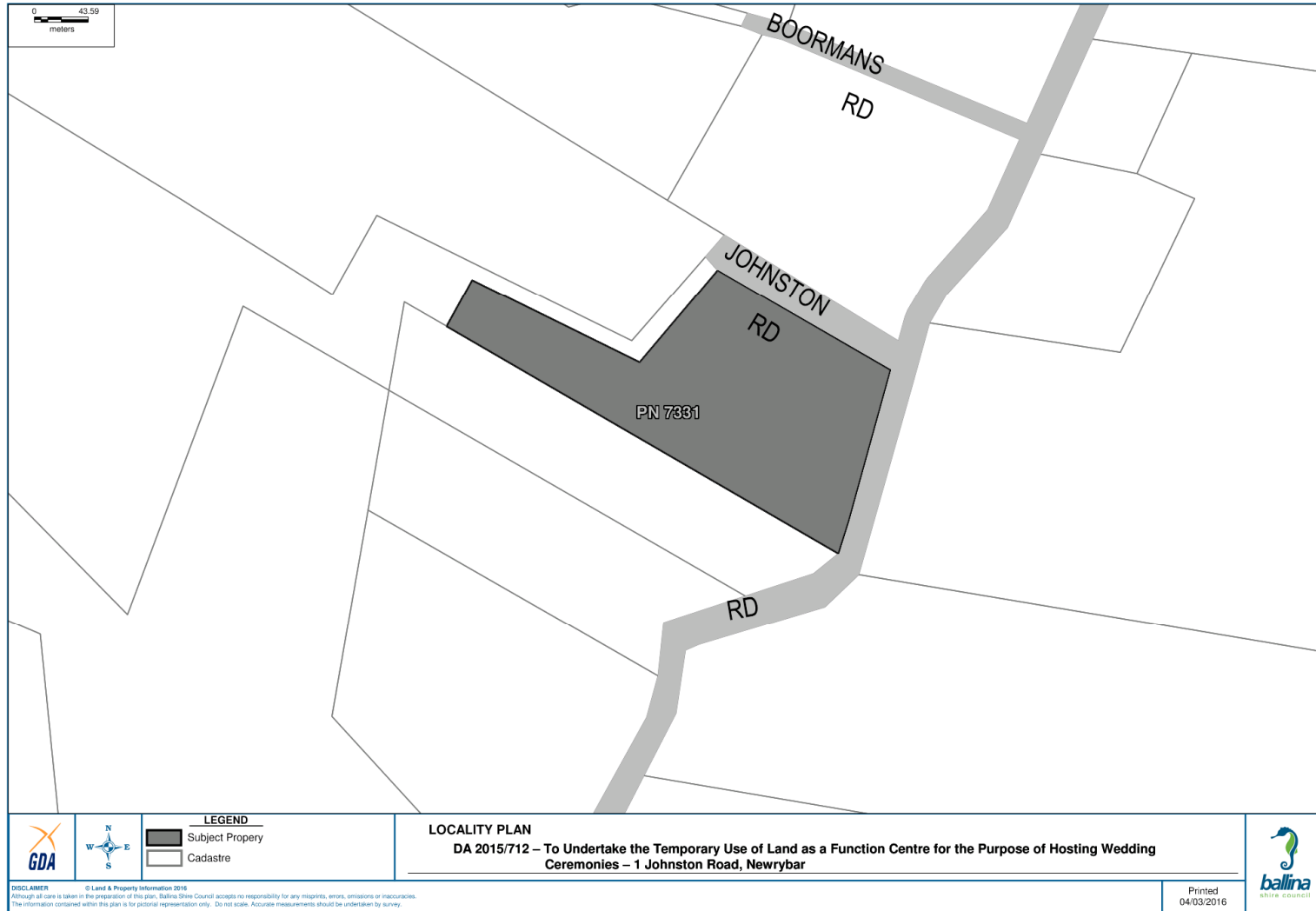
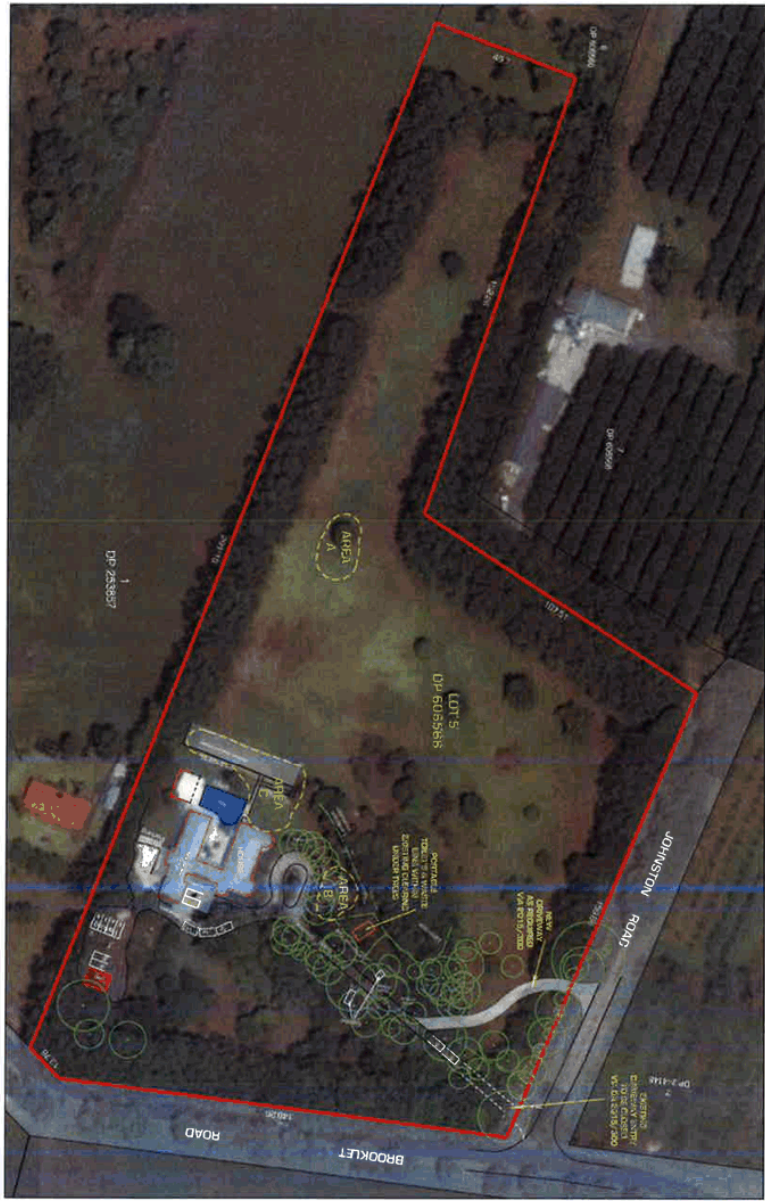


8.1 DA 2015/712 - Newrybar Downs, 1 Johnston Road Newrybar.DOC



REQ. DATE: AMENDMENT  
 R: 15/12/15  
 C: 04/02/15  
 F: RECURS: 03/04/2015  
 SOURCE PLAN: www.maps.sir.new.gov.au - accessed 15/02/15



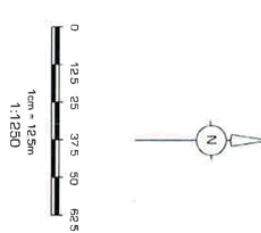
**Newman Denny Chappelle**  
 Surveyors Planners Engineers  
 Email: [office@newman-denny-chappelle.com.au](mailto:office@newman-denny-chappelle.com.au)  
 Locked 31 Central Ave, Luton 3203 VIC 3203  
 Locked 184 Warrigal St, Frankston 3162 VIC 3162  
 Locked 1250 Mac 1250 Mac  
 Locked 1250 Mac 1250 Mac

**PLAN 4A - PROPOSED SITE LAYOUT - GENERAL**  
 CLIENT: MR SKEGGER & PHILLIPS ROODE  
 LOCATION: LOT 5, DP 6055885  
 DATE: 04/02/15  
 SHEET: 1 OF 1  
 DRAWN: N

**REV B**

**NOTE:**  
 This preliminary layout has been completed in accordance with the information provided by Mr G and Mrs P. The information provided by Mr G and Mrs P has been used to form the layout. The final layout is subject to the completion of a detailed survey & engineering plans. Accordingly, the conditions reached within this report may be modified by the author upon the receipt of the survey & engineering plans. Mr G and Mrs P acknowledge that they are responsible for the accuracy of the information provided to the author. Newman Denny Chappelle accepts no responsibility for any loss or damage suffered, however so arising, to any person or corporation who may use or rely on this report.

