



Regulatory Working Group Minutes

Wednesday 4th May 2016 - 2.00pm to 4.00pm
Ocean Shores Country Club, Orana Rd, Ocean Shores NSW 2483 (02) 6680 1008

Present:

Peter Ryan (Chair, Regulatory Working Group)
Mat Morris (General Manager, North Byron Parklands)
Jessica Ducrou (Promoter, Splendour in the Grass)
Matthew Evans (CEO, Village Sounds)
Elise Huntley (Splendour in the Grass General Manager)
Neil Johnson (Community Manager, North Byron Parklands)
Claire Atkins (Community Advocate, North Byron Parklands)
Brandon Saul (Promoter, Falls Festival)
Julie Howie (Promoter, Falls Festival)
Annette Perkins (Event Coordinator, Falls Festival)
Denis Sheahan (Site Manager, Falls Festival and Splendour in the Grass)
Rob Doolan (Balanced Systems)
Denise Nessel (Community Representative)
Cr Simon Richardson (BSC)
Jasmin Yeow (Roads and Maritime Services)
Neil Gendle (Roads and Maritime Services)
Cr Diane Woods (BSC)
Matt Inwood (Rural Fire Service)
Damien Hoffmeyer (NPWS)

Agenda Items

1. Introductions

The meeting opened at 2.09pm. Peter Ryan (Chair, RWG) welcomed all members of the RWG and members undertook a brief introduction around the table.

2. Apologies

Dimitri Young (Office of Environment and Heritage), Cr Basil Cameron (BSC), CR Sol Ibrahim (BSC) and Russell Eldridge (Community Representative).

3. Confirmation of previous minutes

- Last meeting was held 4th November 2015.
- The RWG adopted the revised minutes covering the 4th November 2015 minutes; and
- Minutes to be placed on Parklands Website.

4. Falls Festival Byron 2015/16 summary

General Performance Discussion

- Mat Morris advised that FFB2015/16 was the 6th event at Parklands;
- Significantly reduced number of complaints to the Community Hotline;
- In total 7 noise complaints and 3 illegal camping complaints - on investigation the 3 illegal camping incidents were shown not to be connected with the event;
- From a venue perspective the event was well managed and met all KPIs;
- An internal audit highlighted continuous improvement in traffic KPIs.
- Until now the Community Hotline has been the litmus test for community feedback, however this year Parklands collected significant data from the surrounding locale. Data was gathered across community stakeholders including feedback from local residents, local business, chambers of commerce, the surf club, tourism operators, and local, regional and national media;
- Data was collated and compiled to form FFB2015/16 Community Feedback Report. Information was collected and compiled by Ollie Heathwood, Project Co-ordinator 'Taking Care of Brunswick During Falls Festival'; Neil Johnson, North Byron Parklands Community Manager, and Claire Atkins North Byron Parklands Community Advocate;
- Mat Morris provided hard copies of the report to interested members and committed to circulating the report electronically to members;

- Brandon Saul, event producer of the Falls Festival Byron described this year's event as the best event he has produced. He outlined three significant achievements.
 1. 'Taking Care of Brunswick During Falls Festival': A great partnership with the local residents and business community in Brunswick Heads resulted through the introduction of a new project 'Taking Care of Brunswick During Falls Festival'. Brandon made special mention of Ollie Heathwood, local resident and the project's coordinator. The project was an excellent initiative and ensured minimal impacts on the town during the festival for local residents and visitors alike;
 2. Greener event - New initiatives in managing waste were very successful including a text based messaging system, which allowed patrons to message the festival and report any areas before they became waste problems; and
 3. Reduce, Reuse, Recycle - continues to improve. 2015/16 placed the emphasis on reducing waste. Close examination of the cycle of waste products meant that unused food was distributed to Liberation Lader and other perishables not fit for human consumption went to feed livestock and not to landfill. More recyclables were recycled. Real waste management goals are being met. This resulted in cleaner campgrounds at bump out. There were significant improvements in patrons taking camping gear home with them rather than leaving gear behind, also reducing waste.

- Denise Nessel, Community Representative addressed the meeting in relation to a number of responses previously tabled with the Chairman and distributed to members covering the FFB15/16 Noise Impact Report (copies of all responses are located in Appendix 1).
- Denise questioned why wind measurements taken for the festival were sourced from the BoM Byron Bay weather station and not closer. **Action: Mat Morris to investigate with ANE;**
- Denise queried the failure of the unattended logger at R6 (did not record C-weighted levels) advising that such a fault should have been identified at the time it was installed. Mat said that ANE undertook its normal installation and calibration processes and that the fault was likely to be with the SD memory card. Such a fault can only be detected once the data card was removed from the instrument and downloaded onto a computer.
- Denise queried wording in the report regarding noise levels being 'expected' to comply after the influence of noise generated by wind and insects etc was

separated – Mat said this was a good point and one that was rather grey in the original noise consent conditions. This has been clarified with the approval of Modification 3, which focusses attended monitoring on assessing compliance against ‘amplified entertainment noise’ arising from events at Parklands.

