



Land & Fire Assessments Pty Ltd

PO BOX 104
Wardell
NSW 2477
ACN 160 897 343
Web: landandfireassessments.com.au

LAND USE CONFLICT RISK ASSESSMENT FOR PLANNING PROPOSAL

Lot 11 DP1141269
9 Gaudrons Road, Sapphire Beach, NSW



Prepared By: Paola Rickard
Land & Fire Assessments Pty Ltd
For: Chris & Chris Bowen
Project No.: LFA20041
Date: 25 January 2021

APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

Disclaimer

Land & Fire Assessments Pty Ltd (LFA) have conducted work concerning the environmental status of the site, which is the subject of this report, and has prepared this report on the basis of that assessment. The work was conducted, and the report has been prepared, in response to specific instructions from the client or a representative of the client and in reliance on certain data and information made available to LFA. The analysis, evaluations, opinions and conclusions presented in this report are based on that information, and they could change if the information is in fact inaccurate or incomplete.

Due consideration has been given to site conditions and to appropriate legislation and documentation available at the time of preparation of the report. As these elements are liable to change over time, the report should be considered current at the time of preparation only. Should further information become available regarding the conditions at the site, LFA reserves the right to review the report in the context of the additional information. LFA has made no allowance to update this report and has not taken into account events occurring after the time its assessment was conducted.

This report is intended for the sole use of the client and only for the purpose for which it was prepared. Any representation contained in the report is made only to the client unless otherwise noted in the report. Any third party who relies on this report or on any representation contained in it does so at his or her own risk

Revision List

Revision No.	Revision Date	Report Title	Report Author	Field Survey By	Status
00	25.01.2021	Land Use Conflict Risk Assessment for Planning Proposal, Lot 11 DP1141269, 9 Gaudrons Road, Sapphire Beach, NSW	Main Author: Paola Rickard (LFA - Senior Environmental Planner)	Paola Rickard undertaken on the 04.11.20	Final

LFA contact details: Paola Rickard - 0427 809 352



APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

TABLE OF CONTENTS

1. INTRODUCTION AND BACKGROUND	1
1.1 INTRODUCTION	1
2. INFORMATION GATHERING (STEP 1)	4
2.1 THE SUBJECT SITE	4
2.2 PROPOSED DEVELOPMENT & PLANNING PROVISIONS.....	8
2.3 SITE HISTORY AND LAND USE	10
2.4 SURROUNDING LAND USE.....	10
2.5 LANDUSE SUMMARY & ACTIVITIES ARISING FROM THE PROPOSAL	10
3. RISK LEVEL EVALUATION (STEP 2)	13
3.1 RISK EVALUATION & RANKING	13
3.2 POTENTIAL CONFLICT ISSUES (RISK RATINGS)	14
4. RISK MITIGATION MANAGEMENT STRATEGIES (STEP 3).....	16
4.1 CONTROL MEASURES	16
4.2 LANDUSE BUFFERS	16
5. SUMMARY, CONCLUSION & RECOMMENDATIONS (STEP 4)	18
6. REFERENCES.....	20
APPENDICES	21
APPENDIX A – RISK RANKING & RATING.....	21
APPENDIX B - WIND DIRECTION ROSE.....	23



1. Introduction and Background

1.1 Introduction

Land & Fire Assessments Pty Ltd (LFA) has been commissioned by Chris & Chris Bowen to prepare a Land Use Conflict Risk Assessment (LUCRA) to support the **Planning Proposal for Lot 11 DP1141269, 9 Gaudrons Road, Sapphire Beach, NSW**. The site is shown on Figs. 1 & 2. Sapphire Beach is located in the Coffs Harbour City Council (CHCC) Local Government Area (LGA) approximately 10 km north of Coffs Harbour.

This Planning Proposal applies to Lot 11 DP1141269 (the Site), which is zoned RU2 Rural Landscape under the Coffs Harbour Local Environmental Plan (LEP) 2013 (refer to Fig. 4). The purpose of this Planning Proposal is to amend LEP 2013 to allow large lot residential development.

Pre-lodgement meeting notes from CHCC dated 17/06/20 indicated that a LUCRA is required to support this planning proposal due to existing RU2 Zoning and its past use for the cultivation of bananas and surrounding land uses.

Council planning provisions concerning the preparation of LUCRAs do not specify requirements to support a Planning Proposal. Therefore, this LUCRA has been undertaken following the CHCC Development Control Plan 2015 (DCP) provisions specified to support Development Applications for subdivisions, specifically:

- C1.5 SUBDIVISION-DESIGN REQUIREMENTS FOR RURAL AND LARGE LOT RESIDENTIAL ZONES

C1.5 also details the provisions regarding the preparation of a LUCRA. The relevant clause states:

(2) Subdivisions are to incorporate **adequate buffers between dwelling envelopes and adjoining agricultural land to ensure that the agricultural potential of those lands will not be diminished** (refer to the Land Use Conflict Risk Assessment Guide prepared by the NSW Department of Primary Industries).

The LUCRA will address land use interface issues and risks between rural land uses and a future rural residential development. The LUCRA will be prepared in accordance with the Land Use Conflict Risk Assessment Guide, which has been promoted by the NSW Department of Primary Industries (DPI 2011) and is based on Learmonth *et al* (2007).

The purpose of the LUCRA is to identify landuse compatibility and potential conflict between neighbouring landuses, and therefore, assists in the identification of the potential for future landuse conflict. The LUCRA aims to:

- Objectively assess the effect and level of proposed landuse on neighbouring land uses;
- Accurately identify the risk of conflict between neighbouring land uses;
- Complement development control and buffer requirements with an understanding of likely landuse conflict;
- Proactively address landuse issues and risks before a new landuse proceeds or before a dispute arises; and
- Highlight or recommend strategies to help minimise conflict and contribute to the negotiation, proposal, implementation and evaluation of separation strategies.

In summary, the LUCRA is a tool aimed at:

- Identifying the effects of the landuse on neighbouring landuse; and
- Evaluate the level of impact of these effects.

In order to achieve those aims, a four-step assessment process is undertaken as follows:

APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

1. **Information Gathering** – The site geophysical characteristics, the nature of the development proposed and the surrounding landuses are described.
2. **Risk Level Evaluation** - Each proposed activity is recorded and an assessment of potential landuse conflict level is assigned. The higher the risk level, the more attention it will require.
3. **Identification of Risk Mitigation Management Strategies** – Management strategies are identified which can assist in lowering the risk of potential conflict.
4. **Record Results** – Key issues, risk level and recommended management strategies are recorded and summarised.

Accordingly, this landuse conflict risk assessment will utilise the aforementioned four-step assessment process.



APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

LFA20041

LUCRA – 9 Gaudrons Road, Sapphire Beach

JANUARY 2021

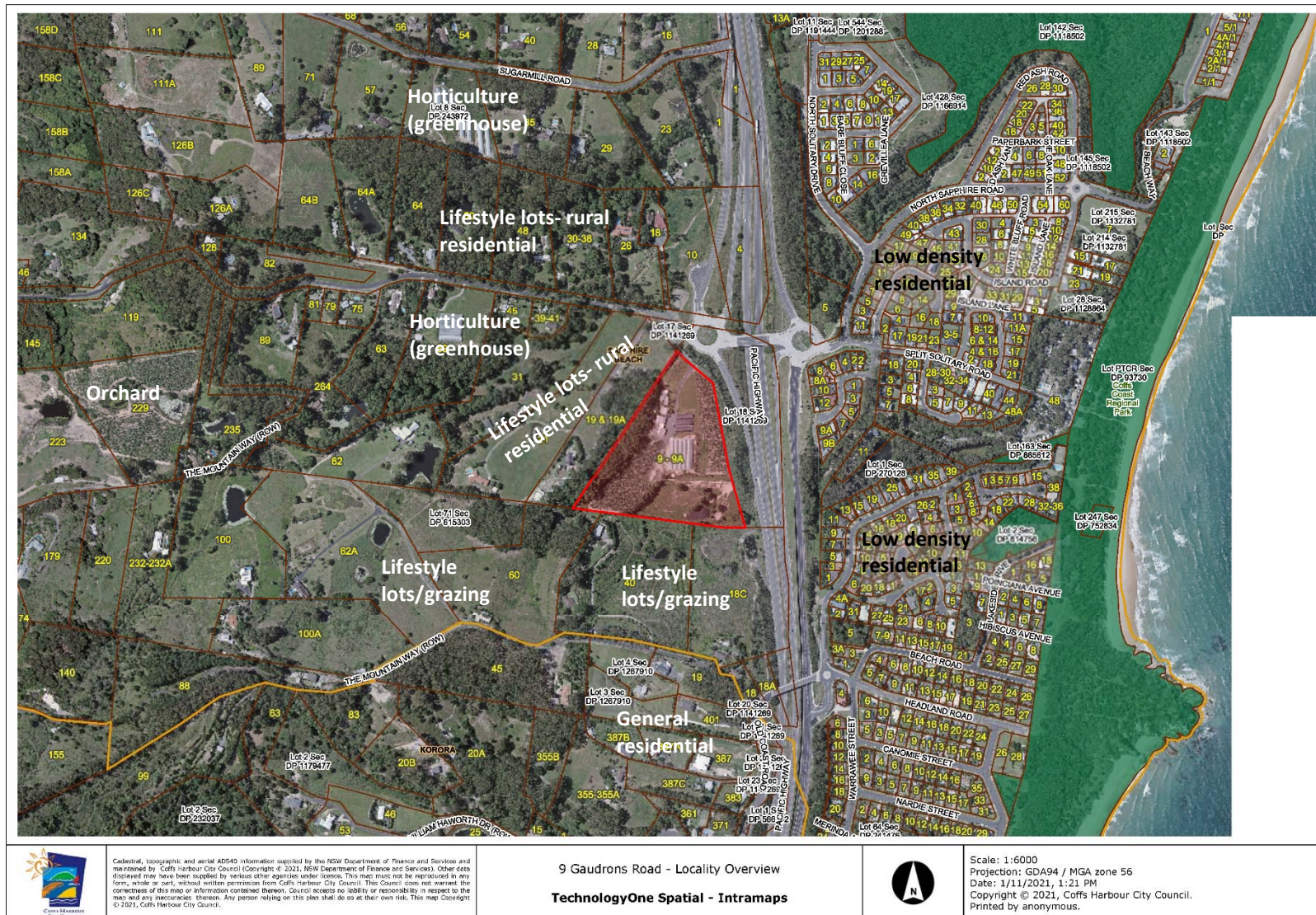


Figure 1. The Site (red boundary) within the locality context & predominant landuse. Source: CHCC Intramaps

2. Information Gathering (Step 1)

2.1 The Subject Site

The Subject Site (i.e. Lot 11 DP1141269), which is 5.268 Ha in size, is directly accessed from Gaudrons Road. The land in context with the locality is shown on Fig. 1. It entails a developed property utilised for horticulture (banana plantation and hydroponics figs). The Site is bounded by Gaudrons Road to the north, the Pacific Motorway to the east, rural lifestyle lots to the west and south. Two residential dwellings are found on Site as well as large greenhouses, sheds, water tanks and sealed driveway access. A dam is found on the south eastern corner of the Site.

The Site is in close proximity (just east of the Motorway) to the established residential areas of Sapphire Beach, as shown on Fig. 1. Whilst rural land is found to the north, south and west, the Site is identified in the 'Korora' potential Large Lot Residential (Zone R5) Candidate Areas in the Coffs Harbour LGA. The Site does not contain Biodiversity Values land and it is not located near any sensitive ecosystems.

The Site, which consists of a central ridge with downslopes to the east, west and south, is predominantly cleared with scattered trees and windbreaks on the southern portion (Plates 1-10). A row of Bangalow Palms is found along the southern boundary. A narrow stand of predominantly Wet Sclerophyll Forest is found along the western boundary of the Site, as shown on Fig. 2. The southern eastern portion of the Site is dominated by Grassland with scattered trees, whilst the south western portion is under banana cultivation. The eastern and northeaster portion of the Site consists of Grassland and lawns.



Plates 1 & 2. Looking south west towards the two existing residential dwellings. Note the Forest vegetation in the background, which is found along the western boundary



Plate 3. Looking north along the existing sealed access area and the greenhouses in the background

Plate 4. Looking south east at the extensive lawn



Plate 5. Looking north east across Site towards the Pacific Motorway and beyond is the Sapphire Beach residential area

APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

LFA20041

LUCRA – 9 Gaudrons Road, Sapphire Beach

JANUARY 2021



Plate 6. Looking south west at the horticultural farm infrastructure, which will be decommissioned



Plate 7. Looking south east across the Site- one of the greenhouses to the right

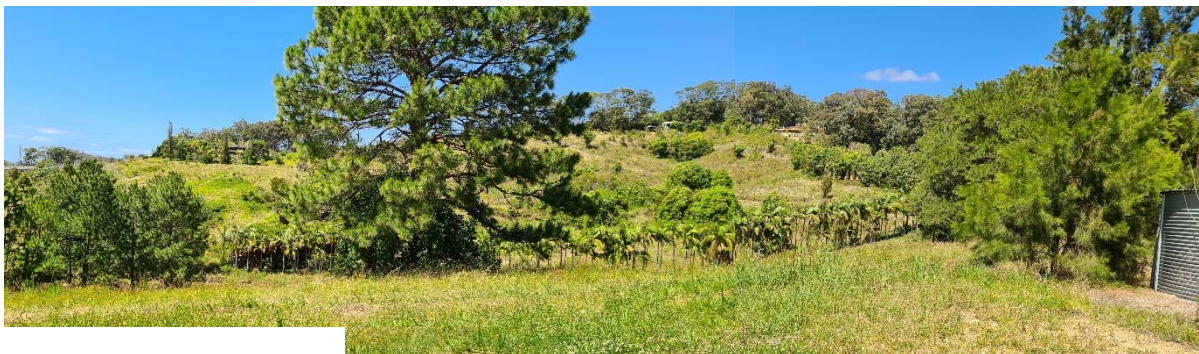


Plate 8. Looking south- south west from the top of the ridge towards southern boundary (marked by row of Bangalow Palms) and neighbouring land.

Plate 9. The banana orchard found to the SW of the Site bounded by windbreak

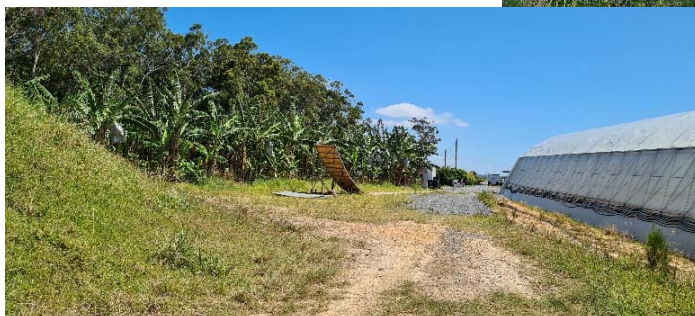
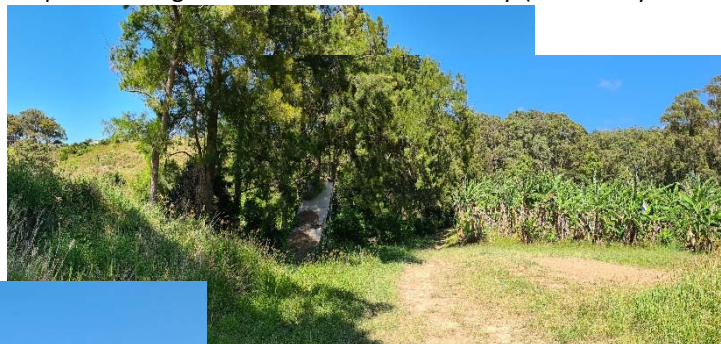


Plate 10. Looking north along western portion of Site with greenhouse to the right and banana orchard to the left. Note the Forest vegetation found along western boundary.



