pushed to the limits by the 35,000 + festival patrons placing additional burden on the healthcare system"*

Emergency Medics has been contracted to manage the medical services at Splendour in the Grass since 2008, and has also been the medical service provider for Falls Festival Byron since its inception at Parklands in 2013.

In consultation with the Ambulance Service of NSW and other health care providers, Emergency Medics ensures that each festival has a diligent standard of care and that all areas of potential risk is planned for and managed according to strict guidelines. As the onsite service provider, Emergency Medics provides a level of clinical practice and patient safety that exceeds the level of clinical care that the Ambulance Service would be able to provide at events. Patrons attending festivals at Parklands have 24 hour access to a fully equipped and staffed Medical Centre.

As part of the ongoing service delivery the following medical resources are made available:

- a Senior Emergency Registrar (Doctor);
- a General Practice Specialist;
- a Critical Care Paramedic;
- 4 x Registered Nurses;
- 9 x Advanced Care Paramedics;
- 12 x Standard Care Paramedics; and
- 50 x Crowd Care Support Officers.

The level of service delivery onsite enables a standard of care for any medical condition that is comparable or of a higher level than the resources available from an ambulance service provider. The capacity to manage complex conditions on site without the immediate requirement for transportation to other health care facilities ensures that patrons receive an appropriate care without the necessity of attending local medical facilities unless absolutely necessary.

The events boost the capabilities of Ambulance Service of NSW by paying \$5,000 per event for additional crews to be rostered on. These crews are not located at the event, rather they are located at their normal ambulance station (i.e. Byron Bay) and will only undertake patient transfers from events to hospital when requested to. Given the high level of onsite medical facilities at each event, patients can be maintained at the triage centre until ambulance resources are available (even taking into account the extra crew paid for by events).

This provision of onsite services helps to decrease any resource drain on local ambulance networks.

In addition to the medical service provisions listed above, each event is required to develop and implement a medical management plan that covers the following requirements:

- a) Develop a medical plan which details roles and responsibilities of all stakeholders should an incident occur. This plan must also include strategies to manage potential major incidents;
- b) The plan should detail the levels of care required to effectively manage situations which may arise from the different phases of the event, i.e. 'bump in', event, camping and 'bump out' and consider the recommended first aid posts and personnel;



- c) The plan must ensure adequate equipment and stock is available and include strategies to access additional equipment should there be an extreme call on services;
- d) Access routes for ambulance vehicles are required, as is the ability to restrict all other traffic from the roadway should emergency ambulance movement be required;
- e) A dedicated helipad is required to ensure evacuation of critical patients;
- f) Appropriately advertise that event attendees should wear adequate footwear, drink sufficient water and be prepared for climatic conditions such as sun exposure and weather protection;
- g) Contract experienced health care providers to establish and run the medical facilities to reduce the impact on local health services;
- h) Consult with relevant hospitals, ambulance service and health department prior to the event;
- i) Designate medical service points and include these on all maps and plans; and
- j) Provision of onsite ambulance services, where appropriate.

### 3.7.9 Impacts on Police Services

*Australians for Animals:*

*“Advised by Tweed police that police are taken from other stations (at risk to the community) and that they do not have enough resources to cope.”*

For each event, NSW Police advise event organisers of the number of Police required for each festival to meet their operational requirements, and all NSW Police officers are paid for by the events on a user pay system. These officers are drawn from all over the State and the work that they undertake is outside of their “normal working hours”. The user pays system ensures that local communities are not left under resourced in terms of police men and women when the events take place. The user pays system is applied to all events throughout NSW.

### 3.7.10 Mobile Phone Connectivity

*Duncan Dey:*

*“Mobile phone service is ruined”*

*Name withheld:*

*“Not to mention placing residents at risk from telecommunications failure. When Festivals are on many people have very slow or no telecommunications (mobile and computer) even though towers surrounding the site are switched to Festival mode, and extra C.O. Ws are bought in, that only covers punters and on site departments”*

Initially, some members of the community experienced less than optimal reception with their mobile carriers, particularly Optus and Vodafone, during festivals held at Parklands. However, it is common knowledge that connectivity issues are generally poor in this region.