—	<b>SITE BOUNDARY</b>
- - -	<b>POSSIBLE CEREMONY LOCATIONS</b>
•	<b>POST CEREMONY DRINKS SERVICE</b>





REV DATE AMENDMENT  
 1 15/11/15 PRELIMINARY LAYOUT  
 2 04/02/16 PRELIMINARY LAYOUT  
 3 11/02/16 PRELIMINARY LAYOUT  
 4 11/02/16 PRELIMINARY LAYOUT

SOURCE PLAN www.mps.gov.au - accessed 19/02/15

**Newton Denny Chapelle**  
 Surveyors Planners Engineers  
 Email: office@newdennydchapelle.com.au  
 100/101 LOT 5, 69/89/85/86  
 1 JONASTON ROAD  
 NEWRYBAR NSW 2566  
 PHONE: 02 9438 8120 FAX: 02 9438 8121  
 02 9438 8121

**CLIENT:** MR GREGORY & PHILIPPA ROOKE  
**PROJECT:** LOT 5, 69/89/85/86  
**DATE:** 04/02/2016  
**SCALE:** 1:750 (A3)  
**DRAWN BY:** SHAWN BIR

**REV B**

Ballina Shire Council

PO Box 450

Ballina

NSW 2478

**NEWRYBAR STORE**  
OLD PACIFIC HWY  
NEWRYBAR 2479  
ABN: 72 471 515 151

Subject: DA 2015/712 for the proposed temporary use consisting of a Function Centre for the purpose of hosting Wedding Ceremonies.

Dear Sir / Madam

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Should you have any further questions please do not hesitate to contact me.

Yours sincerely,

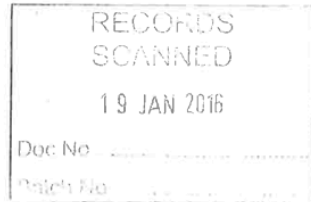


Jeff Barnes

Owner Newrybar General Store

Mobile: 6687 1671

14/4/16



Ballina Shire Council

PO Box 450

Ballina

---

NSW 2478

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Yours sincerely,



Jesse Amos

Owner/Operator Australian Landscape Maintenance

31 Kingsley Street, Byron Bay

Mobile: 0403 131 268



Ballina Shire Council

PO Box 450

---

Ballina

NSW 2478

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Yours sincerely,



Vivienne Carey

116 Brooklet Road

Newrybar

Mobile: 0402 255 228



Ballina Shire Council

PO Box 450

Ballina

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NSW 2478

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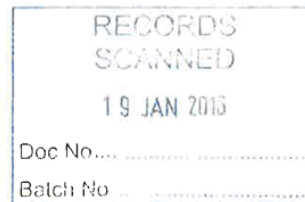


Diana Nielson & Jeffrey King

Managing Directors

Bangalow Organics

Mobile: 0401 995822



Ballina Shire Council

PO Box 450

---

Ballina

NSW 2478

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Yours sincerely,



P Carey

116 Brooklet Road

Newrybar

Mobile: 0402 255 228





Ballina Shire Council

PO Box 450

Ballina

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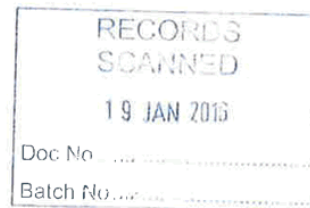


David & Vicki Caesar

73 Brooklet Road

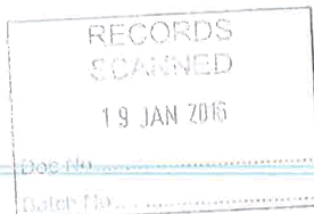
Newrybar 2479

Mobile: 0428 676 098





14<sup>th</sup> January 2016



The General Manager  
Ballina Shire Council  
PO Box 450  
Ballina  
NSW 2478

NSW Business Chamber Limited  
Ballina  
Street address  
2/54 Tamar Street, Ballina NSW  
2478  
Postal address  
PO Box 950, Ballina NSW 2478  
DX 27657  
t 13 26 96  
f 1300 655 277

**Re: DA 2015/712 for the proposed temporary use of consisting of a Function Centre for the purpose of hosting Wedding Ceremonies.**

Dear Sir,

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Yours sincerely,

John Murray  
Regional Manager  
Northern Rivers, NSW Business Chamber

ABN 63 000 014 504

Invigorating business

ACC NSW Business Chamber is a founding member of ACCI

nswbusinesschamber.com.au

Ballina Shire Council

PO Box 450

Ballina

NSW 2478



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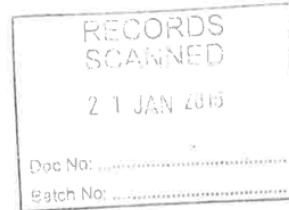
Yours sincerely,

A handwritten signature in blue ink, appearing to be "Zane Grier". The signature is stylized and written over a faint, illegible printed name.

Zane Grier

Director – Driftlab Pty Ltd

Mobile: 0415 338 398



Ballina Shire Council

PO Box 450

Ballina

NSW 2478

Subject: DA 2015/712 for the proposed temporary use consisting of a Function Centre for the purpose of hosting Wedding Ceremonies.

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Yours sincerely,

A handwritten signature in black ink, appearing to read "Brooke Hudson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Brooke Hudson

Managing Director

Bengal Business Pty Ltd

Mobile: 0416 871 881



Ballina Shire Council

PO Box 450

Ballina

NSW 2478

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Yours sincerely,

A handwritten signature in black ink, appearing to be "Che Devlin". The signature is fluid and cursive, written over a light blue horizontal line.

Che Devlin

Proprietor

Byron Bay Weddings

Mobile: 0400 813 672



Ballina Shire Council

PO Box 450

Ballina

NSW 2478

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Yours sincerely,

A handwritten signature in black ink, appearing to read "Scott Harvey". The signature is written over a faint horizontal line.

Scott Harvey J.P.

Real Estate

741 Fernleigh Road, Brooklet

Mobile: 0412 296 872

Ballina Shire Council

PO Box 450

Ballina

NSW 2478

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Yours sincerely,

  
Cameron Arnold

CO-CHAIR

North Coast Destination Network

Mobile: 0407 175 865



Ballina Shire Council

PO Box 450

Ballina

NSW 2478



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Yours sincerely,

A handwritten signature in blue ink, appearing to read "Patrick Grier". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

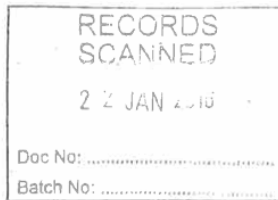
Patrick Grier

1724 Pacific Highway

Knockrow

Mobile: 0411 476 477





Ballina Shire Council

PO Box 450

Ballina

NSW 2478

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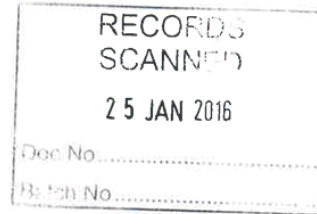
A handwritten signature in black ink, appearing to read "Penny". The signature is written in a cursive style and is positioned above the printed name "Penny".

