Land Use Conflict Risk Assessment

Proposed Rural Function Centre
Lot 7 DP1091198
No 36 Keys Road, Coorabell

HEALTH SCIENCE ENVIROMENTAL EDUCATION
ENVIRONMENTAL AUDITOR

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Lot 7 DP1091198
No 36 Keys Road, Coorabell

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1. Introduction

Tim Fitzroy & Associates (TFA) has been engaged by Rockinghorse Studios to undertake a Land Use Conflict Risk Assessment (LUCRA) for a proposed *rural function centre* on land described in real property terms as Lot 7 DP 1091198, Keys Lane, Coorabell (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:

- noise and traffic impacts from the rural function centre operations on existing surrounding residences

In January 2022 a *Request for Additional Information* was issued by Byron Shire Council (BSC File No: 239749D x 10.2021.212.1 /# A2022/942, dated 22 January 2022) with respect to a Land Use Conflict Risk Assessment (LUCRA) for a proposed rural function centre on land described in real property terms as Lot 7 DP 1091198, Keys Lane, Coorabell (Tim Fitzroy & Associates (TFA) Job No 72/2020, revised final v3.0, 13 April 2021).

Byron Shire Council (BSC) has requested that the additional information be provided with respect to the aforementioned LUCRA:

- A revised LUCRA that considers impacts of lighting.

The subject property, zoned RU2, with an area of 27.03ha comprises rolling low hills and hills associated with the Rosebank landscape. The property is bounded by Wilsons Creek to the south, Coorabell Road to the west and other rural properties to the north and east. The existing buildings are located towards the centre of the lot and are accessed via a right of way from Keys Road that dissects the lot along a broad plateau at the base of slopes rising upwards to the Coorabell ridgeline. There are small stands of timber located on the moderately sloped hills and gullies. The lot has generally been cleared with extensive landscaping, lawns and areas of slashed pasture fringed by native vegetation. The lot slopes generally downwards from the north to the Wilson River which forms the southern boundary.

The land contains a 5 bedroom dwelling house with swimming pool, a recording studio, a two storey home office, rural shed/workshop and tennis court. There are six rural

dwellings located within 750m of the proposed rural function centre with the closest located approximately 350m south of the proposed activity.

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 agricultural and non-agricultural development as provided in **Table 1** below:

Table 1 Potential Conflicts between proposed rural function centre and adjoining non-urban areas

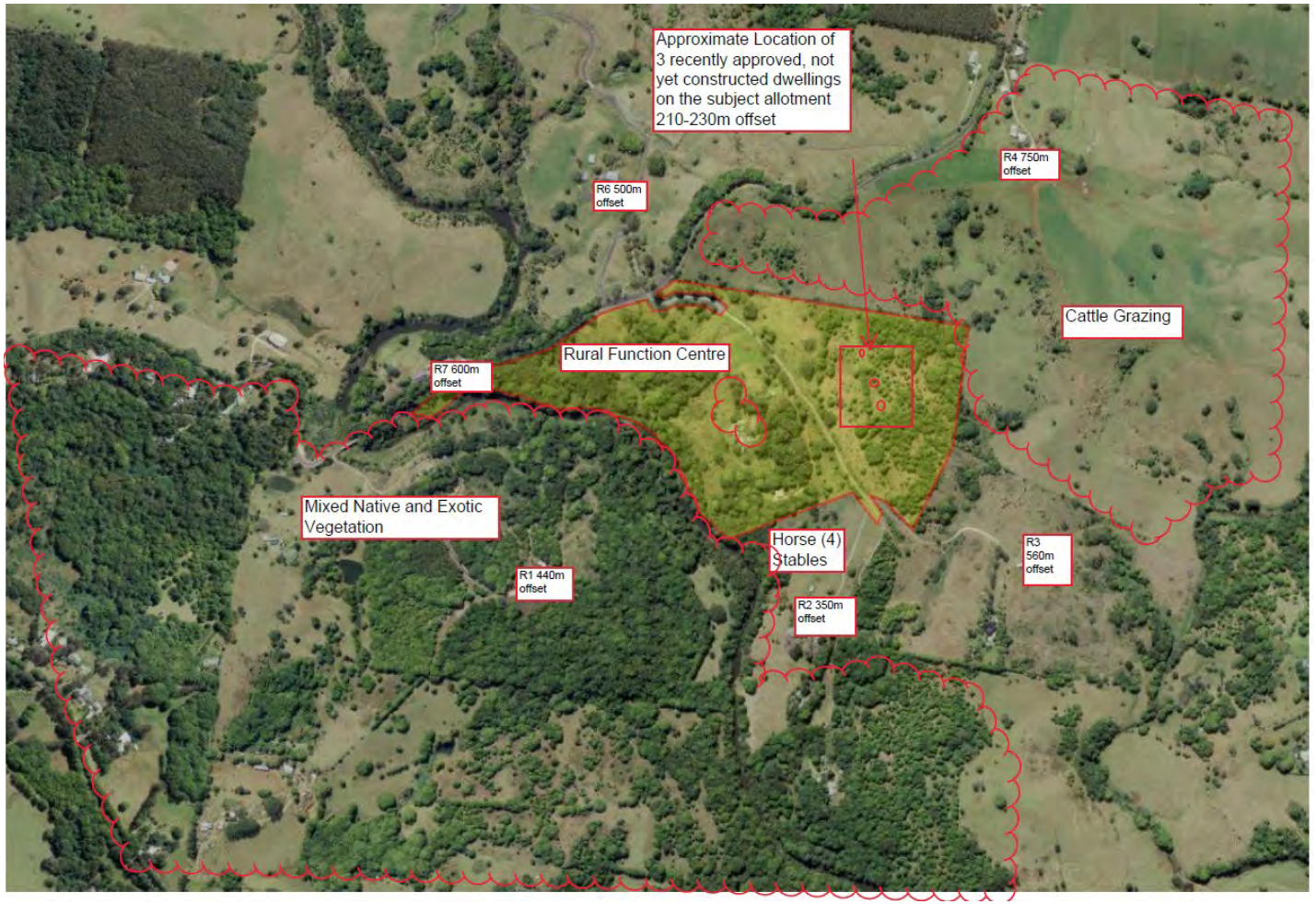
Noise	• Farming equipment, pumps, spray machines, transport. • Ancillary equipment associated with on-farm processing. • Music, patrons, equipment and traffic from rural function centre
Odour	• Fertilisers and chemicals.
Health concerns	• Chemicals. • Spray drift.
Water	• Access. • Pumping. • Quantity. • Runoff, sedimentation • Wastewater management for the

	Rural Function Centre
Smoke and ash	• Burning of pasture, stubble or 'rubbish'.

