

11th January 2019

Prof. Richard Mackay, Ms. Catherine Hird and Mr. Andrew Hutton
Independent Planning Commission
Level 3, 201 Elisabeth Street
SYDNEY NSW 2000

Dear Commissioners,

**RE: COMMENTS IN RESPONSE TO CERTAIN MATTERS RAISED IN THE
INDEPENDENT PLANNING COMMISSION TRANSCRIPTIONS**

North Byron Parklands (Parklands) has had the opportunity to review the transcripts published by the Independent Planning Commission (IPC). Some of the matters in the transcripts require a response from Parklands. For ease of the Commissioners we have recited the items in the transcript which we propose to respond to, referencing the transcript title and the page in the transcript where the quotation is located. Below each item in blue font we have provided a concise response.

Towards the end of this letter, we have provided some concise observations in relation to the comments and presentations, and public submissions displayed on the Commission's website as at 11th January 2019.

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1. TRANSCRIPTIONS FROM MEETINGS

1.1 IPC MEETING WITH COUNCIL

From the tone which is able to be discerned from the meeting transcription between the IPC and the adjacent Councils, the Commission may have come to the view that our relationship with Local Government is combative. We can advise that this is not the case. On a day to day basis Parklands has an excellent relationship with most Council officers, senior executive staff and Councillors. It is our belief that specific Councillors and a small number of Council staff are unhappy because they are not the Consent Authority and they are taking the opportunity to illustrate such displeasure by exhibiting a strong response to the application rather than making submissions to the State government about the planning application assessment process in this State.

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MR LARKIN: As a fallback (sic) position, and the conditions of concern reflect this, if they're unable to carry out these works onsite or if the system doesn't work onsite, there's ongoing reference that they'll take it to a municipal sewage treatment plant. Council has concerns about the ability for the wastewater system to work onsite, and Tim Fitzroy will talk to that in a minute. The other issue we've got is Bryon Shire Council has no capacity to take the sewage to any of the Bryon treatment plants at this point in time. To date, we have taken waste at times, and Angela will talk to that, but the quality of the waste we've received at times puts out (sic) plant at jeopardy in Bryon Bay, and, in fact, we've probably breached our licence arrangements...

PARKLANDS RESPONSE:

For the record, Council has accepted sewage from ALL festivals held to date at Parklands except for the most recent event (Falls festival 2018/19). Parklands has extensive wastewater billing documentation available to demonstrate this point. Liquid waste from Falls Festival 2018/19 was transported under EPA permits and disposed of at two licensed liquid waste facilities in SE Queensland. The announcement by Mayor Richardson at the IPC Public Meeting and the commentary by Mr Larkin the following day to the IPC Commissioners, were the first occasions that Byron Shire Council has indicted that it does not have capacity to accept wastewater from Parklands. It is not clear from the comments provided by Mayor Richardson and Mr Larkin whether or not this ban applies only to Parklands or to all festivals within the Shire.

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For absolute clarity, we confirm that until such time as our proposed OSMS is successfully implemented, wastewater will be transported to a licensed facility. **Parklands accepts that if it cannot contractually source a licenced wastewater facility then events at the site cannot proceed.**

The utilisation of an offsite licenced facility for the disposal of wastewater is the standard procedure for outdoor festivals across Australia (and worldwide). There is only 1 location in Australia where a festival site has a complete, municipal style, Sewerage Treatment Plant in operation.

The approach of Parklands is not for a traditional energy intensive, municipal style, Sewerage Treatment Plant but rather an evidenced based, low tech, sustainable OSMS where wastewater is not regarded as "waste" but is treated as a resource. This approach is more in-keeping with the environmental ethos of the Parklands Development and its Environment Policy.

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MR LARKIN: If they've got a more concrete site to send it to, and they've got some arrangement in place for the next 20 years or whatever it might be, or even if it's only for a five-year period, and the consent was structured in such way to ensure that was to – you know, that mechanism was to continue into the future, that would be – well, that addresses that major concern, yep.

PARKLANDS RESPONSE:

Until such time as the OSMS is s.68 approved, installed and verified as compliant with the Development Consent Conditions it will be necessary for wastewater to be transported from the Parklands site to a licenced facility. The concept that such an arrangement needs to be a long-term contract is new and novel. The arrangement that has been utilised in Byron Shire for the 21 large events over 18 years undertaken by the promoters associated with Parklands has been on a year by year, event by event basis with Council.

Byron has in its adopted fees and charges a standard "festival loads" rate for the acceptance of tankered waste from events [see [Byron Shire Council 2018/19 Fees and Charges as adopted 28/06/18 | Page 51](#)]. The permanently approved festival site in the Shire ([Bluesfest](#)) has no onsite wastewater facility and operates solely on the basis of exporting all wastewater to the Council STP facility.

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To run an event a number of licences, approvals and service arrangements must be put in place. If those arrangements cannot be satisfactorily completed, then an event cannot proceed. Thus, it is necessary for a promoter to arrange, for example:

- approval of Traffic Management Plans for the public road system;
- securing of traffic controllers;
- securing of bus contractors;
- obtaining liquor licence approval; and
- engaging the required security contractors.

Like all other festivals the promoters at Parklands must consummate all of the abovementioned service arrangements and approvals on an event by event basis.

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MR FITZROY: So the other issue that goes back to the start in terms of the irrigation is that the hydraulic flow that's estimated – it's been in place for five years and there's been some measurement done on the flow of wastewater that's generated from the development, and if the flow generated from the development is significantly or predicted to generate into the future is significantly lower – significantly lower than any standard or guideline that applies for wastewater generation, and that's – I haven't personally seen the data that supports that. I know that it's been referred to in the GHD report, but it's critical that the basis upon which the irrigation is designed is obviously dependant on both the hydraulic flow and the nutrient generation. So those things combined in an area which is prone to flooding, obviously prone to wet weather – anyone who comes from this area knows the amount of water we get, and it's not just the amount. It's the time when it occurs. So for those reasons, that's why we're concerned about that.

PARKLANDS RESPONSE:

The above comment relates to the reliability of hydraulic load estimates and floodplain irrigation.

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Hydraulic Loading

Concerning hydraulic loads, our Response to Submissions report (RTS) (commencing at page 89) observed that water and wastewater estimates have been sourced directly from data obtained from Falls Festival Byron (FFB) and Splendour in the Grass (SITG) events held during the trial period. For SITG 2017 event a total of 510kL of wastewater was exported off-site (with 800kL retained in storage), totalling approximately 1.3ML captured and disposed/treated. A total of 2.34ML of potable water was imported to the festival site.

There are water meters installed on the outlets of the four greywater holding tanks at Parklands. A summary of the flow meter data for the four greywater holding tanks is shown below in Table 8 from the RTS.

Greywater Tank Flow Meter Data 2014-2017

Year	Tank 1 (kl)	Tank 1 (kl)	Tank 1 (kl)	Tank 1 (kl)	Total (kl)
2014	331	260	720	717	2,028
2015	328	367	372	439	1,506
2016	394	169	447	160	1,170
2017	334	357	201	425	1,317

The data shows that greywater discharge has reduced as compost toilets have been installed. Comparison of the data to the predicted wastewater generation from Table 9 of the Wastewater Assessment in the EIS for campers alone is 1,683kL for the two events compared to 1,317kL discharged from the tanks.

These values tally and show that the wastewater assessment adopted higher wastewater values. Further, the updated wastewater assessment includes additional water balance assessment, which indicates that total 'water in' correlates well with total 'water/wastewater out' for the existing events at Parklands, meaning that the wastewater volumes are appropriate for the purposes of the assessment.

It is also noted that the wastewater assessment recommends that new flow meters are installed for the treatment train of the on-site sewage management system (OSMS). In the unlikely event that unusual inflows are recorded during the establishment of the revised OSMS, the OSMS design can be readily modified (e.g. through increasing the storage tank size).

Floodplain Irrigation

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In relation to utilisation of the floodplain for irrigation, the IPC will be aware that the EPA's *Use of Effluent by Irrigation (2004)* guidelines state that floodplain areas can be acceptable for effluent irrigation subject to appropriate engineering controls. We observe that that floodplains across NSW and locally provide productive spaces used by various agricultural activities such as sugar cane farming and dairying. These activities operate throughout the year, and manage wastewater application (particularly dairies) through flood events.

The OSMS design allows for a 3-day withholding wet weather storage and an above floodplain emergency land application area. Further, the proposal provides for a pre-event withholding period of up to 4 weeks per event, which can be used in cases of direct flood situations or to catch up on the irrigation cycle following these events. The land application area is based on a detailed water balance that accounts for higher rainfall periods (i.e. a lower land application rate to account for increased soil moisture) and use of vegetation uptake zones adjacent to drains. The irrigation area required for hydraulic loading based on rainfall and evaporation effects is only approximately 17,000m², much less than the proposed 36,000m² footprint and only a fraction of the ~400,000m² area available for disposal on the site.

This results in the actual irrigation rate being much lower than the allowable required to limit deep percolation to groundwater and surface runoff. The 36,000m² footprint was based on nutrient balancing requirements to ensure net export of nitrogen and phosphorus are within allowable cumulative impacts. The original wastewater management plan prepared by Gilbert & Sutherland in 2010 that was approved for the property, also allowed for land application onto the floodplain, and modelled the land application using alternative irrigation models to those by Whitehead & Associates. That assessment also confirmed no significant cumulative impact to surface or groundwater.