In 2014, Parklands invested \$250,000 in the installation of fibre optic cables across the site that were then connected directly to the Telstra Network. This dramatically increased the ability to send and receive data through this high speed network. Concurrently, both Optus and Vodafone also routinely installed 40m mobile phone antenna at each event to improve connectivity with their respective networks. This has resulted in zero complaints to the community hotline regarding mobile phone coverage being received over the last 5 events.

### 3.7.11 Complaints Management

*Department:*

*“To support the Proponent’s claims that the management of events has improved the Department requests additional information that demonstrates how complaints have been addressed and what management strategies were implemented to reduce complaints (and will be implemented), should an extension be granted.”*



Data collected via the community hotline covering the eight events held to date shows that 82% of issues raised by callers related to noise. A further 6% of calls related to issues surrounding traffic but were notably recorded only from the first two events. There has not been any recorded traffic-related calls during the last 6 events. The remaining 12% of calls covered the following issues over the past eight events:

- Illegal camping (9 calls);
- Illegal parking (7 calls);
- Litter (5 calls);
- Internet (17 calls);
- Mobile reception (9 calls);
- Trespassing (5 calls);
- Hotline access (7 calls); and
- Fireworks (3 calls).

In relation to the most common issue logged with the community hotline, namely noise, the following management strategies have led to a significant reduction in complaints:

- alignment of event stages to improve shielding by existing terrain features (specifically for the Amphitheatre Stage and GW McLennan Stage);
- installation of distributed sound amplification equipment (rather than a single front of house system) including delay towers approximately 75m from the Amphitheatre Stage to reduce the overall sound coming from the front of house sound system;
- optimisation of speaker directivity to reduce noise emissions to off-site locations including flying speakers higher aimed down toward the audience allowing sound to be directed to within the event stage area thereby reducing spill from the event;
- use of innovative technologies such as end-Bred sub arrays or cardioid sub arrangements to reduce noise emissions to the rear of the stage;
- placement of silage bales (500 kg each, one deep and two bales high) around the rear and sides of stages (hay bales placed to maximise attenuation of low frequency emissions from the sub woofer array) or, alternatively, where space limitations apply placement of hay bales to a similar height and depth; and
- use of truck bodies (where possible) parked adjacent to stages to provide additional acoustic attenuation in these directions.

Further, a Noise Control Co-ordination Centre (NCCC) is operated at the site during events, which provides:

- constant monitoring of live noise levels from the three Stages to allow pro-active management of noise levels and provision of rapid communication to Parkland Management and event managers; and
- a closer interaction with Parklands Management and event managers, and the personnel responding to calls made to the Community Hotline.

The following resources are now installed at the NCCC:

- live noise feed (instantaneous noise levels) from sound level meters installed at the three stages;
- 1 minute LAeq noise feed from a separate 10EaZy monitoring system installed by the event production team for each of the main stages. This also provides data to Parklands' management and event managers;
- connection to the Chronosoft liaison software<sup>2</sup> implemented for logging of responses to community hotline calls requesting noise monitoring, as well as other event related data; and
- web access to Bureau of Meteorology monitoring data.

Throughout events, the Acoustic Manager reviews stage noise levels to confirm that the measured noise levels are within the noise limits for the event. Where the Acoustic Manager identifies that noise levels are approaching, or exceeding target noise levels based on the observed



instantaneous noise levels, the event production team will be notified and, if considered necessary, the Acoustic Manager will request a specific reduction in noise levels.

In determining whether a request to reduce stage noise levels is appropriate, the Acoustic Manager will consider the following key factors:

- noise levels currently occurring from each of the stages, particularly whether noise levels from an individual stage or more than one stage are approaching noise limits;
- prevailing weather conditions, and whether the current wind direction has potential to propagate noise toward key groups of receptors;
- measured community noise levels, as reported by noise monitoring personnel;
- type of performance occurring on each stage, and the expected duration of each performance; and
- information provided by the Community Hotline relating to calls received from the community.