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

Illustration 1.2 Subject Site & Surrounding Land uses



1.1Scope 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 36 Keys Lane Coorabell and offsite land uses in the locale.

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 property, zoned RU2, with an area of 27.03ha comprises rolling low hills and hills associated with the Rosebank landscape. The property is bounded by Wilsons Creek to the south, Coorabel! Road to the west and other rural properties to the north and east. The existing buildings are located towards the centre of the lot and are accessed via a right of way from Keys Road that dissects the lot along a broad plateau at the base of slopes rising upwards to the Coorabell ridgeline. There are small stands of timber located on the moderately sloped hills and gullies. The lot has generally been cleared with extensive landscaping, lawns and areas of slashed pasture. The land is mostly cleared mown grass fringed by native vegetation. The lot slopes generally downwards from the north to the Wilson River which forms the southern boundary.

The land contains a 5 bedroom dwelling house with swimming pool, a recording studio, a two storey home office, rural shed/workshop and tennis court. There are six rural dwellings located within 750m of the proposed rural function centre with the closest located approximately 350m south 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

Source NDC 2021

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 Event Management Plan (EMP) 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 EMP. Future clients (typically the bride & groom) will be required to sign contracts linked to compliance with the EMP.

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 EMP 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
Total			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
Total			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
Total			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 property, zoned RU2, with an area of 27.03ha comprises rolling low hills and hills associated with the Rosebank landscape. The property is bounded by Wilsons Creek to the south, Coorabel! Road to the west and other rural properties to the north and east. The existing buildings are located towards the centre of the lot and are accessed via a right of way from Keys Road that dissects the lot along a broad plateau at the base of slopes rising upwards to the Coorabell ridgeline. There are small stands of timber located on the moderately sloped hills and gullies. The lot has generally been cleared with extensive landscaping, lawns and areas of slashed pasture. The land is mostly cleared mown grass fringed by native vegetation. The lot slopes generally downwards from the north to the Wilson River which forms the southern boundary.

The area comprises predominantly rural lifestyles properties. The closest commercial agribusiness containing cattle beef grazing is located some 240 metres to the north east of the closest point of the proposed rural function centre.

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).

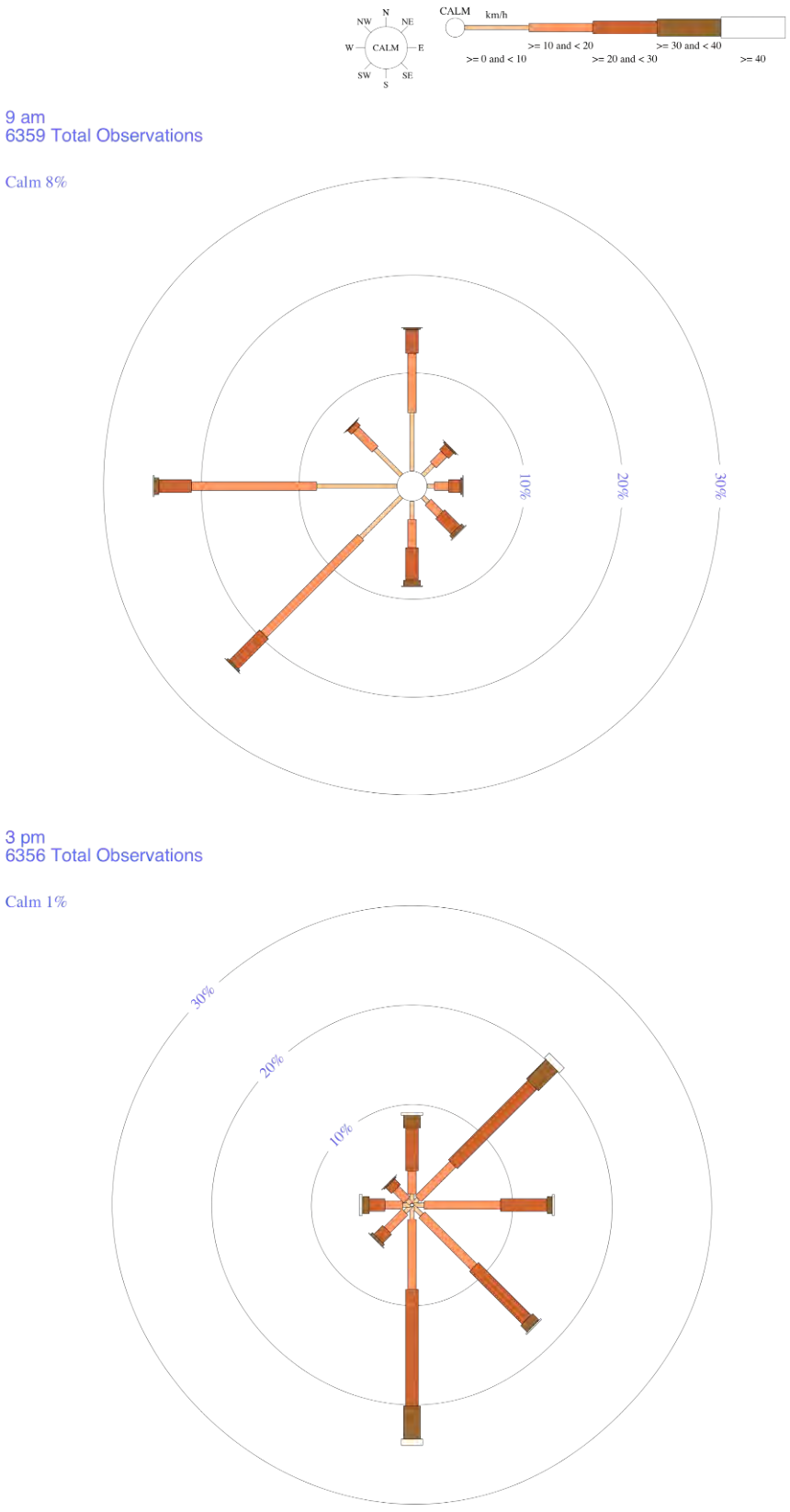
Table 2.1 Monthly Climate Statistics –BALLINA AIRPORT AWS)

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

Statistics	Month												Annual
	J	F	M	A	M	J	J	A	S	O	N	D	
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[1]	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
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[1]	NE	NE	SE	S	S	S	S	S	NE	NE	NE	NE	S

Table 2.2 Annual Wind Directions and Strength

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



Source: Bureau of Meteorology

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

2.3 Site Inspection

A site assessment was undertaken on the 13 October 2020 by Tim Fitzroy. On the day of the site assessment the weather was clear. The subject property, zoned RU2, with an area of 27.03ha comprises rolling low hills and hills associated with the Rosebank landscape. The property is bounded by Wilsons Creek to the south, Coorabell Road to the west and other rural properties to the north and east. The existing buildings are located towards the centre of the lot and are accessed via a right of way from Keys Road that dissects the lot along a broad plateau at the base of slopes rising upwards to the Coorabell ridgeline. There are small stands of timber located on the moderately sloped hills and gullies. The lot has generally been cleared with extensive landscaping, lawns and areas of slashed pasture fringed by native vegetation. The lot slopes generally downwards from the north to the Wilson River which forms the southern boundary.