The OSMS design is for fully secondary treated and disinfected effluent, not partially treated. NSW Health only requires effluent to be secondary treated and disinfected to allow spray irrigation in NSW (para 6 of Advisory Note 4 – December 2012). The EMA for spray irrigation is located in the northeast corner of the Parklands site, with no adjacent dwellings or public areas. The surrounding property to the north is agricultural in nature and owned by Parklands' investors. The nearest dwelling is located about 660m to the northeast of Parklands at 214 Wooyung Road, Wooyung.

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MS HIRD: I was just – in the proposed irrigation, there are a number of shallow drains which today were holding water in them. Do you see this as adding to the risk - - -

MR FITZROY: Yeah, I see that as adding to the risk and I note in the – in the site inspection, the GHD, in their report, reflect that. If grounds – if it's holding water and there is a conduit for that water to get away, there's a potential for environmental health risk with receiving waters. And I think the important thing – and that's why the – the estimated volumes, even the reduced numbers, are huge, you know, I – that's why we're here, because it's a big show, you know. It's not – it's a big show. So the bigger you make the show, the more systems you have to have to maintain that show, the more monitoring is required, the higher level of rigour is required. I think, we've got a 10,000 EP that council run and I'm not sure the size of Tweed's various STPs, which have, effectively, engineers running them full time. And I know these events are, you know, coming and going but – but the level of stewardship required to run a show that – of that size, to ensure that all these things happen, you know, as they should, is – is quite significant. Yeah.

MS HIRD: And there's – I note there's – children attend these things.

PARKLANDS RESPONSE:

The above comment relates to environmental health risk and OSMS management.

In relation to environmental health risk, we note that the area for the proposed for onsite disposal is 36,000m² and the overall area available for disposal is in excess of 400,000m². The disposal area will be rotated and be shaped to provide buffers to drains and the like to ensure no contaminants exit the site. In the RTS we observed that the EPA's *Use of Effluent by Irrigation (2004)* guidelines provide 50m buffers for spray irrigation to public areas such as schools and houses, but given these are not present near the proposed EMA a site specific buffer is applicable. AS/NZS1547:2012 provides risk-based buffers for effluent application in relation to property boundaries of 1.5-50m. Because of the use of spray irrigation of disinfected effluent onto a gently sloping EMA, a moderate risk is assessed and a buffer of around 20m is applicable. Given the agricultural nature and management measure of modified or no irrigation during excessive wind conditions, the 20m buffer is considered adequate.

In terms of OSMS management / maintenance, the system proposed is deliberately "low tech" in its nature and will be maintained by experienced contractors. The same OSMS systems are established at Shearwater Steiner School (Mullumbimby, Byron Shire LGA) and Cape Byron Steiner School (Byron Bay, Byron Shire LGA). Pursuant to S.68 of the Local Government Act, Council has a responsibility to regularly inspect onsite wastewater systems and has powers to require corrective actions.

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MS HIRD: And the only other question I've got is the stuff that is not grey water; urine and the rest is the black stuff.

MR FITZROY: Yeah.

MS HIRD: That seems to be treated by them as some sort of compost.

MR FITZROY: Compost, yeah.

MS HIRD: I've sort of looked at compost guidelines, so I was just wondering whether that's an appropriate classification for what it is, particularly as the amount increases.

MR FITZROY: Yeah, well, that's a good point. I think – like, I – I have a – a view, this is just a personal view, that the use of low tech options is a good thing. I don't – I don't – I think – I know there's a – there's – there's a number of different ways you can deal with wastewater. The more we can separate the waste from the water, the better. Environmentally, energy-wise, reuse opportunities – things like that. I think it's all about scale. What concerns me is when we – you know, it might seem, we're at 35,000 already. Another fifteen shouldn't, you know - -

MS HIRD: Yeah.

PARKLANDS RESPONSE:

Parklands has successfully managed the composted solids from its Composting Toilets per the requirements of Council's approval (70.2013.1033.1). Under this approval all composted material must be buried to a depth of 100mm. Parklands has consistently buried this material to a depth of 1,000mm or greater. The area where this material is buried is more than 15m above the Probable Maximum Flood level and is appropriately signed and located in an area not accessible by the general public.

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MR FITZROY: ... amount of water you produce, it's a little bit hard, the other end, you know, like, we can't – you know, can't hand out corks, you know, like, it's – so we're going to generate it. You can't avoid that.

MS HIRD: Yeah.

MR FITZROY: And then – so the composting system, the standards to make sure that the viruses etcetera are reduced to acceptable levels before they're utilised is challenging over time, yeah, and that – in the reference to the order that we were just talking about, our suggestion is that, because when you read as written, as a recommendation for auditing, it seems to just relate to wastewater management.

MS HIRD: Yep. Yeah.

MR FITZROY: And we've included that it should include a compost management system as well, because, you know, you can think, "Wastewater's" – but wastewater, in my – and I wouldn't include compost as wastewater. It's a solid waste. That's a by-product, biosolid, but not a wastewater, so that would – in the suggested thing that Chris has got there, in terms of an option for a condition, we've included the compost management.

PROF MACKAY: I was about to ask about that. Is council going to put forward some suggested changes to the conditions that have been recommended by the department?

PARKLANDS RESPONSE:

We would appreciate the opportunity to comment in relation to any suggested conditions by Council in relation to composting.

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MR FITZROY: Yeah, certainly. It is, yeah.

PROF MACKAY: More nitrogen and phosphorous

5 MR FITZROY: The other comment, sorry, just about – I just wanted to – I think this is really important, that Chris mentioned it earlier, is that to approve the development with that – the conditions in the development appear, and I might be reading this incorrectly, to suggest that the on-site wastewater system is approved subject to compliance with secondary treated effluent quality.

If – and if that can't be met, it should be taken to an authorised disposal facility, so I've read all of the stuff, and I haven't, and I might not have seen it, found anywhere where it – there is a contract, an MOU, a commitment from any receival authority to take that wastewater, and I can't for the life of me understand how we, anyone, could approve it unless there is some contractual arrangement for one or many receivers, and this is important because the GHD, who's reviewed it, and I've reviewed it as well, have considerable concerns from the three or four or five reviews they've done, that they're saying that you would use the word "could", it could work, so if there's a view that it could or therefore it may not work, then – and meet the quality criteria required, then there's an expectation it's going to move off-site.

So how could – it could be approved, unless there's a contract for the life of the project at a receiving station, and this is the kicker, as anybody who knows, runs STP will know, is that you've got to have – that's why you pay all this money for them.

You've got to have the capacity available to enable someone to take it when they need to take it there, in large volumes, and not only – there's the issue of actually getting it there, like, that's a major issue, but if you did, we're receiving it, like Angela has, and – but at larger volumes, that receival facility would have to have that in place, and most of those places have – charge a premium for the capacity, and that's important.

PROF MACKAY: Yep. Thank you.

MR FITZROY: Yeah.

PARKLANDS RESPONSE:

The need for long term contractual arrangements for festivals has never been the case in Byron Shire. For example, Byron Shire Council has approved the Bluesfest site at Tyagrah. The Consent provided to [Bluesfest is a permanent approval](#). That festival relies on the ability to transport waste from the site and there is no requirement in the approval any long-term contractual arrangement. Parklands enjoys arrangements with NuGrow and Phoenix

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Power Recyclers (both licenced facilities in SE QLD) for the disposal of wastewater. By email of 14th December 2018 Parklands provided details concerning those arrangements to the IPC.

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MS CORD: And even probably some residents are coming to our councillors to say that they're hearing it, they don't know where to call, so maybe just with letterbox drops, notification of contact details and things, if they are having a noise concern. I know there's an opportunity for on-site measurements to be taken, so it may need to extend that area to places like and...

MS FORBES: Yes, where was it?

MS CORD: - - - move all there, so - - -

MS FORBES: Just got a recommendation for a 10-kilometre radius for the notification to reflect the impacts on the Tweed Shire residents as well. We'll put that in - -

PARKLANDS RESPONSE:

We respectfully submit that a 10km radius for notification of an event is unreasonable and unwarranted. We opine that this suggestion may have been an "off the cuff" remark as it does not seem to be very well thought through. The villages of Pottsville, the majority of Ocean Shores, all of Billinudgel and parts of Mullumbimby would be included in such a radius.

To date, Parklands has provided 42,000 individual letter box drops over the 12 events to date. The letterbox drop covers a radius of 3km and is on top of the full page advertisements placed in local papers with readerships of more than 80,000 residents and businesses. At the most recent event (Falls Festival 2018/19), two calls were made to the hotline over its 5 days of operation. Both calls were from the one resident and did not related to either traffic or noise (the primary potential negative externalities associated with outdoor events).

We submit that the present arrangement should continue.

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MR LARKIN: Obviously, this approval also relates to the construction operation of a conference centre with associated accommodation. I can't see any clear conditions of consent in terms of the operation of that building and its facility. If this was a DA that council just dealt with for that component of it, there'd be a range of conditions about hours of operation, amenity impacts and the like. So, if you like, we can also provide you what our recommended conditions of consent would be for that facility and how it should be run and operated outside of the events. There was accommodation associated with it as well, from recollection, and so I think we just need to – well, I'd like to put forward those conditions.

PARKLANDS RESPONSE:

Parklands would appreciate the opportunity to comment in relation to any recommended conditions of consent concerning the conference centre facility.

