

# Land Use Conflict Risk Assessment

Proposed Rural Function Centre  
Lot 1 DP 1077265 No 1390 Hinterland Way,  
Bangalow  
& Intensive Horticulture (Macadamia Plantations)



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Prepared for: Metropolis Studios Pty Ltd

Version: Draft

Date: 27 November 2020\_lucra

Job No. 70/2020

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# 1. Introduction

Tim Fitzroy & Associates (TFA) has been engaged by Metropolis Studios Pty Ltd to undertake a Land Use Conflict Risk Assessment (LUCRA) for a proposed *rural function centre* on land described in real property terms as Lot 1 DP 1077265, Hinterland Way, Bangalow (see Site Locality Plan **Illustration 1.1**).

This LUCRA has been triggered by D9.4.1 (Chapter D9 Rural Function Centres, Byron Shire Council (BSC) Development Control Plan (DCP) 2104) which states that :

*Development consent must not be granted for a **function centre** unless the consent authority is satisfied that:*

- *a Land Use Conflict Risk Assessment has been prepared demonstrating that the use of the site for a **function centre** will not result in any land use conflict in relation to adjoining or nearby farming activities or preclude future farming activities.*

Potential source of land use conflicts between the proposed development and existing land uses namely a Macadamia Plantations to the north and east and neighbouring residents.

The key potential land use conflicts revolve around:

1. noise and traffic impacts from the rural function centre operations on existing surrounding residences; and
2. noise, agricultural spray drift and odours associated with the existing offsite macadamia plantation operations on patrons of the rural function centre.

The subject site is undulating land, zoned RU2 and covers an area of approximately 9.3 hectares. Existing infrastructure includes a dwelling, swimming pool, water tanks, a workers cabin, two sheds, driveway and fencing. Approximately 70% of the site is under macadamia plantation. There are several dwellings surrounding the proposed rural function centre, with the closest dwelling located approximately 187m southwest of the proposed activity.

The site is bounded by the Hinterland Way (old Pacific Highway) to the west, horticultural (macadamia plantation) land uses to the north and east, native vegetation to the south east and the Bangalow Cemetery to the south. The closest distance from the proposed rural function centre to the adjoining Macadamia Plantation to the south east is approximately 100 metres.

The actual width of the any buffer should in practice be dependent on the most limiting factor involved (i.e. the factor that will require the widest buffer). In theory, this would lead to all other factors being adequately addressed.

The proposed rural function centre should be designed to minimise instances of incompatibility such that normal farming practice are not inhibited and natural ecosystems and attributes are enhanced where possible. Where such instances do arise, measures to ameliorate potential conflicts should be devised wherever possible.

Conflict between non-agricultural development and agricultural land uses is likely to occur where non-agricultural land uses directly abut, or are sufficiently close to, farmland such that they are likely to be affected by agricultural activities. Such conflict can arise from the use of agricultural chemicals noise, dust and odour generating activities. Adverse impacts of non-agricultural development on farmland include sediment and stormwater run-off.

When considering potential land use conflict between non-agricultural and agricultural activities it is important to recognise that all agricultural activities:

- should incorporate reasonable and practicable measures to protect the environment in accordance with the Protection of the Environment Operations (POEO) Act and associated industry specific guidelines; and
- are legally conducted as required by other legislation covering workplace health and safety, and the use and handling of agricultural chemicals.

Nevertheless, certain activities practised by even the most careful and responsible farmer may result in a nuisance to adjacent non-agricultural areas through, for example, unavoidable odour drift and noise impacts. Typical conflicts between cropping and non-agricultural development as provided in **Table 1** below:

**Table 1 Potential Conflicts between cropping and adjoining non-agricultural areas**

<b>Noise</b>	<ul style="list-style-type: none"> <li>• Farming equipment, pumps, spray machines, transport.</li> <li>• Ancillary equipment associated with on-farm processing.</li> <li>• Music, patrons, equipment and traffic from rural function centre</li> </ul>
<b>Odour</b>	<ul style="list-style-type: none"> <li>• Fertilisers and chemicals.</li> </ul>
<b>Health concerns</b>	<ul style="list-style-type: none"> <li>• Chemicals.</li> <li>• Spray drift.</li> </ul>
<b>Water</b>	<ul style="list-style-type: none"> <li>• Access.</li> <li>• Pumping.</li> <li>• Quantity.</li> <li>• Runoff, sedimentation</li> <li>• Wastewater management for the Rural Function Centre</li> </ul>
<b>Smoke and ash</b>	<ul style="list-style-type: none"> <li>• Burning of pasture, stubble or 'rubbish'.</li> </ul>

The *Living and Working in Rural Areas Handbook* (NSW DPI et. al 2007), in particular Chapter 6 Development Control, provides guidance in the assessment and mitigation of potential land use conflict matters and has been used as a resource for this Land Use Conflict Risk Assessment (LUCRA). This LUCRA has been prepared to assist Council in assessing potential land use conflicts between the proposed development at the subject site and the neighbouring agricultural developments.

**Illustration 1.1 Site Locality Plan**



**LEGEND:**  
 SITE BOUNDARY

SOURCE PLAN: [www.maps.six.nsw.gov.au](http://www.maps.six.nsw.gov.au) - accessed 28.09.20

k:\jobs\2020\200479 - metropolis studios Pty Ltd\planning\planning plans\ndc plans\cad files\200479 - metropolis studios Pty Ltd.dwg - plan 1 - location

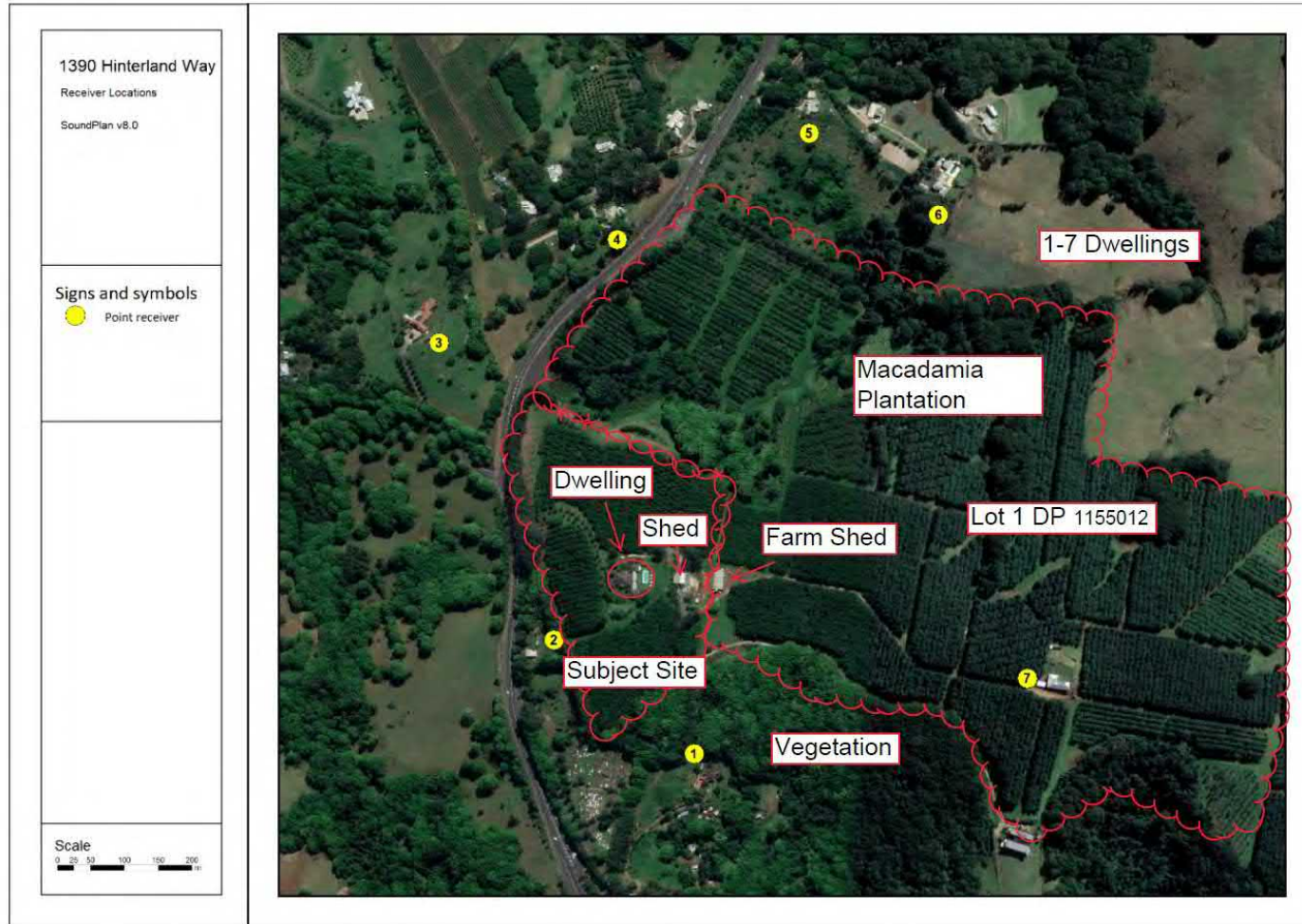
**NDC**  
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 31 Carrington St Lismore 2480  
 PH: 6622 1011  
 ABN: 86 220 045 469

**PLAN 1: LOCATION**  
**CLIENT:** METROPOLIS STUDIOS PTY LTD  
**LOCATION:** LOT 1 DP1077265  
 1390 HINTERLAND WAY  
 BANGALOW NSW  
**DATE:** 28.09.20 **REF:** 200479  
**SCALE:** NTS **DRAWN:** bk

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**Illustration 1.2 Subject Site Surrounding Land uses and Setbacks**



## 1.1 Scope of Works

This assessment has been undertaken to determine the potential land use conflicts between the future patrons of the proposed dual rural function centre at 1390 Hinterland Way Bangalow and the farming activities to the north and east and neighbouring residential uses

**This Land Use Conflict Risk Assessment (LUCRA) is in response to D9.4.1 (Chapter D9 Rural Function Centres, Byron Shire Council (BSC) Development Control Plan (DCP) 2104) which states that :**

*Development consent must not be granted for a **function centre** unless the consent authority is satisfied that:*

- *a Land Use Conflict Risk Assessment has been prepared demonstrating that the use of the site for a **function centre** will not result in any land use conflict in relation to adjoining or nearby farming activities or preclude future farming activities.*

The subject site is undulating land, zoned RU2 and covers an area of approximately 9.3 hectares. Existing infrastructure includes a dwelling, swimming pool, water tanks, a workers cabin, two sheds, driveway and fencing. Approximately 70% of the site is under macadamia plantation. There are several dwellings surrounding the proposed rural function centre, with the closest dwelling located approximately 187m southwest of the proposed activity.