The land contains a 5 bedroom dwelling house with swimming pool, a recording studio, a two storey home office, rural shed/workshop and tennis court. Nine nearby residential receivers (including 3 recently approved dwellings under DA 10.2015.176.1 on the subject site, but not, as yet, erected) have been chosen to represent the closest surrounding uses. The 3 yet to be erected dwellings are to be located on the subject site between 210m and 230m from the proposed rural function centre. There are six rural dwellings located offsite and within 750m of the proposed rural function centre with the closest located approximately 350m south of the proposed activity.

There are 2 areas dedicated for rural function events:

- Smaller Function Area
    - The smaller event areas comprising 2 areas are located to the immediate north and east of the existing dwelling. This area is screened by the dwelling and existing vegetation to neighbouring dwellings.
- Ceremonies and Function Area
    - The Ceremonies and Function Area are spilt into two, located between 95m and 130m to the north west of the existing dwelling.
    - Whilst the area is more exposed to Keys Lane the closest point of rural function activities to an offsite dwelling is approximately 500m to the south east.

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 Rockinghorse Studios Pty to undertake a Noise Impact Assessment (NIA) for a proposed rural function centre.

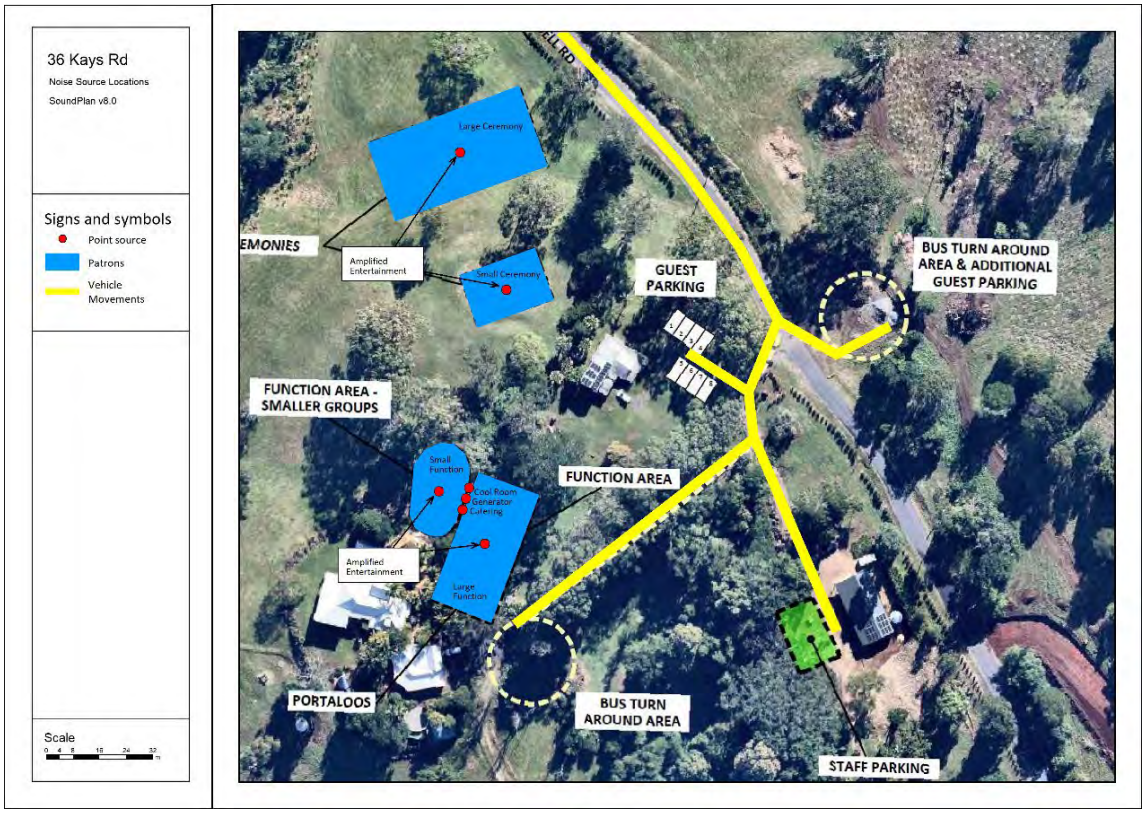
Noise sources from the site are expected to include vehicle movements, plant and equipment, patrons, and amplified entertainment. Each noise source is described below, with source levels presented in **Table 2.3** and modelled locations presented in **Plate 2.1.**

- 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. The point sources run continuously at a level of 80dB(A) at 1m for the function areas, and 75 dB(A) at 1m for the ceremony areas. 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 at Function (SWL)	78	90	93	85	84	81	80	78	75	88
Amplified Entertainment at Ceremony (SWL)	73	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 noise sources