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MS FORBES: One other thing I'd like to raise is an issue from one of the councillors, again, is whether there was an option – if the site gets approval as a permanent events site, if it was an option for each festival to get a temporary licence from the local councils to hold their event. This provides a small bit of security for the community that festivals will still be motivated to obtain compliance with approval conditions. This seems to be the model used in the Domain in Sydney, whereby the festivals, if they don't obtain significant compliance, they don't get their license renewed.

PARKLANDS RESPONSE:

Parklands is not aware of any lawful basis for the ability to condition a Development Consent to require a "temporary licence" from Council to hold an event.

By way of comment, Parklands operates in a very similar way to the Sydney Domain. The Domain land adjoins the Royal Botanic Gardens and is managed by the Royal Botanic Gardens Trust, a division of the NSW Office of Environment and Heritage. Festivals apply to the Royal Botanic Gardens Trust for approval to undertake an event and they are provided with licence requirements. At Parklands, festival operators apply to Parklands for approval to undertake an event and Parklands issues a licence (Occupation Agreement) to event promoters to carry out their event. The approvals given to promoters by Parklands are conditional upon compliance with not just Development

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Consent Conditions but also specific requirements of Parklands as articulated in its Environmental Health and Safety Management Manual and Event Management Manual.

1.2 IPC PUBLIC MEETING

MS. S. ARNOLD: The police recommendations are ignored. There are very serious risks of floods and bushfires, which have exponentially increased with climate change. Imagine, really imagine, a desktop study of how to vacate 50,000 people who are on alcohol and, potentially, drugged, from a site where there is major bushfire and flood. And so it's really clear that there's a disconnect here, because you can't go out there and do a real life situation, and as far as I'm concerned, a desktop modelling leaves people at extreme risk. We have had major flooding out there and I think that the government must bear the responsibility for any death that happens out there, because the floods happen very quickly, and we have seen really bad fires that have happened very quickly.

PARKLANDS RESPONSE:

The NSW Police in its submission dated 28 March 2018 did not raise any matters relating to flooding or bushfires or more generally, matters relating to evacuation. The submission primarily concerned itself with crowd management, Police resourcing and traffic issues. Parklands provided a detailed written response to the NSW Police dated 12 June 2018 addressing the issues raised by them including a number of proposed mitigation and management strategies.

The NSW Police in an email dated 4 July 2018 confirmed that they were "happy with the agreed outcomes" [as stipulated in the Parklands document dated 12 June 2018].

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MS. S. ARNOLD: I think the police have also been concerned about it, and so I'd like someone to tell me how many police would be needed to manage 50,000 kids to find out whether they've got drugs or not. And is this the environment that we want for our children?

7 *Is this what we want, is to send them to packed-out festivals where there's rapes, drug abuse, alcohol abuse? Is this the sort of – is this what we want? Is this cultural, seriously? These are festivals about money, and the festivals are now 51 per cent owned by Live Nation, which is a US corporation, and so I imagine what fun we'd have trying to take any legal action.*

PARKLANDS RESPONSE:

Recently the NSW State Government has responded to concerns about festivals and patron safety. The publication Keeping People Safe at Music Festivals Expert Panel Report, October 2018 addresses this issue specifically. The report sets out 7 recommendations. The 5 regulatory and harm reduction recommendations are as follows:

- 1: Develop a consistent approach to the regulation of music festivals. This could be through the introduction of a new category of liquor licence specific to music festivals.
- 2: Require organisers to develop and adhere to a Safety Management Plan for their event, supported by a two-tiered system of risk, with variable regulatory conditions.
- 3: Consider establishing an interagency committee to assess and manage an event organiser's approach to event risk.
- 4: Strengthen drug and alcohol harm reduction programs for music festival attendees.
- 5: Develop best practice guidelines for event organisers on harm reduction approaches and messages.

The NSW Government has adopted these recommendations and the new licencing arrangements are being implemented in 2019.

For clarity, we confirm that Parklands is 100% owned by Australians. Live Nation has no ownership in the Parklands property.

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MR. S. RICHARDSON: No agreement with Byron Shire Council is in place, and Byron Shire Council's position is that we do not want this waste. Our sewage treatment plants are struggling to maintain the excess, and we have potential to breach EPA conditions due to the intensity of the waste which comes to us. An opportunity to review the wastewater management plan, irrigation management plan, and groundwater and surface water monitoring

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program described in the draft approval conditions C16, 19, and 21, as a minimum, are essential to Byron Shire Council.

PARKLANDS RESPONSE:

Byron Shire Council has traditionally accepted waste from events. This announcement by Councillor Richardson at the IPC Public Meeting was the first occasion that Parklands was advised that Council would not accept waste from this site. That ban is not of overt concern to Parklands as there are a number of other service providers who are keen to obtain wastewater from Parklands. Instead of treating it as "waste" the alternative providers treat effluent as a resource for soil conditioning.

North Byron Parklands has no objection to the conditions C16, C19 and C21 being amended to provide a review role by Byron Shire Council. For clarity, Council must approve any further wastewater management at the site pursuant to its powers under Section 68 of the *Local Government Act*.

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MS. C. COOREY: competitive and poor workplace practices. I know it's easy to create a bogey man of the big corporation, and who are bad, and the little people, you know, plucky locals fighting against them, but it's actually not us painting this picture. It's the major news mastheads of the US and the UK who are already dealing with – reporting on what people are dealing with, with Live Nation.

For example, the Washington Post – no small feat – says how Live Nation exploits low-wage workers to stage its rock concerts. Similarly, The Guardian reported in the UK that:

Live Nation's grip on music festivals is stifling competition.

In the US they're under investigation for anti-trust and anti-competitive behaviour by the Department of Justice, and the chief executive of the Association of Independent Festivals, Paul Reed, in the UK said:

It's blocking new entrants to the market, resulting in strangle holds on talent through exclusivity deals and it stifles competition through the entire live music business.

Splendour was a locally-conceived independent festival for 20,000 people that went for three days. This new proposal is a rather different beast with the introduction of Live Nation to the mix. I'll also add that New Musical Express – which has been the music industry's bible for many years – has also reported that Live Nation were stifling competition and inhibiting small performers to getting into the music scene.

I would argue that the potential for Live – there is a potential for Live Nation to actually inhibit the growth of the music industry by its signing – use of exclusivity deals for musicians.

PARKLANDS RESPONSE:

We confirm that the Parklands site is 100% owned and operated by Australians.

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MS. C. COOREY: I don't know how a crowd crush incident is managed, and it isn't described. I don't know how it's manageable. Crowd behaviour is a specialist area, and I think there probably are people who can report on that, but until that's done, I would not have confidence in increasing the levels here. Similarly, in the 2016 report by the police, when Splendour had a capacity of 32,500, the police did report that:

There is no possibility of evacuating North Byron within 8 hours at current capacity levels.

Even with amended evacuation plans, what is a safe time in which to evacuate this site? What kind of emergency might we be dealing with? We know that flooding on the site during the March floods of last year, there was – the water rose by about three metres in a few hours, blocking off Wooyung Road, by the way. I think other people here will be speaking about that. Additionally, the national constraints of this site have been well noted. This site adjoins coastal wetlands, the Billinudgel Nature Reserve, and it is the last major wildlife corridor between the hinterland and the coast. There is no reticulated water on the site. If a fire were to break out, how could we know that there was enough water to offset that?

PARKLANDS RESPONSE:

As outlined in Section 6.3.8 of the EIS, there is a very low probability of a 1 in 100 year flood occurring on an event day (1 in 1,825 chance), and Parklands has established a comprehensive Significant Rainfall Forecasting System (SRFS) which further assists in reducing this chance. The SRFS involves monitoring and forecasting of significant

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rainfall events, and provides a decision-making framework for addressing any predicted flood event, which may include cancelling the event.

In the very unlikely event that flooding occurs during an event which has not been predicted or allowed the vehicular evacuation of the site, Parklands' Flood Risk Management Plan (FRMP) provides for pedestrian evacuation to an on-site flood emergency assembly area on flood-free land in the north-western area of the site around and including the main amphitheatre. As outlined in Section 6.3.8 of the EIS, the amphitheatre area has toilet facilities, water supply, and can host all people on site in a 50,000 patron event.

The events carry cancellation insurance so should a significant flood occur directly prior or during the festival would be cancelled without significant financial impact

Flood histograms are provided in Tables 13 to 16 of the EIS. The histograms indicate that, in the Probable Maximum Flood (PMF), flood levels peak after about 10 hours in the northern part of the site, and then recede relatively quickly over the next 12 to 24 hours.

It is noted that vehicular access to the flood assembly area (and conference centre area) would remain available during this time via the spine road, as shown on Figure 6.8 of the EIS. As such, there is not expected to be total stranding of patrons on the site for any extended period of time

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MS CHERRY: I will. So my only big issue is the patron safety, obviously, crowd control, and I've got just a paper on crowd safety that's really important and obviously if you can have another look at the police – New South Wales Police Force submission there. We've all got young children. I've got three teenagers myself. I understand, but this is about trying to keep them safe. So – thank you very much.

PARKLANDS RESPONSE:

As outlined in the Response to Submissions, events at Parklands utilise leading crowd management practitioners Secure Events and Assets (SEAA), headed up by Jim Fidler and Robbie Nash, to undertake detailed crowd assessments and crowd safety management plans covering main stages at both Splendour and Falls. Fidler and Nash enjoy an international reputation in crowd management practice. These assessments have taken place at Parklands since 2016.