The surrounding vegetation includes the Wet Sclerophyll Forest to the west along a narrow gully further extending upslope to the south west. This vegetation is mapped as Tertiary Koala habitat in the Coffs Harbour Comprehensive Koala Plan of Management (CHCKPoM). Otherwise, the predominant vegetation to the south of the Site is Grassland on upslope, as shown on Fig. 1 & Plate 8. Landuse to the east consist of lifestyle lot rural residential, whilst immediately to the south are rural properties, which can support low level grazing. The Forest vegetation found along and beyond the western boundary provides a thick vegetation buffer between the Site and the neighbouring lot to the east, as shown on Plates 11 & 12. As noted previously, a row of Bangalow Palms is found along the southern boundary providing buffering between the Site and the southern neighbours (Plates 8 & 13).



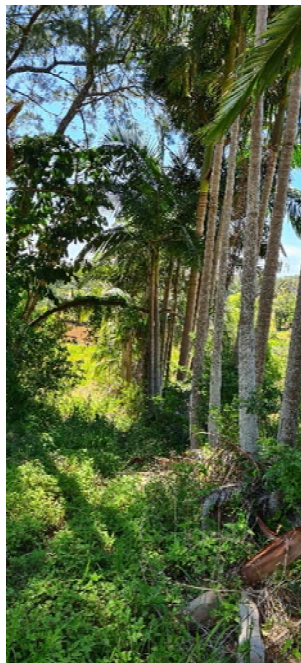
Plate 11. Forest vegetation found along and beyond western boundary providing a thick vegetation buffer between the site and the neighbouring lot to the east



Plate 12. Forest vegetation extending upslope to the south west

To the north is the extensive newly constructed roundabout and overpass over the Pacific Motorway and predominantly lifestyle lots beyond it. To the east is the Pacific Motorway with associated road reserve and Solitary Islands Way (see Figs. 1 & 2), and the residential area of Sapphire Beach (Plates 5 & 14).

The Site consists of a central ridge-oriented north to south with a maximum elevation of 32m AHD. The ridge downslopes to the east, west and south, reaching 10m AHD elevation to the south east. A creek runs along the western boundary. The main soil landscape is 'Megan' with the south east corner featuring the 'Monee' soil Landscape (Everick Heritage Pty Ltd 2020).



The Site is mapped as having Class 5 Acid Sulfate Soils (ASS). The proposal Site is outside of the 100-year ARI Flood Extent.

Plate 13 (left). Row of Bangalow Palms along the southern boundary providing buffering between the Site and the southern neighbours



Plate 14. Pacific Motorway with associated road reserve, Solitary Islands Way and the residential area of Sapphire Beach to the east of the Site

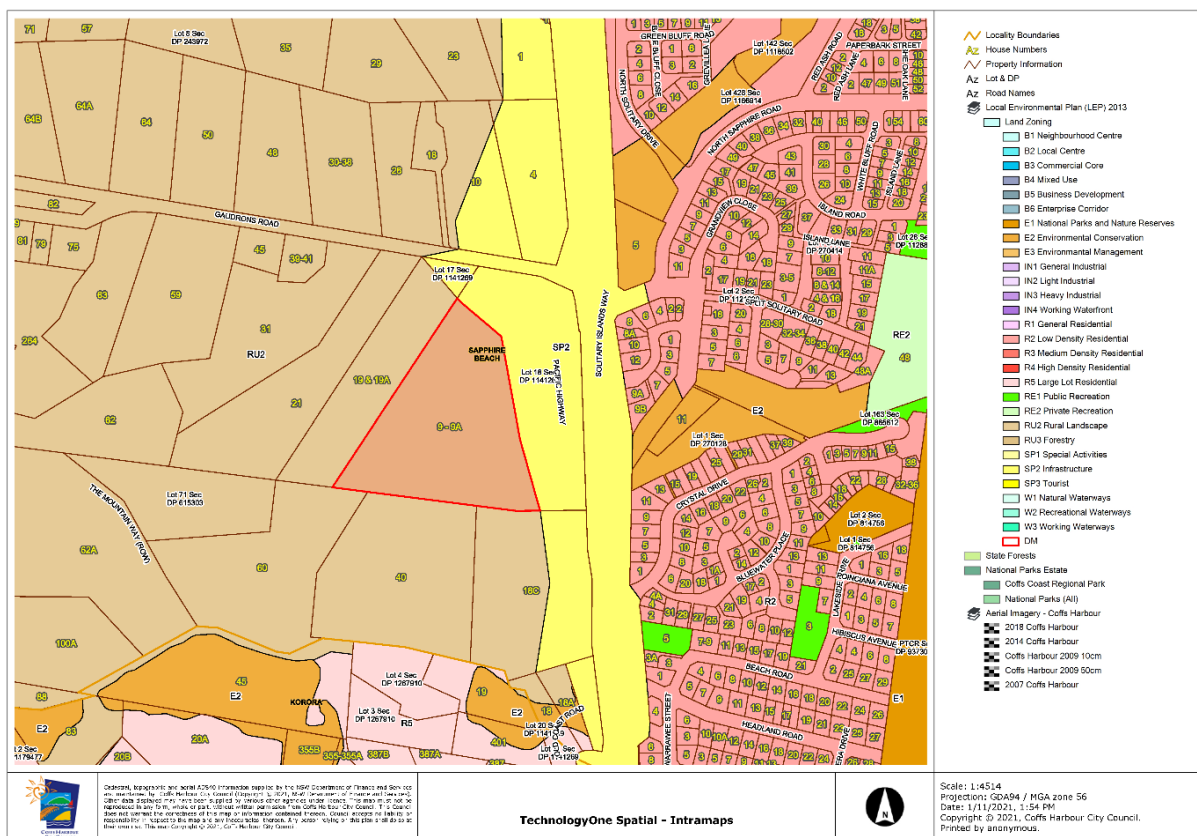


Figure 4. Land zoning applicable to the Site (red boundary).

2.2 Proposed Development & Planning Provisions

The purpose of this Planning Proposal is to amend LEP 2013 to allow large lot residential development on Lot 11 DP1141269. The Planning Proposal will:

- rezone the subject land from Zone RU2 Rural Landscape to Zone R5 Large Lot Residential,
- Change to the Minimum Lot Size (MLS) for the new R5 zoned land from the current 40 hectares. A new MLS of 6,000 m², is sought for this precinct.

The proposed subdivision concept layout is shown as Fig. 5. Notably, the exiting dwellings and associated infrastructure would be retained within proposed lots 1 & 2 respectively. Whilst the banana orchard, greenhouses, sheds etc would be removed. The dam to the south east will also be filled in. Vegetation along the western boundary and the planted row of Bangalow Palms will be retained.

As noted in s. 1.1, pre-lodgement meeting notes from CHCC dated 17/06/20 indicated that a LUCRA is required to support this planning proposal due to existing RU2 Zoning and its past use for the cultivation of bananas and surrounding land uses.

Accordingly, a future subdivision will be required to address the CHCC DCP 2015 provisions, specifically:

- C1.5 SUBDIVISION-DESIGN REQUIREMENTS FOR RURAL AND LARGE LOT RESIDENTIAL ZONES

C1.5 also details the provisions regarding the preparation of a LUCRA. The relevant clause states:

- (2) Subdivisions are to incorporate **adequate buffers between dwelling envelopes and adjoining agricultural land to ensure that the agricultural potential of those lands will not be diminished** (refer to the Land Use Conflict Risk Assessment Guide prepared by the NSW Department of Primary Industries).

In summary, the proposed change in landuse from rural to large lot residential is to occur over a property currently utilised for horticulture (banana plantation and hydroponics figs) and residential landuse. The proposal area is surrounded by predominantly lifestyle rural residential, roads and



APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

LFA20041

LUCRA – 9 Gaudrons Road, Sapphire Beach

JANUARY 2021

medium density residential land. Whilst immediately to the south is rural land, which can support low level grazing. Notably, the predominant landuse surrounding the planning proposal area is of a rural residential nature and does not include intensive agricultural or horticultural landuse.

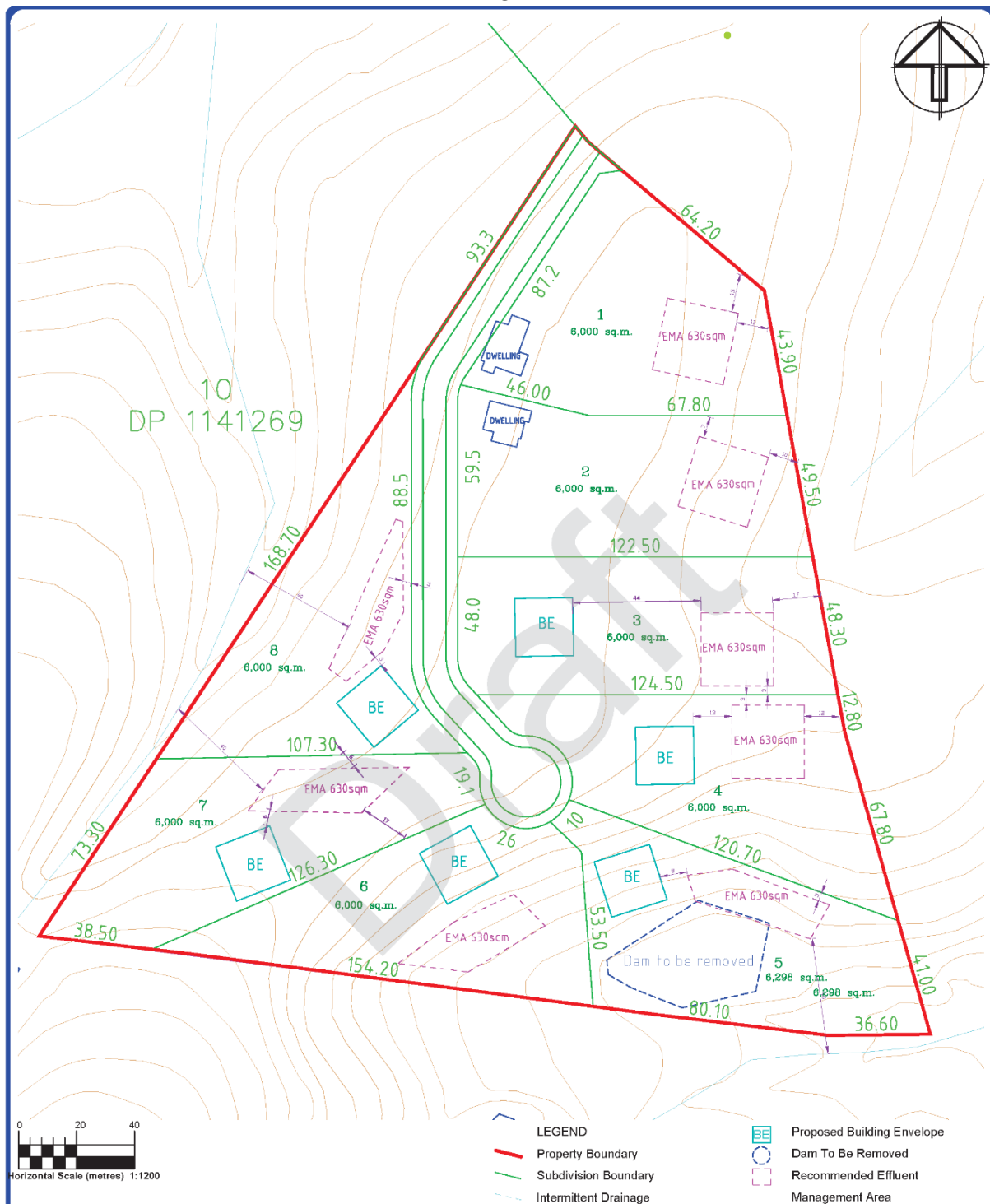


Figure 5. Proposed subdivision concept layout. Source: Earth Water Consulting (2020)

Nevertheless, this landuse conflict assessment will evaluate potential landuse conflict arising from the proposed **residential land uses and the RU2 Rural Landscape zoned land (see Fig. 4) found to the west, northwest and south.** Importantly, the LUCRA will not address the potential land contamination issue within the Site due to its past use for the cultivation of bananas. The latter is to be addressed by undertaking a preliminary site investigation in accordance with the NSW EPA Guidelines for Assessing Banana Plantation Sites (1997) and Council's Contaminated Land Policy to assess the suitability of the land for residential use by certified contaminated land practitioner.



2.3 Site History and Land Use

The Site has been utilised as a banana plantation and intensive horticulture (greenhouses) for a number of decades. Review of Google aerial imagery shows that the Site has been utilised for banana plantation since at least 2004. In 2011, the eastern portion of the Site became part of the Pacific Motorway upgrade including the construction of the major interchange to the north east. By 2014 one of the large greenhouses was constructed to be utilised for intensive edible figs production. A second greenhouse was constructed by 2017. In the meantime, the area utilised for banana plantation steadily decreased and by 2019 only the south western corner of the property was under banana production.

The surrounding properties have similarly remained consistent with the current landuse apart from the properties to the south of the Site, which supported banana plantation until around 2011. Since then, the banana plantation has been cleared, and the land has remained vacant and possibly utilised for low-key grazing. Council GIS mapping indicate that banana cultivation has occurred at the Site and to the south, west and east from 1943 to 1994. As noted previously, the land is bounded by Gaudrons Road to the north, the Pacific Motorway to the east, rural lifestyle lots to the west and south. Two residential dwellings are found on Site as well as large greenhouses, sheds, water tanks and sealed driveway access.

The land is zoned RU2 Rural Landscape in the Coffs Harbour Local Environmental Plan 2013 (refer to Fig. 4).

2.4 Surrounding Land Use

Adjoining landuse to the planning proposal Site, which are illustrated on Fig. 1, are as follows:

- North: Extensive interchange roundabout and overpass over the Pacific Motorway and predominantly lifestyle lots beyond it
- East: Pacific Motorway with associated road reserve, Solitary Islands Way (see Figs. 1 & 2) and the residential area of Sapphire Beach
- South: Rural lots currently unutilised and further south general residential
- West: Rural land predominantly utilised as lifestyle lots

The proposed large lots residential subdivision will be consistent with surrounding landuse to the east, north east and further south. To the west, north west and south, the predominant landuse surrounding the planning proposal area is of a rural residential nature and, apart for a couple of greenhouses to west, north west, does not include intensive agricultural or horticultural landuse. Nevertheless, this landuse conflict assessment will evaluate potential landuse conflict arising from the proposed residential land uses and the RU2 Rural Landscape zoned land (see Fig. 4) found to the west, northwest and south.

2.5 Landuse Summary & Activities Arising from the Proposal

As noted, this landuse conflict assessment will evaluate potential landuse conflict arising from the proposed **residential land uses and the RU2 Rural Landscape zoned land (see Fig. 4) found to the west, northwest and south.** It is necessary to identify any potential causes for conflict, which may arise from the development of the Site. Table 1 summarises the proposal within the context of the locality and surrounding landuse and the activities/impacts which may occur on neighbouring properties.

APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

Table 1. Activities likely to occur as a result of the proposal

Parameter	Details
The nature of the landuse change & development proposed	The proposal will result in the introduction of higher density (0.6ha minimum lot size) large lot residential landuse within land currently utilised for horticulture. There are exiting dwellings/rural infrastructures at the Site.
The nature of the precinct where the land use change & development is proposed	The proposed change in lot size and potential large lot residential subdivision is to occur over currently rural land utilised for horticulture. The proposal area is surrounded by grazing land, rural lifestyle lots, roads and low-density residential development.
Topography, climate & natural features	<p>The Subject Site consists of a central ridge-oriented north to south with a maximum elevation of 32m AHD. The ridge downslopes to the east, west and south, reaching 10m AHD elevation to the south east. The Planning Proposal area is predominantly cleared with scattered trees and windbreaks on the southern portion. A row of Bangalow Palms is found along the southern boundary. A narrow stand of predominantly Wet Sclerophyll Forest is found along the western boundary of the Site. The southern eastern portion of the Site is dominated by Grassland with scattered trees, whilst the south western portion is under banana cultivation. The eastern and northeaster portion of the Site consists of Grassland and lawns.</p> <p>A creek runs along the western boundary. The main soil landscape is 'Megan' with the south east corner featuring the 'Monee' soil Landscape (Everick Heritage Pty Ltd 2020). The 'Megan' Soil Landscape consists of moderately deep to deep (>100 cm), well drained structured Red Earths, Brown Earths, Brown Podzolic Soils and Red Podzolic Soils. The 'Monee' Soil Landscape consists of moderately deep to deep (>100 cm), poorly drained Humic Gleys.</p> <p>The Site is mapped as having Class 5 Acid Sulfate Soils. The proposal Site is outside of the 100-year ARI Flood Extent.</p> <p>The climate in the Coffs Harbour LGA is typical of subtropical northern NSW, with warm summers and mild winters.</p> <p>The prevailing morning wind is from the southwest with calm conditions being experienced 15% of the time, and the prevailing afternoon winds are from the north east and south with calm conditions being experienced 3% of the time (refer to Appendix B - Wind Direction Rose from Coffs Harbour MO Weather Station - Site number: 059040)</p>
Typical industries & land uses in the area	<p>Industries: Predominantly grazing & horticulture</p> <p>Land uses: Residential, grazing, horticulture and rural lifestyle</p>
The main activities of the proposed land use for the development & regularity of activity	<p>The main activities associated with the proposed residential subdivision are the same as the ones associated with the existing surrounding development to the east (beyond the M1), north east and further south, these are:</p> <ul style="list-style-type: none"> ○ Low Density and Large Lots Residential development: <ul style="list-style-type: none"> ○ Activities: mowing, traffic = some noise - ongoing; ○ Construction activities = noise, dust, loss of amenity- high intensity short duration
The main activities of adjoining land uses & their regularity	<p>Land to the north west, west and immediately south:</p> <ul style="list-style-type: none"> ○ Grazing - Activities: slashing, tractor use - some odour & noise– ongoing ○ Horticulture (greenhouses) - Activities: spraying, fertilising, slashing, tractor use - some spray drift, odour & noise– ongoing <p>Land to east and far south:</p> <ul style="list-style-type: none"> ○ General & Low Density Residential development: <ul style="list-style-type: none"> ○ Activities: mowing, traffic = some noise - ongoing; ○ Construction activities = noise, dust, loss of amenity- high intensity short duration



APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

LFA20041

LUCRA – 9 Gaudrons Road, Sapphire Beach

JANUARY 2021

Parameter	Details
Compatibility of the proposal with surrounding land use issues	The proposal is wholly compatible with the predominant surrounding landuse, i.e. general and low density residential landuse to the east, north east & far south. However, there is a potential landuse conflict with the grazing land on neighbouring properties to the south and lifestyle rural residential and small-scale rural activities to the west & north west



3. Risk Level Evaluation (Step 2)

3.1 Risk Evaluation & Ranking

As noted in Table 1, the main activities associated with the proposed development are the same as the ones associated with the predominant surrounding development to the east, north east and far south. However, there is a potential landuse conflict with the grazing land on neighbouring properties to the south and lifestyle rural residential and small-scale rural activities to the west & north west. Accordingly, the DCP provisions requires that buffers between dwelling envelopes and adjoining agricultural land are to be considered to ensure that the agricultural potential of those lands will not be diminished.

Thus, this assessment focuses on the adequacy of the following buffers between the proposed dwelling envelopes on the potential lots (refer to Fig. 5), which interface with the rural landuse to the west and/or south, namely:

- Proposed lot 1 – exiting dwelling separation to rural land to the west including exiting Forest vegetation buffer = ~94m
- Proposed Lot 2 – exiting dwelling separation to rural land to the west including exiting Forest vegetation buffer = ~97m
- Proposed Lot 3 - dwelling envelope separation to rural land to the west including exiting Forest vegetation buffer = ~128m
- Proposed Lot 4 - dwelling envelope separation to rural land to the south including exiting Bangalow Palms planted row along boundary = ~83m
- Proposed Lot 5 - dwelling envelope separation to rural land to the south including exiting Bangalow Palms planted row along boundary = ~42m
- Proposed Lot 6 - dwelling envelope separation to rural land to the south including exiting Bangalow Palms planted row along boundary = ~42m
- Proposed Lot 7 - dwelling envelope separation to rural land to the west including exiting Forest vegetation buffer = ~ 87m
- Proposed Lot 8 - dwelling envelope separation to rural land to the west including exiting Forest vegetation buffer = ~90m

Each proposed activity is recorded in Table 2 and an assessment of known landuse conflict level is assigned accordingly. Ranking is given before and after ameliorating measures are applied to mitigate the given activity impacts. The higher the risk level, the more attention it will require in order to reduce the ranking level. Risk rankings are derived from the risk ranking table attached as Appendix A.

Table 2. Risk Evaluation & Ranking

Activity	Identified Hazard	Risk Ranking	Control Methods	Controlled Ranking
<ul style="list-style-type: none"> ○ Building, access and services construction - intense activity, limited duration 	Noise/Dust/Loss of Amenity	4C	<ul style="list-style-type: none"> ○ Adherence to approved daytime construction hours ○ Adherence to relevant legislation specifically re dust/noise management and implementation of erosion control measures ○ Good communication with neighbour 	5C
Greenhouse horticulture <ul style="list-style-type: none"> ○ Pesticide control- off-target movement of agricultural chemical - 	Agricultural Chemical Spray Drift	3B	<ul style="list-style-type: none"> ○ Nearest existing greenhouse (see Fig. 1) is more that 370m away from any proposed dwelling 	5C



APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

Activity	Identified Hazard	Risk Ranking	Control Methods	Controlled Ranking
<ul style="list-style-type: none"> intense activity, limited duration ○ Fertiliser use, effluent disposal – intense activity, moderate duration ○ Noise from tractor use- occasional 	Odour noise		<ul style="list-style-type: none"> ○ If a new greenhouse was established immediately west of the Site, there would be a current separation buffer ~87m to 128m wide including a thick forested buffer from future dwellings at the Site ○ Adherence to relevant legislation specifically re herbicide use/dust/noise management and implementation of erosion control measures ○ Prevailing morning winds are from the southwest, and the prevailing afternoon winds are from the southeast and north east and south (Appendix B). Thus, the prevailing winds do not blow directly onto the future residential dwellings from a westerly or northerly direction 	
Grazing <ul style="list-style-type: none"> ○ animals freely moving, some odour & noise ○ noise from occasional slashing 	Some odour Some noise	4B	<ul style="list-style-type: none"> ○ Good communication with neighbour ○ ~42m – 83m wide respective building envelopes setbacks from southern boundary of future subdivision ○ Planted Bangalow Palms row along southern boundary providing buffering 	5C
<ul style="list-style-type: none"> ○ Mowing - activity common within surrounding rural residential landuse and not significantly increased because of the proposal 	Noise	N/A	none	N/A

3.2 Potential Conflict Issues (Risk Ratings)

In summary, the main issues arising from the proposed rezoning to residential use in respect to impact to current or future agricultural pursuits on RU2 zoned land to the north west, west and immediately south are:

- Noise/Dust/Loss of Amenity (temporary only) – from the building construction works
- Noise/Odour – from the low-key grazing to south (although the land appears unutilized presently and it is also identified for potential Large Lot Residential Candidate Areas)
- Noise/Dust/Spray Drift – from intensive horticulture including greenhouse horticulture to the west and north west

Table 2 gives a risk value for each of the above identified potential conflict areas before (Risk Ranking) and after (Controlled Ranking) a mitigating measure is applied. A rating of High, Medium and Low is then assigned to each risk ranking based on a combination of 'Probability' of occurrence and 'Consequence' from the activity. Thus, the rating of the potential landuse conflict risks identified on



APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

Table 2 is displayed on Table 3. **It must be noted that, the highlighted scoring shown on Table 3 reflects the impact rating for the Controlled Ranking values.**

Table 3. Landuse Conflict Risk Assessment Matrix (Yellow highlight = Risk Rating for Controlled Ranking)

		Likelihood of a dispute/conflict over land use/activity				
		Almost Certain (A)	Likely (B)	Possible (C)	Unlikely (D)	Rare (E)
Likely consequence from a dispute/conflict over land use/activity	Major consequences & impacts almost certain (1)	HIGH (25)	HIGH (24)	HIGH (22)	MEDIUM (19)	LOW (15)
	High consequences & impacts likely (2)	HIGH (23)	HIGH (21)	MEDIUM (18)	LOW (14)	LOW (10)
	Moderate consequences & impacts possible (3)	HIGH (20)	MEDIUM (17)	LOW (13)	LOW (9)	LOW (6)
	Minimal consequences & impacts unlikely (4)	MEDIUM (16)	LOW (12)	LOW (8)	LOW (5)	LOW (3)
	Low consequence & impacts rare (5)	LOW (11)	LOW (7)	LOW (4)	LOW (2)	LOW (1)

The resulting risk rating of 4 shown on Table 3, which corresponds to the Controlled Ranking values of 5C is deemed an acceptable risk (refer to Appendix A). **This is because the identified potential conflict areas can be mitigated effectively with appropriate controls (summarised in s.3.1 and detailed in s. 4) and therefore yields a 'Low' likelihood of conflict and impact.**



4. Risk Mitigation Management Strategies (Step 3)

4.1 Control Measures

A number of measures have been listed on Table 2 to mitigate the potential landuse conflict which might arise from the proposal. These are as follows:

1. Good communication with neighbour
2. Adherence to relevant legislation
3. Current separation buffer ~87m to 128m wide including a thick forested buffer to the west from potential future dwellings at the Site (see Fig. 5), specifically:
 - a. Proposed lot 1 – exiting dwelling separation to rural land to the west including exiting Forest vegetation buffer = ~94m
 - b. Proposed Lot 2 – exiting dwelling separation to rural land to the west including exiting Forest vegetation buffer = ~97m
 - c. Proposed Lot 3 - dwelling envelope separation to rural land to the west including exiting Forest vegetation buffer = ~128m
 - d. Proposed Lot 7 - dwelling envelope separation to rural land to the west including exiting Forest vegetation buffer = ~ 87m
 - e. Proposed Lot 8 - dwelling envelope separation to rural land to the west including exiting Forest vegetation buffer = ~90m
4. Current separation buffer ~42m – 83m wide from respective building envelopes (see Fig. 5) from southern boundary of future subdivision, and planted Bangalow Palms row along southern boundary providing buffering, specifically
 - a. Proposed Lot 4 - dwelling envelope separation to rural land to the south including exiting Bangalow Palms planted row along boundary = ~83m
 - b. Proposed Lot 5 - dwelling envelope separation to rural land to the south including exiting Bangalow Palms planted row along boundary = ~42m
 - c. Proposed Lot 6 - dwelling envelope separation to rural land to the south including exiting Bangalow Palms planted row along boundary = ~42m

The following section will address in more detail the landuse buffer provisions.

4.2 Landuse Buffers

The DCP does not prescribe minimum buffers to adjoining agricultural landuse. Similarly, the LUCRA Guide (DPI 2011) does not specifically propose minimum buffers to agriculture landuse including grazing. It instead notes that the LUCRA process prompts land use managers to identify operators of adjacent properties to the effects of a proposed land use on neighbouring land, describe and record the main activities of the land uses, evaluate the type of activities on adjacent properties and their frequency, and finally identify the level of management strategies required to minimise such effects.

Accordingly, this assessment has evaluated this proposal in the context of the locality characteristics. It is noted that the current low density, general residential and lifestyle rural residential landuse in the locality coexist with adjoining horticulture (particularly greenhouse horticulture) and grazing landuse. As noted from the historical review, the occurrence of banana plantations in the locality has steadily declined in recent times. The further development of the M1 and nearby Sapphire Beach, and the tendency to rural lifestyle occupancy rather than traditional rural landuse activities have similarly reshaped the locality. This is further evidence by the fact that the whole area surrounding the Site west of the M1 is identified in the 'Korora' potential Large Lot Residential (Zone R5) Candidate Areas in the Coffs Harbour LGA.



The rural landuse activities to the west, north west and immediately south of the proposal Site are currently limited. To the south the land is predominantly unutilised or used for low-level grazing. To the west are lifestyle lots with manicured extensive lawns and no apparent agricultural pursuits. The closest intensive horticultural pursuits are a set of greenhouses more than 370m to the west of the Site. Even if the land to the west and northwest was developed for more intensive agricultural landuse, there is a thick forest buffering the Site along the west and south west including setback separation from potential future dwellings at the Site ranging from ~87m to 128m to the land immediately to the west. In addition, the prevailing morning winds are from the southwest, and the prevailing afternoon winds are from the southeast and north east south. Thus, the prevailing winds do not blow directly onto the future residential dwelling from a westerly or northerly direction.

Concerning the land immediately to the south, which is identified in the 'Korora' potential Large Lot Residential Candidate Areas, appears to be unutilised or used for low-level grazing. Further south is land zoned General Residential (see Fig. 4), accordingly any rural landuse intensification on this neighbouring land would have to be limited by the already zoned residential land further south. Assuming that stock grazing would be the predominant pursuit, any potential impacts (some odour and noise) on the proposed residential lots from neighbouring grazing land are considered to be minor (risk rating of 4B = Low likelihood of conflict and impact), as shown on Table 2 even before available separation buffers are considered. In any case, setbacks are available ranging from ~42m – 83m wide from respective building envelopes (see Fig. 5) from southern boundary of future subdivision including a planted Bangalow Palms row.

In summary, this LUCRA has duly appraised the potential conflicts which could arise from the proposal and has deemed that the building envelopes setbacks (i.e. buffers) detailed at points 3 & 4 (s. 4.1) and shown on Fig. 4 are adequate to minimise future potential conflicts and ensure that the agricultural potential of the neighbouring rural lands will not be diminished.



5. Summary, Conclusion & Recommendations (Step 4)

This LUCRA has been commissioned by Chris & Chris Bowen to support the **Planning Proposal for Lot 11 DP1141269, 9 Gaudrons Road, Sapphire Beach, NSW**.

Essentially, it was found that the potential future large lot residential subdivision will be consistent with surrounding landuse to the east, north east and further south. To the west, north west and south, the predominant landuse surrounding the planning proposal area is of a rural residential nature and, apart for a couple of greenhouses to west, north west, does not include intensive agricultural or horticultural landuse. Nevertheless, this landuse conflict assessment has evaluated potential landuse conflict arising from the proposed residential land uses and the RU2 Rural Landscape zoned land (see Fig. 4) found to the west, northwest and south.

The main activities associated with the proposed development are the same as the ones associated with the predominant surrounding development to the east, north east and far south. However, there is a potential landuse conflict with the grazing land on neighbouring properties to the south and lifestyle rural residential and small-scale rural activities to the west & north west. Accordingly, the DCP provisions requires that buffers between dwelling envelopes and adjoining agricultural land are to be considered to ensure that the agricultural potential of those lands will not be diminished.

The DCP does not prescribe minimum buffers to adjoining agricultural landuse. Similarly, the LUCRA Guide (DPI 2011) does not specifically propose minimum buffers to agriculture landuse including grazing and horticulture. Accordingly, the separation distances (buffers) between the proposed dwelling envelopes on the lots (refer to Fig. 5), which interface with the grazing to the south and potential horticultural landuse to the west and north west were assessed for adequacy.

Notably, the occurrence of banana plantations in the locality has steadily declined in recent times. The further development of the M1 and nearby Sapphire Beach, and the tendency to rural lifestyle occupancy rather than traditional rural landuse activities have similarly reshaped the locality. This is further evidence by the fact that the whole area surrounding the Site west of the M1 is identified in the 'Korora' potential Large Lot Residential (Zone R5) Candidate Areas in the Coffs Harbour LGA.