Penny

Director

Byron Bay Weddings and Party Hire

Contact: 66855483



Ballina Shire Council  
PO Box 450  
Ballina  
NSW 2478

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Yours sincerely,

A handwritten signature in blue ink, appearing to read "Greg Jeromson". The signature is stylized with a large loop at the end.

Greg Jeromson

Director

Goonellabah & Lismore Party Hire

Contact: 0412 665 649

Ballina Shire Council

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Ballina

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Yours sincerely,



Jason Buttigieg

Owner - Adjoining Property to Newrybar Downs

Mobile: 0408 478 126





Ballina Shire Council  
PO Box 450  
Ballina  
NSW 2478

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Yours sincerely,

A handwritten signature in black ink, appearing to read "Nicky Kukulka".

Nicky Kukulka

Owner The Old Church Newrybar

Mobile: 0413 488 626



Ballina Shire Council

PO Box 450

Ballina

NSW 2478

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Yours sincerely,

A handwritten signature in black ink, appearing to read "Thomas Lombard". The signature is written over a faint, circular stamp or watermark.

Thomas Lombard

Neighbour

Newrybar

Contact: 6687 1708

Ballina Shire Council

PO Box 450

Ballina

NSW 2478



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Yours sincerely,

Courtney Brice

Director

Ballina Byron Mini Bus Hire

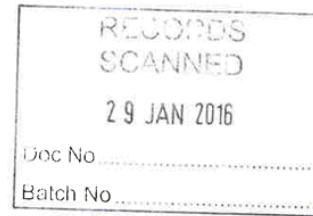
Contact: 0438 624 024

Ballina Shire Council

PO Box 450

Ballina

NSW 2478



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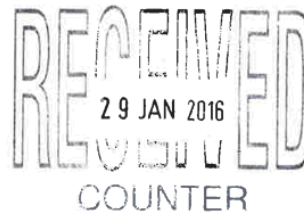
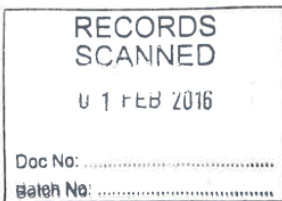
Yours sincerely,

A handwritten signature in black ink, appearing to read "Frank Elsworth".

Frank Elsworth

Owner - Duck Creek Macadamias

145 Brooklet Road, Newrybar



27<sup>th</sup> January 2016  
Mr Paul Hickey  
General Manager  
Ballina Shire Council  
Cherry Street  
Ballina

Dear Sir

**Development Application 010.2015.00000712.001  
Temporary Use of Land Consisting of a "Function Centre" for the Purpose of  
Hosting Wedding Ceremonies  
Property: "Newrybar Downs", 1 Johnston Road, Newrybar (Lot 5 DP 606566)**

We have viewed this application on exhibition and fully support the revised DA.

As a resident of 39 Nashua Road, Fernleigh, Ballina Shire, we have watched Newrybar Downs with interest transform into a gracious residence one fitting to host wedding ceremonies.

The description of the development as a "Function Centre" or "Wedding Centre" however does not correctly describe this venue. The Wedding Ceremonies to be held are, from what we read, within the grounds of this 10 acre property. The wedding ceremonies will be conducted on the Property in a manner consistent with the current approved use for tourist and visitor accommodation. The Property is not to be used "52 week a year" for the purposes of ceremonies, but will rather be limited in the manner proposed in the DA (noting the DA seeks consent for 38 ceremonies any 12 month period).

Of course the history of the development is well known to Council, and an associated development application was partly approved at the Council meeting on 22 October 2015. The aspect of that DA that was not approved was the use of the Property for the purposes of hosting wedding receptions.

Council's "Agenda" (or Business Paper) (**Report**) identified 2 significant issues associated with aspect of the previous DA (22 October 2015, pg 35 & 36).

1. Is the use a "temporary use" as required by clause 2.8 of LEP 2012)?
2. What are the likely impacts on adjoining properties and the effect on the amenity of the locality?

With respect to the "temporary use" issue, the Report identified the issues that arise with respect to a "temporary use". Having regard to the authority of *Lowe v Sutherland Council*, "temporary" was given its ordinary meaning so that an intermittent but regular use of the relevant land is considered a "temporary use".

Indeed the focus of the Report - as was the focus of the letters of objection to the DA - was whether the use of this land would result in unacceptable impacts on the amenity of the locality (the issue identified in paragraph 2 above). That is, and putting it another way, it was not so much whether the use of the land on a temporary basis was lawful (such a use is lawful) but rather whether the temporary use of the land in the manner proposed would result in unacceptable impacts.



The submissions by way of objection to the previous DA were summarised on page 22 of the Report (fully listed on pages 9 to 13 of the Report). The concerns can be summarised as intrusive noise, traffic (and "safety") and guest behaviour.

With respect to noise Council rightly confirmed the accuracy and reliability of the noise assessment carried out by Tim Fitzroy and Associates. A further noise assessment, prepared again by Tim Fitzroy and Associates for the purposes of the current DA (**Fitzroy Report**), indicates that the limit of 42 dB(A) will not be exceeded *at all* and indeed will arise with respect to only two "receptors" from only one ceremony location (Location A) in two seasons per year (Fitzroy Report, pgs 16 and 22 following). It is also worth noting that the limit of 42 dB(A) imposed on this development is well below the EPA daytime amenity criteria of 50 to 55 dB(A) (Fitzroy Report, pg 8).

The nature of the event - a wedding ceremony - can be accurately compared to a "lawn party", where people engage in quiet conversation, enjoy food and drink and share short speeches to mark the occasion. The "party" is deferred to the reception proper. Once the nature of the development is properly understood, the objections with respect to noise and the associated impacts on amenity cannot be sustained.

With respect to traffic, once again Council rightly noted that (with the exception of one matter) the traffic associated with the development could be adequately accommodated on the existing road network (Report pg 34). The matter which Council required the proponent to address was the location of the current driveway to the property. The concerns raised by objectors with respect to traffic and safety are not substantiated by Council's own assessment of the earlier development. The current development, to be operated primarily in daylight hours, should further convince Council that community safety is not compromised.

When consideration is had to the nature of the development for which consent is sought Council can and should be persuaded that this is something significantly different from the previous DA for which consent was sought. The nature of the event, together with the controls that will be imposed by proponents, are sufficient to persuade Council that *"the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood"* (cls 2.8(3)(b)). This is not to say that there are no impacts: rather that there will be no adverse impacts because of the low-key nature of the event.

By supporting this development and granting consent Council will be assisting the Ballina community, and Newrybar Downs in particular, to ensure its guests have an experience that will create lifetime memories of the occasion whilst also leaving positive thoughts of our special rural surrounds encouraging guests to return.

We in the Ballina Shire should do all possible to support these type of endeavours as such an offering will not only assist to stimulate local employment (both individuals and contractors) but will showcase the reasons and benefits to holidaying in our Region.

The Wedding Industry is a fast growing sector in the Northern Rivers and continues to bring both revenue and employment into the Shire.