With respect to traffic complaints, these have only been recorded for the first two events. Traffic improvements have been ongoing and effective in improving performance, however the biggest improvement has been the streamlining of camper arrival and processing systems. The traffic issues experienced during the first two events were as a direct result of vehicle processing arrangements. This issue has not occurred over the past 6 events.

Illegal camping and parking, while statistically not a major issue, still ranks as a concern for some community members (as evidenced in a number of responses received by the Department). While Parklands and the events continue to implement both the community management and offsite response standards that form part of the venue Environmental Health and Safety Management Manual, additional proposed measures include:

- installation of signage at Shara Boulevard advising of the illegal nature of camping in public places; and
- investigations around engaging Council rangers of a fee for service basis during events to better police these issues.

Internet and mobile phone reception issues have reduced substantially as a result of the installation of fibre optic cable to the site. This facility has dramatically improved mobile connectivity across the venue and surrounding suburbs and is further evidenced by the fact that this issue has not been recorded by the hotline over the past 5 events. There has also only been 1 call to the hotline regarding internet service over the past 3 events.

Regarding trespassing, there have been 5 calls to the hotline over the past eight events. 4 of the calls were received during one event and as a result of an increase in security numbers along Jones Road, this issue has not arisen again over the past 4 events.

In 2014, there was a failure with the hotline number for a period of hours on two separate days. This resulted in 7 calls being logged with the hotline about this issue. As a result, the phone network was placed onto a VOIP internet system with an internet redundancy capability (i.e. a separate service provider). This also allowed multiple lines to the hotline number for users. It also provided the capacity to have all calls recorded for quality and training purposes. Since this change, Parklands has not recorded another issue of this nature via the hotline.

A total of three calls regarding fireworks have been received. Parklands continues to work with security and NSW Police to manage this issue as and when it arises.



## 3.8 Heritage

### 3.8.1 Indigenous Issues Management

*Byron Environment Centre:*

*"The Extension Application fails to provide any information on the Consent conditions on Protection of Aboriginal Heritage. Neither on the Developers proposal to protect known artifact and campfire sites by covering them with soil (on this repeatedly flooded site), or on the development sites allegedly fenced off Coroboree Ground. I note that the Arakwal People who are the designated people to speak for this site strongly objected to this development, and I allege the development is in breach of the UN Declaration on the rights of Indigenous People Article 31 Cultural Heritage. NPWS Land"*

Parklands has undertaken all requirements listed in the Collins (2010) report undertaken as part of the original assessment process. In 2015, Parklands engaged Everick Heritage to prepare a due diligence assessment of archaeological practices including a gap analysis based on any legislative changes.

Having completed a review of the Collins (2010) Cultural Heritage Assessment, Everick concluded that the assessment meets the requirements of the current legislative and best practice policy frameworks. Everick Heritage recommended that no further investigation into Aboriginal or Historic heritage is warranted other than for the purposes of continuing to facilitate the terms of the Cultural Heritage Assessment, Statement of Commitments and the conditions of approval for the project.

The gap analysis indicated that the Collins (2010) assessment was conducted under the now superseded *Interim Aboriginal Community Consultation Requirements for Applicants* (DECCW 2004) and draft *Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation* (DECCW 2005). This consultation process was reviewed and found to be largely consistent with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010).

Additionally, as no Aboriginal Heritage Impact Permits were or are required for the site, Everick's considered that further technical consultation for the site is not required or warranted.

While not strictly required, Everick also undertook an assessment of the project against the Due Diligence Code (2010) as an updated test of reasonableness. Everick's concluded that Parklands has met and satisfied all management recommendations detailed within the Cultural Heritage Assessment and those required by the OEH and DPI.

## 4 CONCLUSION

It is considered that the additional information provided in this Response to Submissions, together with the information provided in the Environmental Assessment, adequately addresses the issues raised in submissions.

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 the Environmental Assessment and this document, grants approval to the proposed extension of the North Byron Parklands trial.



## APPENDIX A



## APPENDIX B