A site layout plan for the proposed rural function centre is provided in **Illustration 1.3**, full DA plans are provided in **Appendix A**.

The actual width of the buffer should in practice be dependent on the most limiting factor involved (i.e. the factor that will require the widest buffer). In theory, this would lead to all other factors being adequately addressed.

The tasks involved in undertaking this assessment were to:

### **Step 1: Gather information**

- Determine the nature of the land use change and development proposed.
- Assess the nature of the precinct where the land use change and development is proposed.
- Appraise the topography, climate and natural features of the site and broader locality
- Conduct a site inspection
- Describe and record the main activities of the surrounding agricultural land use and their regularity, including periodic and seasonal activities that have the potential to be a source of complaint or conflict

### **Step 2: Evaluate the risk level of each activity**

- Record each activity on the risk assessment matrix, and identify the level of risk of a land use conflict arising from the activity.

### **Step 3: Identify the management strategies and responses that could help lower the risk of the issue resulting in a dispute and conflict**

- Identify management strategies for each activity
- Prioritise Strategies

- Provide Performance targets for each activity

**Step 4: Record the results of the LUCRA**

- Summarise the key issues, their risk level, and the recommended management strategies

**Illustration 1.3 Proposed Rural Function Centre Site Plan**



REV	DATE	AMENDMENT
A	28.09.20	
B	28.10.20	SPEAKER/NOISE, ADDITIONAL STAFF PARKING
C		
D		

SOURCE PLAN: <http://maps.au.nearmap.com/> - Accessed 28.09.20

K:\jobs\2020\200479 - metropolis studios Pty Ltd\planning\planning plans\ndc plans\cad files\200479 - metropolis studios Pty Ltd.dwg - plan 3

  
**Newton Denny Chapelle**  
 Surveyors Planners Engineers  
 Email: [office@newtondennychapelle.com.au](mailto:office@newtondennychapelle.com.au)  
 31 Carrington St Lismore 2480  
 PH: 6622 1011  
 ABN: 86 220 045 469

**PLAN 3: SITE LAYOUT (DETAIL)**  
 CLIENT: METROPOLIS STUDIOS PTY LTD  
 LOCATION: LOT 1 DP1077265 REV B  
 1390 HINTERLAND WAY  
 BANGALOW NSW  
 DATE: 28.10.20 REF: 200479  
 SCALE: 1: 500 & A3 DRAWN: BK

## 2. Gather Information

### 2.1 Nature of the land use change and development proposed

A development consent notice is being sought for the temporary use of the land for the purpose of a Rural Function Centre for up to 20 events in any 12 month period. Up to 150 guests will be permitted at each function, with not more than 1 event on any given weekend. The application is being lodged pursuant to Clause 6.11 of the Byron Local Environmental Plan 2014 and is seeking approval to operate for a 3 year period.

Whilst guests will move through various parts of the landscaped grounds in the vicinity of the dwelling, it is expected that the main focus of the temporary use will be confined to the areas adjacent to the dwelling and driveway. The proposed Function Centre will be operated in accordance with an Operational Management Plan (OMP) which has been developed to ensure that impacts on the locality are minimised. Integral to this is the requirement for all functions to engage an approved wedding or event planner who will be responsible for overseeing the operation of the function in accordance with the OMP. Future clients (typically the bride & groom) will be required to sign contracts linked to compliance with the OMP.

#### 1.1.1 Description of a Typical Event

Wedding functions will be held on a 'pop-up' basis, with all infrastructure required to support the event being transported to the site as required. This includes items such as marquees, furnishings, catering equipment and portable toilets. The dwelling on the land will not be accessed by function guests (other than any guests staying in the dwelling).

Weddings will typically be held on a Saturday afternoon. Ceremonies typically commence no earlier than midday and then the reception follows. All amplified music will cease no later than 10:00pm and all attendees will be off-site no later than 11:00pm (other than those staying overnight on the premises). Other functions (such as corporate events) will occur on a similar basis, with the exception of the ceremony component.

Functions on the site will involve three distinct phases:

- Phase 1 - Bump-in (1-2 days prior to function);
- Phase 2 – Function day; and
- Phase 3 – Bump-out (within 2 days of function).

We note that 'set up' and 'pack up' of the events involve relatively low key activities which are unlikely to result in noticeable off-site impacts. Accordingly, the application has focussed on mitigating against impacts associated with the activities occurring during the hosting of the function.

### 1.1.2 Frequency of Events

The application proposes that the property able to be utilised as a Function Centre for up to 20 events in any 12 month period. Up to 150 guests will be permitted at each function, with not more than 1 event on any given weekend.

### 1.1.3 Parking and Access

The OMP requires that vast majority of guests to the functions will be required to travel to or from the event via mini bus (coaster or the like). A small number of guests for whom this transport is not suitable (older persons or parents with young children) may access the site via taxi. The wedding party is permitted to access the site via private vehicle. All access associated with the operation of the function centre is to be obtained from Pioneers Crescent.

Vehicles typically associated with each phase of the event are summarised as follows:

#### Bump-in

	Inbound	Outbound	Total
Marquee Hire (Utility)	1	1	2
Wedding Hire (Utility)	2	2	4
Portable WC (LRV)	2	2	4
Wedding Coordinator	2	2	4
Catering (Utility)	1	1	2
Cool room	1	1	2
Other	2	2	4
<b>Total</b>			22

#### Function Day

	Inbound	Outbound	Total
Wedding hire – Utility	1	1	2
Wedding coordinator	2	2	4
Guests - Taxi	5	5	10
Guests – Private vehicle	6	6	12
Guests – Bus (22 Seater)	6*	6	12
Staff	3	3	6
Entertainment	1	1	2
Other (Flowers / makeup etc)	2	2	4
<b>Total</b>			60

\*Assumes 10 guests arriving by taxi, 12 guests arriving via private car and remainder via minibus ( $150 - 22 = 128$ ,  $120/22 = 5.8$  mini buses).

### Bump-out

	Inbound	Outbound	Total
Marquee Hire (Utility)	1	1	2
Wedding Hire (Utility)	2	2	4
Portable WC (LRV)	2	2	4
Wedding Coordinator	2	2	4
Catering (Utility)	1	1	2
Cool room	1	1	2
Other	2	2	4
Garbage removal	2	2	4
<b>Total</b>			24

The subject land is situated within a rural locality that is characterised by scattered dwellings on a mixture of rural and rural residential lots, productive horticultural operations, stands of bushland and grazing land.

A Site plan (NDC 2020) for the proposed development is provided in **Illustration 1.3**.

## 2.2 Nature of the precinct where the land use change and development is proposed

### 2.2.1 Topography, Climate and Natural Features

The subject site is undulating land, zoned RU2 and covers an area of approximately 9.3 hectares. Existing infrastructure includes a dwelling, swimming pool, water tanks, a workers cabin, two sheds, driveway and fencing. Approximately 70% of the site is under macadamia plantation. There are several dwellings surrounding the proposed rural function centre, with the closest dwelling located approximately 187m southwest of the proposed activity.

The site is located on an elevated portion of Hinterland Way surrounded by undulating terrain. The site ranges from approximately RL 170m to RL 140m.

The soils within the subject site are generally red basaltic – landscape variant. They are generally deep well drained alluvial kransozerm, described as the Wollongbar soil landscape group by Morand (1992).

Due to its latitude and proximity to the coast, Byron Shire has a coastal sub-tropical climate. As a result, daily temperatures are in the warm to very warm range during summer months (19.5 - 27.5°C) and are milder during winter months (11.7 - 20.3°C). Rainfall is mainly distributed throughout December to June with 1260 mm (72%) of

the mean annual rainfall of 1747 mm falling during this period. The highest monthly rainfall occurs in February/March while the months July-September are much drier, generally receiving less than 100 mm each.

Evaporation levels between September and January often exceed rainfall levels. However, as evaporation rates are low during the winter months, rainfall exceeds evaporation on an annual basis (see **Table 2.1**).

### 2.2.2 Wind Regime

The wind regime for the site is based on annual wind roses for Ballina Airport AWS.

Annual wind roses for the times of 9am and 3pm are shown in **Illustration 2.1**. The wind roses are based on records from 1992 to 2010. The annual wind roses indicate that light to moderate winds are generally experienced from all directions. The wind roses also indicate the following:

- winds in the mornings are typically light winds from the west and south-west and to a lesser extent from the north;
- winds in the afternoon are typically more moderate winds from the south, north-east, south-east and east; and
- Calm conditions are experienced 8% of the time in the morning and only 1% of the time in the afternoons.

The wind frequency towards any of the sensitive receptors is less than 35% if three quadrants are added together (e.g. south east + south-east + south).