As evidenced in the revised DA for Newrybar Downs their intent is focused to encourage and attract this Industry growth for the Shire while having the upmost respect for local surroundings as witnessed by the supporting technical information (especially that related to acoustic issues).

Their DA highlights compliant noise levels a small amount of vehicle traffic per Ceremony and little to no pedestrian impact for the Hamlet of Newrybar which surely makes this DA totally desirable for all in the Ballina Region.

Yours sincerely,



Angus Maciver



Julie Maciver

Ballina Shire Council

PO Box 450

Ballina

NSW 2478



Subject: DA 2015/712 for the proposed temporary use consisting of a Function Centre for the purpose of hosting Wedding Ceremonies.

Dear Sir / Madam

I have viewed this application on exhibition and fully endorse this revised DA.

As you are aware I was also fully supportive of the previous application presented to Council for this property - refer DA 2015/300.

I note in particular this revised application has meticulously addressed all concerns related to any possible noise element associated with this revised activity as the application is now for Wedding Ceremonies ONLY not for the actual Reception or Wedding Event. The technical reports also fully support the activity outlined within this application.

Newrybar Downs is diligently operated and personally run by owners Greg & Pip Rooke .

This revised DA will attract much needed employment for local companies and individuals alike whilst professionally supporting the already wide spread Wedding Industry within the Region.

The offering proposed will assist encourage a greater awareness to a wider public as to the attractions of the Northern Rivers Region.

Should you have any further questions please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Andrew Starkey".

Andrew Starkey

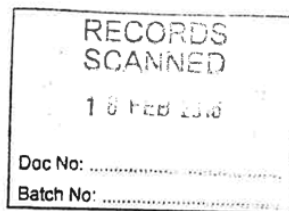
Macs Network

427 Friday Hut Road

Mobile: 0400 403 507

Malcolm Bush AM  
6/155 Fisher Road North  
CROMER NSW 2099  
28<sup>th</sup> January 2016

The General Manager  
Ballina Shire Council  
PO Box 450  
Ballina NSW 2478



Dear Sir,

Development Application 010.2015.00000712.001  
Temporary Use of Land Consisting of a "Function Centre" for  
the Purpose of Hosting Wedding Ceremonies  
Property "Newrybar Downs", 1 Johnston Road, Newrybar  
NSW (Lot 606566)

I have viewed this letter on application and fully support the revised DA.

I have known Greg Rooke for 45 years as a close friend and a business colleague and can vouch for him as an outstanding, successful and honest businessperson. His long list of achievements in his life include many years in responsible senior executive roles with public companies in Australia, China, Hong Kong and New Zealand.

His wife, Phillippa, whom I have had the pleasure of knowing for the past 20 yrs., is also an outstanding and successful businessperson. She is a visionary and creative person, having been recognised in New Zealand and Hong Kong by her peers and Rotary International for her honest and creative business pursuits

I am delighted to support Greg and Phillippa's application to Ballina Shire Council in this exciting and creative plan.

Yours faithfully

Malcolm Bush AM

A handwritten signature in black ink that reads "Malcolm Bush".

PH 0416110997

Email: malbush11@gmail.com



03/03/2016

DEVELOPMENT APPLICATION REFERENCE DA/2015/712AS LODGED WITH BALLINA COUNCIL.

Dear General Manager,

This is a letter in full support of the development application for Newrybar Downs, 1 Johnston Rd.

My name is Jesse Amos, owner of Australian Landscape Maintenance, in regards to this revised application I would hope that council consider a few things.

1, That an application like this is something that needs to be addressed. Northern Rivers has become somewhat of a "hot spot" for weddings. People all over Australia have never had more of a desire to come to this area for their big day. We will start to see a lot more of these applications in the future, to which I say this. Let Newrybar Downs set the benchmark. Let Newrybar Downs be the showcase of just what actually has to be done in order to achieve such an approval. This isn't just some house with a view and people thinking "hey, we should have weddings here". But two very lovely people who have poured their heart and soul into creating such a venue. Let Newrybar Downs set the standard.

2, After reading through the letters of objection, I see that the focus has shifted from nighttime noise, which has been addressed, to daytime noise. Which proves to me that this has not become a matter of fact, but more of a personal issue with neighbours. For I truly believe that if the Rookes were to submit an application to have a barbecue with 3 friends, it would be met with objection.

I feel this new application is a fair, desired, needed, perfect addition to the Newrybar community. This is a matter I am very passionate about as I've donated sweat, and blood side by side with Greg and Pip who often have their gumboots on, right next to me in the gardens.

Thank You

Jesse Amos

Owner/Operator of Australian Landscape Maintenance  
31 Kingsley Street, Byron Bay NSW 2481  
Phone: 0403 131 268 Email: jesse@a-l-m.com.au



**8.1 DA 2015/712 - Newrybar Downs, 1 Johnston Road Newrybar.DOC**

**From:** "Fred" <firetrax2@bigpond.com>  
**Sent:** Wed, 13 Jan 2016 13:25:03 +1100  
**To:** "Ballina Shire Council" <BallinaShireCouncil@ballina.nsw.gov.au>  
**Subject:** DA objection

Attn: Ballina Shire Council.

Re: Online DA no: 010.2015.00000712.001 Newrybar Downs

Please note that we object to the number of functions proposed by the above DA for the Function Centre in Newrybar.

The proposal is for 38 functions to be held a year, with up to 150 people attending. For a small rural environment, this is detrimental to the peace and quiet of a country way of life that made residents choose to live here. It means that a party is being held in the neighbourhood once a week.

We would like to see the number of events limited to one a month, with the proposal reviewed in 12 months time, not 5 years.

We live at 49 Brooklet Road, Newrybar, and while not affected by noise, we have noticed a big increase in traffic and pedestrians when functions have been held there.

Thank you for paying attention to our objections.

Sincerely, Fred and Pauline Ranscombe

The General Manager  
Ballina Shire Council  
Post Box 450  
Ballina 2478  
22 January 2016  
Attention - Naomi Mc Carthy

125 Brooklet Road,  
Newrybar 2479

Development Application - Newrybar Downes 2015/712

Noise levels from the venue have been a constant issue, and no amount of expert noise consultants recommendations, which may I add is all based on "modelling" will prevent under all circumstances noise travelling to nearby properties. No mention is made of monitoring noise levels to ensure it meets the statutory permissible noise levels for this location and type of event. It is noted that the conclusion time of these ceremonies is 5.30pm, in an attempt to satisfy nearby neighbour's noise concerns. As an additional concern, how will the noise levels be monitored by those patrons who are being accommodated [staying overnight] at the venue be done?

At the Council meeting on 22 October 2015 to discuss and deliberate the 2015/300 matter, it was stated by some Councillors that these types of functions, events should be conducted in areas where sufficient space is required to prevent any negative impact on the social amenity. In other words, Council should develop policy, criteria in specific shire localities, so these matters can be successfully held without disruption to residents in the nearby neighbourhood?

I believe this DA does not address these concerns, even with the changes to operating hours and new noise consultant report. This DA is requesting Council to approve 38 wedding ceremonies per year, for 5 years. The number of attendees is up to 120, with light refreshments and alcohol at the end of the ceremony and some music. This in effect

is more events, and maybe more frequency of wedding ceremonies than the first DA 2015/300 and without question will a greater impact on the social amenity.

This DA proposes the majority of attendees will be mini bused to the wedding venue, however it must be realised a percentage of attendees will access the venue by motor vehicle[s] which may cause some traffic safety concerns for local residents.

It is requested by the owners of Newrybar Downes that approval is given for 5 years for the operating of these wedding ceremonies events. Some clearer definition is required by Council to explain the term "temporary use", as stated in the DA under clause 2.8 of the LEP provisions, in attempting to satisfy Council purposes for approving this DA.