Parklands also recently engaged SEAA to prepare a crowd assessment report for proposed events to be held at the venue as part of the current development application. This report provides a detailed assessment of patron capacities within the amphitheatre, and crowd management risks associated with the proposed events.

The crowd assessment process used by SEAA is based on the methodology established by Prof Keith Still (Still, 2014) and often referred to as 'DIM ICE'.¹ The DIM-ICE model implies that there are *three main influences* on crowd behaviour (design, information and management) and *three main phases* of crowd behaviour (ingress, circulation and egress).

By modelling these aspects, events can highlight where in the phases and influences the risks are:

- High (improvement needed);
- Medium (monitoring needed); and
- Low (operating efficiently).

For events held at Parklands, once management measures and mitigation practices are consulted with members of the Safety Working Committee, the agreed measures are documented in the event's crowd management plan.

The crowd management plan for each event is implemented by SEAA and key security managers and team leaders responsible for overseeing staging areas such as the amphitheatre.

The crowd assessment and management plans in turn form part of the wider Event Management Plan.

The crowd management measures and mitigation practices were presented to the NSW Police by Parklands in a report dated 12 June 2018. These measures and mitigation strategies were accepted by NSW Police as part of their overall agreement to the management of a number of issues (including crowd management) by email dated 4 July 2018.

¹ Other alternatives are available such as Force Information Space Time (FIST) (Fruin, 1993) or Arrival Ingress Movement Egress Dispersal (AIMED) (Sports Ground Safety Authority, 2015).

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MS. D. NESSEL: My third point, the use of a Regulatory Working Group to oversee operations is certainly a good idea if further approvals are given. But that Group, the RWG, needs to play a truly independent advisory role. That means the chair of the Group needs to be answerable to the department, not to Parklands. I didn't see that when I was on the Regulatory Working Group. I saw a Group that was controlled by Parklands with that control fully supported by the department.

PARKLANDS RESPONSE:

To reflect the RWG operating situation more accurately, the independent Chairman's appointment is vetted and approved by the Department in accordance with the consent. The Chairman is not connected or accountable to Parklands. Rather, being accountable to the relevant consent conditions set by the Department, the Chair regularly consults with both Parklands and the Department regarding a range of community and RWG matters. The Chair position and taking of minutes of the RWG is paid by the proponent, in line with the State-wide practice for Community Consultative Committees and Regulatory Working Groups.

The RWG has matured into an effective tool for community involvement and has led to the adoption of dozens of improvements to the events held at the site. The RWG operates via the consent and under Terms of Reference (TOR) which were developed by the RWG members themselves in the early years of operation. The TOR set out procedures for the conduct of the RWG, including tabling of recommendations, responses by Parklands, set times for responses to draft reports and responsibilities of RWG members.

Each and every recommendation to the RWG by a member is included, verbatim, in the draft meeting minutes. A response is also provided by Parklands for inclusion in the finalised minutes which are then sent to the Department for consideration.

Community Representatives on the RWG serve a two year term, and are nominated by Byron Council after public advertising of the positions. One such position has previously been held by a Tweed Shire resident.

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MS. D. NESSEL: Fourth, Parklands says the festivals cause no ecological impacts or only temporary impacts. But experience ecologists have found serious flaws in their ecological management and have noted that conclusions cannot rightly be drawn on the basis of the available data. You can only score the work events if you've been trained in measurement and statistics, and I happen to have had that training. The Planning Department has ignored those criticisms and has accepted Parklands' assurances that they (sic) are really no ecological impacts or only temporary and reversible impacts. But that's just not good enough when the site is bisected by a significant wildlife quarter and it's immediately adjacent to a significant nature reserve.

A full independent review of the ecological monitoring to date, truly independent, is needed, including a full review of the critiques of the monitoring so as to inform any future actions. Any or independent audits of any ecological monitoring that programs may do are also needed. Fifth, the department's recommended conditions of consent seem to have been done in haste. For example, a key performance indicator for noise is far too big and subjective, referring simply to "effective measures". Some conditions recommended by the Rural Fire Service are not included in the department's recommended conditions. And some conditions recommended by the independent reviewer of the wastewater plant are also not included. You can see this only if you put the two documents side by side.

PARKLANDS RESPONSE:

Numerous surveys have been undertaken within the study area from 2007 to 2017, including twelve Event Impact Monitoring (EIM) events and eight other surveys.

The monitoring and sampling methods for EIM were developed and approved as part of the Flora and Fauna Monitoring Program (2013) which included extensive consultation with the Office of Environment and Heritage and National Parks and Wildlife Services.

EIM has been undertaken for each of the twelve events held at the Parklands to date (2013 – 2018). The consistent conclusion across all EIM surveys has been that there were no significant adverse effects on any flora or fauna group as a consequence of events held at the Parklands. Minor negative ecological effects observed during and immediately after events included limited sediment movement, littering and trampling of grasses within the event area and avoidance of illuminated areas by mobile fauna. These impacts were temporary and reversible at the conclusion of events.

Overall, EIM data highlight the natural variability of the fauna assemblages (particularly bird and microbat). The main driver of this variability appears to be seasonal movements of species and local patterns of food resource abundance, primarily blossom in swamp sclerophyll forest and fruit crops in both native and exotic species (e.g. Camphor Laurel).

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The environmental monitoring and reporting effort undertaken on this site is unparalleled for any other similar outdoor music and arts venue across Australia.

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MS. K. NORLEY: We don't see how remaining koalas will survive with the significant increase in event days and event scale, along with the vegetation clearing that will go along with the proposed development. Parklands has been allowed to self-monitor their compliance for five years, and the department recommends they continue. We think neutral independent observers must also be involved. Compliance monitoring has not been effective under the department, and we have no confidence that the effectiveness will improve in the future. They have admitted that they have other priorities and that seems clear since they have issued only one compliance report on this development since 2012, and that they didn't address all the issues that have concerned us.

PARKLANDS RESPONSE:

Historically Koala's had been observed sporadically at the Parklands site but after the implementation of the Pacific Highway upgrade no Koala have been sighted on the land. They have been seen in adjacent habitat areas. The most recent surveys were undertaken in September 2016 and found evidence of Koala visitation of at the site (i.e. scats). Under SEPP44 "core koala habitat" means an area of land with a resident population of koalas, evidenced by attributes such as breeding females (that is, females with young) and recent sightings of and historical records of a population. Small areas of the Parklands therefore may meet the definition of Core Koala Habitat under SEPP44.

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MR. S. CONNELLY: So at D9 the recommended conditions provide for phasing for the Splendour in the Grass, the Large Winter and for the Large Summer Falls Festival Byron and the consent, as drafted, provides for the staging to proceed for the Splendour event in 5000 person increments and for the Falls Festival to proceed in 5000 increments.

I'm here today to put it to you that the work that was done to prepare the impact assessment was founded on hard evidence about the capacity of the road system in the locality to sustain the event – events as proposed. That work was calibrated with the other works that have to be done to move the event on. So the idea of having the 42 and a half thousand and 50,000 equates to serious works that have to be completed before the Large Winter event can move from 35,000 persons.

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PARKLANDS RESPONSE:

The conditions we seek to have refined are set out below. Changes to the conditions drafted by the Department are shown in **bold font**.

D9. Any proposed increase of the large events must occur in sequential order as set out in Table 4 and as shown in Appendix 4, with an increase at each stage subject to the approval of the Planning Secretary.

Table 4 Progressive Staging for Large Events

Event	Maximum Number of Patrons			
	Stage 1	Stage 2	Stage 3	Stage 4
Large Winter Event	35,000 patrons	40,000 42,500 patrons	45,000 50,000 patrons	50,000 patrons
Large Summer Event	25,000 patrons	30,000 35,000 patrons	35,000 patrons	N/A

Commencement of Large Events

A6. This consent limits the Applicant to commence large events at the following capacities:

- (a) large winter event at 35,000 patrons; and
- (b) large summer event at 25,000 patrons,

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except in accordance with a staged approval by the Planning Secretary to progressively expand the large events in accordance with Condition D9, and subject to conditions D10 to D15.

A7. Notwithstanding Condition A6, the Applicant may:

- (i) commence the large winter event at a capacity of **42,500** patrons, subject to meeting the following requirements:
 - (a) the Applicant has previously held an event at the site with a capacity of 35,000 patrons;
 - (b) the Applicant has met the requirements in conditions D16 and D17; and
 - (c) the Planning Secretary has approved the Applicant's request to progress to the next stage as required by Condition D14; and
- (ii) **commence the large summer event at a capacity of 35,000 patrons, subject to meeting the following requirements:**
 - (a) the Applicant has previously held an event at the site with a capacity of 35,000 patrons;**
 - (b) the Applicant has met the requirements in conditions D16 and D17; and**
 - (c) the Planning Secretary has approved the Applicant's request to progress to the next stage as required by Condition D14.**

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MR D. WILLIAMS: Good evening, everyone. My name is Arakwal tribe. I just want to set the record straight here. Tweed Byron Land Council don't speak on their behalf, he doesn't from our tribe. In the culmination of all that has happened here, the meeting, what it's about, you had to do cultural clearance and all of that to satisfy that part of it. We weren't consulted. I have direct link to this land. This is my grandmother's country Arakwal, and I want to set for the record that it is us who have been excluded out of any consultation when, in fact, our engaged in doing cultural knowledge and history of this place yet that has been left out deliberately. And so had our tribal council meeting, it – we are looking at – because we understand that we don't have any say. Our voice is not going to be heard in – at this forum or anywhere else in the near future.