Following the risk evaluation, ranking and rating step by step process, a risk rating of 4 (see Table 3) was determined, which is deemed an acceptable risk. This is because the identified potential conflict areas can be mitigated effectively with appropriate control and therefore results in a 'Low' likelihood of conflict and impact.

The control measures to be implemented to reduce the risk of landuse conflict are as follows:

1. Good communication with neighbour
2. Adherence to relevant legislation
3. Current separation buffer ~87m to 128m wide including a thick forested buffer to the west from potential future dwellings at the Site (see Fig. 5), specifically:
 - a. Proposed lot 1 – exiting dwelling separation to rural land to the west including exiting Forest vegetation buffer = ~94m
 - b. Proposed Lot 2 – exiting dwelling separation to rural land to the west including exiting Forest vegetation buffer = ~97m
 - c. Proposed Lot 3 - dwelling envelope separation to rural land to the west including exiting Forest vegetation buffer = ~128m



APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

- d. Proposed Lot 7 - dwelling envelope separation to rural land to the west including exiting Forest vegetation buffer = ~ 87m
- e. Proposed Lot 8 - dwelling envelope separation to rural land to the west including exiting Forest vegetation buffer = ~90m
- 4. Current separation buffer ~42m – 83m wide from respective building envelopes (see Fig. 5) from southern boundary of future subdivision, and planted Bangalow Palms row along southern boundary providing buffering, specifically:
 - a. Proposed Lot 4 - dwelling envelope separation to rural land to the south including exiting Bangalow Palms planted row along boundary = ~83m
 - b. Proposed Lot 5 - dwelling envelope separation to rural land to the south including exiting Bangalow Palms planted row along boundary = ~42m
 - c. Proposed Lot 6 - dwelling envelope separation to rural land to the south including exiting Bangalow Palms planted row along boundary = ~42m

In summary, this LUCRA has duly appraised the potential conflicts which could arise from the proposal and has deemed that the building envelopes setbacks (i.e. buffers) detailed at points 3 & 4 are adequate to minimise future potential conflicts so that the agricultural potential of those lands will not be diminished.



6. References

GeoLINK 2020, *Biodiversity Constraints Mapping Lot 11 DP1141269*, dated 2 November 2020.

Earth Water Consulting 2020, *MLS and LCA at Nos. 9, 148 and 189 Gaudrons Road, Sapphire Beach*, Report ver. A, dated 25/11/2020.

Everick Heritage Pty Ltd 2020, *Gaudrons Road Subdivision Sapphire Beach, Draft Aboriginal Cultural Heritage Assessment*, written for Stephen Sawtell, November 2020.

Learmonth R., Whitehead R., Boyd B., & Fletcher S., 2007, *Living and Working in Rural Areas. A handbook for managing land use conflict issues on the NSW North Coast*, Centre for Coastal Agricultural Landscapes.

Department of Primary Industry (DPI) 2011, *Land Use Conflict Risk Assessment (LUCRA) Guide*, <<http://www.dpi.nsw.gov.au/land-and-water/land-use/lup/development-assessment2/lucra>>.

Milford H.B. 1999, *Soil Landscapes of the Coffs Harbour 1:100 000 Sheet - Department of Land and Water Conservation*, Sydney.



Appendices

Appendix A – Risk Ranking & Rating

Risk Ranking

The consequences (environmental/public health and amenity) are combined with a 'probability' (of those outcomes) in the Risk Ranking table to identify the risk rank of each environmental/public health and amenity impact.

Measure of Consequence (Severity of Environmental Impact) table

Level: 1	Descriptor: Severe
Description	<ul style="list-style-type: none"> Severe and/or permanent damage to the environment Irreversible Severe impact on the community Neighbours are in prolonged dispute and legal action involved
Example/ Implication	<ul style="list-style-type: none"> Harm 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
Level: 2	Descriptor: Major
Description	<ul style="list-style-type: none"> Serious and/or long-term impact to the environment Long-term management implications Serious impact on the community Neighbours are in serious dispute
Example/ Implication	<ul style="list-style-type: none"> Water, soil or air impacted, possibly in the long term Harm to animals, fish or birds or plants Public complaints. Neighbour disputes occur. Impacts pass quickly Contravenes the conditions of Council's licences, permits and the POEO Act Likely prosecution
Level:3	Descriptor: Moderate
Description	<ul style="list-style-type: none"> Moderate and/or medium-term impact to the environment and community Some ongoing management implications Neighbour disputes occur
Example/ Implication	<ul style="list-style-type: none"> Water, soil or air known to be affected, probably in the short term No serious harm to animals, fish, birds or plants Public largely unaware and few complaints to Council May contravene the conditions of Council's Licences and the POEO Act Unlikely to result in prosecution
Level: 4	Descriptor: Minor
Description	<ul style="list-style-type: none"> Minor and/or short-term impact to the environment and community Can be effectively managed as part of normal operations Infrequent disputes between neighbours



APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

Example/ Implication	<ul style="list-style-type: none"> 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: 5	Descriptor: Negligible
Description	<ul style="list-style-type: none"> Very minor impact to the environment and community Can be effectively managed as part of normal operations Neighbour disputes unlikely
Example/ Implication	<ul style="list-style-type: none"> No measurable or identifiable impact on the environment No measurable impact on the community or impact is generally acceptable

Probability (Measure of Likelihood of Risk) table

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

Risk Rating

The risk ranking matrix yields a risk ranking from 25 to 1. It covers each combination of five levels of 'probability' - a letter A to E as defined in **Probability (Measure of Likelihood of Risk) table** - and 5 levels of 'consequence', - a number 1 to 5 as defined in **Measure of Consequence (Severity of Environmental Impact) table** - to identify the risk ranking of each impact. For example an activity with a 'probability' of D and a 'consequence' of 3 yields a risk rank of 9

	Probability				
Consequence	A	B	C	D	E
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

	HIGH
	MEDIUM
	LOW

A risk rating of 20-25 would normally be deemed as an unacceptable risk

A risk rating of less than 20 would normally be deemed as an acceptable risk



Appendix B - Wind Direction Rose

Source: Coffs Harbour MO Weather Station - Site number: 059040



Rose of Wind direction versus Wind speed in km/h (01 Feb 1943 to 24 Aug 2015)

APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

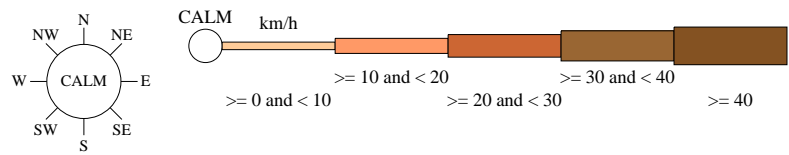
Custom times selected, refer to attached note for details

COFFS HARBOUR MO

Site No: 059040 • Opened Jan 1943 • Closed Aug 2015 • Latitude: -30.3107° • Longitude: 153.1187° • Elevation 5m

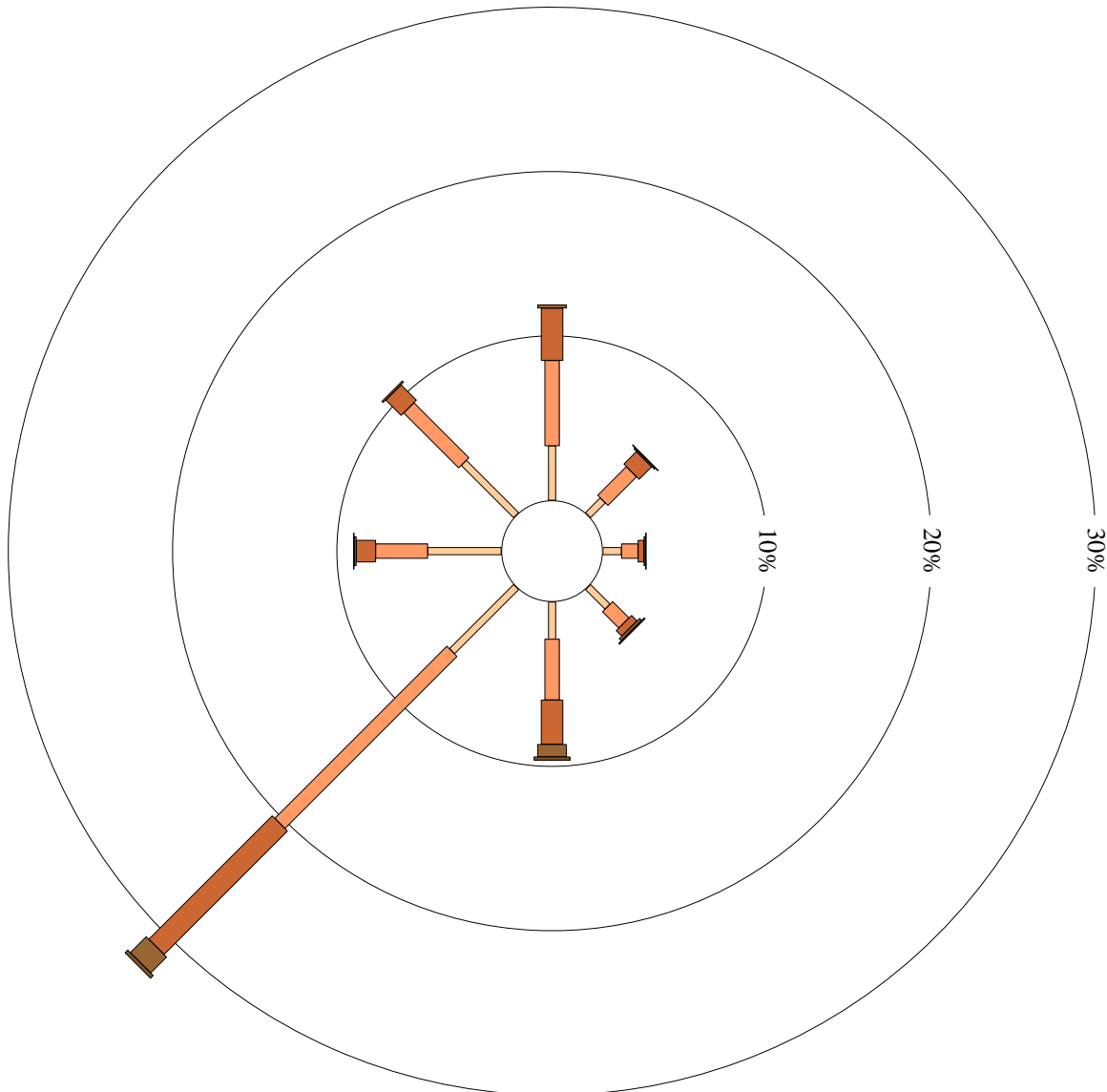
An asterisk (*) indicates that calm is less than 0.5%.

Other important info about this analysis is available in the accompanying notes.



9 am
24228 Total Observations

Calm 15%



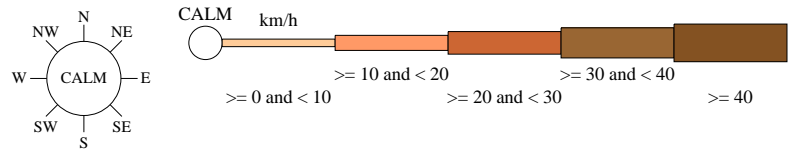
Rose of Wind direction versus Wind speed in km/h (01 Feb 1943 to 24 Aug 2015)
Custom times selected, refer to attached note for details

APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

COFFS HARBOUR MO

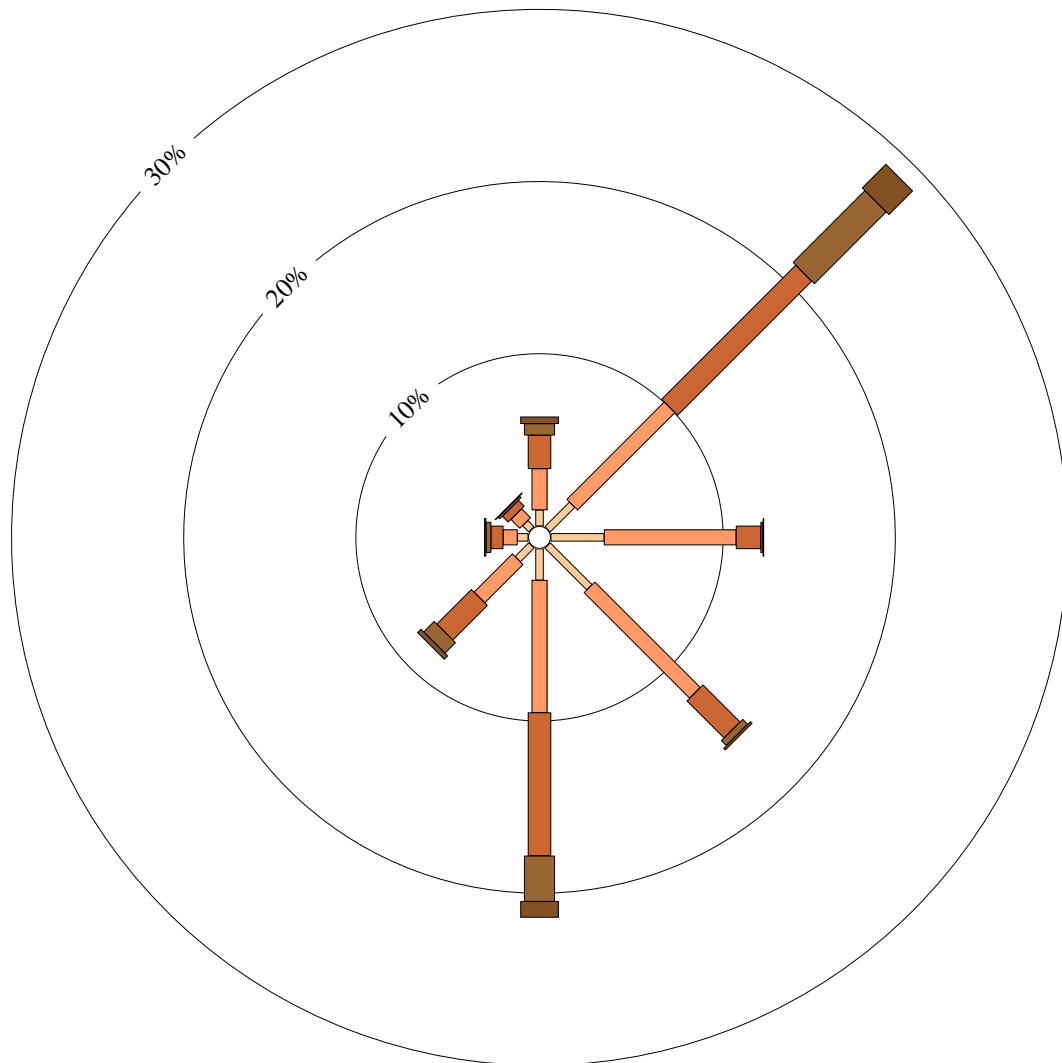
Site No: 059040 • Opened Jan 1943 • Closed Aug 2015 • Latitude: -30.3107° • Longitude: 153.1187° • Elevation 5m

An asterisk (*) indicates that calm is less than 0.5%.
Other important info about this analysis is available in the accompanying notes.



3 pm
24262 Total Observations

Calm 3%





Land & Fire Assessments Pty Ltd

PO BOX 104
Wardell
NSW 2477
ACN 160 897 343
Web: landandfireassessments.com.au

LAND USE CONFLICT RISK ASSESSMENT FOR PLANNING PROPOSAL

Lot 7 DP 555490
148-158 Gaudrons Road, Sapphire Beach, NSW



Prepared By: Paola Rickard
Land & Fire Assessments Pty Ltd
For: Kerrie Hunter
Project No.: LFA20041
Date: 1 April 2021

APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

Disclaimer

Land & Fire Assessments Pty Ltd (LFA) have conducted work concerning the environmental status of the site, which is the subject of this report, and has prepared this report on the basis of that assessment. The work was conducted, and the report has been prepared, in response to specific instructions from the client or a representative of the client and in reliance on certain data and information made available to LFA. The analysis, evaluations, opinions and conclusions presented in this report are based on that information, and they could change if the information is in fact inaccurate or incomplete.