Subsequent discussions between Denise and Mat after the conclusion of the RWG meeting revealed differences in opinion about monitoring noise. Denise suggested attended monitoring should include some type of “real time” recording to determine various noise sources. Mat noted that this was the role of the trained acoustic engineer to use the human ear to determine dominant noise sources and to record these details on worksheets (as is the current practice).

- Denise discussed results of a resident funded noise monitoring document which measured noise from the festival from midnight to 7.30am. Mat replied that while not disregarding the noise monitoring findings the festival received zero noise complaints during those hours, either from residents or patrons. While it could be possible there was low frequency noise from the festival at that time, it’s difficult to analyse without the report details. Mat offered to compare the resident results with data collected from the event’s unattended loggers on those days before and after the event to determine any increases (or otherwise) during event days. Brandon also mentioned his experience living on site through the festival with his young family - the site was very quiet and supported rest. **Action: Denise would seek to obtain the relevant data from the residents report for Parklands comment.**
- Denise raised a security concern at the eastern end of Jones road describing an incident where a security guard could not call for back up due to being on the Optus network. The Festival recognised this situation and acknowledged the challenge with communications in this area because of geography. The events are working on a solution to improve the two-way radio network to cover the eastern end of jones road. As a back up security guards will now be issued with Telstra mobiles which have no connectivity issues since the installation of fibre optic connections to the venue.
- Damien Hoffmeyer from NPWS confirmed that horseback security patrols were not operating in the Billinudgel Nature Reserve.

5. SITG16 overview

- Elise Huntley provided an overview of SITG16;
- Capacity increase approved to 32,500;
- Camping stays at 17,500 with the increase being absorbed by day patrons;
- Tickets now sold out;

- Waste management program being expanded including a patron education program prior to coming on site;
- Draft AMP issued to the RWG;
- Ground improvements made to the amphitheatre;
- Designated temporary walkways built with walk boards being implemented;
- New waste management team focussing on sustainable outcomes;
- Councillor Dianne Woods queried about timing for buses, notably late in the night. Jessica advised they were unaware of any issues relating to Parklands-contracted bus schedules. However, there are also private bus operators servicing the events who are not bound by Parkland's' schedules and times.
- Councillor Dianne Woods also mentioned that she didn't hear noise from FFB2015/16;
- Denise raised a number of points regarding the SITG AMP:
 - Ecological sites will be denoted on a map in this document as required under C17. **Action: Agreed by Mat Morris**
 - Issues about where monitoring is undertaken were discussed (i.e. the resident's boundary or their home). Denise said some residents do not feel they are being listened to on this point. Mat advised the definitions and use of terms to define a monitoring requirement such as "residence", "receptor", "property" and "boundary" needed clarification. He further advised that for receivers living in less populated areas on large and remote properties, there can sometimes be real safety concerns for solo acoustic engineers. **Action; Mat advised he would discuss the matters with the DP&E.**
 - Regarding the Parklands NMP Denise stated the event should continue to letterbox drop surrounding residents particularly as new residents move into the area and may not be aware of the hotline number. Mat advised that the NMP reflects exactly the requirements of the consent condition (i.e. notifications by way of advertisements in two local papers and details of the hotline on the venue and event websites). Mat to discuss with each event the opportunity of continuing letterbox drops. Mayor Richardson said it would be helpful to be working towards solutions that help bring people to the table, and perhaps the continuation of letterbox drops and attending residences where possible after a complaint could be good ways of achieving this goal.
 - Denise's last point raised the Boundary vs. residential home sampling debate covered previously in this meeting.

6. Modification 3 Update

- Mat outlined the background history to the trial approval and the Mod sought by Parklands with DPE for noise and community events;
- The modified noise limits cover 2 zones;
- Zone 1 takes in 14 receptors, the vast majority with agreements in place
- Zone 2 includes everyone else in the wider catchment;
- Higher noise limits are permissible in zone 1, quieter noise limits in zone 2. The time limits around noise have not been changed;
- There are now limits around bass noise which is seen as a positive move forward;
- Clarifications around noise focuses specifically on amplified event noise with a move away from the background plus regime;
- There has been an acceptance that noise is generated by the project and that from time to time entertainment noise might be audible;
- Parklands are looking forward to hosting small non-music focused community events. The Mod 3 approval allows small non-music focused events for up to 1500 patrons. Registered not for profits and schools can hold events at Parklands for free. 5 x non-music focused events allowed in the first year;
- If the Secretary is satisfied then 10 events per year will be granted;
- Parklands have submitted an application for the first community event for the Far North Coast Zone School Cross Country on June 3. Zone Cross Country are extremely pleased with being allowed to have this event at Parklands;
- C18 - amended - based now on non conformity over a number of events rather than based on 1 incident of noncompliance with noise limits;
- The Habitat Restoration program has been accelerated to be completed over the trial period;
- Roundabout - Mayor S.Richardson thanked Parklands for partially funding the new roundabout construction on the Tweed Valley Way near the Yelgun rest area. It will be an asset for the festivals but also the wider community. Mat made special mention of Clare McGarry at BSC for her assistance in the matter. There is a one week wet weather contingency included in the roundabout completion date of July 22. Council is managing the construction of the roundabout.