So my reasons have been articulated for opposing this DA, and I wish to re iterate that under the current zoning there is provision for conducting these types of commercial activities in rural settings providing the applicant addresses key concerns to satisfy Council.

This DA is in effect another attempt to exploit this ruling, by a new DA, which in effect does not address the fundamental issues of noise impact, irrespective of the new time frames, the volume of traffic on Brooklet Road, and the impact on the social amenity.

In conclusion, given the past disingenuous experiences by the owners regarding the previous DA, the owners have not given me the confidence and engendered trustworthiness with myself to believe this commercial activity will be sensitive and sustainable to the social, environmental amenity of Newrybar.

To approve this DA will change the character and ambience of this unique area, and set a bad precedent.

Boyd Kellner



Newrybar 22.01.2016

21 Boormans Road  
2479 Newrybar

To the General Manager Ballina Shire Council,

Regarding  
010.2015.00000712.001 New Recreation Facility- Temporary Use Function Centre for  
Wedding Proposed Temporary Use Consisting of a Function Centre for the Purpose of  
Hosting Wedding Ceremonies

We hereby reject the above DA for the same reasons we rejected the previous DA since  
it effects the amenity of our home.

We don't think the term temporary use is suitable as it is a permanent business.

The amount of events per year is far too high for the neighbourhood to handle and could  
mean 3/4 of all weekends during one year are booked with events.

The amount of people and associated noise and the increase in traffic are to high for the  
areas infrastructure to handle.

With the current DA asking for amplified music, the noise levels of ceremony, music and  
patrons will continue to have a negative effect on us - not in the night- but during the  
daytime.

Function centres are essentially prohibited in a rural, residential zoning which we chose  
carefully as an environment to raise our family.

We also imagine a possible negative impact of this large scale business for other smaller  
scale tourism - like accommodation and recreation - in the area due to noise levels.

Yours Sincerely,

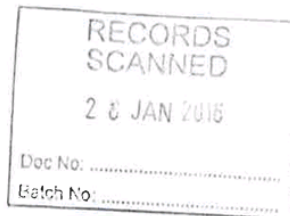
Joseph Azad and Frauke Huhn

25 Boormans Road  
Newrybar  
NSW 2479

21/1/2016

Re: DA 2015/712

Attn: General Manager  
Ballina Shire Council



Dear Sir,

I am writing to voice my opposition to the revised proposal for a Function Centre at Newrybar Downs. While this DA does alleviate my concerns regarding noise during the evening hours, it does not reduce the noise during the day and, with the large number of ceremonies proposed, adds a further concern regarding road safety. A function centre at Newrybar Downs will have a negative impact on the amenity of local residents and therefore should not be approved.

Weddings held at Newrybar Downs are audible to neighbouring properties. We are disturbed by the ceremony, the voices of patrons and the music. The current DA still has provisions for the use of a microphone, amplified singing and 120 guests. The sound will be audible to all residents of Boormans Road and will impact on our ability to entertain our friends, or to simply enjoy the peace and quiet of our own homes. With the proposed 38 functions a year, every weekend in spring, summer and autumn could potentially be disrupted.

A proposal for 38 functions a year, with 42 trips per function (page 13), would result in an increase of 1596 car, bus or truck trips on Brooklet Road a year. Turning right out of Boormans Road is currently extremely hazardous due to both the poor visibility at the intersection and the vehicle speed on Brooklet Road, as vehicles rarely slow to the speed limit of 50kmh. This will make the intersection much more dangerous. Newrybar does not have the infrastructure to support such a venue.

While I understand this proposal has some support within the business community and local neighbourhood, the identical wording of all letters of support reduces their impact. As this is a contentious issue I believe this DA should be discussed at a council meeting.

Thank you for considering this matter.

Yours faithfully,

A handwritten signature in blue ink that reads "Kerry Goldstone". The signature is fluid and cursive, with the first name being more prominent.

Kerry Goldstone



Peter & Robyn Porritt  
26 Boormans Road  
Newrybar NSW 2479

27 January 2016

<p>RECORDS SCANNED</p> <p>U 1 FEB 2016</p> <p>Doc No: .....</p> <p>Batch No: .....</p>
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**The General Manager**  
**Ballina Shire Council**  
**PO Box 450**  
**Ballina NSW 2478**

**Re: Objection to DA 2015/712 - Function Centre at 1 Johnston Road Newrybar.**

As neighbours affected by this business we make the following submission and objection to the above application. We are concerned that a function centre is an inappropriate development for this site in Newrybar given the number of close residences and the unpredictability of noise in the area, due to the management of the function centre, local topography and local weather conditions.

Noise has not been adequately addressed in the application. There have now been 2 noise reports prepared for this use of the site (ceremony only), both by the same consultant, but they appear to have different results. The earlier report prepared on 20/8/2015 specified a lower Maximum Noise Level for each of the proposed ceremony sites than those proposed in this current report.

Ceremony Location (19/12/15 location)	Previous report. Maximum allowed noise limit (20/8/15)	This report. Maximum allowed noise limit (19/12/15)	Difference
A	70	75	+5 dB(A)
B	65	80	+15 dB(A)
C	55	81	+16 dB(A)

As the noise report at page 14 states "a change of up to 3dB(A) in level of a sound is difficult for most people to detect, whilst a 3dB(A) to 5 dB(A) change corresponds to a small but noticeable change in loudness. A 10d(BA) change corresponds to an approximate doubling or halving in loudness." Based on this statement, the noise level differences between the two reports are significant, but maybe it only reflects the accuracy of the modeling.

Given the discrepancy in the two noise reports and, contrary to the model results, we have heard wedding ceremonies on the site, it would have been simpler for the applicant and for all concerned if they had specified a maximum allowable increase in the noise level of 5d(B)A at the property line, as required by other commercial businesses that serve alcohol and are located adjacent to residential development.

The courts have held that Council, in approving any development, has considered the effect of noise from the development and as such Council and neighbours have limited, if any, recourse to the courts to limit any adverse affect of offensive noise on the amenity of the area. To overcome this problem, and given that the operators have shown no inclination to control the noise, a noise limit at the Newrybar Downs property line should be stipulated. This would overcome the difference in the two reports and make any Council noise level measurements easier to interpret for the Courts, Council and the applicant.

4

The new modeled noise levels for this application relating to the dwellings in Boormans Road are generally the same as or more than the noise levels obtained in the previous application where a band was proposed. The adverse affect of these proposed noise levels on the amenity of the area was previously considered unacceptable by Council.

The application is for 5 years. Loud noise is probably the worst affect on the amenity of the area, and if Council is considering approving this application then it should only be approved for a maximum of 2 years given the applicants inability to control noise from the site.

This application is for 38 events per year for bridal parties to basically rent a vacant paddock for a wedding ceremony, with the bridal party required to setup all facilities for up to 120 persons. While the application states all equipment can be installed and removed in one day, it is unlikely that this timing can be achieved, given that hire companies do not generally work on weekends

This application for 38 events per year is based on each event taking 1 day. There has been no consideration of the number of wet days that Newrybar experiences each year. It would be an unusual bride who would not require a Marquee if there was any chance of rain on her wedding weekend. If a Marquee is required, the set up/take down time would be the same as detailed in their previous application, taking a minimum of 4 days. A review of the rainfall records for the last couple of years for Newrybar indicates that up to 60% of the weekends had a rainfall event (Friday, Saturday or Sunday). As the application proposes 38 events, of which 60% (23 events) may encounter rain and require a marquee etc setup, then the actual number of days they are using the site for a function centre would be:

$$23 \times 4 \text{ (days to setup and remove marquee etc)} + 15 \text{ (1 day events)} = 92 + 15 = 107.$$

This is double the 52 days allowed under Clause 2.8 of the LEP.