Due consideration has been given to site conditions and to appropriate legislation and documentation available at the time of preparation of the report. As these elements are liable to change over time, the report should be considered current at the time of preparation only. Should further information become available regarding the conditions at the site, LFA reserves the right to review the report in the context of the additional information. LFA has made no allowance to update this report and has not taken into account events occurring after the time its assessment was conducted.

This report is intended for the sole use of the client and only for the purpose for which it was prepared. Any representation contained in the report is made only to the client unless otherwise noted in the report. Any third party who relies on this report or on any representation contained in it does so at his or her own risk

Revision List

Revision No.	Revision Date	Report Title	Report Author	Field Survey By	Status
00	03.02.2021	Land Use Conflict Risk Assessment for Lot 7 DP 555490, 148-158 Gaudrons Road, Sapphire Beach, NSW	Main Author: Paola Rickard (LFA - Senior Environmental Planner)	Paola Rickard undertaken on the 04.11.20	Final
01	01.04.21				Final

LFA contact details: Paola Rickard - 0427 809 352



APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

TABLE OF CONTENTS

1. INTRODUCTION AND BACKGROUND	1
1.1 INTRODUCTION	1
2. INFORMATION GATHERING (STEP 1)	5
2.1 THE SUBJECT SITE	5
2.2 PROPOSED DEVELOPMENT & PLANNING PROVISIONS.....	9
2.3 SITE HISTORY AND LAND USE	10
2.4 SURROUNDING LAND USE.....	11
2.5 LANDUSE SUMMARY & ACTIVITIES ARISING FROM THE PROPOSAL	11
3. RISK LEVEL EVALUATION (STEP 2)	13
3.1 RISK EVALUATION & RANKING	13
3.2 POTENTIAL CONFLICT ISSUES (RISK RATINGS)	14
4. RISK MITIGATION MANAGEMENT STRATEGIES (STEP 3).....	16
4.1 CONTROL MEASURES	16
4.2 LANDUSE BUFFERS	16
5. SUMMARY, CONCLUSION & RECOMMENDATIONS (STEP 4)	18
6. REFERENCES.....	20
APPENDICES	21
APPENDIX A – RISK RANKING & RATING.....	21
APPENDIX B - WIND DIRECTION ROSE.....	23



1. Introduction and Background

1.1 Introduction

Land & Fire Assessments Pty Ltd (LFA) has been commissioned by Kerri Hunter to prepare a Land Use Conflict Risk Assessment (LUCRA) to support the **Planning Proposal for Lot 7 DP 555490, 148-158 Gaudrons Road, Sapphire Beach, NSW**. The site is shown on Figs. 1 & 2. Sapphire Beach is located in the Coffs Harbour City Council (CHCC) Local Government Area (LGA) approximately 10 km north of Coffs Harbour.

This Planning Proposal applies to Lot 7 DP555490 (the Site), which is zoned RU2 Rural Landscape under the Coffs Harbour Local Environmental Plan (LEP) 2013 (refer to Fig. 4). The purpose of this Planning Proposal is to amend LEP 2013 to allow large lot residential development.

Pre-lodgement meeting notes from CHCC dated 17/06/20 indicated that a LUCRA is required to support this planning proposal.

Council planning provisions concerning the preparation of LUCRAs do not specify requirements to support a Planning Proposal. Therefore, this LUCRA has been undertaken following the CHCC Development Control Plan 2015 (DCP) provisions specified to support Development Applications for subdivisions, specifically:

- C1.5 SUBDIVISION-DESIGN REQUIREMENTS FOR RURAL AND LARGE LOT RESIDENTIAL ZONES

C1.5 also details the provisions regarding the preparation of a LUCRA. The relevant clause states:

(2) Subdivisions are to incorporate **adequate buffers between dwelling envelopes and adjoining agricultural land to ensure that the agricultural potential of those lands will not be diminished** (refer to the Land Use Conflict Risk Assessment Guide prepared by the NSW Department of Primary Industries).

The LUCRA will address land use interface issues and risks between rural land uses and a future rural residential development. The LUCRA will be prepared in accordance with the Land Use Conflict Risk Assessment Guide, which has been promoted by the NSW Department of Primary Industries (DPI 2011) and is based on Learmonth *et al* (2007).

The purpose of the LUCRA is to identify landuse compatibility and potential conflict between neighbouring landuses, and therefore, assists in the identification of the potential for future landuse conflict. The LUCRA aims to:

- Objectively assess the effect and level of proposed landuse on neighbouring land uses;
- Accurately identify the risk of conflict between neighbouring land uses;
- Complement development control and buffer requirements with an understanding of likely landuse conflict;
- Proactively address landuse issues and risks before a new landuse proceeds or before a dispute arises; and
- Highlight or recommend strategies to help minimise conflict and contribute to the negotiation, proposal, implementation and evaluation of separation strategies.

In summary, the LUCRA is a tool aimed at:

- Identifying the effects of the landuse on neighbouring landuse; and
- Evaluate the level of impact of these effects.

In order to achieve those aims, a four-step assessment process is undertaken as follows:

1. **Information Gathering** – The site geophysical characteristics, the nature of the development proposed and the surrounding landuses are described.



APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

2. **Risk Level Evaluation** - Each proposed activity is recorded and an assessment of potential landuse conflict level is assigned. The higher the risk level, the more attention it will require.
3. **Identification of Risk Mitigation Management Strategies** – Management strategies are identified which can assist in lowering the risk of potential conflict.
4. **Record Results** – Key issues, risk level and recommended management strategies are recorded and summarised.

Accordingly, this landuse conflict risk assessment will utilise the aforementioned four-step assessment process.



APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

LFA20041

LUCRA – 148-158 Gaudrons Road, Sapphire Beach

APRIL 2021

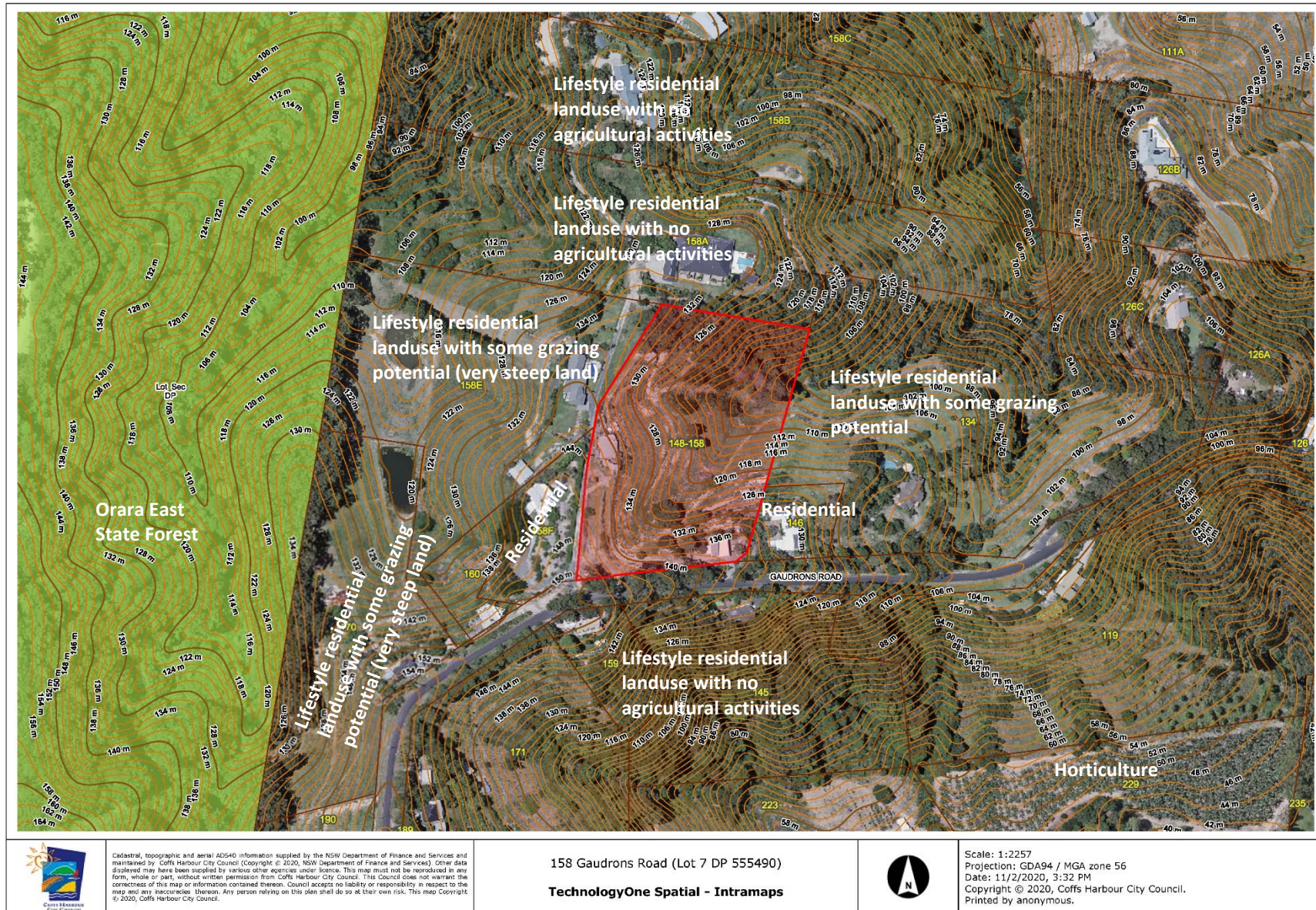


Figure 1. The Site (red boundary) within the locality context & predominant landuse. Source: CHCC Intramaps



Land & Fire Assessments Pty Ltd

-Environmental Impact Assessments – Project Management –
 --Compliance & Monitoring – Bushfire Planning & Design –

APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

LFA20041

LUCRA – 148-158 Gaudrons Road, Sapphire Beach

APRIL 2021

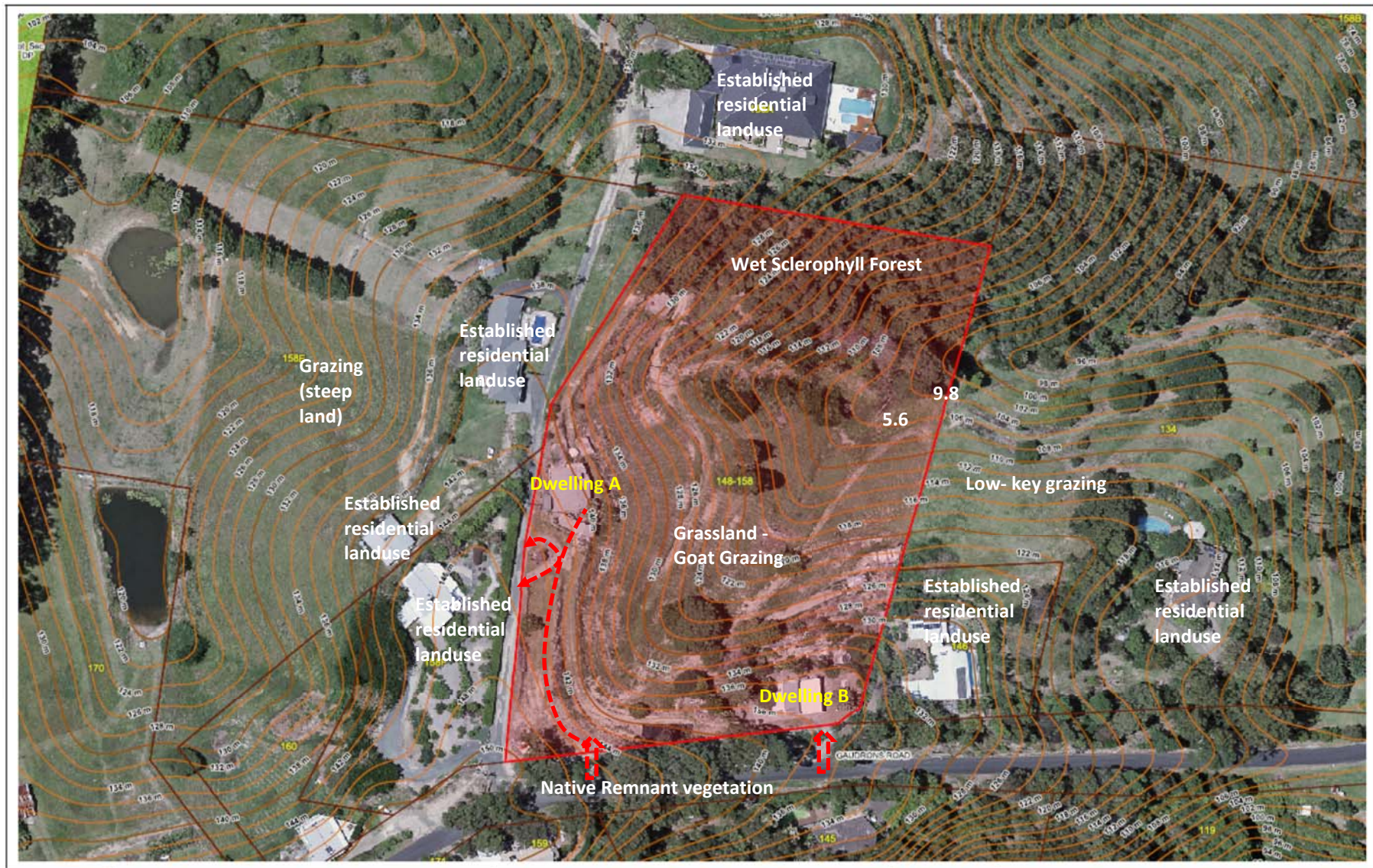


Figure 3. 148-158 Gaudrons Road (Lot 7 DP 555490) - Showing current access (red dashed line) to each existing dwelling, vegetation and landuse. Source: CHCC Intramaps



Land & Fire Assessments Pty Ltd

-Environmental Impact Assessments – Project Management –
--Compliance & Monitoring – Bushfire Planning & Design –

2. Information Gathering (Step 1)

2.1 The Subject Site

The Subject Site (i.e. Lot 7 DP555490), which is 2.05 Ha in size, is directly accessed from Gaudrons Road. The land in context with the locality is shown on Figs. 1 & 2. It entails a developed property utilised for rural residential landuse and low-level grazing by goats, as shown on Plates 1-13. Two approved dwellings, one to the west (Dwelling A at 158 Gaudrons Rd) and one to the south (Dwelling B at 148 Gaudrons Rd), and associated sheds and water tanks are present on the Site (Fig. 2 & Plates 1, 2, 6, 7 & 9). Each dwelling has separate access to Gaudrons Road (see Fig. 2 & Plates 4, 5, 10 to 13). In addition, a right of carriageway along western boundary provides alternative access to Dwelling A (Plate 13). Terracing and retaining walls are found on the sloping side of each dwelling (Plates 12, 6, 6 to 8). The Site is bounded by Gaudrons Road to the south and surrounded by predominantly lifestyle residential lots.

The Site is located ~1.6km west of the established residential areas of Sapphire Beach. Whilst the property and its immediate surrounds are zoned RU2 Rural landscape (see Fig. 4), the Site and the neighbouring land is identified in the 'Korora' and 'Sapphire Beach' potential Large Lot Residential (Zone R5) Candidate Areas in the Coffs Harbour LGA. The Site does not contain Biodiversity Values land and it is not located near High Values Habitats.