**Table 2.1 Monthly Climate Statistics –BALLINA AIRPORT AWS)**

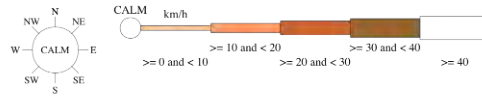
Statistics	Month												Annual
	J	F	M	A	M	J	J	A	S	O	N	D	
Mean Max. Temp. (°C)	27.8	27.5	26.4	23.9	21.2	19.3	18.6	20	22	23.6	25.1	26.4	23.5
Mean Min. Temp. (°C)	21.1	21	19.9	17.6	14.9	13.1	12	13.1	15.2	16.9	18.6	19.8	16.9
Mean Rain (mm)	164.4	166.6	127.7	183.5	99.4	164.9	96.3	75.4	47	95.8	93.4	139.3	1509.2
Mean no. rain days	10.8	12	11.6	12.6	10.3	11.5	9.2	5.5	5.5	8.3	8.3	10.6	116.2
9 am conditions													
Mean Temp. (°C)	24.5	23.9	22.5	21.1	18.1	15.5	15.0	16.5	19.7	21.5	22.3	23.9	20.4
Mean Rel. Humid. (%)	74	78	80	75	75	75	72	66	63	66	72	70	72
Mean Wind Spd. (km/h)	13.3	12.8	12.5	13.2	13.5	12.7	13.3	13.3	14.5	15.7	14.2	14.2	13.6
Dominant Direction <sup>1</sup>	SW	SW	SW	SW	W	W	W	W	N & SW	N	N	N	W
3 pm conditions													
Mean Temp. (°C)	26.7	26.5	25.4	23.4	21.0	19.0	18.7	19.8	21.6	22.8	24.4	25.9	22.9



<b>Statistics</b>	<b>Month</b>												<b>Annual</b>
	<b>J</b>	<b>F</b>	<b>M</b>	<b>A</b>	<b>M</b>	<b>J</b>	<b>J</b>	<b>A</b>	<b>S</b>	<b>O</b>	<b>N</b>	<b>D</b>	
Mean Rel. Humid. (%)	67	68	67	65	64	62	59	55	59	62	65	64	63
Mean Wind Spd. (km/h)	24.4	23.0	21.5	18.9	16.8	15.9	18.1	19.9	23.7	24.8	24.8	24.7	21.4
Dominant Direction <sup>1</sup>	NE	NE	SE	S	S	S	S	S	NE	NE	NE	NE	S

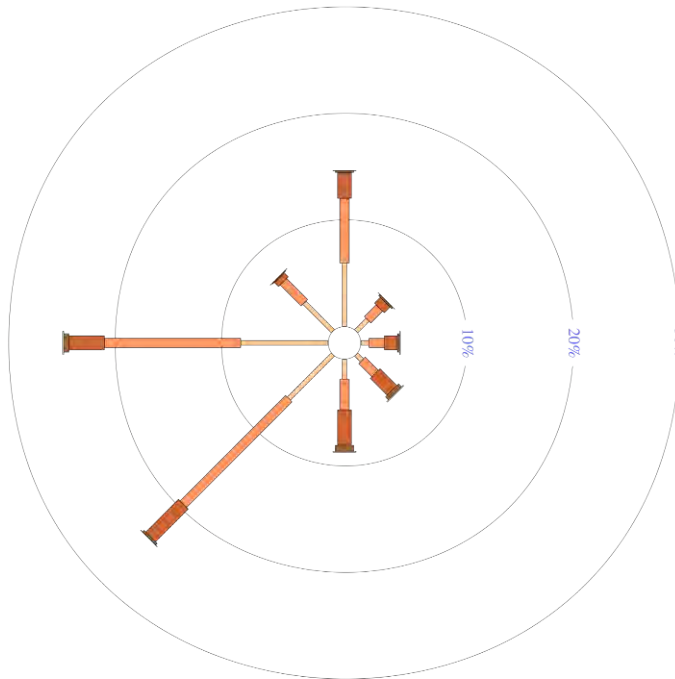
**Table 2.2 Annual Wind Directions and Strength**

<b>Direction</b>	<b>9am</b>	<b>9am Wind Speed</b>	<b>3pm</b>	<b>3pm Wind Speed</b>
<b>N</b>	15%	light	9%	moderate
<b>NE</b>	3%	light	21%	moderate
<b>E</b>	3%	light-moderate	14%	light-moderate
<b>SE</b>	5%	light-moderate	18%	light-moderate
<b>S</b>	9%	light-moderate	24%	light-moderate
<b>SW</b>	24%	light	5%	light
<b>W</b>	25%	light	5%	light-moderate
<b>NW</b>	8%	light	3%	light
<b>Calm</b>	8%	-	1%	-



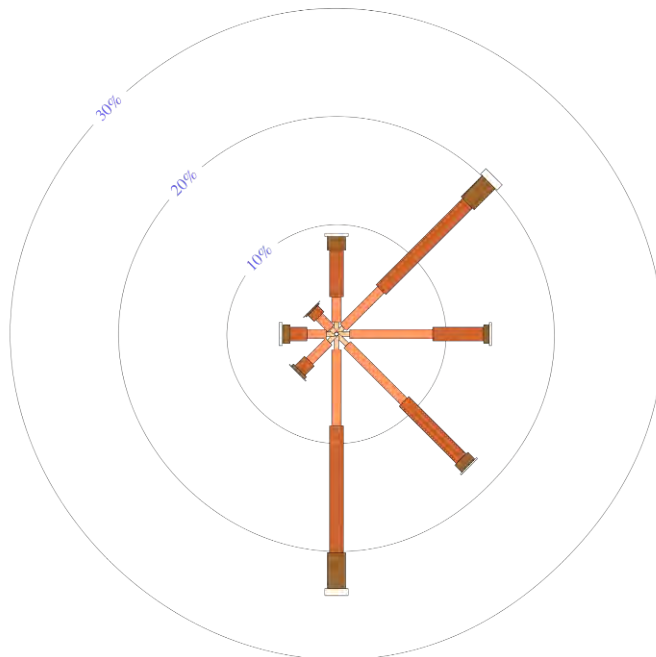
9 am  
6359 Total Observations

Calm 8%



3 pm  
6356 Total Observations

Calm 1%



Source: Bureau of Meteorology

**Illustration 2.1 Annual Wind Roses (9am and 3pm) for Ballina Airport**

### 2.2.3 Lot 1 DP1155012

Lot 1 DP1155012 No 20 Pioneers Crescent Bangalow covers an area of approximately 71 ha. The site is located to the north and east of the subject site. The site includes a dwelling and 2 sheds and a macadamia plantation covering an area of approximately 45ha. A farm storage and maintenance shed is located on the eastern boundary about 100m downslope from the proposed small event area (see **Illustration 1.2**). According to Sam James (Farm Manager, Hinterland House) no macadamia processing occurs on Lot 1 DP1155012 or on the subject site. The silo located adjacent to the farm storage and maintenance shed is not used to store or dry nuts. The silo is only used for ornamental purposes (pers.com Sam James 10.11.2020).

Neither a site inspection nor discussion with the owner/operator of Lot 1 DP1155012 has been undertaken by TFA. A discussion is provided however on general farm practices involved in the production of macadamia nuts inclusive of mowing, pruning, fertilising, spraying and harvesting. Further information on anticipated farming practices at Lot 1 DP1155012 is provided in **section 2.4**.

## 2.3 Site Inspection

A site assessment was undertaken on the 3 October 2020 by Tim Fitzroy. On the day of the site assessment the weather was clear. The site is undulating consisting of an existing dwelling and shed, accessway and fencing. The subject site is undulating land and covers an area of approximately 9.3 hectares. Existing infrastructure includes a dwelling, swimming pool, water tanks, a workers cabin, two sheds, driveway and fencing. Approximately 70% of the site is under macadamia plantation. There are several dwellings surrounding the proposed rural function centre, with the closest dwelling located approximately 187m southwest of the proposed activity.

There are 2 areas dedicated for rural function events:

- Large Event Area
  - The large event area is located adjacent and to the southern side of the existing dwelling. The macadamia plantation at Lot 1 DP1155012 is located on a lower elevation than the large event area.
  - The large event area is screened from the macadamia plantation at Lot 1 DP1155012 by the southern wing of the existing dwelling, about 17m of ornamental vegetation and approximately 50m of macadamia plantation on the subject site
- Small Event Area
  - The small event area is located to the east and adjacent to the existing dwelling
  - The small event area is screened via ornamental vegetation , a shed and is located about 115m from the nearest point of the macadamia plantation at Lot 1 DP1155012.
  - The small event area overlooks the macadamia plantation at Lot 1 DP1155012.

A farm storage and maintenance shed on adjacent Lot 1 DP1155012 is located on the eastern boundary about 100m downslope from the proposed small event area. Discussions were undertaken with the Farm Manager, Sam James as well as inspection of the property. Photographs of the subject site and surrounds were taken (see **Appendix B**).

## 2.4 Potential Land Use Conflicts

The following key items have been identified as potential land use conflicts as a result of the proposed development.

### 2.4.1 Noise Impacts from Rural Function Centre

Tim Fitzroy & Associates (TFA) were engaged by Metropolis Studios Pty Ltd to undertake a Noise Impact Assessment (NIA) for a proposed rural function centre.