PARKLANDS RESPONSE:

The thrust of the submission by Mr Williams is that the Arakwal and Gidabal people have been excluded from the site assessment process.

The first site specific assessment for the land was Cultural heritage assessment, undertaken by Jacqueline Collins, (Consultant Archaeologist). That work was completed in September 2010.

For the purposes of the Collins assessment, in February 2010 newspaper notices were published in the Tweed Shire Echo and the Byron Shire Echo respectively, inviting interested Aboriginal parties to contact North Byron Parklands to formally register their interest in the assessment. Responses were received from the following organisations and individuals, who were endorsed as registered stakeholders:

- Tweed Byron Local Aboriginal Land Council (TBLALC)
- **Yvonne Stewart (CEO, Arawkal Elders Aboriginal Corporation)**
- Jackie McDonald and family (also on behalf of Joyce Summers)
- Troy Anderson (spokesperson, Numbahging Traditional Owners Group)
- **Harry Boyd (Ngaraakwal/Githabul Elder)**
- Lois Cook (spokesperson, Burabi Aboriginal Corporation)
- Madhima Gulgan Community Association
- Athol Compton

Collins observed *"Consistent with past consultation (Fox 2003; Collins 2006a, 2006b), the Aboriginal stakeholders involved in this assessment hold Marshalls Ridge to represent a traditional pathway used to access the Wooyung ceremonial sites further east. Due to their perceived connection with this traditional transit, the artefact occurrences recorded on Marshalls Ridge, its fringing spurs, and elsewhere within the study locality, are assessed to be of high social/cultural significance. During consultation for this assessment, Ngaraakwal/Githabul Elder Harry Boyd outlined the sacred/spiritual importance of the Brunswick to Tweed River area, including the presence of a traditional songline, and the interconnection between natural events and initiation and other gatherings (to*

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maintain privacy of cultural information, any further advice should be sought directly from Harry Boyd). However, the Aboriginal stakeholders advised that, to their knowledge, development of the proposed cultural events venue would not affect any unmodified sites or places of ceremonial, mythological or otherwise sacred/spiritual significance, attachment or concern, and that (owing to its high level of disturbance and apparent absence of cultural materials) the proposed spine road cut and overfill tunnel across Marshalls Ridge would not compromise the values attributed to the wider ridgeline." pp 11

The Primary Aboriginal organisations for the NBP site are the Tweed Byron Aboriginal Land Council ('TBLALC') and the Bundjalung of Byron Bay Arakwal Aboriginal Corporation ('AAC'). Copies of *State Significant Development- Environmental Assessment Requirements Cultural Events Site, North Byron Parklands (SSD 8169)* and *Permanent Cultural Event Site-North Byron Parklands Cultural Heritage Due Diligence Assessment-Peer Review, Audit and Gap Analysis* were supplied by email to the AAC and TBLALC on 10 May 2017. Attention was drawn to Attachment A (Standard Requirements) and particularly Attachment B (Specific Requirements OEH-Part C). Copies of the Collins (2010) report would be made available on request, no copies were requested.

Site Inspection with Arakwal Aboriginal Corporation

AAC CEO Gavin Brown inspected the NBP site on May 11 2017, in company with Mat Morris (Manager NBP) and Everick Senior Archaeologist Adrian Piper.

The Site survey aimed to inspect the new development proposal. The key additions under the new development proposal with the potential to affect heritage-related matters are:

- to extend the southern park to the east across the Yelgun flats and to revegetate a buffer with the Billinudgel Nature Reserve; and
- construct a conference centre and accommodation on slopes in the north-west sector of the site.

The locations subject to new development have been previously inspected for cultural heritage by Bonhomme and Craib (2001), Piper (2002), Fox (2003) and Collins (2010). No cultural heritage was found in these locations.

The facility was inspected by vehicle. The main features of the inspection were the southern carpark, the area of the artefact scatter site AHIMS 4-2-114 and 4-2-115 and measures to quarantine the site, the Spine Road and measures to secure the site of test excavations beneath the Spine Road (Collins 2010: pp 25-30). The northern precinct included the northern carpark, Amphitheatre and camping grounds.

Conclusions: Mr Brown was of the view that the proposed additions under the new proposal were minimal and not of sufficient impact to warrant an additional cultural heritage assessment. He was also of the view that the recommendations of the Collins (2010) report had been implemented. The new proposal was unlikely to have any impact upon Aboriginal cultural heritage. Mr Brown was also of the view that as no Aboriginal Heritage Impact Permits were required consultation with Aboriginal stakeholders need not extend beyond the AAC and the TBLALC.

Site Inspection with Inspection Tweed Byron Local Aboriginal Land Council: Board Chairman of TBLALC and Tweed Shire Aboriginal Advisory Committee Des Williams, inspected the NBP site by vehicle on 18 May 2017, in company with Adrian Piper of Everick Heritage Consultants.

The inspection by Mr Williams and Adrian Piper covered the same features as the previous 8 May 2017 inspection. The proposed additions of the new proposal were explained. Mr Williams was familiar with the site as he had participated in the Collins (2010) field inspection and test pitting.

Conclusions: Des Williams was of the view that the proposed additions under the new proposal were minimal and not of sufficient impact to warrant an additional cultural heritage assessment. He was also of a similar view that the recommendations of the Collins (2010) report had been implemented. The new proposal was unlikely to have any impact upon Aboriginal cultural heritage. Mr Williams was also of the view that consultation with Aboriginal stakeholders need not extend beyond the TBLALC and the AAC.

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MR. D. WILLIAMS: When they talk about fraud and deception everyone wants to hush up. In order for to get to this meeting today there has been collusions happening. We've got that documented and I will get the date and time of this meeting and I will take with me in order – that's for our records. So I stand for the truth.

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MS. S. WHLILBON: specifically is the major line going right through there and where the stage is located, for the Splendour, is actually a and this has all been left out. Why has it been left out? Because the same old names get consulted. This is Everick – Everick Heritage's two submissions 10 years apart. The one on the left is current from 2017, the one on the right is from 2019, they have passed over a number of properties that have

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gone into the National Parks and Wildlife Services portfolio. But they haven't acknowledged the Borain under the stage.

PARKLANDS RESPONSE:

There are no records identified by either Heritage consultant's assessments that identifies any Aboriginal heritage artefacts or areas of importance anywhere near the main stage. The closest recorded Artefact Scatter (#4-2-114) is 1,160m from the Amphitheatre stage.

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MR. R. WHITLING: The impacts upon individual species from noise and light and high numbers of attendees is not addressed. It has mostly focused on threatened species. The survey data showed that a number of species will be affected despite what the EIS says.

There's no assessment of long-term changes for any individual species. There's a lack of assessment of the edge effects and other indirect impacts upon Marshalls Ridge Wildlife Corridor. Lack of short-term or long-term assessment of the effects of light and noise upon the nature reserve. These are quotes from Dr Tierney. There are inaccurate monitoring of fauna and flora within the nature reserve. No long-term monitoring has been proposed. Noise and lights.

The project EIS relies upon interviews with a few zoologists to work out the impacts upon noise and lights and it fails to address the significant body of scientific literature that could have been used. Examples of that literature follow. Just a few quick slides. All of these – this type of literature, of course, has references to other literature attached to it at the end. CONOS also commissioned a – a – a report ourselves. This was a report by Benwell and Scotts to look at the potential impacts

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MR. R. WHITLING: I will focus on that. So this is supposed to have no impact in a wildlife corridor. The specialist's reports from the EIS entirely focus upon the event site and pay little attention beyond the site. They say there will be no changes to fauna populations over time – over time.

However, if you dive deeper into the specialist's reports that come from the various performance reports you do actually find effects upon fauna but this is on the festival site. For example, Splendour in the Grass 2017 monitoring showed that bird and species counts were lower than overall average. The same for 2014. Lower – lower than average bird species counts. This is from their own reports but you won't find them in the EIS.

PARKLANDS RESPONSE:

The overall survey and monitoring results to date indicate that the cultural events at the North Byron Parklands site and adjacent Billinudgel Nature Reserve have caused only very minor, temporary and reversible impacts on the ecological attributes of this locality, including threatened species, populations and communities. Increased light and noise levels are an inevitable occurrence associated with event, and these factors will impact on local fauna movements and site usage during the period of each event. However comprehensive EIM has shown 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, there are no evidence of declines in any environmental values at the Parklands, indicating no cumulative effects of holding multiple events.

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MR. R. WHITLING: The EIS does not address edge effects from within the Parklands and the Marshalls Ridge Wildlife Corridor, wetlands or the nature reserve. It gives little attention to the noise and light upon the adjoining Billinudgel Nature Reserve and monitoring has consisted within the reserve of, one recorder, two, no cameras and some scattered bird transects and this was tokenistic. It only began three years after monitoring the site began. So, therefore, there's no adequate baseline information and insufficient data to determine impact on the nature reserve, the nature reserves in – within zone 1 of the Sensitive Receiver Map, and so it's subject to the greatest amount of noise and it's classed as a Sensitive Receiver previously.

PARKLANDS RESPONSE:

More than 90% of the 24,000 endemic tree species planted to date by Parklands have been in close proximity to Marshalls Ridge. In consultation with the Office of Environment and Heritage and NPWS, it was identified that the next most beneficial program to reduce forest edge effects, was to commence revegetating the south-east corner adjacent to the proposed extension of the southern car park (which has been cleared since at least 1947). As can

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be seen from the figure below, such revegetation work has already commenced with more than 1,000 trees planted in this area.