The Site, which consists of steep north east to east facing slope draining to the north east, is predominantly cleared with scattered trees and landscaping. Upslope to the north of the Site is a forested area consisting of Wet Sclerophyll Forest, as shown on Fig. 2. This vegetation is mapped as Tertiary Koala Habitat in CHCC GIS mapping. Along Gaudrons Road to the south is also predominantly Wet Sclerophyll Forest and Remnant vegetation.



Plate 1. Looking north towards the existing residential Dwelling A found along the western boundary. Note existing farm access tracks



Plate 2. Looking north west from the western Dwelling A towards the Forest vegetation on an upslope. Note terracing and retaining wall

APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

LFA20041

LUCRA – 148-158 Gaudrons Road, Sapphire Beach

APRIL 2021



Plate 3 (left). Looking south across the access point onto Gaudrons Rd for Dwelling A.

Plate 4 (right). Looking south along the access for Dwelling A



Plate 5 (left). Looking north further along across access to Dwelling A.



Plate 6 (top). Looking east, south east towards Dwelling B to the right of photo. Note extensive terracing and ~4-5m high retaining wall



Plate 7. Dwelling B, retaining wall & terracing



Plate 8. Looking westward from Dwelling B terrace towards Dwelling A left and Forest on upslope (right)



APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

LFA20041

LUCRA – 148-158 Gaudrons Road, Sapphire Beach

APRIL 2021



Plate 9 (top - photo collage). Dwelling B and surrounding grounds



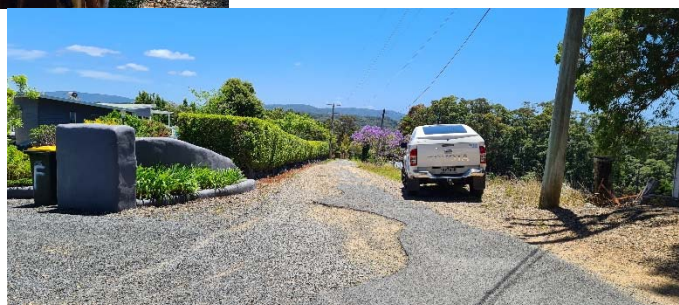
Plate 10 (left). Looking westward along Gaudrons Rd, access point to Dwelling A to the right

Plate 11 (right). Looking eastward along Gaudrons Rd towards access point to Dwelling B



Plate 12 (left). Access to Dwelling B (148 Gaudrons Rd)

Plate 13 (right). Right of carriageway along western boundary to Site providing access to neighbouring land as well as alternative access to Dwelling A



Elevation at the Site ranges from 150m AHD to the south west corner to 103m AHD to the north east of the Site. The upper slopes have been previously terraced to assist with agricultural practices and numerous access tracks associated with a former banana plantation crisscross the property.

The surrounding vegetation includes the Wet Sclerophyll Forest to the north, north east and Wet Sclerophyll Forest to the south. Otherwise, the predominant vegetation surrounding the Site is Grassland and landscaped/managed land as shown on Figs. 1 & 2.

The soil landscape at Site is the 'Suicide' soil Landscape (Everick Heritage Pty Ltd 2020). The proposal Site is outside of the 100-year ARI Flood Extent.

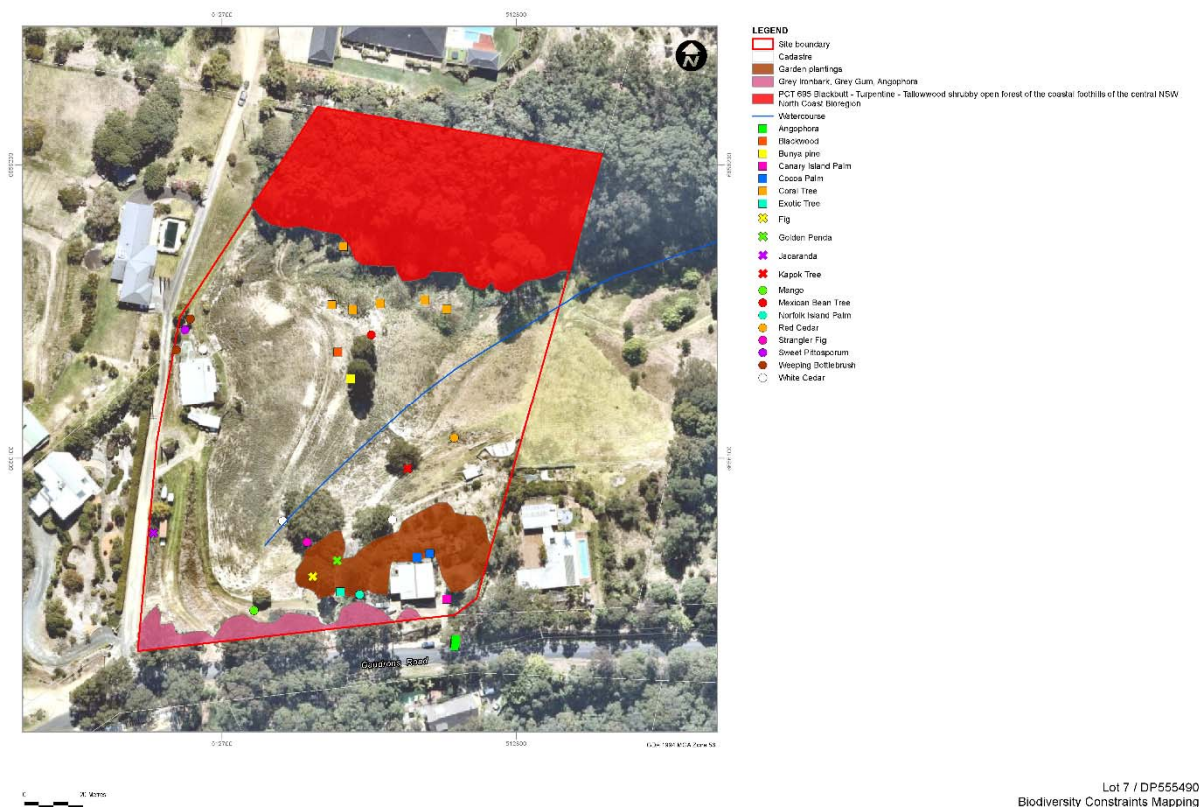


Figure 3. Vegetation mapping for the Site. Source: GeoLINK 2020 - Biodiversity Constraints Mapping

As noted previously, the Site is not mapped or is in proximity to Biodiversity Values land and it is not located near any sensitive ecosystems. The preliminary biodiversity mapping by GeoLINK indicate that no threatened plant species were recorded for the Site, as shown on Fig. 3. GeoLINK identify one Plant Community Types (PCT) as occurring at the Site namely, PCT 695 Blackbutt - Turpentine - Tallowwood shrubby open forest of the coastal foothills of the central North Coast. This PCT is not identified as a Threatened Ecological Community (TEC). In any case, it is not proposed to impact on the Forest vegetation occurring along the northern portion of the Site.

An Aboriginal Cultural Heritage Assessment (ACHA) has been undertaken by Everick Heritage Pty Ltd (2020). The ACHA findings regarding the Site indicate that considerable soil disturbance has occurred historically due cut and fill earthworks associated with the terracing and driveway entrance to the adjoining property. The ACHA concluded that that subdivision works within 148 Gaudrons Road are unlikely to impact on Aboriginal objects and will not impact on any known places or sites of cultural significance to the Aboriginal community. As such additional consultation and archaeological investigation is not required for this Site.

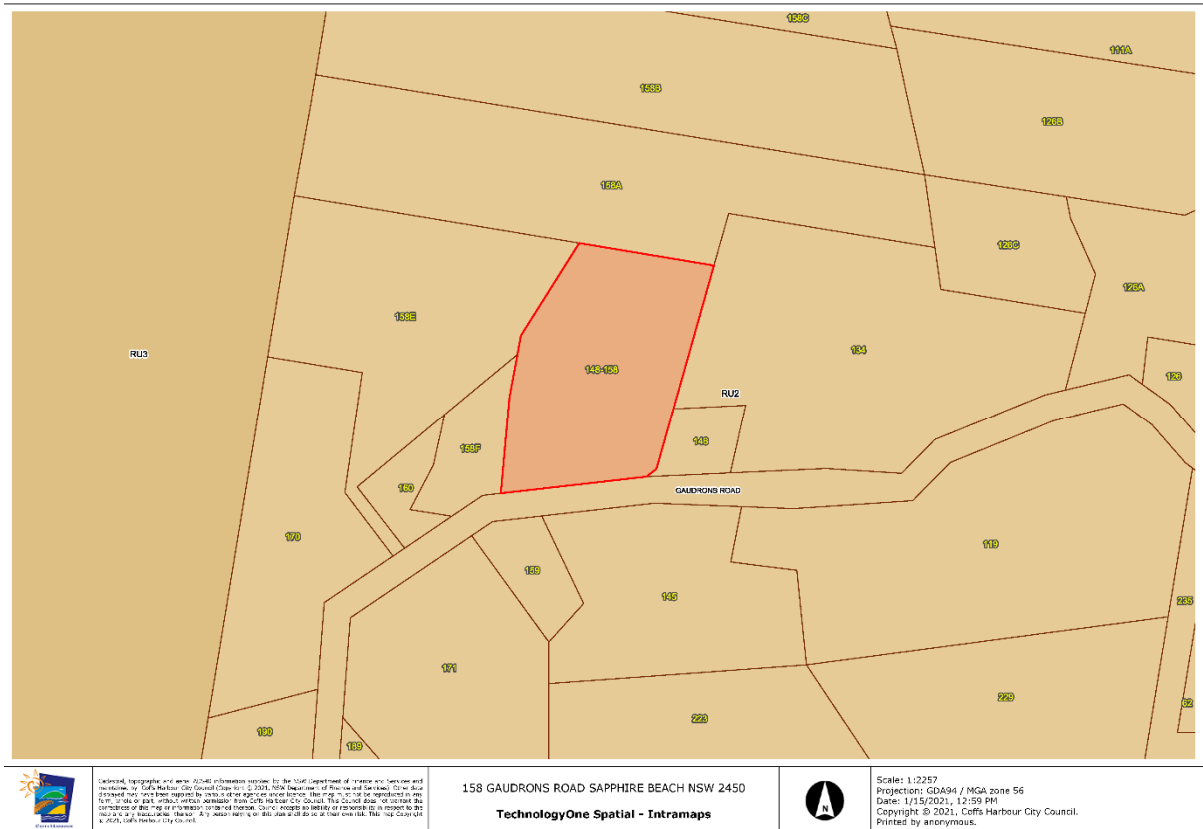


Figure 4. Land zoning applicable to the Site (red boundary).

2.2 Proposed Development & Planning Provisions

The purpose of this Planning Proposal is to amend LEP 2013 to allow large lot residential development on Lot 7 DP555490. The Planning Proposal will:

- Rezone the subject land from Zone RU2 Rural Landscape to Zone R5 Large Lot Residential; and
- Change to the Minimum Lot Size (MLS) for the new R5 zoned land from the current 40 hectares. A new MLS of 1Ha is sought for this precinct.

The proposed subdivision concept layout is shown as Fig. 5. Notably, the exiting dwellings and associated infrastructure would be retained within proposed lots 1 & 2 respectively.

The Site is identified in the ‘Korora’ and ‘Sapphire Beach’ potential Large Lot Residential (Zone R5) Candidate Areas in the Coffs Harbour LGA. The proposed rezoning is a compatible landuse on this land as the Site occurs in proximity to similar rural lifestyle residential development, and it is serviced by capable road infrastructure and electricity services. The proposed development Site is surrounded by predominantly rural (lifestyle) residential development and a public road. Importantly, the proposed rezoning and future subdivision is only contemplating the creation of two lots, each containing an existing approved dwelling serviced by separate access driveways. Therefore, no further intensification and/or change of landuse is proposed and the status quo will remain.

As noted in s. 1.1, pre-lodgement meeting notes from CHCC dated 17/06/20 indicated that a LUCRA is nevertheless required to support this planning proposal. Accordingly, a future subdivision will be required to address the CHCC DCP 2015 provisions, specifically:

- C1.5 SUBDIVISION-DESIGN REQUIREMENTS FOR RURAL AND LARGE LOT RESIDENTIAL ZONES

C1.5 also details the provisions regarding the preparation of a LUCRA. The relevant clause states:

(2) Subdivisions are to incorporate **adequate buffers between dwelling envelopes and adjoining agricultural land to ensure that the agricultural potential of those lands will not be diminished** (refer



to the Land Use Conflict Risk Assessment Guide prepared by the NSW Department of Primary Industries).

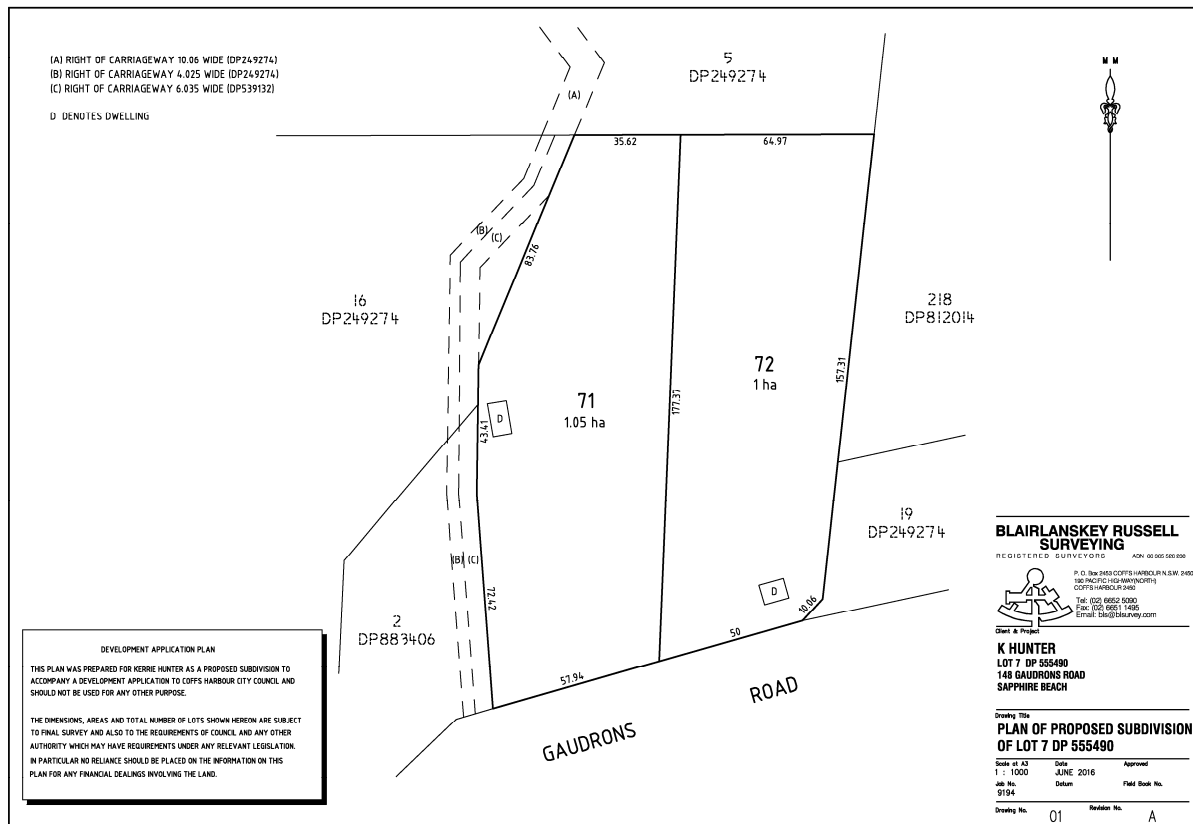


Figure 5. Proposed concept layout. Source: Earth Water Consulting (2020)

In summary, the proposed change in landuse from rural to large lot residential is to occur over a property currently utilised for low-key grazing by goats and residential landuse. The grazing is undertaken mainly as a landscaping/vegetation maintenance tool in conjunction with regular slashing. The current land management will continue to apply post rezoning (if approved).