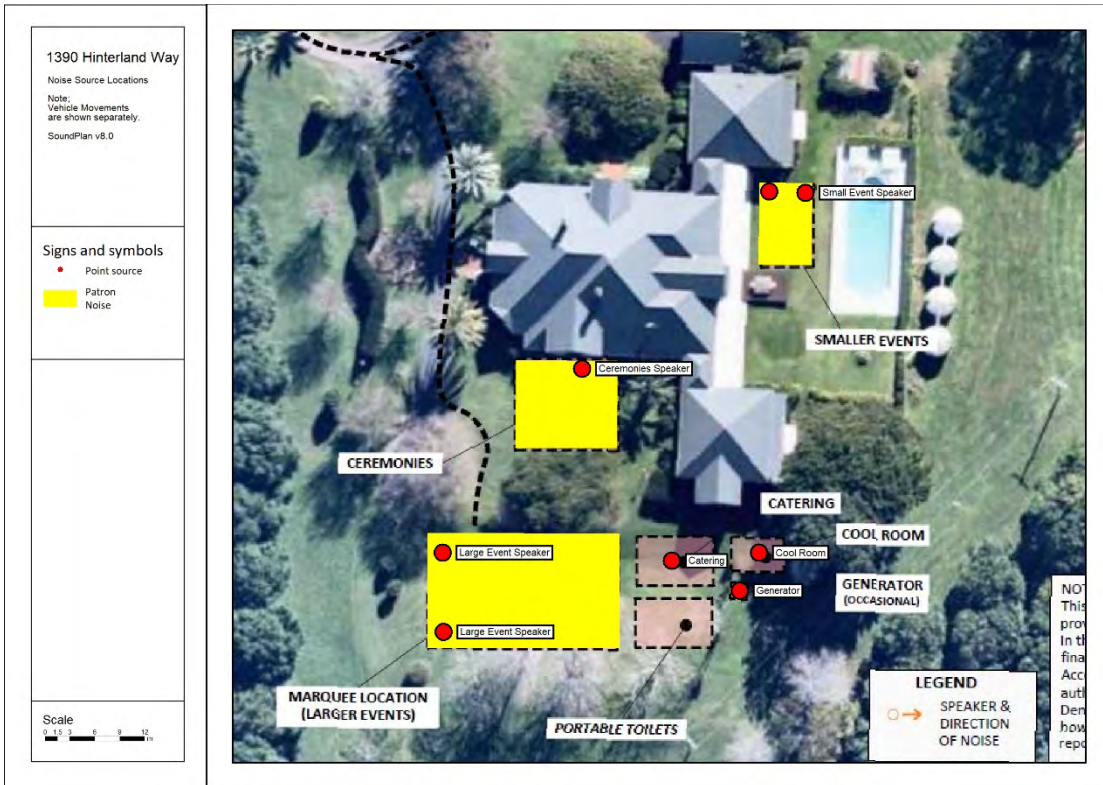
Noise sources from the site are expected to include vehicle movements, plant and equipment, patrons, and amplified entertainment. Each noise source is described below, with source levels presented in **Table 2.3** and modelled locations presented in **Plate 2.1**.

- Vehicle movements are represented in the noise model as a moving point source with a speed of 20kph and 30 movements per hour. The number of movements per hour presents a worst case where all expected vehicles arrive or leave within one hour.
- Plant noise is represented in the noise model as point sources in the location specified on the supplied plans for the cool room, generator, and catering. The precise size of the generator is not known, but it is understood the generator is used to power the cool room for which a 3 kVa generator is sufficient and is modelled as such. Source levels for the cool room are based on an outdoor condenser unit from the SoundPlan emission library. Noise from catering is represented by a nominal point source level of 75 dB(A).
- Patron noise is represented in the noise model as an area source with a source level that is repeated per square metre. Each area source represents 120 patrons producing the specified source level for 20% of the time. Area sources are positioned 1.5m above ground.
- Amplified entertainment is represented in the noise model as point sources positioned at the locations indicated on the supplied plans. Nominal directivity is applied to the direction indicated using the SoundPlan directivity library for a JBL outdoor speaker. The point sources run continuously at a level of 75dB(A) at 1m. Speaker sources are positioned 1.5m above ground.

**Table 2.3 Noise Source**

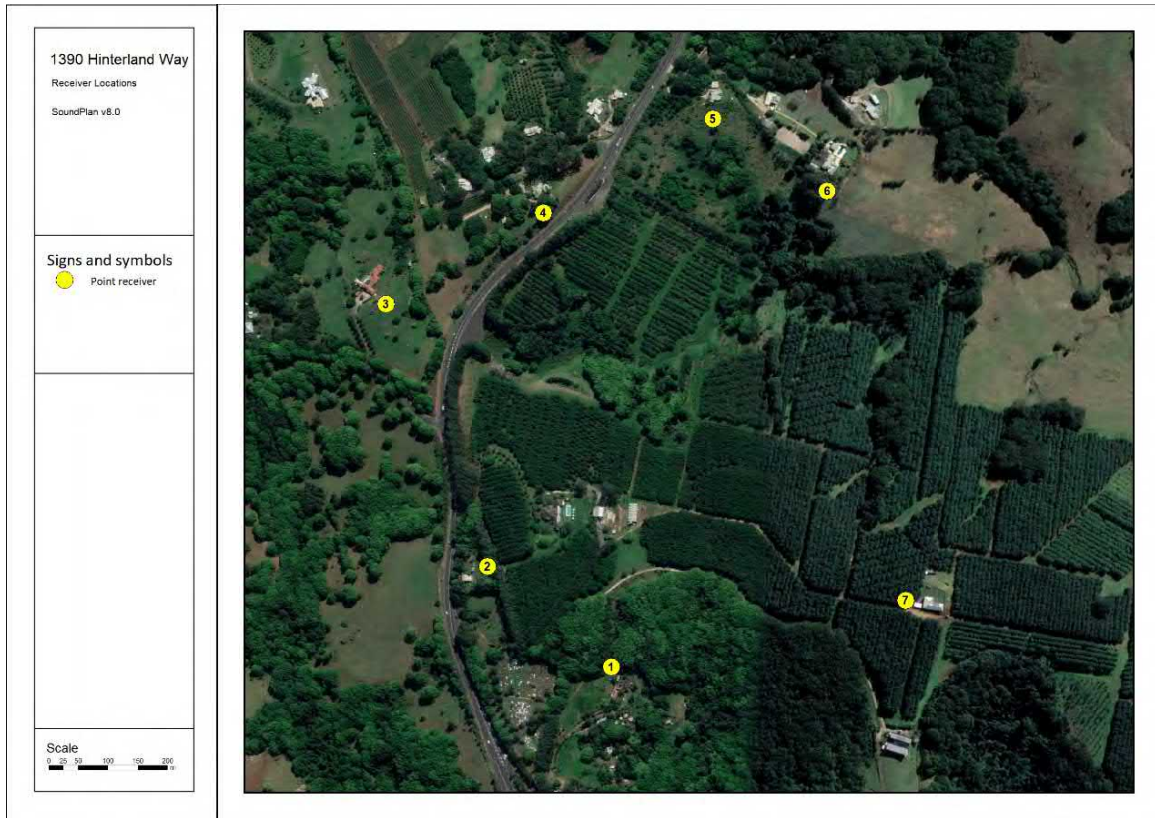
Description	dB(Z) (Hz)									Sum dB(A)
	31.5	63	125	250	500	1k	2k	4k	8k	
Vehicle Movements (SWL)	-	95	96	82	80	77	76	74	69	85
Cool Room (SWL)	-	62	69	71	65	60	60	57	56	68
Generator (SWL)	-	99	94	91	86	84	81	79	77	90
Catering (SWL)	-	84	79	76	71	69	66	64	62	75
Amplified Entertainment (SWL)	83	85	89	80	79	76	75	73	70	83
Patron Noise, raised voice (SWL)	41	42	36	36	38	69	65	49	40	71

**Plate 2.1 Location of point and area noise sources (vehicle sources are shown in Plate 2.2)**

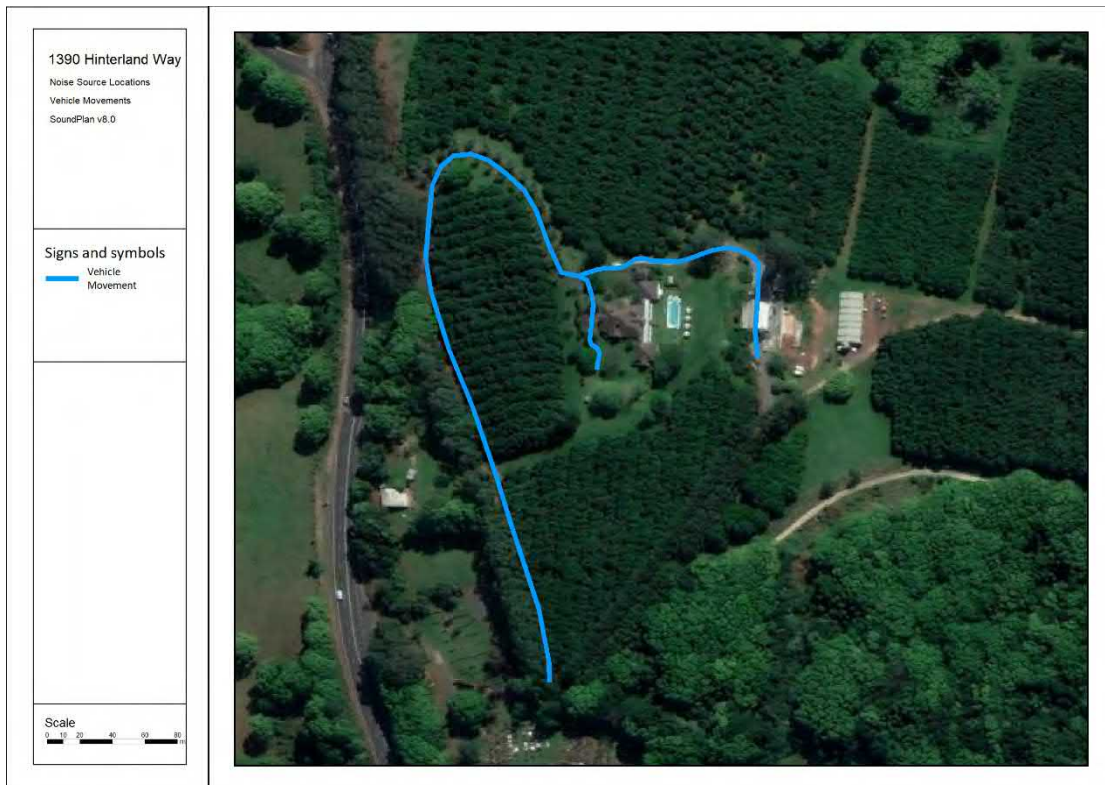


Seven nearby residential receivers have been chosen to represent the closest surrounding uses. Receptor points are placed 30 metres from the residence in the direction of the noise sources. Receptor points are modelled at a height of 1.5m above ground and predicted levels are free-field. Receptor locations are presented in **Plate 2.2**.