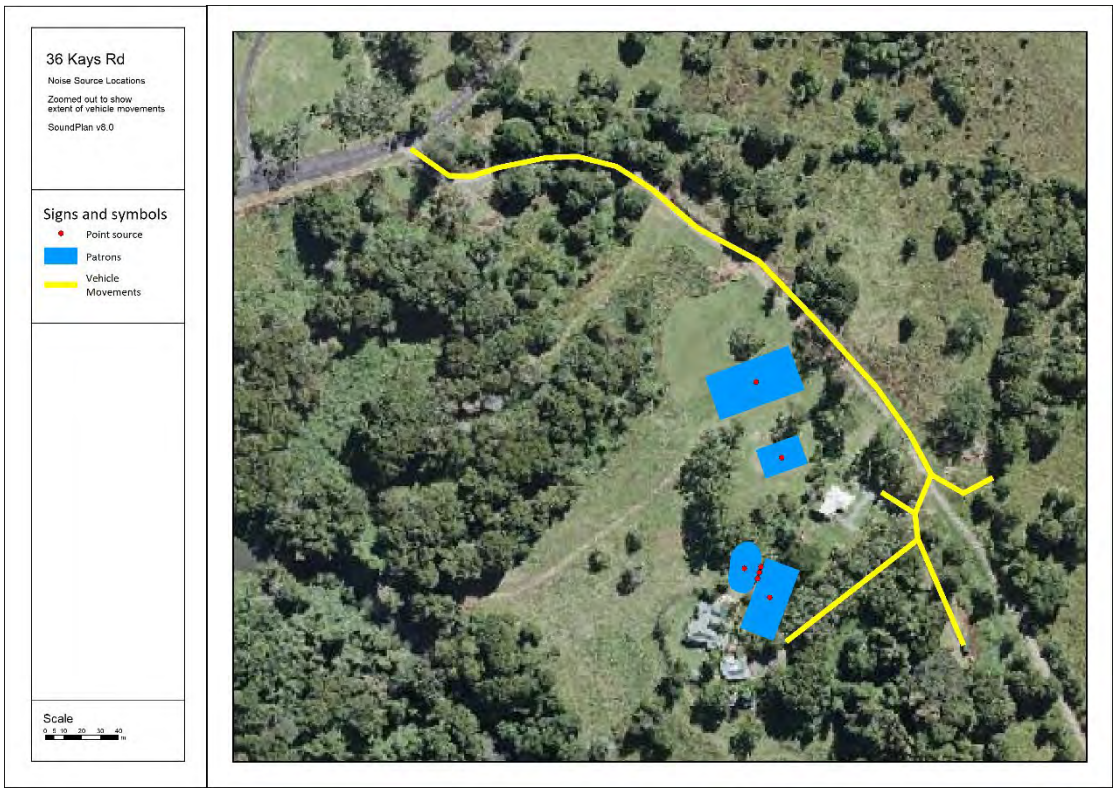
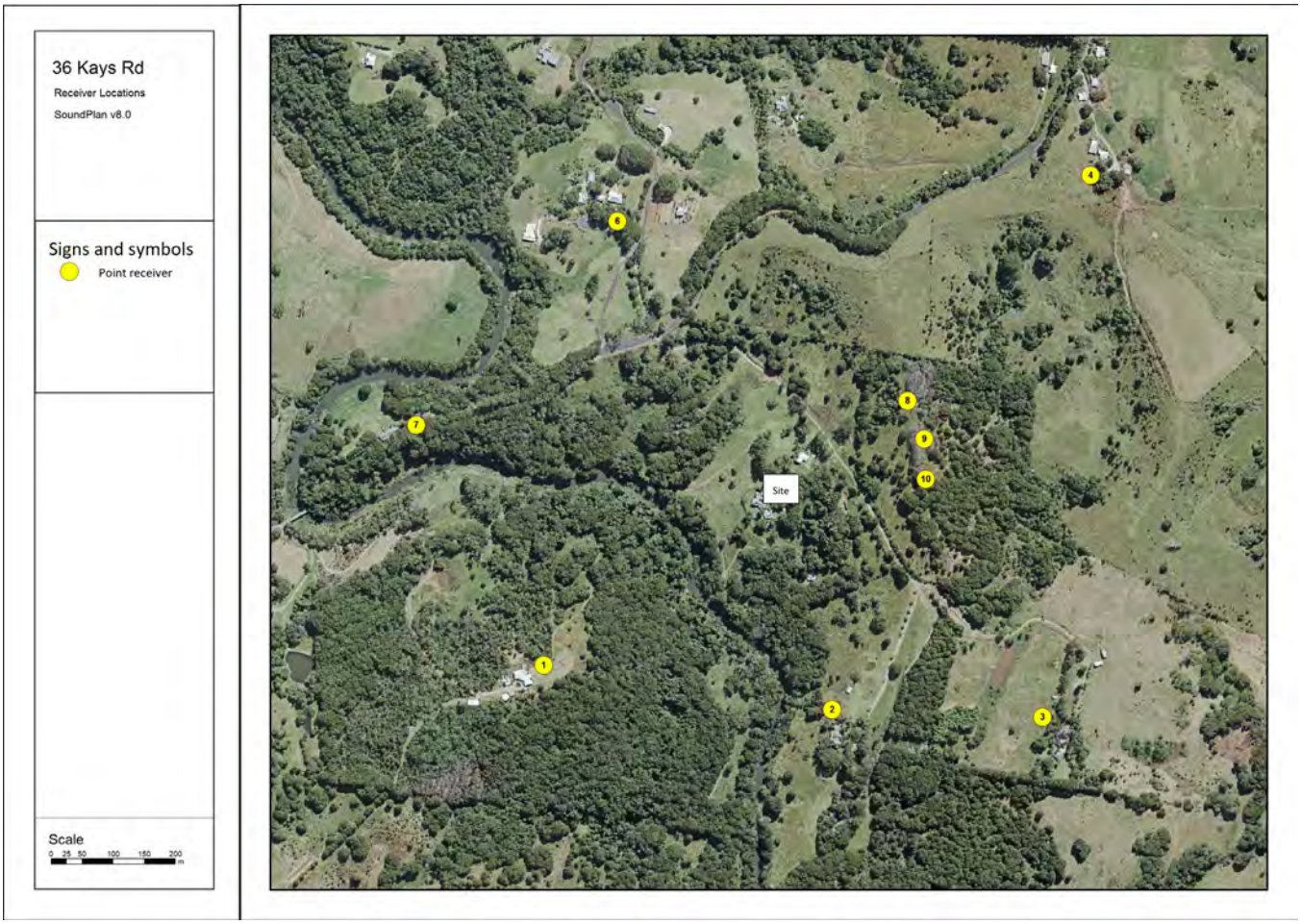


Plate 2.2 Location of Location of noise sources, zoomed out to show extent of vehicle movements

Nine nearby residential receivers (including 3 recently approved dwellings under DA 10.2015.176.1 on the subject site, but not, as yet, erected) 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. Receiver points are modelled at a height of 1.5m above ground and predicted levels are free-field. Receptor locations are presented in **Plate 2.3**.