The proposal area is bounded by predominantly lifestyle rural residential with no agricultural activities and Gaudrons Road (Fig. 2). Within the locality as shown in Fig. 1, some grazing or land potentially utilised for grazing (associated with lifestyle residential landuse) is found to the east and west. The closest intensive agricultural use consists of south facing orchards to the south east of the Site more than 200m away from the closest dwelling (B) and separated by thick forested land. Accordingly, the predominant landuse surrounding the planning proposal area is of a rural lifestyle residential nature and does not include intensive agricultural or horticultural landuse.

Nevertheless, this landuse conflict assessment will evaluate potential landuse conflict arising from the proposed large lot residential land uses and the surrounding RU2 Rural Landscape zoned land (see Fig. 4).

2.3 Site History and Land Use

Council GIS mapping indicate that banana cultivation has occurred at the Site from 1943 to 1994. However, any banana cultivation was long gone by 2004. In fact, review of Google aerial imagery shows that the current landuse (residential and low-key grazing) at the Site has not significantly changed since at least 2004. The southern portion of the Site was a little overgrown in 2004, but by 2010 the current grassland was fully established.



The surrounding properties have similarly remained consistent with the current landuse apart from the properties to the south of the Site, which supported banana plantation until around 2013. Since then, the banana plantation has been steadily cleared and only portion of this land (see Fig. 1) is currently under horticultural landuse. Council GIS mapping indicate that banana cultivation has occurred in the locality from 1943 to 1994. As noted previously, the land is bounded by Gaudrons Road to the south and rural lifestyle lots to the north, east and west. Two residential dwellings are found on Site as well as sheds, water tanks and several driveway accesses.

The land is zoned RU2 Rural landscape in the Coffs Harbour Local Environmental Plan 2013 (refer to Fig. 4).

2.4 Surrounding Land Use

Adjoining landuse to the planning proposal Site, which are illustrated on Figs. 1 & 2, are as follows:

- North: Lifestyle residential landuse with no agricultural activities
- East & west: Lifestyle residential landuse with some grazing potential and Residential to the south east
- South: Lifestyle residential landuse with no agricultural activities. The closest intensive agricultural use consists of south facing orchards to the south east of the Site more than 200m away from the closest dwelling (B) and separated by thick forested land.

The proposed large lots residential subdivision will be consistent with surrounding landuse. The predominant landuse surrounding the planning proposal area is of a rural residential nature and, apart for an orchard more than 200m away to the south east, does not include intensive agricultural or horticultural landuse. Nevertheless, this landuse conflict assessment will evaluate potential landuse conflict arising from the proposed residential land uses and the surrounding RU2 Rural Landscape zoned land (see Fig. 4).

2.5 Landuse Summary & Activities Arising from the Proposal

As noted, this landuse conflict assessment will evaluate potential landuse conflict arising from the proposed large lot residential land uses and the surrounding RU2 Rural Landscape zoned land (see Fig. 4). It is necessary to identify any potential causes for conflict, which may arise from the development of the Site. Table 1 summarises the proposal within the context of the locality and surrounding landuse and the activities/impacts which may occur on neighbouring properties.

Table 1. Activities likely to occur as a result of the proposal

Parameter	Details
The nature of the landuse change & development proposed	The proposal will result in the introduction of large lot residential landuse within land currently utilised for rural dual occupancy and low-key goat grazing. There are exiting dwellings/rural infrastructures at the Site.
The nature of the precinct where the land use change & development is proposed	The proposed change in lot size and potential large lot residential subdivision is to occur over currently rural land utilised for rural residential landuse. The proposal area is surrounded by some grazing land, rural lifestyle lots, roads and rural residential development.
Topography, climate & natural features	<p>The Subject Site consists of a steep north-east to east facing slope draining to the north east. Elevation at the Site ranges from 150m AHD to the south west corner to 103m AHD to the north east of the Site. The upper slopes have been previously terraced to assist with agricultural practices and numerous access tracks associated with a former banana plantation crisscross the property.</p> <p>The surrounding vegetation includes the Wet Sclerophyll Forest to the north, north east and Wet Sclerophyll Forest to the south. Otherwise, the predominant vegetation surrounding the Site is Grassland and landscaped/managed land as shown on Figs. 1 & 2.</p>



APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

LFA20041

LUCRA – 148-158 Gaudrons Road, Sapphire Beach

APRIL 2021

Parameter	Details
	<p>The soil landscape at Site is the 'Suicide' Soil Landscape (Everick Heritage Pty Ltd 2020). This soil landscape consists of moderately deep to deep (>100 cm), well drained, stony structured Yellow Earths (Gn3.71) on crests and upper slopes, with stony Lithosols (Um1.41) and structured Red Earths (Gn3.11) on mid-slopes and footslopes (Milford 1999).</p> <p>The proposal Site is outside of the 100-year ARI Flood Extent.</p> <p>The climate in the Coffs Harbour LGA is typical of subtropical northern NSW, with warm summers and mild winters.</p> <p>The prevailing morning wind is from the southwest with calm conditions being experienced 15% of the time, and the prevailing afternoon winds are from the north east and south with calm conditions being experienced 3% of the time (refer to Appendix B - Wind Direction Rose from Coffs Harbour MO Weather Station - Site number: 059040)</p>
Typical industries & land uses in the area	<p>Industries: Predominantly grazing & horticulture</p> <p>Land uses: Residential, grazing, horticulture and rural lifestyle</p>
The main activities of the proposed land use for the development & regularity of activity	<p>The main activities associated with a proposed large lot residential subdivision are the same as the ones associated with the existing surrounding development these are:</p> <ul style="list-style-type: none"> ○ Lifestyle rural residential development: <ul style="list-style-type: none"> ○ Activities: mowing, traffic = some noise - ongoing; ○ Construction activities = noise, dust, loss of amenity- high intensity short duration
The main activities of adjoining land uses & their regularity	<p>Land to the west and east:</p> <ul style="list-style-type: none"> ○ Lifestyle residential landuse with some grazing potential and Residential to the south east – <ul style="list-style-type: none"> ○ Activities: slashing, tractor use - some odour & noise– ongoing ○ Activities: mowing, traffic = some noise - ongoing; ○ Construction activities = noise, dust, loss of amenity- high intensity short duration <p>Land to the far south east (more than 200m away from closest dwelling):</p> <ul style="list-style-type: none"> ○ Horticulture (orchard) – <ul style="list-style-type: none"> ○ Activities: spraying, fertilising, slashing, tractor use - some spray drift, odour & noise– ongoing <p>Land to north and south:</p> <ul style="list-style-type: none"> ○ Lifestyle residential landuse with no agricultural activities - <ul style="list-style-type: none"> ○ Activities: mowing, traffic = some noise - ongoing; ○ Construction activities = noise, dust, loss of amenity- high intensity short duration
Compatibility of the proposal with surrounding land use issues	<p>The proposal is wholly compatible with the predominant surrounding landuse, i.e. lifestyle residential landuse with no agricultural activities or with some grazing potential. However, there is a potential landuse conflict with possible intensification of small-scale rural activities to the west & east, in particular, where cleared land is found.</p>



3. Risk Level Evaluation (Step 2)

3.1 Risk Evaluation & Ranking

As noted in Table 1, the main activities associated with the proposed development are the same as the ones associated with the predominant surrounding development (i.e. Lifestyle residential landuse with no agricultural activities or with some grazing potential). There is extensive forested vegetation bounding the proposal area to the north, north east and south, accordingly any potential rural landuse intensification on this neighbouring land would have be already be buffered by this extensive vegetation. Still, there is a potential for landuse conflict with possible intensification of small-scale rural activities to the west & east in particular where cleared land is found. Accordingly, the DCP provisions requires that buffers between dwelling envelopes and adjoining agricultural land are to be considered to ensure that the agricultural potential of those lands will not be diminished.

Thus, this assessment focuses on the adequacy of the following existing separation buffers between the current dwellings (see Fig. 2), which interface with the rural landuse to the west and east, namely:

- Dwelling A – exiting dwelling separation to potential rural land intensification to the west including exiting residential properties and landscaping = ~40m.
- Dwelling A – exiting dwelling separation to potential rural land intensification to the east including exiting property landscaping = ~106m.
- Dwelling B – exiting dwelling separation to potential rural land intensification to the west including exiting residential properties and landscaping = ~173m.
- Dwelling B – exiting dwelling separation to potential rural land intensification to the east including exiting property landscaping = ~45m.

Each proposed activity is recorded in Table 2 and an assessment of known landuse conflict level is assigned accordingly. Ranking is given before and after ameliorating measures are applied to mitigate the given activity impacts. The higher the risk level, the more attention it will require in order to reduce the ranking level. Risk rankings are derived from the risk ranking table attached as Appendix A.

Table 2. Risk Evaluation & Ranking

Activity	Identified Hazard	Risk Ranking	Control Methods	Controlled Ranking
<ul style="list-style-type: none"> ○ Building, access and services construction - intense activity, limited duration 	Noise/Dust/Loss of Amenity	4C	<ul style="list-style-type: none"> ○ Adherence to approved daytime construction hours ○ Adherence to relevant legislation specifically re dust/noise management and implementation of erosion control measures ○ Good communication with neighbour 	5C
Horticulture <ul style="list-style-type: none"> ○ Pesticide control- off-target movement of agricultural chemical - intense activity, limited duration ○ Fertiliser use, effluent disposal – intense activity, moderate duration ○ Noise from tractor use- occasional 	Agricultural Chemical Spray Drift Odour noise	3B	<ul style="list-style-type: none"> ○ No likelihood of intensive horticulture in the immediate proximity of the two exiting dwellings because the allotments are small and thus unlikely to be viable for intense horticulture; landuse history confirms that neighbouring landuse has not changed since 2004; and extensive forested vegetation on steep slopes is unlikely to be cleared 	5C



APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

LFA20041

LUCRA – 148-158 Gaudrons Road, Sapphire Beach

APRIL 2021

Activity	Identified Hazard	Risk Ranking	Control Methods	Controlled Ranking
			<ul style="list-style-type: none"> ○ Nearest existing orchard to the far south east (see Fig. 1) is more than 200m away from Dwelling B and 312m from Dwelling A ○ The orchard extent has been consistently reduced over the years and in any case is separated by Gaudrons Road and a thick forested buffer ○ The orchard occurs from an elevation of 50m AHD on a south facing slope, downslope from the Site (elevation 140m AHD) ○ Adherence to relevant legislation specifically re herbicide use/dust/noise management and implementation of erosion control measures 	
Grazing <ul style="list-style-type: none"> ○ animals freely moving, some odour & noise ○ noise from occasional slashing 	Some odour Some noise	4B	<ul style="list-style-type: none"> ○ Good communication with neighbour ○ ~40m – 173m wide respective current buildings setbacks to current and/or potential low-key grazing to the east and west ○ The setbacks areas include neighbouring residential properties with landscaped gardens and extensive lawns 	5C
<ul style="list-style-type: none"> ○ Mowing - activity common within surrounding rural residential landuse and not significantly increased because of the proposal 	Noise	N/A	none	N/A

3.2 Potential Conflict Issues (Risk Ratings)

In summary, the main issues arising from the proposed rezoning to residential use in respect to impact to current or future agricultural pursuits on the surrounding RU2 zoned land are:

- Noise/Dust/Loss of Amenity (temporary only) – from the building construction works
- Noise/Odour – from the low-key grazing to east and west (although neighbouring grazing land appears unutilized presently and it is also identified for potential Large Lot Residential Candidate Areas)
- Noise/Dust/Spray Drift – from intensive horticulture to the far south east (notably, it is highly unlikely that intensive horticulture will be undertaken in the future in the immediate proximity of the two existing dwellings because the landholdings are small and thus unlikely to be viable for intense horticulture; landuse history confirms that neighbouring landuse has not changed since 2004; and extensive forested vegetation on steep slopes is unlikely to be cleared)



APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

Table 2 gives a risk value for each of the above identified potential conflict areas before (Risk Ranking) and after (Controlled Ranking) a mitigating measure is applied. A rating of High, Medium and Low is then assigned to each risk ranking based on a combination of 'Probability' of occurrence and 'Consequence' from the activity. Thus, the rating of the potential landuse conflict risks identified on Table 2 is displayed on Table 3. **It must be noted that, the highlighted scoring shown on Table 3 reflects the impact rating for the Controlled Ranking values.**

Table 3. Landuse Conflict Risk Assessment Matrix (Yellow highlight = Risk Rating for Controlled Ranking)

		Likelihood of a dispute/conflict over land use/activity				
		Almost Certain (A)	Likely (B)	Possible (C)	Unlikely (D)	Rare (E)
Likely consequence from a dispute/conflict over land use/activity	Major consequences & impacts almost certain (1)	HIGH (25)	HIGH (24)	HIGH (22)	MEDIUM (19)	LOW (15)
	High consequences & impacts likely (2)	HIGH (23)	HIGH (21)	MEDIUM (18)	LOW (14)	LOW (10)
	Moderate consequences & impacts possible (3)	HIGH (20)	MEDIUM (17)	LOW (13)	LOW (9)	LOW (6)
	Minimal consequences & impacts unlikely (4)	MEDIUM (16)	LOW (12)	LOW (8)	LOW (5)	LOW (3)
	Low consequence & impacts rare (5)	LOW (11)	LOW (7)	LOW (4)	LOW (2)	LOW (1)

The resulting risk rating of 4 shown on Table 3, which corresponds to the Controlled Ranking values of 5C is deemed an acceptable risk (refer to Appendix A). **This is because the identified potential conflict areas can be mitigated effectively with appropriate controls (summarised in s.3.1 and detailed in s. 4) and therefore yields a 'Low' likelihood of conflict and impact.**



4. Risk Mitigation Management Strategies (Step 3)

4.1 Control Measures

A number of measures have been listed on Table 2 to mitigate the potential landuse conflict which might arise from the proposal. These are as follows:

1. Good communication with neighbour
2. Adherence to relevant legislation
3. ~40m to 173m wide setbacks from current buildings (A & B) to current and/or potential low-key grazing to the east and west. The setbacks areas include neighbouring residential properties with landscaped gardens and extensive lawns.
4. Current separation buffer to nearest existing orchard to the far south east (see Fig. 1) is more than 200m away from Dwelling B and 312m from Dwelling A, and
 - a. The orchard extent has been consistently reduced over the years and in any case is separated by Gaudrons Road and a thick forested buffer, and
 - b. The orchard occurs from an elevation of 50m AHD on a south facing slope, downslope from the Site (elevation 140m AHD).
5. The likelihood of intensive horticulture being undertaken in the immediate proximity of the two existing dwellings is low because of the following reasons:
 - a. the allotments are small and thus unlikely to be viable for intense horticulture;
 - b. landuse history confirms that neighbouring landuse has not changed since 2004; and
 - c. extensive forested vegetation on steep slopes is unlikely to be cleared

The following section will address in more detail the landuse buffer provisions.

4.2 Landuse Buffers

The DCP does not prescribe minimum buffers to adjoining agricultural landuse. Similarly, the LUCRA Guide (DPI 2011) does not specifically propose minimum buffers to agriculture landuse including grazing. It instead notes that the LUCRA process prompts land use managers to identify operators of adjacent properties to the effects of a proposed land use on neighbouring land, describe and record the main activities of the land uses, evaluate the type of activities on adjacent properties and their frequency, and finally identify the level of management strategies required to minimise such effects.