7. Bushfire Emergency Evacuation Plan

- Rob Doolan reported that the BEEP contained no new information in the plan.
- Matt Inwood from RFS was happy with the plan and that the Local Emergency Management Committee was expected to pass it at next week's meeting;

- Mat reported that RFS are looking to move to a user pay system, commencing before SITG 2016. Events currently donate \$7500 to the RFS. A user-pay system will place considerable costs upon events and alternatives will be evaluated.

8. Other Business

- Tour of the SITG event for RWG members will be organized with Peter Ryan sending out invites one month prior;
- Peter Ryan commended Denise Nessel and Russell Eldridge for their excellent work as community representatives on the RWG. Parklands and the events concurred with Peter's comments.

Meeting closed at 3.20pm.

Appendix 1

To: RWG and the Department of Planning
 From: Denise Nessel, Community Representative
 RE: Comments on Falls 2015 Noise Impact Report
 Date: 4 May 2016

1. Section 3.2.3: If wind measurements are needed, provision should be made for taking measurements on site rather than relying on measurements from a monitoring station in Byron Bay, which is quite far from Parklands.

Parklands Response: Mat Morris to discuss with ANE their rationale for using the Byron Bay Weather Station.

2. Section 3.2.3: The instrument at R6 should have been checked after installation to make sure it was functioning. The failure to record should have been detected right away, and the instrument should have been reset or replaced so that it was able to function during the event.

Parklands Response: ANE advised that they undertook their normal installation and calibration processes and that the fault, which resulted in only A-weighted frequencies being recorded, was likely to be with the SD memory card. Such a fault can only be detected once the data card is removed from the instrument and downloaded onto a computer. It should also be noted that under the original consent conditions relating to noise there is no requirement for data loggers to record C weighted frequencies.

3. Section 3.2.3: This assumption is made because the attended monitoring revealed no exceedances: "event noise levels are expected to have complied with the event noise limits throughout the event". But attended monitoring occurred with less frequency than the unattended monitoring, and the unattended monitoring clearly shows regular breaches of the limits. The report should focus on actual readings.

Parklands Response: This is a good point and one that was rather grey in the original noise consent conditions. This has been clarified with the approval of Modification 3, which focusses attended monitoring on assessing compliance against 'amplified entertainment noise' arising from events at Parklands. Subsequent discussions between Denise and Mat after the conclusion of the RWG meeting revealed differences in opinion about monitoring noise. Denise suggested attended monitoring should include some type of "real time" recording to determine various noise sources. Mat noted that this was the role of the

trained acoustic engineer to use the human ear to determine dominant noise sources and to record these details on worksheets (as is the current practice).

4. Section 3.3: It's inappropriate to say that noise levels were in compliance "once the influence of wind and/or insect noise is removed". The wind shouldn't be used to explain away exceedances but should be acknowledged as a regular feature of the coastal area. Noise levels should be reduced when the wind is blowing, as it does so often in this coastal area. This is of particular concern when complaints are received, as they were in areas to the north of the site when the wind was carrying the noise in that direction. Also, the correlation between the wind speed and noise exceedances is not clear from the figures in Appendix C. In numerous instances, the noise exceeded allowable limits when the wind speed was low.

Parklands Response: Noted. As discussed with the Community representative the modified noise limits now clearly focus on "amplified entertainment noise" meaning any previous ambiguity has now been removed. Acoustic monitoring will only focus on "amplified entertainment noise" and as such acoustic engineers will be required to determine the dominant noise source. If that dominant noise source is anything other than "amplified entertainment noise" then it is entirely reasonable to presume that the reading is not attributed to the event.

5. Conclusions: In commenting on the wind, it would be useful to note that the wind was blowing primarily from the south, which meant that the residents to the north of the site were more affected by noise than those to the west or south. The complaints data bear this out.