The maximum number of events that can be held in accordance with Clause 2.8 of the LEP, taking into account wet weather, is 18 events made up of 11 four day events and 7 one day events (51 days).

Safety at the intersection of Boormans Road and Brooklet Road is already an issue. The increased traffic volume along Brooklet Road, and vehicles not complying with the speed limit, make turning out of Boormans Road hazardous. The proposed increase in traffic unfamiliar with the area to/from this function centre along Brooklet Road 38 times a year will make the intersection even more dangerous to Boormans Road residents.

Given the applicants past record on being unable to enforce a limit on noise levels from the property, the discrepancy in the noise modeling and the site being used for more than 52 days per year for 38 events, we request Council protect our amenity and refuse the application.

Yours faithfully



Peter & Robyn Porritt

Ballina Shire Council

PO Box 450

Ballina NSW 2478

DA 2015/712 Function Centre

Dear Sir/Madam

We opposed the DA 2015/300 on the grounds of noise and unsociable behaviour.

We see no difference in the latest DA 2015/712 and therefore we strongly oppose it.

It is still a function Centre that Council believed inappropriate for the location. The majority of Councillors and Councils Planning department were against DA 2015/300.

Function Centres are identified as a 'prohibited' land use within the land use table to the RU1 Primary Production Zone.

Council states that *'the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood'*.

As Council is very aware the amenity has impacted heavily on the neighbours in Boormans rd, Brooklet Rd and as far as Friday Hut Rd.

This latest DA asks for 38 functions in a 12-month period, this is more functions than was previously asked for and rejected. This will heavily impact on our weekends. We work during the week and would like to enjoy our time at home without the interruption of wedding functions.

The DA states that they would still be using amplifiers for music and speeches. No sound mitigation has been proposed.

38 Functions a year could not be considered temporary use.

Traffic on Brooklet Rd is at an all time high and this will only increase if wedding functions are allowed.

Its great to see the local business community come forward and support Newrybar Downs but they also have to abide by council rules and regulations. The noise from Newrybar Downs doesn't affect them.

Once again we ask council to reject this DA as it will affect the amenity of the neighbourhood.

Kind Regards

Mark and Christine Jones

24 Boormans Rd

Newrybar

mi.jones@bigpond.com

*Anna E Rolfes*  
14 Boorman's Road  
NEWRYBAR NSW 2479  
email: annarolfes@gmail.com  
ph 0414303750

To the General Manager  
Ballina City Council  
40 Cherry St  
Ballina NSW 2478

Attention: Mrs Naomi McCarthy



Newrybar 21.Jan. 2016

Re: Submission regarding Newrybar Downs revised DA 2015/712

Dear Naomi

thank you for your letter of 8.1. giving notice of the new DA lodged to get approval for an "Outdoor Wedding Ceremony Venue" in 1 Johnston Rd.  
The DA is using the clause 2.8 of the LEP that refers to "Temporary use of land".

How is it possible that the ongoing Operation of an Outdoor Wedding Ceremony Venue can be classified as "Temporary"?

The owners proposing the development of an Outdoor Wedding Venue under the label of "temporary Functions Centre" needs to be explained to me as legal under the law. In RU 1 zoning the running of a Function Centre is prohibited. Their new DA clearly states that they want to operate for at least 5 years and then seek to continue operating. Their DA states under 3.1.3. *Timeframe for Approval* on p 12: "It is anticipated that before the expiration of 5 years our clients will approach Council....with a view to a further application being made to continue the use." This can not be called temporary use.

Further, the clause 2.8 3b) states that to get approval *'the temporary use will not adversely impact on any adjoining land or the amenity of the neighborhood'*. The DA claims that the amenities of neighbors will not be encroached upon. It is ignored that there are several houses within a radius of 450m from the proposed marquee. It is not just one house and then agricultural land. Further noise from a hill travels far more than 180ms and trees are not a buffer zone for noise to travel. You need to have earth walls in height above of the source of noise.

The location and size of Newrybar Downs is totally unsuited for operating an Outdoor Wedding Ceremony Venue. The property is too small and too close to my property to have such provisions. Depending on the wind I can hear the laughing and shouting of people renting the place when they are outdoors - even without microphone.

My personal experience living in a house 300m away from the wedding ceremonies held in 2014-2015 has forced me to speak out for my safe and quiet life. The impact on safety and noise this past operation has had on the rural life style I enjoyed was sleepless nights and feeling unsafe in my house.

I had no objection to the venue being approved for accommodation. Hearing some

Anna letterhead.doc

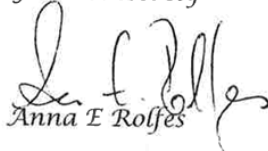
I had no objection to the venue being approved for accommodation. Hearing some people talking and laughing who are accommodated there is a different matter to a crowd of up to 120 people celebrating, consuming alcohol, having microphones to talk and playing amplified music.

The past operation of the venue has clearly proven that the music and crowd noise will travel to Boormans Road. The presented acoustics report is highly questionable in it's claims regarding noise restriction.

The prospect of having up to 120 people convening for 38 times per year, mainly on weekends or at least 3 times in every month on the Newrybar Downs hill playing amplified outdoor music within 350m of my house is not temporary. It is a regular, serious encroachment on my safe and quiet life.

I ask the Council to object to the proposed "Outdoor Wedding Ceremony Venue" that is being applied for under the label of a "Temporary Function Centre".

*Yours sincerely*

  
Anna E Rolfs

Anna letterhead.doc





Date: 12\* February 2016  
Our Ref: 15/453

General Manager  
Ballina Shire Council  
PO Box 450  
BALLINA NSW 2478

Attention: Mrs Naomi McCarthy

Dear Madam,

**Re: DA 15/712 - Temporary Use for Wedding Ceremony Venue  
Lot 5 DP 606566 'Newrybar Downs, No. 1 Johnston Road, Newrybar**

#### **INTRODUCTION**

We refer to the public submissions to the application as made available on Council's website. We would like to take this opportunity to provide the following comments with respect to the issues raised in the submissions in order to clarify several inaccuracies within a number of the submissions lodged with respect to the current proposal.

By way of introduction, it is emphasised that the current application involves the hosting of wedding ceremonies within the grounds of Newrybar Downs. The current proposal is clear that no wedding receptions will occur on site. All wedding festivities / receptions will occur off-site at a function centre and/or restaurant located within the Northern Rivers.

In summary, the application proposes:

- ✓ Hosting of wedding ceremonies;
- ✓ Guests on site for 2-3 hours, always during daylight hours;
- ✓ Almost all guests transported via minibus;
- ✓ Strict Operational Management Plan;
- ✓ Strict Noise Management Plan; and
- ✓ Onsite supervision by Newrybar Downs representative.

The application does not involve:

- \* Wedding receptions and associated 'party';
- \* Bands or loud music;
- \* Evening events;
- \* Marquees; or
- \* Lots of cars or pedestrians on the local roads.

JOHN NEWTON B. Surv. M.I.S. Aust. TONY DENNY B. Surv. (Plann); M.I.S. Aust. DAMIAN CHAPELLE BTP CPP  
Office: Suite 1, 31 Carrington Street, Lismore, Postal Address: PO Box 1138 Lismore NSW 2480  
Phone (02) 6622 1011 Fax (02) 6622 4088 Email office@newtondennychapelle.com.au  
Also at: Cassino Court, 100 Barker Street, Casino NSW 2470 Phone/Fax (02) 6662 5000  
ABN 18 094 889 845

## RESPONSES TO SUBMISSIONS

Upon review of the 28 submissions received by Council, we note that 22 support the proposal, whilst 6 submissions object. The following responses are made to the issues raised in the submissions objecting to the application.