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MR. B. CAMERON: As stated in condition C(20). Event impact monitoring, or EIM, is limited to the survey – to one survey before, during and after each event, and does not consider the broader impacts of the overall project. This is particularly important, given the proposal to include the operation of a conference centre on the site. This is less than adequate, given the important relationship of the site to the broader wildlife corridor. It can be noted that overall site monitoring has not been conducted regularly, with fauna surveys being conducted in 2009, '14, and, it would appear from the report, less comprehensively in 2017, leaving a gap in monitoring data that should be contemporary, and at a very detailed level, given the proposal to increase numbers.

In some cases, methodologies have changed between pre-trial monitoring and later event monitoring. For example, the biodiversity report states at table 13 of appendix F that surveys undertaken in 2007 and '09 are different and cannot be compared to EIM surveys. In another instance, acoustic monitoring of habitat areas was discontinued at an early stage. Some surveys utilise monitoring methods that are not adequate. Hare traps, for example, may indicate species present but not the number and dispersal of such species. It is often claimed, as per the biodiversity report, that habitat restoration means that the site has greater biodiversity than under its previous grazing use.

PARKLANDS RESPONSE:

The monitoring methods for EIM were developed and approved as part of the Flora and Fauna Monitoring Program (2013) and are summarised in **Table 1** below. This program has been implemented during the twelve events listed in **Table 2**.

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Table 1: Summary of survey and monitoring methodology across the study area (2007 – 2017)

Target Group	Sampling Methodology
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 November to February, and from June to September. 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 (~10 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 since 2007.
Eastern Grass Owl	Targeted survey and call playback each July during event years – 2013, 2014, 2015, 2016, 2017.
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 ²) on three nights before, during and after each event at eight locations along tracks. Traps raked the night before sampling and checked each morning. 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 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.
Koala	Targeted searches (KSAT) and habitat assessments – 2007, 2008, 2013, 2016.

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

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Table 2: List of events monitored, including number of patrons

Event	Monitoring dates	Number of patrons per day
Splendour in the Grass 2013	Before: June;	25,000
Splendour in the Grass 2014	During: July;	27,500
Splendour in the Grass 2015	After: August	30,000
Splendour in the Grass 2016		32,500
Splendour in the Grass 2017		32,500
Splendour in the Grass 2017		35,000
Falls Festival 2013-14	Before: December;	15,000
Falls Festival 2014-15	During: January;	17,500
Falls Festival 2015-16	After: February	20,000
Falls Festival 2016-17		22,500
Falls Festival 2017-18		25,000
Falls Festival 2018-19 ⁺		25,000

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⁺ Results not yet available

Other surveys

A number of other surveys have been undertaken at the 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 3**.

Table 3: Summary of other surveys undertaken at the Parklands

Survey type	Year	Methods employed	Reference
Fauna survey	2007	Anabat detection 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	Fitzgerald 2007

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Fauna survey	2009	As per 2007 fauna survey above	Fitzgerald 2009
Fauna survey	2014 & 2017	Anabat detection Bird survey incl. call playback Elliot traps Frog survey Harp traps Sand traps Spotlighting Waterbird surveys Incidental observations incl. of tracks, scats, diggings and remains	Fitzgerald 2014, 2017
Koala survey	2007	Analysis of historical records Site assessment – habitat quality and koala searches (KSAT)	Biolink 2007
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
Koala survey	2016	Site assessment – habitat quality and koala searches (KSAT)	Biolink 2016

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Survey effort

The surveys described above have resulted in extensive survey effort for target species and species groups at the Parkland since 2007. The tables below provide details of total survey effort (**Table 4**), effort during targeted fauna surveys (**Table 5**) and effort during EIM (**Table 6**).

Table 4: Total fauna survey effort 2007 – 2017, including general fauna survey, targeted Koala survey and all Event Impact Monitoring (9 events for which results are available)

Target fauna group	Method	Total survey effort
Mammals	Elliot trapping	1,125 trap nights
	Hair tube sampling	5,400 tubes
Koala	Koala Spot Assessment Technique (KSAT)	97 assessments
	Habitat assessment and incidental observations	27 days
Reptiles	Pitfall traps	75 traps days
Reptiles and amphibians	Targeted habitat searches	13 days
Mammals and reptiles	Sand traps and motion cameras	420 nights
Nocturnal species	Spotlighting	65 nights

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Microbats	Harp netting	26 trap nights
	Anabat deployment	264 nights
Forest birds	Timed bird census	270 hours
Water birds	Timed bird census at dam	11.6 hours
Owls and cryptic birds	Call playback	34 sessions

Table 5: Total fauna survey effort during general fauna surveys 2007, 2009, 2014, 2017

Target fauna group	Method	Total survey effort
Mammals	Elliot trapping	1,125 trap nights
Reptiles	Pitfall traps	75 traps days
Reptiles and amphibians	Targeted habitat searches	18 days
Nocturnal species	Spotlighting	16 nights
Microbats	Harp netting	66 trap nights
	Anabat deployment	30 nights
Owls and cryptic birds	Call playback	35 sessions

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Table 6: Total fauna survey during Event Impact Monitoring (9 events for which results are available)

Target fauna group	Method	Total survey effort
Mammals	Hair tube sampling	5,400 tubes
Mammals and reptiles	Sand traps and motion cameras	420 nights
Nocturnal species	Spotlighting	54 nights
Microbats	Anabat deployment	243 nights
Forest birds	Timed bird census	270 hours
Water birds	Timed bird census at dam	11.6 hours
Eastern Grass Owl	Call playback	9 sessions

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MR. B. CAMERON: To return to the RWG, these outstanding issues around environmental management and many others were raised comprehensively by community representatives at an early stage. However, the machineries of the RWG as described has been unable to satisfactorily address issues and ensure improvements in monitoring and biodiversity management. This now undermines the proposal due to inadequate, inconsistent baselines and a lack of credible monitoring. So what is required? (1), a better defined, robust and clear compliance regime that ensures that community representatives can bring the same level of regulatory support to discussions that agency members are able to exert. That means ensuring that the Department cannot simply deflect queries from community representatives back to the RWG without ensuring an effective framework for the operation of the RWG. A clearly stated and accessible framework for the timely provision of comprehensive information to community representatives.

PARKLANDS RESPONSE:

In earlier RWG meetings between 2013 and 2014, the RWG received comments and recommendations relating to the monitoring of flora and fauna monitoring and biodiversity management.

Representatives of the relevant State Government agency, the Office of Environment and Heritage (OEH) suggested, and Parklands agreed to, a process of refining the Flora and Fauna Monitoring Programme report with OEH. The FFMP report was refined with OEH, following their review of the current report and the monitoring data to date, as well as the recommendations of the RWG.

The FFMP was finalised to the satisfaction of the OEH (and the Federal Environment Department). It remains a live document, reviewed in the light of annual monitoring data.

All RWG representatives, especially the community representatives, are encouraged by Parklands and the Chairperson to bring forth relevant community issues and comments and recommendations. Many dozens of recommendations for improvement have been adopted by Parklands. Where not adopted, Parklands offers its reasoning, in writing. The finalised meeting minutes, including all recommendations, are copied to the Department for consideration.

To "close" this consultation loop and further support the role of community representatives on the RWG, Parklands would support a feedback step from the Department back to the RWG. This could involve a step wherein a community representative's recommendation that was not adopted by Parklands, is discussed with the Department and the RWG in cases when a community representative requested further discussion on the matter (by advising the Chairperson).

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1.3 PRIVATE SESSION

Prior to acquiring the site for festival purposes, the key members of the Parklands Board met with Mr and Mrs Scanlon. The Scanlon's are a driving force in the environmental group known as Conservation of North Ocean Shores. (CONOS). The Directors wanted to ensure they had the "blessing" of the Scanlon's before proceeding to acquisition.

Sometime shortly after the completion of acquisition the Scanlon's changed their mind about supporting the Parklands project and have become objectors. Whilst Parklands has been able to achieve neighbourly agreements with various parties who own land immediately adjoining the site, unfortunately this has not been the case with the Scanlon's. To confirm the comprehensive consultation carried out to date, Parklands is able to provide to the Commission (on a confidential basis) a log of all consultation interactions that has occurred with Mr and Mrs Scanlon and Parklands.

P-3

MS. V. SCANLON: Can you imagine how we were dismayed to discover that Parklands did not respond to any issues raised in our submission to the SSD, a requirement of the SSD and the SEARs. As Parklands did not include our submission in their summary to the response to submissions, we attach it to our verbal submission for your attention. To make matters worse, it appears the Department in assessing the SSD has deleted the very consent conditions and commitments the 2012 and 2016 PAC applied to protect sensitive receivers. The Department has also deleted consent conditions they themselves encouraged us to activate back in 2013, ie, consent C(18) noise mitigation. The issue of mitigation and/or mutually acceptable agreement is yet to be resolved with Parklands. The Department is fully aware this matter is not yet resolved.