**Plate 2.2** Location of sensitive receptors



**Plate 2.3** Location of vehicle movement noise sources



#### **2.4.2 Noise from Offsite Farming Activities**

Noise from general farming operations (tractor use, spraying, collection of fallen nuts), vehicle movements, pruning of trees and general farm activities is a normal part of farming. There was no evidence of a macadamia processing facility onsite at adjoining Lot 1 DP1155012 and this was confirmed by Sam James. According to Mr James nuts on the subject site and Lot 1 DP1155012 are collected and transported offsite for processing.

The macadamia harvest period generally runs from the end of March to the end of August; however, the duration is subject to changeable weather conditions.

A number of routine macadamia farm operations generate noise. These noises are common to macadamia plantations.

The activities are summarised below:

- Mowing (all year round)

Mowing between macadamia tress occurs throughout the year. Mowing machinery includes either small tyro mowers or tractor with slasher.

- Fertilising (4 times a year (August to March))

Fertiliser is applied via a tractor mounted spreader alongside the trees. One pass per row is required.

- Spraying of Insecticides/fungicides (3 times a year (Sept/Oct/Nov))

The initial application each year usually occurs at daytime at pre flowering stage to ensure that non-target species (i.e. bees) are not impacted.

- Spraying of Herbicides (3 times a year (Jan-March-June))

A hand wand (low to ground) or wand is often used to apply herbicides.

- Pruning

Trees (depending on their age) are generally pruned on an occasional basis (not regularly).

- Mulching (Once a year (September))

Following pruning limbs are collected and often passed through a mechanical mulcher.

- Truck and Vehicle Movements

Harvested nuts are normally collected for offsite de-husking and cracking from April to August.

#### **2.4.3 Vehicular Movements (Parking and Access) from the Proposed Rural Function Centre**

A Traffic Impact Assessment for the proposed Rural Function Centre has been prepared by Rytenskild (Ref: 20283, November 2020)

The report addresses the following issues:

- The potential impact of traffic generated by the proposal upon Granuaille Crescent and its intersection with Hinterland Way;
- The adequacy of the proposed access location with respect to sight distance and general road safety;

- The required geometrical form of the proposed access driveway and its intersection with Granuaille Crescent;
- The adequacy of on – site traffic access and car parking arrangements;
- The provision for occasional service vehicles to access and service the site.

- **Existing Road Conditions**

Granuaille Crescent is a rural local access road which intersects with the southbound off ramp from Hinterland Way. It provides access to some rural properties and a cemetery. Granuaille Crescent generally has a pavement width of approximately 5.5 – 6 metres with grassed shoulders on each side.

- **Proposed Development**

It is proposed that the site will host temporary events such as corporate and private parties, and weddings. The site is expected to host 1 – 2 events per month with an average attendance of 80 – 100 guests. Up to ten marquee events will be held per year, each with a maximum attendance of 150 guests.

Access to the site will be gained via the existing access and driveway off Granuaille Crescent. Mini-buses (approx. 26 seater) will be the primary mode of travel to transport guests to and from the property for all events. Private cars will only be used for guests that require private vehicle access (e.g. a person with a disability, elderly etc).

- **Traffic Estimates**

It is expected that up to 20 events will be held over a 12 month period, with a maximum of 150 guests permitted at each function. It is proposed that no more than one event will be held over any given weekend. Events will typically be hosted over the full weekend with the set up and pack up of each event carried out 1 – 2 days prior and following the event. Some guest will stay on the premises after the event.

Guests will generally travel to and from the site using a 26 seater mini-bus. Guests would access the service from a pre-arranged location in a central commercial area (e.g. Bangalow or Byron Bay). It is noted that some guests will also arrive to the site using a car service (taxi, uber etc), or private vehicle if unable to be transported to the site by bus (i.e. a person with a disability, elderly etc).

Each event will also generate some traffic movements associated with the set up / pack down and catering. These will typically occur the day before and after an event and are not expected to generate a significant traffic demand on the adjacent network.

#### **2.4.4 Agricultural Chemical Spray Drift from the offsite Farm**

The off-target movement of agricultural chemicals can be a cause for concern to patrons of the proposed rural function centre in proximity to farming areas. These concerns are largely based on fears of exposure to agricultural chemicals but also due to detection of odours associated with the chemical.

Conventionally a variety of agricultural sprays are used as required and under stable weather conditions to help manage insects and fungi. In addition, fertilisers are applied to assist the growth of trees. It is likely that insecticides and fungicides would be applied using an Air Blast Sprayer or similar while herbicides are normally applied with a boom spray and wand. Fertilisers are generally feed into the ground around the roots of trees via mechanical spreaders.



As per the Protection of the Environment Operation Regulation spraying is restricted to calm conditions to ensure that spray drift is restricted to the target trees. No aerial agricultural spraying occurs on Lot 1 DP1155012 or is known to occur in the area.

Very fine or fine droplets pose the highest risk of spray drift; it is the single most important factor controlling drift potential. The selection of applicators and nozzles that give the correct droplet size range is important. The higher droplets are released, the greater potential for drift.

In our experience a variety of insecticides, rodenticides, fungicides and fertilisers are used each year on conventional macadamia plantations (see **Table 2.4** below). As a guide **Table 2.4** includes the average frequency and method of application for chemicals utilised on conventional macadamia plantations.

**Table 2.4 Chemicals (pesticides, herbicides and fertilisers) used on Commercial Macadamia Plantations**

Chemicals	Type	Frequency Average	Application	Timing
<b>Insecticides</b>	Bulldock (beta-cyfluthrin) Carbaryl Endocarp Diaxon	3 times a year Aug, Oct, Dec	Air Blast Sprayer	Night/Day
<b>Rodenticides</b>	Tomcat Razo com	As required	Bait Stations	Day
<b>Fungicides</b>	Carbendazim Howsat Carbrio Coppox (Copper Oxychloride)	3 times a year Aug, Oct, Dec	Air Blast Sprayer	Night/Day
<b>Fertilisers</b>	Organic Matter Chicken Manure Blended Mix	August	Spreader	Day
	Maca Husks	August	Spreader	Day
<b>Herbicides</b>	Basta Spray Seed 250	As required	Hand gun/Wand	Day

#### 2.4.5 Odour from the offsite Farm

Odour from cropping and horticulture can arise from use of chemical sprays, fertilisers (inorganic and organic), effluent disposal and composting. Such detrimental odours can impact on residential amenity and have the potential to affect public health.

Odour is often a major factor in many complaints about off-site chemical spray drift where there is sometimes no objective evidence of toxic exposure. Some agricultural chemicals contain 'markers' (strong odours) to allow easy identification and these markers or mixing agents are sometimes detected at a distance from the target area and cause concern even though in some circumstances extremely low levels of the active ingredients may be present.

Receptors' association of the odour with the chemical is sufficient to raise fears of exposure. In addition, perceptions of an odour's acceptability and individual capacity to detect particular odours can vary greatly.

Factors affecting complaints from odour are influenced by the frequency, intensity, duration and offensiveness of the odour. An objectionable odour may be tolerated if it occurs infrequently at a high intensity, however a similar odour may not be tolerated at lower levels if it persists for a longer duration.

#### **2.4.6 Dust from the Offsite Farm**

The main sources of dust from cropping include cultivation prior to planting, tractor and transport movements. Contemporary farming practices incorporate measures to minimise loss of soil, but at times it is necessary to leave land unplanted for extended periods, which can lead to the movement of dust. Local conditions, including wind strength and direction, rainfall, humidity and ambient temperatures, soil type, vegetative cover and type of onsite activity determine the extent of the nuisance.

#### **2.4.7 Pests from the Offsite Farm**

Pests primarily include flies and rodents. Practices that minimise breeding on farm are necessary since pest's impact directly on community amenity and increase the risk of disease transfer. All pest control materials need to be used in strict adherence with labelling directions. They must be correctly stored away from children and domestic animals. Records of pesticide use should also be maintained.

#### **2.4.8 Operating Days and Times**

##### **2.4.8.1 Proposed Rural Function Centre**

The application proposes that the property able to be utilised as a Function Centre for up to 20 events in any 12 month period. Weddings will typically be held on a Saturday afternoon. Ceremonies typically commence no earlier than midday and then the reception follows. All amplified music will cease no later than 10:00pm and all attendees will be off-site no later than 11:00pm (other than those staying overnight on the premises). Other functions (such as corporate events) will occur on a similar basis, with the exception of the ceremony component.

##### **2.4.8.2 Offsite Farm**

General farm operations are usually during daylight hours. The macadamia harvest period generally runs from the end of March to the end of August however the duration is subject to changeable weather conditions. No macadamia processing occurs on the adjoining macadamia plantation (pers.com. Sam James).

#### **2.4.9 Chemical Use on the Offsite Farm**

Volatile components of chemicals sprayed may affect patrons of the rural function centre if not used in accordance with manufacturer and workplace health and safety requirements. Spraying should also be avoided during adverse weather conditions that may impact on patrons of the rural function centre.