Accordingly, this assessment has evaluated this proposal in the context of the locality characteristics. It is noted that the current large lot residential and lifestyle rural residential landuse in the locality coexist with horticulture (where still undertaken) and grazing landuse. As identified in the historical review, the occurrence of banana plantations in the locality has steadily declined in recent times. The tendency to rural lifestyle occupancy rather than traditional rural landuse activities have similarly reshaped the locality. This is further evidence by the fact that the whole area surrounding the Site is identified in the 'Korora' and 'Sapphire Beach' potential Large Lot Residential (Zone R5) Candidate Areas in the Coffs Harbour LGA.

The rural landuse activities to the east and west of the proposal Site are currently limited to low level grazing and are unlikely to support intensive agriculture in the future. To the immediate north, south, east and west are lifestyle lots with manicured extensive lawns and no apparent agricultural pursuits. The closest intensive horticultural pursuit, separated by extensive forested vegetation, is an orchard more than 200m to the south east from the nearest Dwelling B.

There is extensive forested vegetation bounding the proposal area to the north, north east and south, accordingly any potential rural landuse intensification on this neighbouring land would have already be buffered by this extensive vegetation.



APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

As noted, the only areas in proximity of the Site, which supports current or potential grazing occur to the east and west. Any potential impacts (some odour and noise) on the existing dwellings at the Site from neighbouring grazing land are considered to be minor (risk rating of 4B = Low likelihood of conflict and impact), as shown on Table 2 even before available separation buffers are considered. In any case, setbacks are available ranging from ~40m to 173 m wide from the respective buildings. The setbacks areas include neighbouring residential properties with landscaped gardens and extensive lawns.

Importantly, the proposed rezoning and future subdivision is only contemplating the creation of two lots, each containing an existing approved dwelling serviced by separate access driveways. Therefore, no further intensification and/or change of landuse is proposed and the status quo will remain.

In summary, the proposed change in landuse from rural to large lot residential is to occur over a property currently utilised for low-key grazing by goats and residential landuse. The grazing is undertaken mainly as a landscaping/vegetation maintenance tool in conjunction with regular slashing. The current land management will continue to apply post rezoning (if approved).

Accordingly, this LUCRA has duly appraised the potential conflicts, which could arise from the proposal and has deemed that the control measures detailed in s. 4.1 are adequate to minimise future potential conflicts and ensure that the agricultural potential of the neighbouring rural lands will not be diminished.



5. Summary, Conclusion & Recommendations (Step 4)

This LUCRA has been commissioned by Kerri Hunter to support the **Planning Proposal for Lot 7 DP 555490, 148-158 Gaudrons Road, Sapphire Beach, NSW**

Essentially, it was found that the proposed rezoning is a compatible landuse on this land as the Site occurs in proximity to similar rural lifestyle residential development, and it is serviced by capable road infrastructure and electricity services. The proposed development Site is surrounded by predominantly rural (lifestyle) residential development and a public road. Importantly, the proposed rezoning and future subdivision is only contemplating the creation of two lots, each containing an existing approved dwelling serviced by separate access driveways. Therefore, no further intensification and/or change of landuse is proposed and the status quo will remain.

Hence, the proposal is wholly compatible with the predominant surrounding landuse, i.e. lifestyle residential landuse with no agricultural activities or with some grazing potential. There is extensive forested vegetation bounding the proposal area to the north, north east and south, accordingly any potential rural landuse intensification on this neighbouring land would have already be buffered by this extensive vegetation. Still, there is a potential for landuse conflict with possible intensification of small-scale rural activities to the west & east in particular where cleared land is found.

Accordingly, the DCP provisions requires that buffers between dwelling envelopes (or existing dwellings in this case) and adjoining agricultural land are to be considered to ensure that the agricultural potential of those lands will not be diminished. The DCP does not prescribe minimum buffers to adjoining agricultural landuse. Similarly, the LUCRA Guide (DPI 2011) does not specifically propose minimum buffers to agriculture landuse including grazing and horticulture.

This assessment has evaluated this proposal in the context of the locality characteristics. It is noted that the current large lot residential and lifestyle rural residential landuse in the locality coexist with horticulture (where still undertaken) and grazing landuse. As identified in the historical review, the occurrence of banana plantations in the locality has steadily declined in recent times. The tendency to rural lifestyle occupancy rather than traditional rural landuse activities have similarly reshaped the locality. This is further evidence by the fact that the whole area surrounding the Site is identified in the 'Korora' and 'Sapphire Beach' potential Large Lot Residential (Zone R5) Candidate Areas in the Coffs Harbour LGA.

The rural landuse activities to the east and west of the proposal Site are currently limited to low level grazing and are unlikely to support intensive agriculture in the future. To the immediate north, south, east and west are lifestyle lots with manicured extensive lawns and no apparent agricultural pursuits. The closest intensive horticultural pursuit, separated by extensive forested vegetation, is an orchard more than 200m to the south east from the nearest Dwelling B.

In summary, the proposed change in landuse from rural to large lot residential is to occur over a property currently utilised for low-key grazing by goats and residential landuse. The grazing is undertaken mainly as a landscaping/vegetation maintenance tool in conjunction with regular slashing. The current land management will continue to apply post rezoning (if approved).

Following the risk evaluation, ranking and rating step by step process, a risk rating of 4 (see Table 3) was determined, which is deemed an acceptable risk. This is because the identified potential conflict areas can be mitigated effectively with appropriate control and therefore results in a 'Low' likelihood of conflict and impact.



The control measures to be implemented to reduce the risk of landuse conflict are as follows:

1. Good communication with neighbour
2. Adherence to relevant legislation
3. ~40m to 173m wide setbacks from current buildings (A & B) to current and/or potential low-key grazing to the east and west. The setbacks areas include neighbouring residential properties with landscaped gardens and extensive lawns.
4. Current separation buffer to nearest existing orchard to the far south east (see Fig. 1) is more than 200m away from Dwelling B and 312m from Dwelling A, and
 - a. The orchard extent has been consistently reduced over the years and in any case is separated by Gaudrons Road and a thick forested buffer, and
 - b. The orchard occurs from an elevation of 50m AHD on a south facing slope, downslope from the Site (elevation 140m AHD)
5. The likelihood of intensive horticulture being undertaken in the immediate proximity of the two existing dwellings is low because of the following reasons:
 - a. the allotments are small and thus unlikely to be viable for intense horticulture;
 - b. landuse history confirms that neighbouring landuse has not changed since 2004; and
 - c. extensive forested vegetation on steep slopes is unlikely to be cleared

In conclusion, this LUCRA has duly appraised the potential conflicts, which could arise from the proposal and has deemed that the control measures detailed in s. 4.1 are adequate to minimise future potential conflicts and ensure that the agricultural potential of the neighbouring rural lands will not be diminished.



6. References

GeoLINK 2020, *Biodiversity Constraints Mapping Lot 11 DP1141269*, dated 2 November 2020.

Earth Water Consulting 2020, *MLS and LCA at Nos. 9, 148 and 189 Gaudrons Road, Sapphire Beach*, Report ver. A, dated 25/11/2020.

Everick Heritage Pty Ltd 2020, *Gaudrons Road Subdivision Sapphire Beach, Draft Aboriginal Cultural Heritage Assessment*, written for Stephen Sawtell, November 2020.

Learmonth R., Whitehead R., Boyd B., & Fletcher S., 2007, *Living and Working in Rural Areas. A handbook for managing land use conflict issues on the NSW North Coast*, Centre for Coastal Agricultural Landscapes.

Department of Primary Industry (DPI) 2011, *Land Use Conflict Risk Assessment (LUCRA) Guide*, <<http://www.dpi.nsw.gov.au/land-and-water/land-use/lup/development-assessment2/lucra>>.

Milford H.B. 1999, *Soil Landscapes of the Coffs Harbour 1:100 000 Sheet - Department of Land and Water Conservation*, Sydney.

Appendices

Appendix A – Risk Ranking & Rating

Risk Ranking

The consequences (environmental/public health and amenity) are combined with a ‘probability’ (of those outcomes) in the Risk Ranking table to identify the risk rank of each environmental/public health and amenity impact.

Measure of Consequence (Severity of Environmental Impact) table

Level: 1	Descriptor: Severe
Description	<ul style="list-style-type: none"> Severe and/or permanent damage to the environment Irreversible Severe impact on the community Neighbours are in prolonged dispute and legal action involved
Example/ Implication	<ul style="list-style-type: none"> Harm 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
Level: 2	Descriptor: Major
Description	<ul style="list-style-type: none"> Serious and/or long-term impact to the environment Long-term management implications Serious impact on the community Neighbours are in serious dispute
Example/ Implication	<ul style="list-style-type: none"> Water, soil or air impacted, possibly in the long term Harm to animals, fish or birds or plants Public complaints. Neighbour disputes occur. Impacts pass quickly Contravenes the conditions of Council’s licences, permits and the POEO Act Likely prosecution
Level:3	Descriptor: Moderate
Description	<ul style="list-style-type: none"> Moderate and/or medium-term impact to the environment and community Some ongoing management implications Neighbour disputes occur
Example/ Implication	<ul style="list-style-type: none"> Water, soil or air known to be affected, probably in the short term No serious harm to animals, fish, birds or plants Public largely unaware and few complaints to Council May contravene the conditions of Council’s Licences and the POEO Act Unlikely to result in prosecution
Level: 4	Descriptor: Minor
Description	<ul style="list-style-type: none"> Minor and/or short-term impact to the environment and community Can be effectively managed as part of normal operations Infrequent disputes between neighbours



APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

Example/ Implication	<ul style="list-style-type: none"> 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: 5	Descriptor: Negligible
Description	<ul style="list-style-type: none"> Very minor impact to the environment and community Can be effectively managed as part of normal operations Neighbour disputes unlikely
Example/ Implication	<ul style="list-style-type: none"> No measurable or identifiable impact on the environment No measurable impact on the community or impact is generally acceptable

Probability (Measure of Likelihood of Risk) table

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

Risk Rating

The risk ranking matrix yields a risk ranking from 25 to 1. It covers each combination of five levels of 'probability' - a letter A to E as defined in **Probability (Measure of Likelihood of Risk) table** - and 5 levels of 'consequence', - a number 1 to 5 as defined in **Measure of Consequence (Severity of Environmental Impact) table** - to identify the risk ranking of each impact. For example an activity with a 'probability' of D and a 'consequence' of 3 yields a risk rank of 9

	Probability				
Consequence	A	B	C	D	E
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

	HIGH
	MEDIUM
	LOW

A risk rating of 20-25 would normally be deemed as an unacceptable risk

A risk rating of less than 20 would normally be deemed as an acceptable risk



Appendix B - Wind Direction Rose

Source: Coffs Harbour MO Weather Station - Site number: 059040



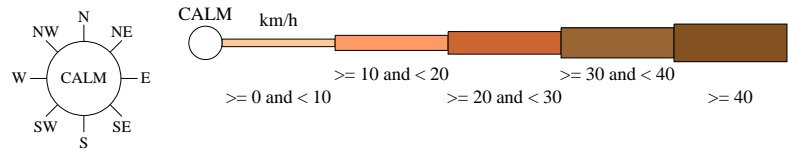
Rose of Wind direction versus Wind speed in km/h (01 Feb 1943 to 24 Aug 2015)
Custom times selected, refer to attached note for details

APPENDIX 9 - LAND USE CONFLICT RISK ASSESSMENT

COFFS HARBOUR MO

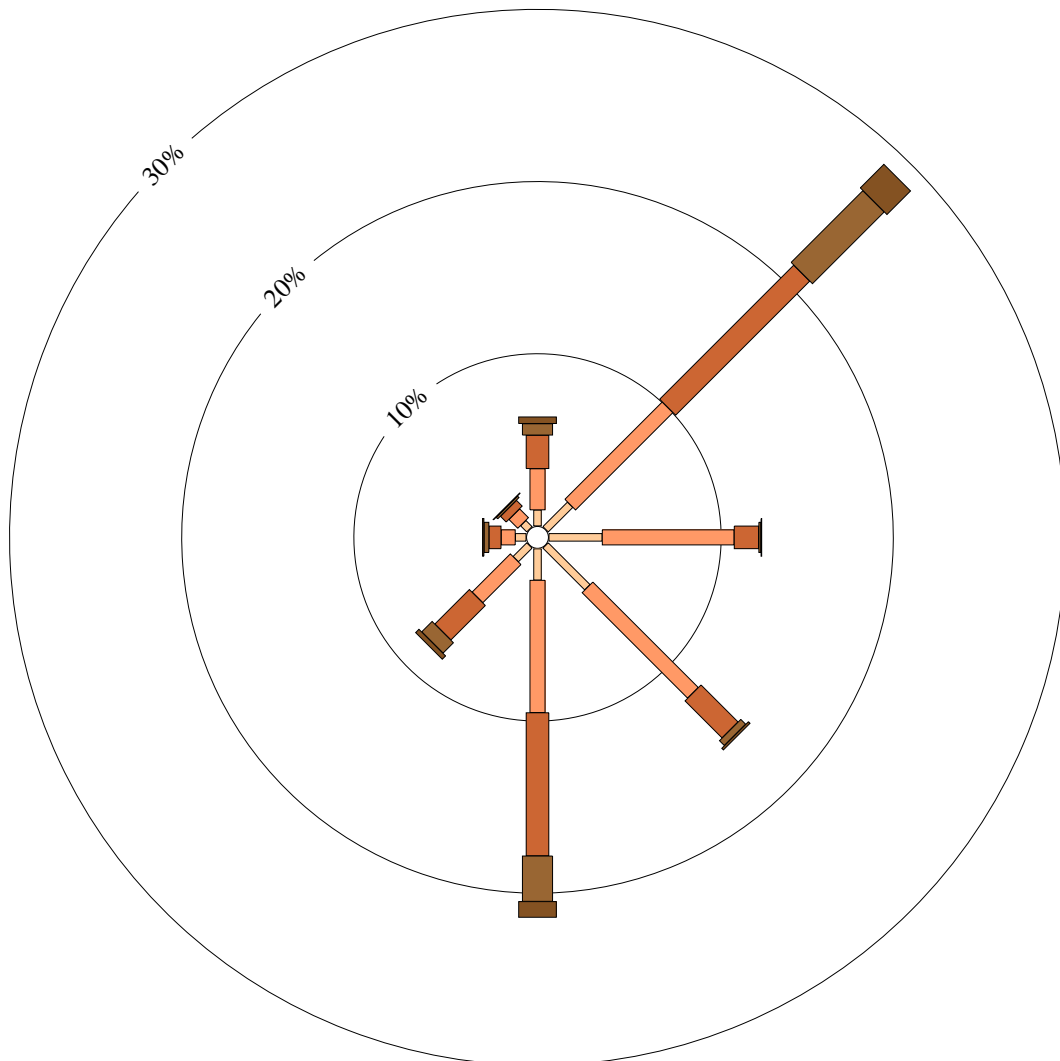
Site No: 059040 • Opened Jan 1943 • Closed Aug 2015 • Latitude: -30.3107° • Longitude: 153.1187° • Elevation 5m

An asterisk (*) indicates that calm is less than 0.5%.
Other important info about this analysis is available in the accompanying notes.



3 pm
24262 Total Observations

Calm 3%

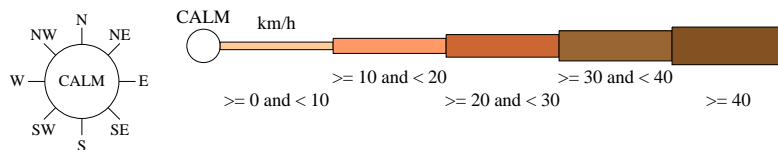


Rose of Wind direction versus Wind speed in km/h (01 Feb 1943 to 24 Aug 2015)
Custom times selected, refer to attached note for details

COFFS HARBOUR MO

Site No: 059040 • Opened Jan 1943 • Closed Aug 2015 • Latitude: -30.3107° • Longitude: 153.1187° • Elevation 5m

An asterisk (*) indicates that calm is less than 0.5%.
Other important info about this analysis is available in the accompanying notes.



9 am
24228 Total Observations

Calm 15%