### Function Centre

Submissions refer to the operation of a 'function centre' on the land and question the appropriateness of this land use in a rural location.

**Response:** The 'function centre' definition is used within the development application as it is the most appropriate definition available within the Ballina LEP. However, the nature and scale of activity proposed via the current application involves a very targeted (and low intensity) component of the range of uses which theoretically fit within the definition of 'function centre'. Once again, we reiterate – no wedding receptions will occur on the land as part of the current application.

### Noise

A number of submissions raise concerns regarding the potential for noise impacts off site, with one submission (Mr and Mrs Porritt) raising specific concerns regarding differences between the noise modelling completed for the earlier application on the land (DA 2015/300) and the current project (DA 2015/712).

*Response:* Tim Fitzroy and Associates has provided a response to the technical issues raised in the submission by Mr and Mrs Porritt which is **attached**. As indicated in this letter, Mr and Mrs Porritt have incorrectly assumed that the Addendum Report for the earlier DA 2015/300 and the current Noise Impact Assessment (NIA) for DA 2015/712 have been completed utilising the same methodologies and noise source locations. This is not the case and it is therefore not possible to directly compare results between the two documents.

Other comments concerning the NIA as contained within various submissions are addressed via the following questions and answers:

- Q. Has the Noise Impact Assessment (NIA) been completed in accordance with the required methodology and by an appropriately qualified and experienced professional?
- A. Yes. We note also that Council's Environmental Health Officers (being the technical experts at Council regarding noise impacts) have not questioned the methodology or findings of the noise assessments.
- Q. Does the NIA take into account all noise generating activities related to the project, including use of microphones and playing of music?
- A. Yes.
- Q. Does the NIA take into account buildings, topography and prevailing weather conditions?
- A. Yes.
- Q. Do the applicable noise standards allow noise associated with the wedding ceremonies to be audible off site?
- A. Yes. Noise assessments standards are such that it is permitted for an activity to be audible off site, provided that the sound does not exceed certain limits.
- Q. Does the NIA conclude that the proposal will comply with the applicable noise limits?
- A. Yes. The modelling confirms that the proposal will comply with the adopted Australian Standards for noise at the nearest affected residence. Noise

measurements will also comply at all other residences located further away (noise will diminish, not intensify, over distance).

Q. Will there be noise monitoring during events to ensure compliance?

A. Yes.

#### **Letters of Support**

One submission against questions the validity of the majority of letters of support, which are 'form letters'.

*Response:* The supporters of the current application (DA 2015/712) had made detailed submissions in support of the earlier DA on the site (DA 2015/300). This support is carried over via the fresh submission to the new application. This indicates that they are aware of the specifics of the project and have a genuine interest in supporting what is a much more modest proposal (when compared to the previous DA which they also supported).

#### **Duration of Consent**

Submissions have objected to the proposed term of the consent (5 years) and suggested a shorter trial period.

*Response:* Weddings typically involve a relatively long lead time, with many brides choosing their preferred venue up to 18-24 months in advance of the event. This is particularly the case for 'destination weddings' where the bridal party and many of the guests are travelling from interstate or overseas. Our clients advise that in order to provide suitable lead time to accommodate both venue marketing and future bookings, a 5 year consent is required.

#### **Number and size of events**

Submissions have objected to the number of events per year and request a reduction.

*Response:* The application proposes up to 38 ceremonies per year with up to 120 people in attendance. These numbers represent the maximum number of people and events. Our clients expect a significant proportion of the events hosted at the venue will be relatively small, intimate ceremonies with between 20 - 70 people in attendance. The average number of guests is anticipated to be 80 persons. However, in order to provide flexibility in accommodating event bookings, approval for 38 events have been sought. Our clients advise that they do not wish to amend the application as it relates to frequency or size of events.

#### **Traffic**

Submissions have raised concerns regarding traffic impacts in the locality.

*Response:* The 2014 Strategic Modelling Update records 1177 vehicles per day using Brooklet Road in the vicinity of Boormans Road. This includes a range of heavy vehicles (such as trucks and buses) associated with rural activities in the locality. The inclusion of a small number of additional traffic movements associated with Newrybar Downs will not noticeably increase the noise already generated by this road or impact on the flow of traffic.

In addition, the development application proposes that all but a limited number of ceremony guests will be transported to and from the premises by mini-bus. This requirement will be specified within the contract signed by the bride and groom upon hiring of the premises. For the previous application (DA2015/300) Council's engineers had accepted this as a suitable method of managing traffic movements associated with the event. Furthermore, during the assessment of the previous application, Council had not raised concerns with respect to the capacity of the surrounding road network to accommodate the vehicles associated with hosting the event.

In addition, the hosting of ceremonies in primarily daylight hours (noting relatively shorter days in winter) will assist to ensure traffic and pedestrian safety.

**Permanent vs Temporary Use Clause**

Submissions have queried whether or not the proposal can be considered a 'temporary use'.

*Response:* Case law (*Lowe v Sutherland*) has established that the intermittent but regular use of a site is considered a 'temporary use'. As such, the intermittent use of the subject land for a wedding ceremony venue is permitted via the provisions of the Clause 2.8 of the BLEP2012.

Council's particular attention is also drawn to the Statement of Environmental Effects as well as the letter of support from Mr and Mrs Maciver which provide a more detailed analysis of compliance with the provision of Clause 2.8.

Furthermore the "time limited" nature of the consent means that as a matter of planning law the property will not have the benefit of the consent "for all time". It will have the benefit of the consent for a temporary period only: on the basis of the application, only for a period 5 years.

**Marquee**

One submission claims that brides will use marquees as a contingency in the case of wet weather and this will extend the number of days the site is used as a function centre.

*Response:* This assertion is incorrect. The terms and conditions at the time of booking will clearly state that the ceremony venue is 'open air' and that no tents or marquees are permitted to be installed. An option will, however, be available for ceremonies to be held in the 'pool house' structure in the event of inclement weather. This existing structure is of concrete block construction which will shield the nearest neighbour from adverse noise impacts. Given the limited size of this structure, it is expected that many brides will have a 'back up' ceremony venue arranged in the event of bad weather, in most cases this would be arranged with their reception venue.

**Set up and Pack up**

One submission claims that party hire firms do not work on weekends and thereby extending the number of days the site will be used as a function centre.

*Response:* This statement is incorrect. Our clients have agreements with "Portaloos" providers who have confirmed that they are able to deliver and pick-up the "Portaloos" on the day of the ceremony. As Newrybar Downs will be providing all the necessary furniture and accessories for the occasion no party hire or delivery trucks will enter the property.

**CONCLUSION**

Our clients have listened to neighbours and the elected Council regarding concerns about the earlier application - particularly with respect to off-site impacts associated with hosting evening wedding receptions. In response to the concerns of residents no receptions are planned. The current application involves wedding ceremonies only, with these ceremonies to occur in accordance with a comprehensive management plan linked to contractual agreements between our clients and the bridal party.

The application and Statement of Environmental Effects demonstrate that the current application to utilise Newrybar Downs as a wedding ceremony venue is fully compliant with the applicable town planning framework. Furthermore, the application demonstrates that the proposal involves a low impact use which is compatible with character and amenity of the rural locality.