#### **2.4.10 Surface Water and Sediment Runoff**

##### **2.4.10.1 Proposed Rural Function Centre**

The proposed rural function centre will not result in any surface runoff impacting on the adjoining farmland due to the temporary nature of the structure, small footprint, distance attenuation and existing drainage conditions. The proposed function centre will utilise portable toilets to manage wastewater.

#### **2.4.10.2 Offsite Farm**

The macadamia farm is located downslope of the subject and therefore any runoff will not impact on the proposed rural function centre

#### **2.4.11 Management Proposed Rural Function Centre**

The proposed Function Centre will be operated in accordance with an Operational Management Plan (OMP) which has been developed to ensure that impacts on the locality are minimised. Integral to this is the requirement for all functions to engage an approved wedding or event planner who will be responsible for overseeing the operation of the function in accordance with the OMP. Future clients (typically the bride & groom) will be required to sign contracts linked to compliance with the OMP.

## 3. Land Use Conflict Risk Assessment

### 3.1 Introduction

In this report, a risk assessment matrix is used to rank the potential Land Use Conflicts in terms of significance. The matrix assesses the environmental/public health and amenity impacts according to the:

- Probability of occurrence; and
- Severity of impact.

The procedure of environmental/public health & amenity hazard identification and risk control is performed in three stages.

1. Environmental/public health & amenity hazard identification,
2. Risk assessment and ranking,
3. Risk control development.

#### Procedure:

1. Prepare LUCRA Hazard Identification and Risk Control form.
2. List all hazards associated with each activity.
3. Assess and rank the risk arising from each hazard before “controls” are applied on the LUCRA form.
4. Develop controls that minimise the probability and consequence of each risk using the five level methods. Record these controls on the form.
5. Re-rank each risk with the control in place to ensure that the risk has been reduced to an acceptable level. If the risk ranking is not deemed to be acceptable consideration should be given to whether the proposed activity should be allowed to proceed.

### 3.2 Risk Assessment and Risk Ranking

It is necessary to differentiate between an 'environmental hazard' and an 'environmental risk'. 'Hazard' indicates the potential for harm, while 'risk' refers to the probability of that harm occurring. For example, the presence of chemicals stored in a building is a hazard, but while the chemicals are stored appropriately, the risk is negligible. **Table 3.1** defines the hazard risks used in this report.

The Risk Ratings (severity of the risks) have been established by assessing the consequences of the risks and the likelihood of the risks occurring.

**Table 3.1 Measure of Consequence**

Level	Descriptor	Description	Examples/Implications
1	Severe	<ul style="list-style-type: none"> <li>Severe and/or permanent damage to the environment</li> <li>Irreversible with management</li> </ul>	<ul style="list-style-type: none"> <li>Damage or death to animals, fish, birds or plants</li> <li>Long term damage to soil or water</li> <li>Odours so offensive some people are evacuated or leave voluntarily</li> <li>Many public complaints and serious damage to Council's reputation</li> <li>Contravenes Protection of the Environment &amp; Operations Act and the conditions of Council's licences and permits. Almost certain prosecution under the POEO Act</li> </ul>
2	Major	<ul style="list-style-type: none"> <li>Serious and/or long-term impact to the environment</li> <li>Long-term management implications</li> </ul>	<ul style="list-style-type: none"> <li>Water, soil or air impacted badly, possibly in the long term.</li> <li>Limited damage to animals, fish or birds or plants</li> <li>Some public complaints</li> <li>Impacts pass quickly</li> <li>Contravenes the conditions of Council's licences, permits and the POEO Act</li> <li>Likely prosecution</li> </ul>
3	Moderate	<ul style="list-style-type: none"> <li>Moderate and/or medium-term impact to the environment</li> <li>Some ongoing management implications</li> </ul>	<ul style="list-style-type: none"> <li>Water, soil or air known to be affected, probably in the short term</li> <li>No damage to plants or animals</li> <li>Public unaware and no complaints to Council</li> <li>May contravene the conditions of Council's Licences and the POEO Act</li> <li>Unlikely to result in prosecution</li> </ul>
4	Minor	<ul style="list-style-type: none"> <li>Minor and/or short-term impact to the environment</li> <li>Can be effectively managed as part of normal operations</li> </ul>	<ul style="list-style-type: none"> <li>Theoretically could affect the environment or people but no impacts noticed</li> <li>No complaints to Council</li> <li>Does not affect the legal compliance status of Council</li> </ul>

Level	Descriptor	Description	Examples/Implications
5	Negligible	<ul style="list-style-type: none"> <li>• Very minor impact to the environment</li> <li>• Can be effectively managed as part of normal operations</li> </ul>	<ul style="list-style-type: none"> <li>• No measurable or identifiable impact on the environment</li> </ul>

This report utilises an enhanced measure of likelihood of risk approach<sup>1</sup> which provides for 5 levels of probability (A-E). The 5 levels of probability are set out below in **Table 3.2**.

**Table 3.2 Probability Table**

Level	Descriptor	Description
A	Almost certain	Common or repeating occurrence
B	Likely	Known to occur, or 'it has happened'
C	Possible	Could occur, or 'I've heard of it happening'
D	Unlikely	Could occur in some circumstances, but not likely to occur
E	Rare	Practically impossible

### 3.3 Risk Ranking Method

For each event, the appropriate 'probability' (i.e. a letter A to E) and 'consequence' (i.e. a number 1 to 5) is selected.

The consequences (environmental impacts) are combined with a 'probability' (of those outcomes) in the Risk Ranking Table (Table 3.3) to identify the risk rank of each environmental impact (e.g. a 'consequence' 3 with 'probability' D yields a risk rank 9).

The table yields a risk rank from 25 to 1 for each set of 'probabilities' and 'consequences'. A rank of 25 is the highest magnitude of risk that is a highly likely, very serious event.

A rank of 1 represents the lowest magnitude or risk, an almost impossible, very low consequence event.

**Table 3.3 Risk Ranking Table**

PROBABILITY	A	B	C	D	E
Consequence					
1	25	24	22	19	15
2	23	21	18	14	10
3	20	17	13	9	6
4	16	12	8	5	3
5	11	7	4	2	1

**NOTE**

A risk ranking of 25-11 is deemed as an unacceptable risk.

A risk ranking of 10-1 is deemed as an acceptable risk.

Thus, the objective is to endeavour to identify and define controls to lower risk to a ranking of 10 or below.

### 3.4 Risk Reduction Controls

The process of risk reduction is one of looking at controls that have an effect on probability such as the implementation of certain procedures; new technology or scientific controls that might lower the risk probability values.

It is also appropriate to look at controls which affect consequences e.g. staff supply with a mechanism to change impacts or better communications established. Such matters can sometimes lead to the lowering of the consequences.

**Table 3.4 LUCRA Site Assessment**

Site Feature	Condition/Comments	Potential Conflict
Site Location: Vehicular Access	<p>A Traffic Impact Assessment for the proposed Rural Function Centre has been prepared by Rytenskild (Ref: 20283, November 2020)</p> <p>The report addresses the following issues:</p> <ul style="list-style-type: none"> <li>• The potential impact of traffic generated by the proposal upon Granuaille Crescent and its intersection with Hinterland Way;</li> <li>• The adequacy of the proposed access location with respect to sight distance and general road safety;</li> <li>• The required geometrical form of the proposed access driveway and its intersection with Granuaille Crescent;</li> <li>• The adequacy of on – site traffic access and car parking arrangements;</li> <li>• The provision for occasional service vehicles to access and service the site.</li> </ul>	Minor

	<p>An assessment of the potential traffic generation of the proposal indicates that such would not adversely impact upon the capacity or performance of Granuaille Crescent. A safety analysis of the indicates that accidents at the Hinterland Way / Granuaille Crescent intersection are uncommon, with the one recorded incident occurring in 2017. Based on the frequency and seriousness of incidents at the Hinterland Way / Granuaille Crescent intersection, it is considered that the risk level at the intersection will not increase as a result of the proposed development.</p> <ul style="list-style-type: none"> <li>• It is considered that the existing road formation will allow suitable access given that traffic will generally be travelling in a single direction to the site before an event and away from the site after the event.</li> <li>• There is sufficient area at the top of the site where events will be held, for cars and minibuses to park. A formal car parking area is not considered to be necessary given the nature of the proposed use and low vehicle generation</li> </ul> <p>It is unlikely that the existing farm will be significantly impacted by vehicle movements on the subject site.</p>	
Operating Times	<p><b>Offsite Farm Operations</b> It is possible that spraying of insecticides and fungicides may occur under suitably calm conditions which requires night spraying from time to time. Based on the current configuration of intensive horticulture at the adjoining property occurs at an approximate distance of 100m, at a lower elevation (about 5m) and is screened by a mix of building structures and vegetation coupled with the limited events per year (maximum 20) indicates that impacts on patrons at the proposed rural function centre would be limited.</p> <p><b>Rural Function Centre Operations</b> The application proposes that the property be able to be utilised as a Function Centre for up to 20 events in any 12 month period. Weddings will typically be held on a Saturday afternoon. Ceremonies typically commence no earlier than midday and then the reception follows. All amplified music will cease no later than 10:00pm and all attendees will be off-site no later than 11:00pm (other than those staying overnight on the premises). Other functions (such as corporate events) will occur on a similar basis,</p>	<p>Minor</p> <p>Moderate</p>