Plate 2.3 Location of Sensitive Receptors



2.4.2 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: 20286, December 2020)
The report addresses the following issues:

The potential impact of traffic generated by the proposal upon the local road network;

- 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 Keys Road;
- The adequacy of on – site traffic access and car parking arrangements; and
- The provision for occasional service vehicles to access and service the site.

- **Existing Road Conditions**

Keys Road is a rural local access road which provides access to rural properties. It generally has a pavement width of approximately 5.5 – 6 metres with grassed shoulders on each side. The Coorabell Road / Keys Road intersection has a basic 'T' layout with Type BAL and BAR turn treatments in place.

- **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 Keys Road. 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, those with young children 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 fowling 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.

2.4.3 Operating Days and Times

2.4.3.1 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.

Following submission of the LUCRA Revised Final V3.0, BSC requested that a revised LUCRA be submitted to council that considers impacts of lighting. A Lighting Plan was subsequently developed by Sean Latham of North Coast Events and is described below and in **Plate 2.4.**

- Use of festoon to light pathways for safety;
- Festoon is low wattage LED and faces downwards;
- Larger trees for potential up lighting are in open spaces away from denser habitat;
- Other lighting includes low wattage LED's for smaller bushes in garden areas or for safety requirements in the identified function areas'
- Lighting in marquees contained within structure;
- Lighting is not to be used in the denser bush areas to the South and West of the property where fauna is likely to inhabit;
- A proactive approach would be to undertake a tree species identification in the main function areas in case there are Koala food trees in the area; and
- Undertake an inspection of trees to be lit to ensure that there are no fauna to be affected

TFA has conducted a terrain assessment (see **Plate 2.5**) to consider the impacts of lighting as described in the proposed lighting plan on dwellings in the locale. The terrain assessment is conservative as it is taken from ground level, considers land topography, without any vegetation which would obstruct any views to the site.

The terrain assessment indicates that properties to the south west and western properties may be able to observe the subject site at night when there is extra lighting, but this would be determined by the height and density of vegetation between the 2 points and the angle and luminance of the lighting used (angle, direction etc).

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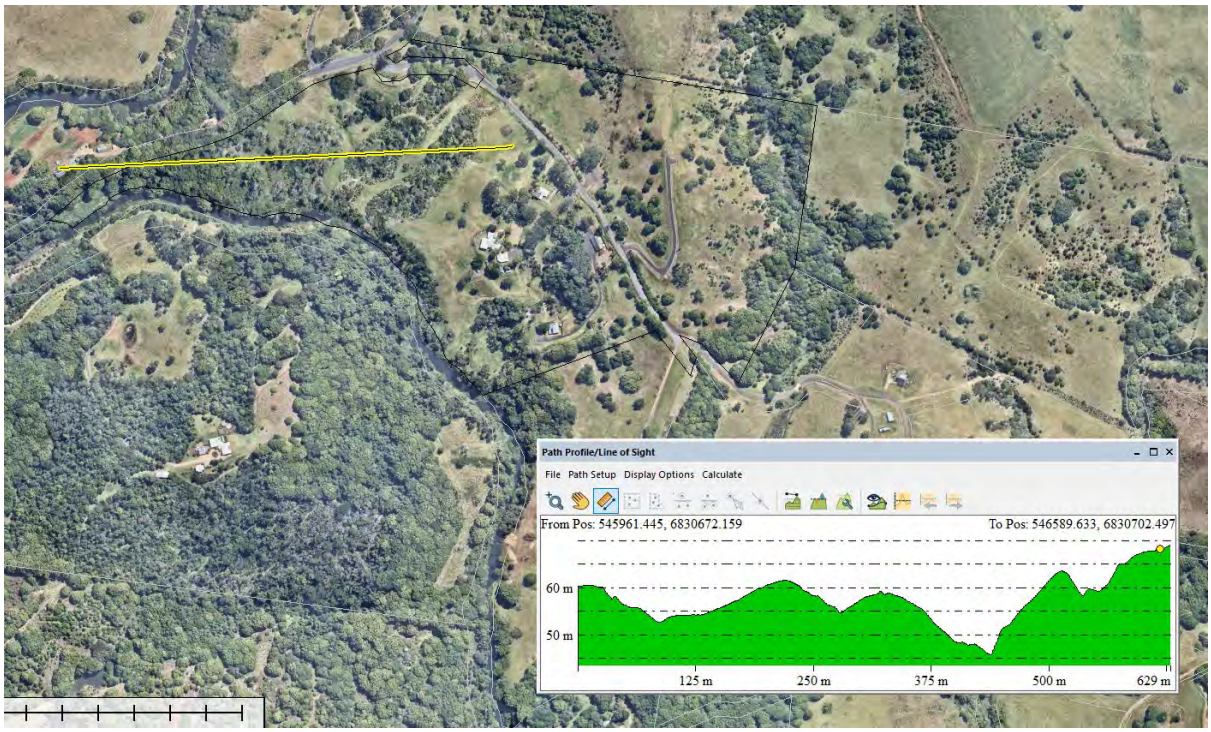
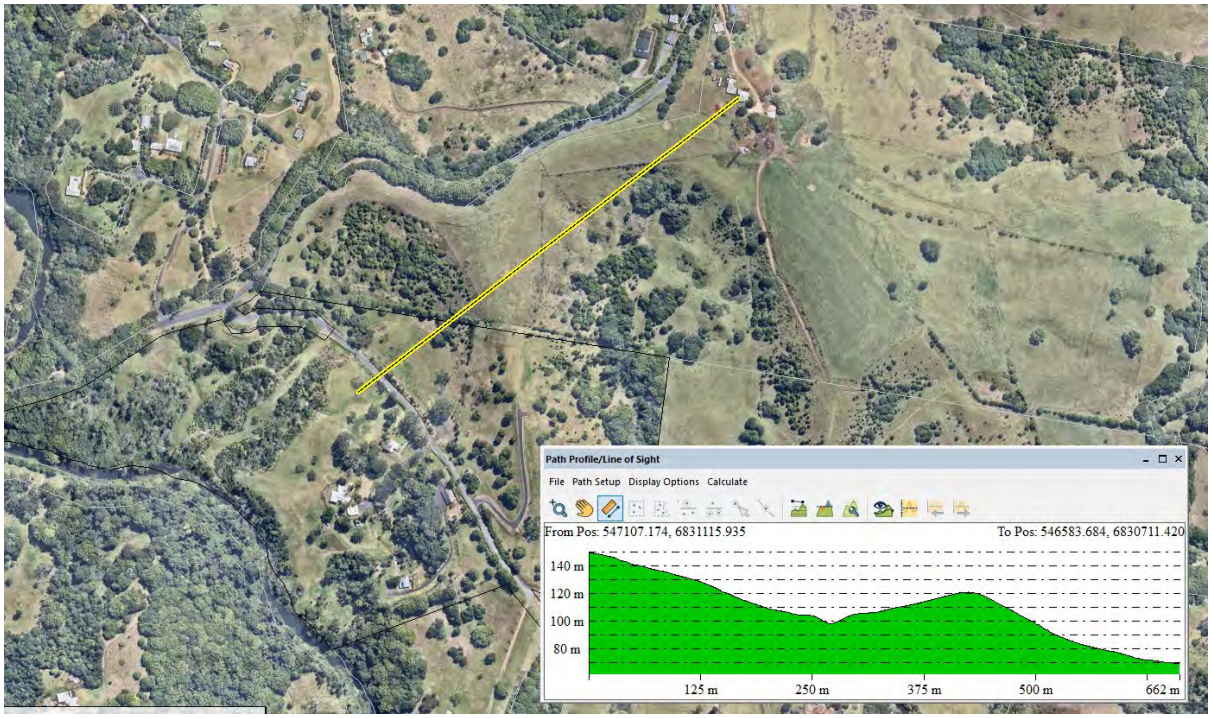
Plate 2.4 Proposed Lighting Plan (Source North Coast Events 2022)