The 'Destination Wedding' industry is an important and growing sector of the tourism market and delivers a significant multiplier effect. Newrybar Downs is poised to play a discrete integral support role for this growing tourism silo within the region. As outlined in the SEE, these functions largely comprise scenarios where the wedding party and all guests reside outside of

the local area. A significant proportion of these guests will incorporate attendance at the wedding into a 'mini break' staying for a few nights in the Northern Rivers region. As such, these events provide for additional tourism spending within the local area. We note also that a typical wedding provides employment for a range of local businesses including caterers, wedding planners, party supplies, security, transport, music, decorators, photographers etc thereby providing economic benefits to the local business community.

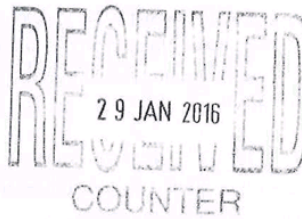
We trust that the above is satisfactory to Council and look forward to Council now proceeding to favourably determine the application subject to the application of suitable conditions of consent. Our clients would welcome the opportunity to provide the elected Council with a tour of Newrybar Downs prior to its determination of the application.

Should you have any queries regarding the above, please do not hesitate to contact either Damian Chapelle or Karina Vikstrom of this office.

Yours sincerely,  
NEWTON DENNY CHAPELLE

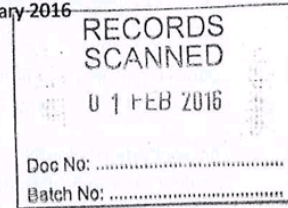


DAMIAN CHAPELLE  
Town Planner. BTP. CPP.



Peter & Robyn Porritt  
26 Boormans Road  
Newrybar NSW 2479

27 January 2016



**The General Manager**  
**Ballina Shire Council**  
**PO Box 450**  
**Ballina NSW 2478**

**Re: Objection to DA 2015/712 - Function Centre at 1 Johnston Road Newrybar.**

As neighbours affected by this business we make the following submission and objection to the above application. We are concerned that a function centre is an inappropriate development for this site in Newrybar given the number of close residences and the unpredictability of noise in the area, due to the management of the function centre, local topography and local weather conditions.

Noise has not been adequately addressed in the application. There have now been 2 noise reports prepared for this use of the site (ceremony only), both by the same consultant, but they appear to have different results. The earlier report prepared on 20/8/2015 specified a lower Maximum Noise Level for each of the proposed ceremony sites than those proposed in this current report.

Ceremony Location (19/12/15 location)	Previous report. Maximum allowed noise limit (20/8/15)	This report. Maximum allowed noise limit (19/12/15)	Difference
A	70	75	+5 dB(A)
B	65	80	+15 dB(A)
C	55	81	+16 dB(A)

As the noise report at page 14 states "a change of up to 3dB(A) in level of a sound is difficult for most people to detect, whilst a 3dB(A) to 5 dB(A) change corresponds to a small but noticeable change in loudness. A 10d(BA) change corresponds to an approximate doubling or halving in loudness." Based on this statement, the noise level differences between the two reports are significant, but maybe it only reflects the accuracy of the modeling.

Given the discrepancy in the two noise reports and, contrary to the model results, we have heard wedding ceremonies on the site, it would have been simpler for the applicant and for all concerned if they had specified a maximum allowable increase in the noise level of 5d(B)A at the property line, as required by other commercial businesses that serve alcohol and are located adjacent to residential development.

The courts have held that Council, in approving any development, has considered the effect of noise from the development and as such Council and neighbours have limited, if any, recourse to the courts to limit any adverse affect of offensive noise on the amenity of the area. To overcome this problem, and given that the operators have shown no inclination to control the noise, a noise limit at the Newrybar Downs property line should be stipulated. This would overcome the difference in the two reports and make any Council noise level measurements easier to interpret for the Courts, Council and the applicant.

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4 The new modeled noise levels for this application relating to the dwellings in Boormans Road are generally the same as or more than the noise levels obtained in the previous application where a band was proposed. The adverse affect of these proposed noise levels on the amenity of the area was previously considered unacceptable by Council.

The application is for 5 years. Loud noise is probably the worst affect on the amenity of the area, and if Council is considering approving this application then it should only be approved for a maximum of 2 years given the applicants inability to control noise from the site.

This application is for 38 events per year for bridal parties to basically rent a vacant paddock for a wedding ceremony, with the bridal party required to setup all facilities for up to 120 persons. While the application states all equipment can be installed and removed in one day, it is unlikely that this timing can be achieved, given that hire companies do not generally work on weekends

This application for 38 events per year is based on each event taking 1 day. There has been no consideration of the number of wet days that Newrybar experiences each year. It would be an unusual bride who would not require a Marquee if there was any chance of rain on her wedding weekend. If a Marquee is required, the set up/take down time would be the same as detailed in their previous application, taking a minimum of 4 days. A review of the rainfall records for the last couple of years for Newrybar indicates that up to 60% of the weekends had a rainfall event (Friday, Saturday or Sunday). As the application proposes 38 events, of which 60% (23 events) may encounter rain and require a marquee etc setup, then the actual number of days they are using the site for a function centre would be:

$23 \times 4$  (days to setup and remove marquee etc) + 15 (1 day events) = 92 + 15 = 107.

This is double the 52 days allowed under Clause 2.8 of the LEP.

The maximum number of events that can be held in accordance with Clause 2.8 of the LEP, taking into account wet weather, is 18 events made up of 11 four day events and 7 one day events (51 days).

Safety at the intersection of Boormans Road and Brooklet Road is already an issue. The increased traffic volume along Brooklet Road, and vehicles not complying with the speed limit, make turning out of Boormans Road hazardous. The proposed increase in traffic unfamiliar with the area to/from this function centre along Brooklet Road 38 times a year will make the intersection even more dangerous to Boormans Road residents.

Given the applicants past record on being unable to enforce a limit on noise levels from the property, the discrepancy in the noise modeling and the site being used for more than 52 days per year for 38 events, we request Council protect our amenity and refuse the application.

Yours faithfully



Peter & Robyn Porritt

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All communications to be addressed to:

Headquarters  
15 Carter Street  
Lidcombe NSW 2141

Headquarters  
Locked Bag 17  
Granville NSW 2142

Telephone: 1300 NSW RFS  
e-mail: [csc@rfs.nsw.gov.au](mailto:csc@rfs.nsw.gov.au)

Facsimile: 8741 5433



The General Manager  
Ballina Shire Council  
PO Box 450  
BALLINA NSW 2478

Your Ref: 2015/712  
Our Ref: D16/0129  
DA16011800332 DC

**ATTENTION:** Naomi McCarthy

22 February 2016

Dear Ms McCarthy

**Integrated Development for 5//606566 - 1 Johnston Road Newrybar 2479**

I refer to your letter dated 8 January 2016 seeking general terms of approval for the above Integrated Development in accordance with Section 91 of the 'Environmental Planning and Assessment Act 1979'.

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

1. The development proposal is to comply with the drawing titled 'Plan 4A - Proposed Site Layout - General' prepared by Newton Denny Chapelle, referenced 15/453 and dated 15th December, 2015, except where modified by this bush fire safety authority.

**Evacuation and Emergency Management**

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

- An Emergency /Evacuation Plan is to be prepared consistent with the NSW Rural Fire Service document 'Guidelines for the Preparation of Emergency/Evacuation plan'.

**General Advice – consent authority to note**

This bush fire safety authority is issued on the basis that the referred application involves the temporary use of the land to host wedding ceremonies. The assessment has not considered use of the land for tourist accommodation.

ID:100332/93988/5

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For any queries regarding this correspondence please contact Danette Cook on 1300 NSW RFS.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alan Bawden', with a stylized flourish at the end.

Alan Bawden  
**Team Leader - Development Assessment & Planning**

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au) and search under 'Planning for Bush Fire Protection, 2006'.