Parklands Response: Noted

6. The community-funded noise monitoring for this event showed evidence of 63Hz and 125Hz noise continuing from the event site after midnight until 7:30AM. Those close to the site who were expecting quiet during these hours continued to hear event noise, which was apparently coming from the camp grounds. Better control of after-hours noise emanating from the campgrounds is needed, not only for the benefit of nearby residents but also for those staying on site who have been promised "peaceful rest".

Parklands Response: While not disregarding the noise monitoring findings the festival received zero noise complaints during those hours, either from residents or patrons. While it could be possible there was low frequency noise from the festival at that time, it's difficult to analyse without the report details. Mat Morris offered to compare the resident results with data collected from the event's unattended loggers on those days before and after the event to determine any increases (or otherwise) during event days.

To: RWG and the Department of Planning
From: Denise Nessel, Community Representative
RE: Comments on Splendour 2016 Acoustic Monitoring and Noise Management Plans
Date: 4 May 2016

1. In the AMP the three ecological sites are not shown in Figure 3.1 or in any other map in the report although these are required locations for monitoring. These locations should be shown on the receptor map. (They have been identified on earlier maps.)

Parklands Response: Thank you. They will be included in a revised version of the AMP.

2. In the AMP, section 5.4, the indication is that an acoustical engineer "will attend the boundary" of the property when the property owner has made a complaint. As noted before, simply attending the boundary is not adequate when residents are being disturbed at their dwellings, not at the boundaries that are quite a distance from the dwellings. Acoustical engineers who were working at the recent Bluesfest went to Ocean Shores quickly when complaints were called in. The engineers spoke to the complainants directly and took measurements where the residents were hearing the noise, so it is certainly possible for acoustical engineers to do this.

Parklands Response: Mat Morris to discuss this matter with DP&E. Safety concerns with respect to lone acoustic engineers attending remote properties is a primary concern.

3. The NMP section 7.1 does not include the letterbox drop to nearby residents that has been used in the past, especially by Splendour, to notify residents of the days and times of the event, the hotline number, and other information. Property changes hands frequently in the residential areas near the site and renters and visitors come and go, so leaving this out of the noise-management plans is not considerate of existing residents or of

the new residents and visitors who are not aware of the Parklands website and may not read the local papers, which are delivered haphazardly and are not always available at central locations. Parklands should do a letterbox drop to ensure that all neighbours, including those newly arrived in the area, have a flyer with the important information. The more that Parklands can do to be considerate of nearby residents, the better, especially given the number of complaints that have been lodged in the past and the new noise limits that have just been approved.

Parklands response: The NMP reflects exactly the requirements of the consent condition (i.e. notifications by way of advertisements in two local papers and details of the hotline on the venue and event websites). Mat Morris agreed to discuss with each event undertaking letterbox drops.

4. The NMP also indicates that response to noise complaints will involve attending the boundary of complainants' properties. As noted before, simply attending the boundary is not adequate when residents are being disturbed at their dwellings, which are in some cases quite a distance from the dwellings.

In July 2015, Parklands responded to this concern, which was raised for Splendour 2015, by writing:

“Additional acoustic consultants (2) have been engaged to undertake additional monitoring for this event. Monitoring will take place at the boundary of the affected resident between 11am and Midnight and at the bedroom window of the affected resident between midnight and 2am.”

I have spoken to residents who have been unable to sleep before midnight, because of festival noise, after very long work days. They should not have to wait until after midnight to have attended monitoring at their residence. Parklands should be much more sensitive to the people who are being disturbed by festival noise and should at the very least be willing to do attended monitoring at the dwellings of people who request it, not just at the boundaries of their properties. This is supported by Condition C16(h) of the modification, which states that monitoring will be done “at the location of any complaints” when complaints are received.

Parklands Response: Mat Morris to discuss this matter with DP&E. Safety concerns with respect to lone acoustic engineers attending remote properties is a primary concern

To: RWG and Department of Planning
From: Denise Nessel, Community Representative on the RWG
RE: Security Issues for Eastern end of Jones Road
Date: 4 May 2016

Reoccurring problems with Parklands security at the eastern end of Jones Road have been brought to my attention. I was informed that the security at this location is inadequate and there is no mobile coverage during festival events where the security guard is stationed at the Quarry Trail leaving him/her vulnerable.

A potentially serious incident occurred during Falls 2015 festival where Parklands security was threatened and he could not call for backup due to failure in mobile coverage. Unlike the SITG festivals, Falls do not have horseback security patrolling Jones Road.

The Quarry Trail needs to be prioritised and secured as it is the main access point from the Billinudgel Nature Reserve through to Jones Road and on to the festival site.

Parklands Response: The Festival acknowledged the challenge with two-way radio communications in this area because of geography. The events are working on a solution to improve the two-way radio network to cover the eastern end of Jones Road. As a back up security guards will now be issued with Telstra mobiles which have no connectivity issues since the installation of fibre optic connections to the venue