The straight lines indicate potential festoon lighting and the stars represent potential trees for lighting.

Plate 2.5 Terrain Assessment

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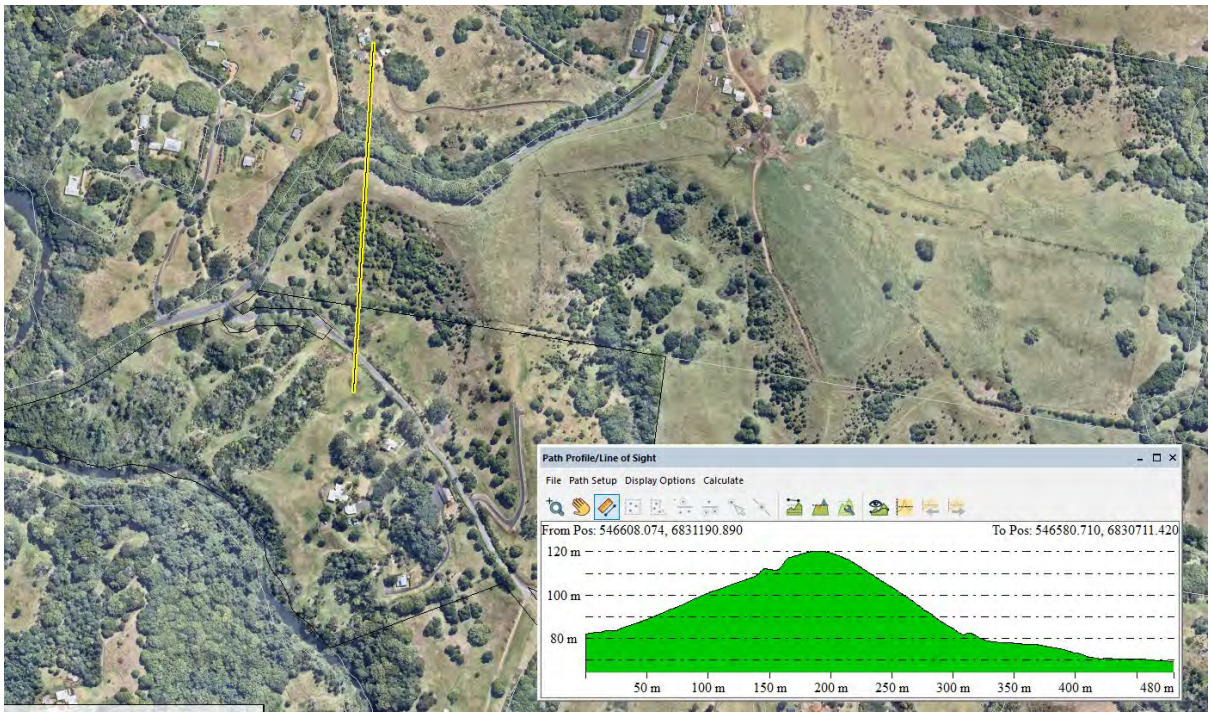
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80 m
50 m
100 m
150 m
200 m
250 m
300 m
350 m
400 m
480 m

2.4.4 Surface Water and Sediment Runoff

2.4.4.1 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.

2.4.5 Management Proposed Rural Function Centre

The proposed Function Centre will be operated in accordance with an Event Management Plan (EMP) 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 EMP. Future clients (typically the bride & groom) will be required to sign contracts linked to compliance with the EMP.

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	• Severe and/or permanent damage to the environment • Irreversible with management	• Damage or death to animals, fish, birds or plants • Long term damage to soil or water • Odours so offensive some people are evacuated or leave voluntarily • Many public complaints and serious damage to Council's reputation • Contravenes Protection of the Environment & Operations Act and the conditions of Council's licences and permits. Almost certain prosecution under the POEO Act
2	Major	• Serious and/or long-term impact to the environment • Long-term management implications	• Water, soil or air impacted badly, possibly in the long term. • Limited damage to animals, fish or birds or plants • Some public complaints Impacts pass quickly • Contravenes the conditions of Council's licences, permits and the POEO Act • Likely prosecution
3	Moderate	• Moderate and/or medium-term impact to the environment • Some ongoing management implications	• Water, soil or air known to be affected, probably in the short term • No damage to plants or animals • Public unaware and no complaints to Council • May contravene the conditions of Council's Licences and the POEO Act • Unlikely to result in prosecution
4	Minor	• Minor and/or short-term impact to the environment • Can be effectively managed as part of normal operations	• Theoretically could affect the environment or people but no impacts noticed • No complaints to Council • Does not affect the legal compliance status of Council

Level	Descriptor	Description	Examples/Implications
5	Negligible	• Very minor impact to the environment • Can be effectively managed as part of normal operations	• No measurable or identifiable impact on the environment

This report utilises an enhanced measure of likelihood of risk approach1 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	A Traffic Impact Assessment for the proposed Rural Function Centre has been prepared by Rytenskild (Ref: 20286, 10 December 2020) The report addresses the following issues: • The subject site is located on the southern side of Keys Road, approximately 400 metres south from the Coorabell Road intersection. • 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 proposed use will be gained via the existing access point off Keys Road. Keys Road is a two lane	Minor

	rural access road with a sealed carriageway width of 5.5 – 6.0 metres. In accordance with Austroads Part 3, it is considered that this profile has a traffic carrying capacity of approximately 500 - 1,000 vehicles per day. As discussed in Section 5, Keys Road currently carries approximately 50-60 vehicles per day and is considered that it has sufficient spare capacity to accommodate the proposed use (50 daily trips on the day of the function). • 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). • An assessment of the potential traffic generation of the proposal indicates that such would not adversely impact upon the capacity or performance of Keys Road. A safety analysis of the indicates that accidents at the Coorabell Road / Keys Road intersection are uncommon, with the one recorded incident occurring in 2017. Based on the frequency and seriousness of incidents at the Coorabell Road / Keys Road intersection, it is considered that the risk level at the intersection will not increase as a result of the proposed development. • 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. • 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.	