	with the exception of the ceremony component.	
Aspect	North, South East Both the large and small event locations are elevated above the adjoining macadamia farm. The large event area is heavily screened from the macadamia plantation whilst the small event area is more exposed however it is located immediately adjacent to the existing dwelling.	Minor
Exposure	The wind roses also indicate the following: <ul style="list-style-type: none"> <li>winds in the mornings are typically light winds from the west and south-west and to a lesser extent from the north</li> <li>winds in the afternoon are typically more moderate winds from the south, north-east, south-east and east</li> <li>Calm conditions are experienced 8% of the time in the morning and only 1% of the time in the afternoons.</li> </ul> Both the large and small events areas are protected by distance, vegetation and topographical shielding from winds from the east and north (location of closest macadamia plantation)	Minor
Run-on and Upslope Seepage Site Drainage and Water pollution	Run-on or seepage from the development of the subject site on ongoing farm activities on the adjoining farmland will be negligible based on the temporary nature of the proposed activities (marquees) on lawn immediately adjacent to the existing dwelling  The soils within the subject site are generally red basaltic – landscape variant. They are generally deep well drained alluvial kransozerm.  With a total area of about 9.3ha there is ample capacity to assimilate and buffer water quality impacts on the existing gully.	Negligible
<b>Agricultural Chemical Spray Drift</b> The off-target movement of agricultural chemicals can be a cause for concern to residents in proximity to farming areas. These concerns are largely based on fears of exposure to agricultural chemicals but also due to detection of odours associated with the chemical.		
Chemical Spray Drift	Based on the distance (100m), difference in elevation, lack of direct line of site due to existing vegetation acting as a screen the risk of spray drift impacting on future patrons of the proposed rural function centre is deemed to be	Minor

	minor.	
Odour	Odour from cropping and horticulture can arise from use of chemical sprays, fertilisers (inorganic and organic), effluent disposal and composting. Such detrimental odours can impact on residential amenity and have the potential to affect public health.	Minor
Farm Noise	The farm on Lot 2 DP 1098078 generates noise from general farming operations (tractor use, spraying, mulching, collection of fallen nuts etc), vehicle movements, pruning and mulching of trees and general farm activities. Due to the distance (some 100m) from the macadamia plantation to the location of the proposed events (immediately adjacent to the existing dwelling) and the intermittent nature of noisy activities the likelihood of noise complaints would be negligible to minor	Negligible to Minor
Rural Function Centre Noise	An environmental noise impact assessment was prepared by TFA of the proposed rural function centre development. In undertaking the assessment, noise monitoring was conducted near the site and through modelling, predictions of noise levels from the proposed development, including vehicle movements, plant and equipment, patrons, and amplified entertainment from the proposed wedding venue are predicted to comply with criteria at all receptors during all time periods.	Negligible to Minor
Dust	The main sources of dust from a macadamia cropping include cultivation prior to planting, tractor and transport movements. Smother grass is grown between the rows of macadamia trees significantly reducing the area of exposed soil and potential for dust generation.	Negligible
Pests	Pests include rodents. Practices that minimise breeding on farm are necessary since pests impact directly on nut production, community amenity and increase the risk of disease transfer	Negligible

The LUCRA has acknowledged risks as either minor or negligible given a combination of distance attenuation and topographical shielding between the proposed rural function centre and the existing macadamia plantation therefore specific mitigation measures are not required however an Operational Management Plan has been prepared by Newton Denny Chapelle to be implemented by each event organiser to ensure that identified measures are realised.

**Table 3.5 Hazard Identification and Risk Control Sheet**

Work undertaking				
Activity	Identified Hazard	Risk Ranking	Method of Control	Controlled Ranking
<b>Chemical Storage &amp; Uses</b>	<b>Health and Safety</b> Spray drift and associated odours from an application of agricultural chemicals has the potential to adversely affect the health and safety of persons in non-targeted areas. Overspray; land, surface and groundwater contamination	<b>C4 = 8 Acceptable</b>	Based on the distance (100m), difference in elevation, lack of direct line of site due to existing vegetation and hillslope acting as a screen the risk of spray drift impacting on future patrons of the proposed Rural Function Centre is deemed to be minor.  No additional controls required	<b>C4 = 8 Acceptable</b>
<b>Odour</b>	Odour from cropping and horticulture can arise from use of chemical sprays, fertilisers (inorganic and organic), effluent disposal and composting. Such detrimental odours can impact on residential amenity and have the potential to affect public health	<b>C4 = 8 Acceptable</b>	Based on the distance (100m), difference in elevation, lack of direct line of site due to existing vegetation and hillslope acting as a screen the risk of spray drift impacting on future patrons of the proposed Rural Function Centre is deemed to be minor.  No additional controls required	<b>C4 = 8 Acceptable</b>
<b>Farm Noise</b>	The Macadamia Farm operation generates noise from general farming operations (tractor use, spraying, mulching, collection of fallen nuts etc), vehicle movements, pruning and mulching of trees and general farm activities.	<b>C4 = 8 Acceptable</b>	Due to the distance (some 100m) from the macadamia plantation to the location of the proposed Rural Function Centre and the intermittent nature of noisy activities the likelihood of noise complaints would be negligible to minor.  No additional controls required.	<b>C4 = 8 Acceptable</b>
<b>Rural Function Centre Noise</b>	The rural function centre will generate noise from patrons, music, vehicles, plant and equipment	<b>C4 = 8 Acceptable</b>	An environmental noise impact assessment was prepared by TFA of the proposed rural function centre development. In undertaking the assessment, noise monitoring was conducted near the site and through modelling, predictions of noise levels from the proposed development, including vehicle movements, plant and equipment, patrons, and amplified entertainment from the proposed wedding venue are predicted to comply with criteria at all receptors during all time periods.  The proposed Function Centre will be operated in accordance with an Operational Management Plan (OMP) which has been developed to ensure that impacts on the locality are minimised. Integral to this is the requirement for all functions to engage an approved wedding or event planner who will be responsible for overseeing the operation of the function in accordance with the OMP. Future clients (typically the bride & groom) will be required to sign contracts linked to compliance with the OMP.	<b>C4 = 8 Acceptable</b>
<b>Dust</b>	The main sources of dust from a macadamia cropping include cultivation prior to planting, tractor and transport movements.	<b>C4 = 8 Acceptable</b>	Smother grass is grown between the rows of macadamia trees significantly reducing the area of exposed soil and potential for dust generation.  Based on the distance (100m), difference in elevation, lack of direct line of site due to existing vegetation and hillslope acting as a screen the risk of dust impacting on future patrons of the proposed Rural Function Centre is deemed to be minor.  No additional controls required.	<b>C4 = 8 Acceptable</b>

<b>Pests</b>	Pests include rodents. Practices that minimise breeding on farm are necessary since pests impact directly on nut production, community amenity and increase the risk of disease transfer	<b>C4 = 8 Acceptable</b>	Given that the subject site comprises macadamia plantation measures to reduce rodent activity on the subject site are being implemented to reduce crop loss. Patrons of the rural function centre will be restricted to the immediate surrounds of the existing dwelling and therefore the risk of conflict with pests is deemed to be negligible.  No additional controls required.	<b>C4 = 8 Acceptable</b>
<b>Site Location: Vehicular Access</b>	Conflict between farm access and proposed development	<b>C4 = 8 Acceptable</b>	An assessment of the potential traffic generation by Rytenschild (November 2020) of the proposal indicates that such would not adversely impact upon the capacity or performance of Granuaille Crescent. A safety analysis of the indicates that accidents at the Hinterland Way / Granuaille Crescent intersection are uncommon, with the one recorded incident occurring in 2017. Based on the frequency and seriousness of incidents at the Hinterland Way / Granuaille Crescent intersection, it is considered that the risk level at the intersection will not increase as a result of the proposed development. <ul style="list-style-type: none"> <li>It is considered that the existing road formation will allow suitable access given that traffic will generally be travelling in a single direction to the site before an event and away from the site after the event.</li> <li>There is sufficient area at the top of the site where events will be held, for cars and minibuses to park. A formal car parking area is not considered to be necessary given the nature of the proposed use and low vehicle generation</li> </ul> <p>It is unlikely that the existing farm will be significantly impacted by vehicle movements on the subject site.</p> <p>The proposed Function Centre will be operated in accordance with an Operational Management Plan (OMP) which has been developed to ensure that impacts on the locality are minimised. Integral to this is the requirement for all functions to engage an approved wedding or event planner who will be responsible for overseeing the operation of the function in accordance with the OMP. Future clients (typically the bride &amp; groom) will be required to sign contracts linked to compliance with the OMP.</p>	<b>C4 = 8 Acceptable</b>
<b>Operating Times</b>	Noise impacts on amenity of neighbouring residents	<b>C4 = 8 Acceptable</b>	<b>Offsite Farm Operations</b> It is possible that spraying of insecticides and fungicides may occur under suitably calm conditions which requires night spraying from time to time. Based on the current configuration of intensive horticulture at the adjoining property occurs at an approximate distance of 100m, at a lower elevation (about 5m) and is screened by a mix of building structures and vegetation coupled with the limited events per year (maximum 20) indicates that impacts on patrons at the proposed rural function centre would be limited. <b>Rural Function Centre Operations</b> The application proposes that the property be able to be utilised as a Function Centre for up to 20 events in any 12 month period. Weddings will typically be held on a Saturday afternoon. Ceremonies typically commence no earlier than midday and then the reception follows. All amplified music will cease no later than 10:00pm and all attendees will be off-site no later than 11:00pm (other than those staying overnight on the premises). Other functions (such as corporate events) will occur on a similar basis, with the exception of the ceremony component.  The proposed Function Centre will be operated in accordance with an Operational Management Plan (OMP) which has been developed to ensure that impacts on the locality are minimised. Integral to this is the requirement for all functions to engage an approved wedding or event planner who will be responsible for overseeing the operation of the function in accordance with the OMP. Future clients (typically the bride & groom) will be required to sign contracts linked to compliance with the OMP.	<b>C4 = 8 Acceptable</b>

<b>Water Runoff</b>	Run-on and Upslope Seepage Site Drainage and Water pollution	<b>C4 = 8 Acceptable</b>	<p>The soils within the subject site are generally red basaltic – landscape variant. They are generally deep well drained alluvial kransozerm.</p> <p>With a total area of 9.3ha there is ample capacity to assimilate and buffer water quality impacts on the existing gully.</p> <p>Run-on or seepage from the development of the subject site on ongoing farm activities on the adjoining farmland will be negligible based on the temporary nature of the proposed activities (marquees) on lawn immediately adjacent to the existing dwelling</p> <p>No additional controls required.</p>	<b>C4 = 8 Acceptable</b>

## 4 Conclusions and Recommendations

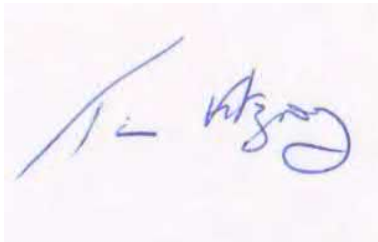
This Land Use Conflict Risk Assessment is based on:

- a review of the Development Plans;
- discussions with the Farm Manager, Sam James;
- the outcomes of:
  - Noise Impact Assessment (Tim Fitzroy & Associates, November 2020); and
  - Traffic Impact Assessment (Rytenskild, November 2020);
- a site inspection; and
- a review of surrounding land uses.