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Under these circumstances, it is difficult to comprehend why the Department would delete this and other causes (sic) from the SSD. This simply does not make sense. It appears that if the consent conditions and commitments outlined in the trial are too difficult to comply with, then they are simply removed or retrofitted to suit the development. We ask the Independent Planning Commission to retain clause C(18) in the SSD consent conditions. Instead of managing this problem, the Department instead is deleting the very consent conditions that offered immediate neighbours some protection. I have completed a list of consent conditions and statement of commitments that have been deleted from the SSD, which I will not read out here. However, I do wish to relay two examples. C(16) of the project approval is noise management plan, where it identifies the noise limits within the camping ground between midnight and 8 am to support restful – peaceful rest during events, and similarly, C(14) noise management:

Noise within the camping area between midnight and 8 am of each day shall support peaceful rest for overnight patrons during events.

PARKLANDS RESPONSE:

Since Modification 3 which provided Noise criteria for lower frequencies (bass) and adjusted the A-Weighted Criteria to be more in line with other similar activities across NSW and Australia, Parklands has complied fully with these noise criteria at this sensitive receiver (R12).

P-4

MS. V. SCANLON: During Splendour in the Grass 2018, I suffered with chronic sinus inflammation from the amount of dust pollution generated from the Parklands site. Towards the end of the sig bump-out when – towards the end of the Splendor bump-out when my condition was at its worst, prominent dust clouds could be seen hanging over the Parklands site. We ask the Commission to include the following phrase into this second dot point, including – and we're asking you if you could include, "During bump-in and bump-out times when the dust pollution is at its worst". The second dot point says:

Event management plan, including measures to minimise dust and air emissions during events, including continued use of water carts.

PARKLANDS RESPONSE:

Parklands has only received one dust complaint (from vehicles in the southern carpark adjacent to Tweed Valley Way) over the course of 12 events held to date. In 2015, Parklands sealed 400m at the end of Jones Road at a cost of \$24,000 to improve the amenity of the three residents living in this location. R12 who have lived at this location for 38 years have benefited from the sealing of this road from a dust management perspective. Neither of the two adjacent residents have ever raised any concerns regarding dust from events.

P-5

MS. V. SCANLON: Other events up to 25,000 patrons, if utilised for one-day events, equates to 108 event days, bringing the overall total to 180 days annually. However, this does not include the five days proposed for other events up to 5000 patrons, nor does it include the two days for minor community events. However, the other obvious one, it does not include the 200 days outside of events that is proposed for functions at the conference centre. The total amount of days the site could be utilised therefore amounts to approximately 395. This is just bizarre. I object – number (4), I object to 15 hours daily of amplified music over five consecutive days during events. Amplified music should cease at midnight, in line with other festivals, example, the East Coast Blues Festivals at Tyagarah, Byron Bay, and others throughout New South Wales.

PARKLANDS RESPONSE:

Amplified music from event stages does currently cease at midnight. Further noise criteria significantly lower after midnight as follows:

For Zone 1 (which includes R12):

- i. between 11am and midnight amplified entertainment noise from the event at sensitive receivers must not exceed 60dB(A) LAeq, 10-minutes AND 70dB(lin) Leg, 10-minutes in the 63 hertz 1/1 octave band; and
- ii. between midnight and 2am, amplified entertainment noise from the event at sensitive receivers must not exceed 45dB(A) LAeq 10-minutes AND 60dB(lin) Leq, 10-minutes in the 63 hertz 1/1 octave band.

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45dB(A) is the equivalent of someone whispering in a library.

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MR. S. SCANLON: It is a narrow, single-lane, winding gravel no-through road flanked by huge eucalyptus trees. The Far North Coast Bush Fire Risk Management Plan identifies the Jones Road area as extreme fire risk, with consequence catastrophic, and likelihood, almost certain. There RFS has measured the fuel load along Jones Road at 22 tonnes per hectare, three times above the acceptable level of seven tonnes per hectare. The RFS has advised residence that our safest option is to evacuate early. This is why we have been lobbying the relevant government agencies for several years now to reduce the fuel loads along either side of Jones Road so we can evacuate in a fire emergency.

PARKLANDS RESPONSE:

In early 2018, Parklands initiated meetings with Jones Road residents, the RFS, NPWS and Byron Shire Council to develop a Jones Road Bushfire Management Agreement (JRBMA).

The aim of the JRBMA is to:

1. Delineate stakeholder spheres of influence;
2. Identify specific actions that will be undertaken by stakeholders;
3. Schedule timelines for these specific actions; and
4. Reduce bushfire hazards for residents and landowners along Jones Road, Yelgun

The document was agreed to by all government agencies and all residents except R12. The RFS praised this Parklands initiative stating that it was a best practice example of working with neighbours and government agencies. The final JRBMA is dated August 2018.

P-8

MR. S. SCANLON: The fire issue along Jones Road needs to be taken seriously. Parklands needs to clean up its fence line. This would not only benefit immediate neighbours but would also benefit visitors, Parklands staff and patrons. I would like to speak about a second matter, and that is I wish to object to the changes proposed for gate A on Jones Road. Parklands was granted an approval for the construction of a tunnel under Jones Road by Byron Shire Council. The tunnel was built to provide safe access for patrons and heavy duty vehicles, for example, trucks, earth moving machinery and coaches, to utilise the tunnel to minimise impact on the local roads. In recent events, however, coaches and sewerage tankers have been utilising the Jones Road entrance from Tweed Valley Way in order to access gate A for entry to the site. The coaches have – have to take a wide berth when entering Jones Road, and on at least two occasions we have been forced off Jones Road onto the road verges. The traffic controllers do not appear to have control of this dangerous situation. The mix of Tweed Valley Way traffic combined with traffic controllers running onto Tweed Valley Way when a coach approaches, security guards positioned at the entrance of...

PARKLANDS RESPONSE:

As stipulated in the Traffic Impact Assessment, additional traffic control measures would be put in place for the 340m which buses travel along Jones Road.

P-9

MR. S. SCANLON: I note that it is estimated that the amount of coaches will increase from 479 for a 30,000-patron event to 1045 for a 50,000-patron event. This will further exacerbate an already dangerous situation and significantly increase bus movements on local – on the local road network. This to date has not been trialled. I recommend that coaches and sewerage trucks should be permitted to enter Jones Road – should not be permitted to enter Jones Road and must then utilise the tunnel under Jones Road that was constructed for this purpose.

PARKLANDS RESPONSE:

It is important to note that coach numbers and coach movements are two different things. For the largest event, there is likely to be approximately 100-120 individual buses. However, each bus is likely to complete up to ten routes per day.

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The buses are planned to use the first 340m of Jones Road so that they do not conflict with other vehicles ingressing or egressing the site. As stipulated in the draft conditions set by the DP&E, traffic controllers will need to provide priority to the four residents that reside along Jones Road during events. As currently happens now, this is entirely achievable.

1.4 MEETING WITH DEPARTMENT OF PLANNING AND ENVIRONMENT

P-6

MR. RICHIE: The proponent or applicant had proposed to equally stage that but at seven and a half thousand increments. That was one of the key issues raised by the community, was around the scale of the proposal. So when you would read our assessment report, we've actually recommended paring that down to around 5000 increments and having some key performance measures that have to be satisfied before progressing to the next stage. And some of those performance measures do tie back to wastewater issues, which we will all touch on, around noise management, around traffic management and around general consistency with issues that have also been raised by police and others. The recommendation in the report is for an increase of patron numbers to be subject to a performance evaluation report, and that would have to be submitted to the department to review and be satisfied of, and key agencies would be consulted on that as well.

PARKLANDS RESPONSE:

We respectfully request the Commission to provide for 7,500 increments in relation to the Splendour in the Grass project. In our view, nothing has been raised by any Government department or the Department which warrants a reduction in the increments to 5,000 increases. The project has been tailored satisfactorily implement the external and internal works that must be completed, and those works have been costed to accord with the 7,500 patron increase increments.

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PROF. MACKAY: I kind of get that, but what I don't get is that after five years, you still don't know whether you're going to treat on site or ultimately ship off site, which is sort of surprising. I mean, putting on the community hat, shouldn't there be more – if I'm Byron Council and I'm objecting, shouldn't there be more certainty about that? You know, are you going to ship it to us or aren't you? I mean, you have five years of experience. I'm putting on my community objector tone of voice, too. I realise that. I mean, I just think I'm asking for a department's reaction to that. Should it not be more resolved at this point? Wasn't that the reason to have the staged process?

PARKLANDS RESPONSE:

For clarity we confirm that Parklands seeks approval for the construction of the OSMS as described in the EIS and RTS. Parklands accepts the design parameters for that OSMS are specified in the Draft Conditions of Development Consent. Until such time as Parklands has commissioned the proposed OSMS and that augmentation has been verified as conforming with the Development Consent parameters, wastewater will be transported from the site to a licenced facility.

The utilisation of an offsite licenced facility for the disposal of wastewater is the standard procedure for outdoor festivals in the Shire of Byron, Australia and worldwide.

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2. COMMENTS AND PRESENTATIONS

In this section we have provided some concise observations in relation to the comments and presentations, displayed on the Commission's website as at 11th January 2019.