Operating Times	**Rural Function Centre Operations** 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. A Lighting Plan has been developed to minimise impacts on fauna and to minimise outdoor obtrusive lighting impacts on neighbouring residents: • Use of festoon to light pathways for safety; • Festoon is low wattage LED and faces downwards; • Larger trees for potential up lighting are in open spaces away from denser habitat; • Other lighting includes low wattage LED's for smaller bushes in garden areas or for safety requirements in the identified function areas' • Lighting in marquees contained within structure; • Lighting is not to be used in the denser bush areas to the South and West of the property where fauna is likely to inhabit; • A proactive approach would be to undertake a tree species identification in the main function areas in case there are Koala food trees in the area; and • Undertake an inspection of trees to be lit to ensure that there are no fauna to be affected	Moderate
Aspect	North, West The event are heavily screened from vegetation	Negligible
Exposure	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	Minor

	moderate winds from the south, north-east, south-east and east • Calm conditions are experienced 8% of the time in the morning and only 1% of the time in the afternoons. Both the large and small events areas are protected by distance, vegetation and topographical shielding from prevailing winds	
Run-on and Upslope Seepage Site Drainage and Water pollution	Run-on or seepage from the development of the subject site on adjoining farmland will be negligible based on the temporary nature of the proposed activities (marquees) 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 27.3ha there is ample capacity to assimilate and buffer water quality impacts on the existing gully.	Negligible
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

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 neighbouring rural land users 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**
Rural Function Centre Noise	The rural function centre will generate noise from patrons, music, vehicles , plant and equipment	**C4 = 8 Acceptable**	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 Event Management Plan (EMP) 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 EMP. Future clients (typically the bride & groom) will be required to sign contracts linked to compliance with the EMP.	**C4 = 8 Acceptable**
Site Location: Vehicular Access	Conflict between farm access and proposed development	**C4 = 8 Acceptable**	An assessment of the potential traffic generation by Rytenskild (10 December 2020) of the proposal indicates that such would not adversely impact upon the capacity or performance of Keys Lane. An assessment of the potential traffic generation of the proposal indicates that such would not adversely impact upon the capacity or performance of Keys Road. A safety analysis of the indicates that accidents at the Coorabell Road / Keys Road intersection are uncommon, with the one recorded incident occurring in 2017. Based on the frequency and seriousness of incidents at the Coorabell Road / Keys Road intersection, it is considered that the risk level at the intersection will not increase as a result of the proposed development. • 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. • 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. It is unlikely that the neighbouring land users will be significantly impacted by vehicle movements on the subject site. The proposed Function Centre will be operated in accordance with an Event Management Plan (EMP) 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 EMP. Future clients (typically the bride & groom) will be required to sign contracts linked to compliance with the EMP.	**C4 = 8 Acceptable**
Operating Times	Noise impacts on amenity of neighbouring residents	**C4 = 8 Acceptable**	**Rural Function Centre Operations** 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 Event Management Plan (EMP) 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	**C4 = 8 Acceptable**

			accordance with the EMP. Future clients (typically the bride & groom) will be required to sign contracts linked to compliance with the EMP.	
Operating Times	Outdoor Light impacts on amenity of neighbouring residents and fauna	**B4= Unacceptable**	A Lighting Plan has been developed to minimise impacts on fauna and to minimise outdoor obtrusive lighting impacts on neighbouring residents: • Use of festoon to light pathways for safety; • Festoon is low wattage LED and faces downwards; • Larger trees for potential up lighting are in open spaces away from denser habitat; • Other lighting includes low wattage LED's for smaller bushes in garden areas or for safety requirements in the identified function areas' • Lighting in marquees contained within structure; • Lighting is not to be used in the denser bush areas to the South and West of the property where fauna is likely to inhabit; • A proactive approach would be to undertake a tree species identification in the main function areas in case there are Koala food trees in the area; and • Undertake an inspection of trees to be lit to ensure that there are no fauna to be affected TFA has conducted a terrain assessment (see Plate 2.5) to consider the impacts of lighting as described in the proposed lighting plan on dwellings in the locale. The terrain assessment is conservative as taken from ground level, considers land topography, without any vegetation, which would obstruct any views to the site. The terrain assessment indicates that properties to the south west and western properties may be able to observe the subject site at night when there is extra lighting, but this would be determined by the height and density of vegetation between the 2 points and the angle and luminance of the lighting used (angle, direction etc). Based on the proposed lighting plan, inclusive on the angle luminance and placement of lighting coupled with the terrain assessment likely impacts from outdoor lighting are possible but of a short term, limited nature and therefore deemed to be acceptable	**C4 = 8 Acceptable**
Water Runoff	Run-on and Upslope Seepage Site Drainage and Water pollution	**C4 = 8 Acceptable**	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 27.3ha there is ample capacity to assimilate and buffer water quality impacts on the existing gully. 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 No additional controls required.	**C4 = 8 Acceptable**

4 Conclusions and Recommendations

This Land Use Conflict Risk Assessment is based on:

- a review of the Development Plans;
- discussions with Rockinghorse Studio Manager, Taryn McGregor;
- the outcomes of:
    - Noise Impact Assessment (Tim Fitzroy & Associates, 29 March 2021);
    - Traffic Impact Assessment (Rytenskild, 10 December 2020);
    - Lighting Plan and Terrain Assessment (2022)
- 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 rural land uses.