This LUCRA has concluded that the subject site is suitable for the proposed rural function centre. The LUCRA has acknowledged risks as either minor or negligible given a combination of distance attenuation and topographical shielding between the proposed rural function centre and the existing adjoining macadamia plantation.

The proposed Function Centre will be operated in accordance with an Operational Management Plan (OMP) which has been developed to ensure that impacts on the locality are minimised. Integral to this is the requirement for all functions to engage an approved wedding or event planner who will be responsible for overseeing the operation of the function in accordance with the OMP. Future clients (typically the bride & groom) will be required to sign contracts linked to compliance with the OMP.

This report has been prepared by Tim Fitzroy of *Tim Fitzroy & Associates*.



**Tim Fitzroy**  
Environmental Health Scientist  
Environmental Auditor

## References

Byron Shire Council Development Control Plan 2014 Chapter 19

Department of Primary Industries et al 2007 Living and Working in Rural Areas-a handbook for managing land use conflicts on the NSW North Coast, NSW

Planning Guidelines Separating Agricultural and Residential Uses, Queensland Department of Natural Resources 1997.

Personal Communication Sam James October-November 2020

Newton Denny Chappelle, 28 September 2020, Development Plans, 1390 Hinterland Way Bangalow Fernleigh

Tim Fitzroy & Associates, November 2020, Noise Impact Assessment, Proposed Rural Function Centre, 1390 Hinterland Way, Bangalow

Rytenskild November 2020, Traffic Impact Assessment for the proposed Rural Function Centre

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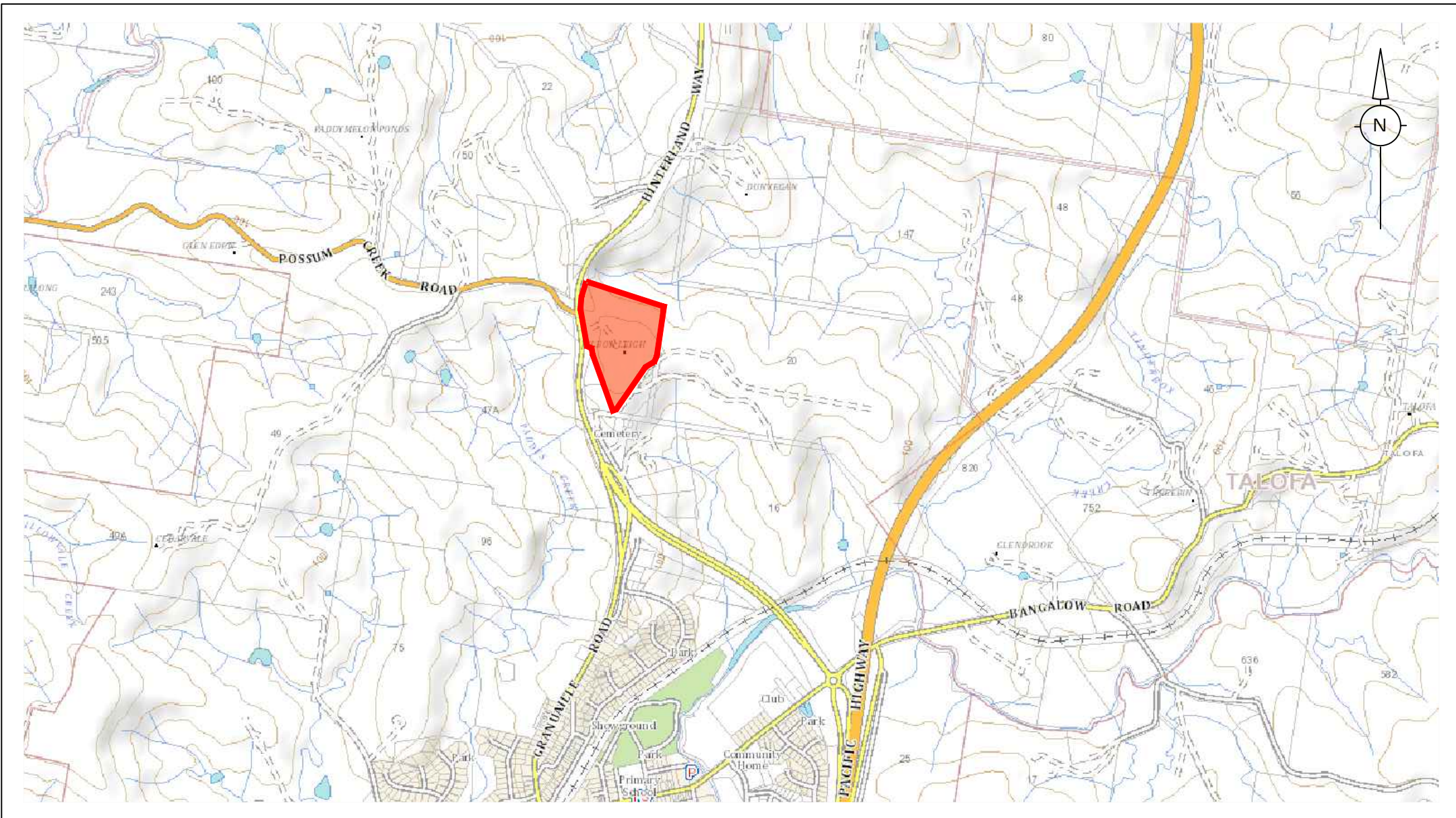
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Tim Fitzroy and Associates declares that does not have, nor expects to have, a beneficial interest in the subject project.

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# A Development Plans



**LEGEND:**

 SITE BOUNDARY

SOURCE PLAN: [www.maps.six.nsw.gov.au](http://www.maps.six.nsw.gov.au) - accessed 28.09.20

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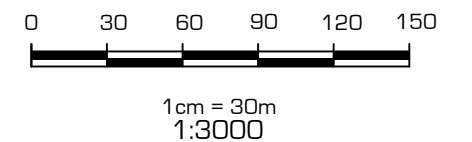
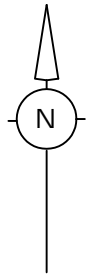


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 31 Carrington St Lismore 2480  
 PH: 6622 1011  
 ABN: 86 220 045 469

**PLAN 1: LOCATION**

**CLIENT:** METROPOLIS STUDIOS PTY LTD  
**LOCATION:** LOT 1 DP1077265  
 1390 HINTERLAND WAY  
 BANGALOW NSW

**DATE:** 28.09.20 **REF:** 200479  
**SCALE:** NTS **DRAWN:** bk



(A) RIGHT OF CARRIAGEWAY - VARIABLE WIDTH

**NOTE:**  
 This preliminary layout has been completed in accordance with the instructions provided by Metropolis Studios Pty Ltd. In this respect preliminary desktop data has been used to form this layout. The final layout is subject to the completion of a detailed survey & engineering plans. Accordingly, the conclusions reached within this report may be modified by the author upon the completion of the final design plans & site inspection. Newton Denny Chapelle accepts no responsibility for any loss or damage suffered, however so arising, to any person or corporation who may use or rely on this report.

REV	DATE	AMENDMENT
A		
B		
C		
D		

SOURCE PLAN: [www.maps.six.nsw.gov.au](http://www.maps.six.nsw.gov.au) - accessed 28.09.20

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**NDC**  
 Newton Denny Chapelle  
 Surveyors Planners Engineers  
 Email: [office@newtondennychapelle.com.au](mailto:office@newtondennychapelle.com.au)  
 31 Carrington St Lismore 2480  
 PH: 6622 1011  
 ABN: 86 220 045 469

**PLAN 2: SITE LAYOUT (OVERVIEW)**  
**CLIENT:** METROPOLIS STUDIOS PTY LTD  
**LOCATION:** LOT 1 DP1077265  
 1390 HINTERLAND WAY  
 BANGALOW NSW  
**DATE:** 28.09.20 **REF:** 200479  
**SCALE:** 1 : 3000 @ A3 **DRAWN:** bk

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REV	DATE	AMENDMENT
A	28.09.20	
B	28.10.20	SPEAKER/NOISE, ADDITIONAL STAFF PARKING
C		
D		

SOURCE PLAN: <http://maps.au.nearmap.com/> - Accessed 28.09.20

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 31 Carrington St Lismore 2480  
 PH: 6622 1011  
 ABN: 86 220 045 469

**PLAN 3: SITE LAYOUT (DETAIL)**  
**CLIENT: METROPOLIS STUDIOS PTY LTD**  
**LOCATION: LOT 1 DP1077265**      **REV B**  
 1390 HINTERLAND WAY  
 BANGALOW NSW  
**DATE: 28.10.20**      **REF: 200479**  
**SCALE: 1 : 500 & A3**      **DRAWN: bk**

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## B Photographs

Photo A Location for Large Events



Photo B Location of Smaller Events