Adam Collett	<i>Public meeting visual presentation materials.</i>
Alakh Analda	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Ana Cooper	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Andrew Cox	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Andrew Crockett	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Andy Yeomans	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Anie Williams	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Anie Williams2	<i>Repeat Form letter.</i>
Anne Nichols	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Ben Funnell	<i>Material presented to public meeting.</i>
Bill Mackay	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent..</i>
Bob Oehlman	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Brian Reichman	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Brian Reichman2	<i>Repeat Form letter.</i>
Bruce McQueen	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Bruce McQueen2	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Campbell Mckellar	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Catherine Cheyne	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Catherine Lane	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Cavvanbah Beach House	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Chris Bush	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Chris Cherry	<i>Presentation notes.</i>
Christine Barry	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Christopher Pont	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Chrystine Favell	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Claire Harris	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Claire Harris2	<i>Repeat Form letter.</i>
Conservation of North Ocean Shores Inc	<i>Petition discussed in oral presentation to public meeting.</i>
Damo Gross	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Debra Minto	<i>Presentation material and written notes.</i>
DHC143	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Diana Hughes	<i>Objects grounds of habitat, infrastructure and tourism. These matters are all addressed by the DPE assessment.</i>
Don Ingram	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Donald Drinkwater	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>

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Duncan Dey	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Dynaflow	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Eboni Cooper	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Eileen Pearce	<i>Issues raised fully addressed in EIS RTS &/ or DPE conditions of consent.</i>
Ella Mile	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Ella Winkless	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Frances Pike	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Gabe Cramb	<i>Supports project for employment and social value reasons.</i>
Galigali Perkins	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Gareth Smith	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Garry Bargh	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Garry Bargh2	<i>Repeat Form letter.</i>
Gary Opit	<i>Copy of visual presentation used in oral submission to public meeting.</i>
Gary Opit	<i>Copy of visual presentation used in oral submission to public meeting.</i>
Gemma Stefano	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Gemma Stefano_ Redacted	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Geoffrey Harris	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Gisela Stieglitz	<i>Objects on flooding, infrastructure and evacuation grounds. All of these issues addressed by the DPE in their assessment.</i>
25 <hr/> Graeme	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Grant Callaghan	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Helen Maundrell	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Helen Mera	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Igor Blumenthal	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Ingrid Gottschalk	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Irene Tims	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Jennifer Coman	<i>Objects on wildlife, traffic and compliance grounds. All the issues raised were addressed by DPE in their assessment report.</i>
Jennifer Gray	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Jennifer Hagley	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Jennifer Hagley 2	<i>Repeat Form letter.</i>
Jenny Bannister	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Jeremy Thompson	<i>Supports subject to "fair limit" and good crowd control.</i>
Jesse Carroll	<i>Notes used for oral presentation.</i>
Jimmy Malecki	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
John Sparke	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Julie Quartile	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Kamala Devii	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Kate Little	<i>Supports on environment, community, social, indigenous values grounds.</i>
Kerry	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>

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Kim Banffy	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Laura Shore	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Laurel Cohn	<i>Notes applicable to oral presentation to public meeting.</i>
Laurie Hart	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
LBlumberg and Family	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Len Bates	<i>Does not wish to see any increase in size.</i>
Lina Callaghan	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Linda Parlett	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Lissa Coote	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Lois Vickeryhall	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Lois Vickeryhall2	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Lyn Tune	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
M Gardner	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Margaret Cox	<i>Objects on size, higher rain fall, habitat and site and construction grounds. All of the matters raised in this objection have been comprehensively addressed in the DPE assessment.</i>
Marilyn Deas	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Marisa Snow	<i>Supports for employment and community grants grounds.</i>
Mark Scown	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Marlies Straub	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Martin Fitzsimons	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Matt Morris	<i>Visual material used in oral presentation to public meeting.</i>
Meg Walker	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Neil Denison	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Nicolas Kypreos	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Noelene Plummer	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Pademelon	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Patricia Shantz	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Patricia Warren	<i>Presentation notes used in oral submission to public meeting.</i>
Paul Breatts	<i>Objects on structure, hazard, wildlife impact and residential amenity impact grounds. All of the matters raised in this objection have been comprehensively addressed in the DPE assessment.</i>
Peter Lizasoin	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Peter Monkhouse	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Peter OConnor	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Philip Pountney	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Philip Pountney2	<i>Repeat Form letter.</i>
Phoebe Havyatt	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Ray Darney	<i>RWG member. Has observed continuous improvement. Supports the project at its current patron level but is opposed to any increases above 35,000 patrons.</i>
Rennie Johnston	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Ri Fraser	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Ricard Flavell	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>

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Richard Whitling	<i>Visual material used to support oral presentation at public meeting.</i>
Robin Muller	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Robyn Fiorelli	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Rosalie Bryant	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Roz Radin	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Sahaj Duplepton	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Sam Collyer	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Shane Rennie IQ	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Somaya Halloran	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Stephen Connelly	<i>Notes from oral presentation to public meeting.</i>
Sue Arnold	<i>Notes from oral presentation to public meeting.</i>
Sue Taylor	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Susan Callaghan	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Susan Callaghan2	<i>Repeat Form letter.</i>
Susan Hayward	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Susan Schuler	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Susanne Kelly	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Suzanne Kelly	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Tara Peter Leishman	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Teresa Heal	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Tim Hochgrebe	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Tina Petroff	<i>Notes from oral presentation to public meeting.</i>
Tracey Barnes	<i>Notes from oral presentation to public meeting.</i>
Tracey McKenzie	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Trish Bestbackcare	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Trish Bestbackcare2	<i>Repeat Form letter.</i>
Trish Reynolds	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Valerie Mason	<i>Objects on community, infrastructure and evacuation grounds. All of these matters have been addressed by the DPE assessment.</i>
Veda Turner	<i>Objects on patron safety, infrastructure and amenity impact grounds. All of the matters raised in this submission have been addressed by the DPE assessment.</i>
Veda Turner2	<i>Repeat etter.</i>
Venessa Skye	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Victoria Sullivan	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Warwick Baldwin	<i>Objects on infrastructure, conservation and the need for an expanded shopping centre to cater for visitors. Other than the matters associated with the need to increase shopping facilities, all of the issues raised by this objection have been addressed in the DPE assessment.</i>
Wendy Royston	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>
Xiao Armstrong	<i>Form letter style - Issues raised fully addressed in EIS, RTS &/ or DPE conditions of consent.</i>

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3. PUBLIC SUBMISSIONS

In this section we have provided some concise observations in relation to public submissions displayed on the Commission's website as at 11th January 2019.

Name Redacted OBJECTION

This submission contains a copy of a nomination form to the National Heritage list. The list is an Australian Commonwealth Government matter run by the Department of Sustainability, Environment, Water, Population and Communities. The application is dated 14 November 2011. Given the significant time period that has elapsed since the nomination, we respectfully submit that no weight should be given to this application. The submission also contains a comprehensive document prepared by Andrew Benwell. Dr Benwell was an objector to the original development application for the original Part 3A project. The writer is critical of the Event Impact Monitoring Program. That EIM program was specifically designed for the subject site and reviewed and approved by the Office of Environment and Heritage. The EIM work at the Parklands site is being conducted by highly regarded and regionally experienced ecological specialists including Dr Mark Fitzgerald and Dr Robert Kooyman. The Koala monitoring was completed by koala expert consultancy Biolink. The abovementioned work has been peer reviewed by EcoLogical Australia.

Diana Faith OBJECTION

This objector raises concerns in relation to "flooding and over population for festivals". These matters have been comprehensively assessed by DPE in their assessment report.

Name Redacted OBJECTION

This submission has been completely redacted.

Jodie Clowes OBJECTION

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Jypsy Pendragon SUPPORT

This submitter is a resident of South Golden Beach (for some 19 years) and supports the proposal on the basis of the employment generated, musical inspiration and opportunities that the festivals offer to the youth of the region.

Liz Poynton OBJECTION

This submitter supports festivals at 30,000 population but does not want to see any increase in the size. This matter is addressed by DPE in its assessment report. This submitter is of the opinion that 30,000 patrons is the maximum the site can successfully cope with having regard to parking, traffic, overcrowding, health, noise and amenity issues. The capacity of the site to handle the proposed increase in patron population was comprehensively addressed by DPE in its assessment report.

Name Redacted COMMENT

The submitter lives very near the festival site. They do not object to the festival, but feel the present number of 30,000 patrons is the maximum this site can cope with.

Name Redacted OBJECTION

This submitter objects on the basis of traffic and potential conflict with children. Traffic and safety matters have been comprehensively assessed by DPE in their assessment report.

Neil Johnson SUPPORT

This submitter observes that cultural events held at North Byron Parklands are and will in the future be defining moments in a great many peoples' lives. The sense of community and belonging that is experienced by patrons young and old is vital for health and wellbeing. The economic, social and cultural benefits of the events far outweigh the perceived negatives.

Peta O'Neill SUPPORT

The submitter is a South Golden Beach resident whose children attend Ocean Shores Public School and a small business that employs 6 people and operates out of the industrial estate in Byron Bay. She believes that

INDEPENDENT PLANNING COMMISSION
PARKLANDS RESPONSE TO CERTAIN TRANSCRIPT COMMENTS

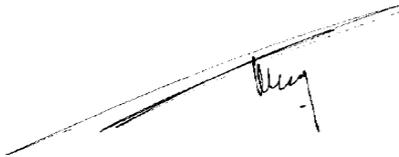
North Byron Parklands has great potential to enhance and support community events and, in some instances, make them safer for all.

Tara Eastwell SUPPORT

The submitter opines that "Our family love the festivals at North Byron Parklands. It brings cheer, music, culture and good times".

Should the Commission require any additional information or wish to clarify any matter raised by this response to certain transcript and other comments, please feel free to contact the writer.

Yours faithfully,



for

Mat Morris

General Manager

North Byron Parklands