A Lighting Plan has been developed to minimise impacts on fauna and to minimise outdoor obtrusive lighting impacts on neighbouring residents:

- Use of festoon to light pathways for safety;
- Festoon is low wattage LED and faces downwards;
- Larger trees for potential up lighting are in open spaces away from denser habitat;
- Other lighting includes low wattage LED's for smaller bushes in garden areas or for safety requirements in the identified function areas'
- Lighting in marquees contained within structure;
- Lighting is not to be used in the denser bush areas to the South and West of the property where fauna is likely to inhabit;
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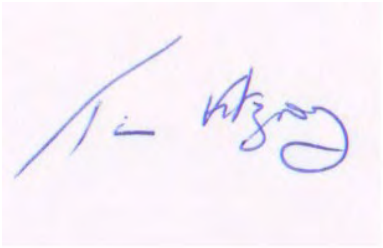
Based on the proposed lighting plan, inclusive on the angle luminance and placement of lighting coupled with the terrain assessment likely impacts from outdoor lighting are possible but of a short term, limited nature and therefore deemed to be acceptable.

The proposed Function Centre will be operated in accordance with an Event Management Plan (EMP) 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 EMP. Future clients (typically the bride & groom) will be required to sign contracts linked to compliance with the EMP.

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

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Personal Communication Taryn McGregor November 2020

Newton Denny Chapelle, December 2020, Development Plans, 36 Keys Lane Coorabell

Tim Fitzroy & Associates, March 2021, Noise Impact Assessment, Proposed Rural Function Centre, 36 Keys Lane Coorabell

Rytenskild December 2020, Traffic Impact Assessment for the proposed Rural Function Centre 36 Keys Lane Coorabell

Lighting Plan (2022) North Coast Events

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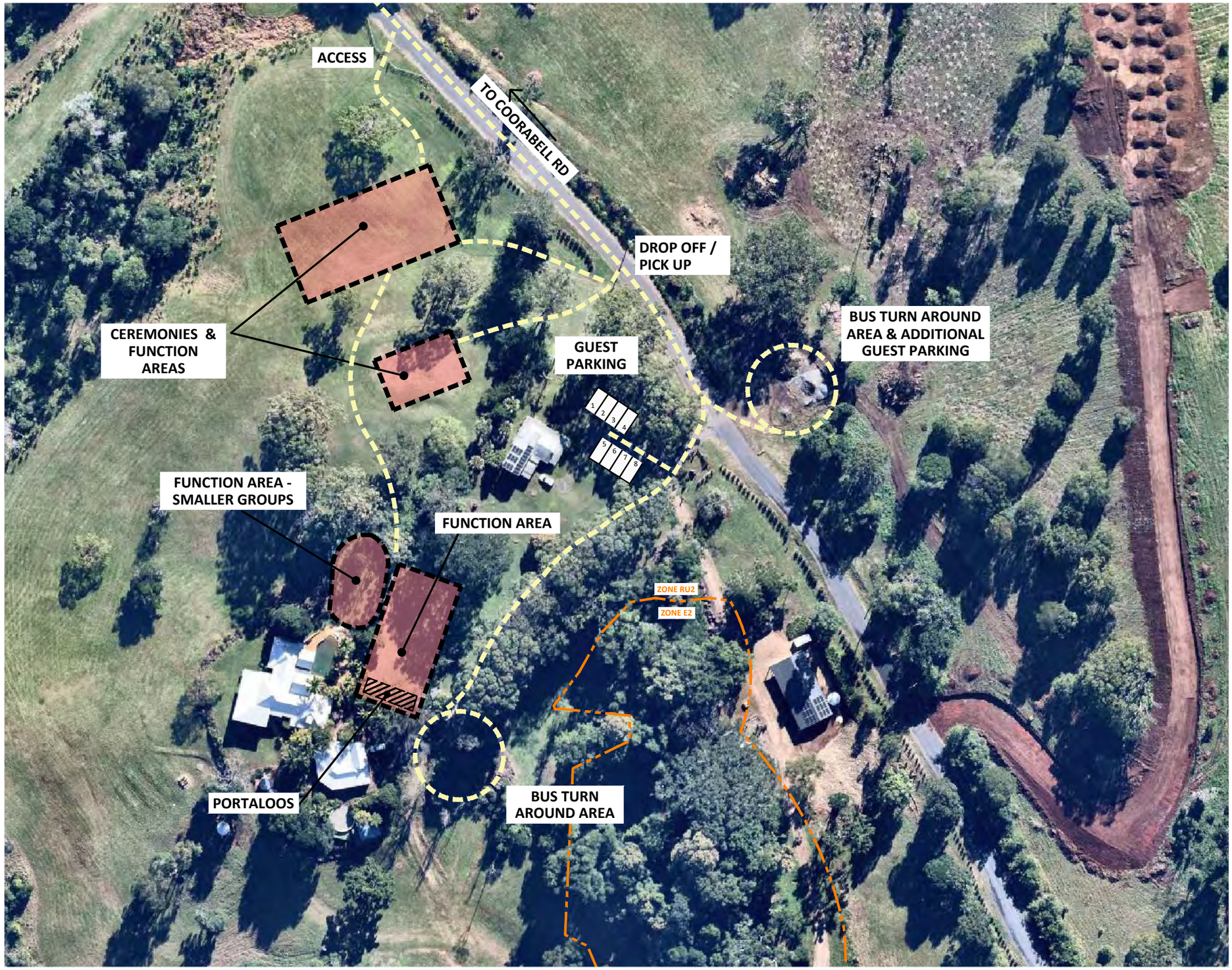
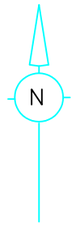
A Development Plans





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NOTE:
This preliminary layout has been completed in accordance with the instructions provided by Tereeda Group.
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	03.11.20	
B	09.11.20	layout
C	08.12.20	Add function area to ceremony space
D	17.02.21	Add access paths

SOURCE PLAN: www.maps.six.nsw.gov.au - accessed 03.11.20

d:\200204 - tereeda\200204 - tereeda rev d.dwg - plan 3 - site layout detail

Newton Denny Chapelle
Surveyors Planners Engineers
Email: office@ndc.com.au
31 Carrington St Lismore 2480
PH: 6622 1011
ABN: 18 094 689 845

PLAN 3: SITE LAYOUT (DETAIL)

CLIENT: TEREEDA GROUP

LOCATION: LOT 7 DP1091198
36 KEYS ROAD
COORABELL NSW

REV D

DATE: 17.02.21
SCALE: 1 : 1000 @ A3
REF: 200204
DRAWN: bk

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B Photographs

Photo A Location for Events looking south west

Photo B Location of Events (adjacent to dwelling) looking south