

APPENDIX J

Land Use Conflict Risk
Assessment



Land Use Conflict Risk Assessment

**397 Craigie Lea
Lane, Narromine**

Rezoning of land RU1 to E5

20th February 2024

This report has been prepared by Narromine Shire Council for inclusion in the Planning Proposal Report for the purposes of rezoning land at Craigie Lea Lane, Narromine.

The report has been developed utilizing the Land Use Conflict Risk Assessment Guide developed by the Department of Primary Industries, dated October 2011.



Image 1: General view of area to be rezoned and developed. Looking from north eastern corner to the west.

Source: Barnson Pty Ltd

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2. Subject Land

The LUCRA relates to land located at 397 Craigie Lea Lane, Narromine, described as Part Lot 2 in DP 1294897. See Figure 2 below. The whole lot is 292.1 Ha and is part of a former grazing property.

The allotment has had recent approval to develop a Materials Distribution Centre (10 June 2022, Review of Environmental Factors, ARTC) which will be utilized in the construction of Inland Rail which transects the property from west to east on the southern boundary of Part Lot 2 in DP 1294897.

Inland Rail ARTC own the land to the immediate south of the rail line. The area immediately surrounding the proposed rezoned land is RU1 land. There are no properties (other than owned by Narromine Shire Council) that are contiguous to the land proposed to be rezoned.

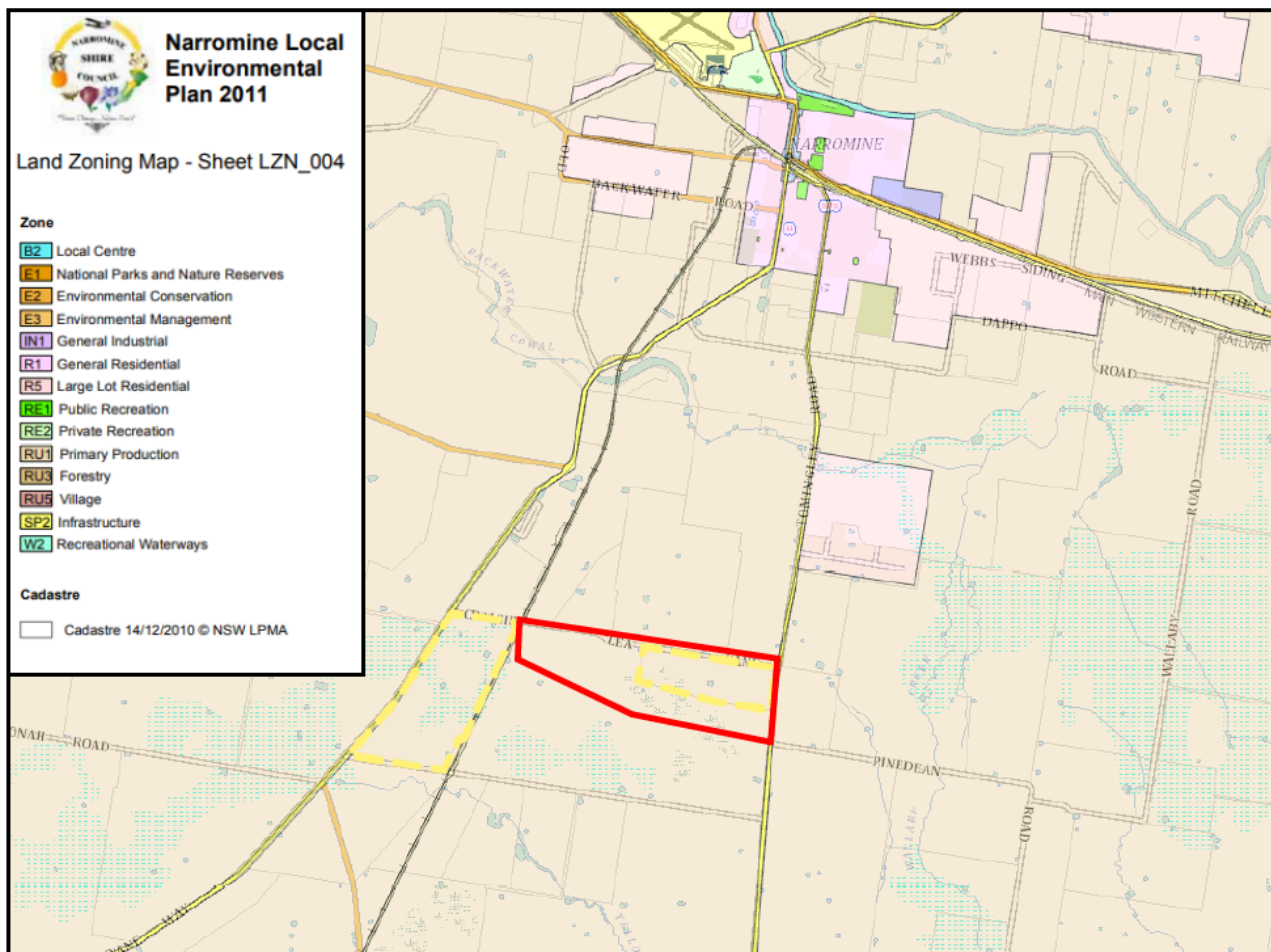


Figure 2: Existing land use zones- Narromine Local environmental Plan 2011

Source: Barnson Pty Ltd

It is Council's intention to rezone only part lot 2 DP 1294897. This is for the purpose of a future industrial area development for which Narrromine Shire Council has received a State Government Grant to construct the enabling infrastructure on the site. Narrromine Shire Council will continue to lease the balance of this lot to Inland Rail ARTC for the purposes of the Materials Distribution Centre.



Image 2: Materials Distribution Centre under development (south and west of the area proposed for subdivision)

Source: ARTC website 21st February 2024

The approval and development of the Materials Distribution Centre has constrained the further development of Part lot 2 as a farming property. Of the whole portion of 292.1 Ha, 190 Ha is leased for the industrial purpose of the Materials Distribution Centre. The review of Environmental Factors (ARTC) approves the use throughout the construction of the Inland Rail with the REF outlining in regard to decommissioning; *“Upon completion of the Inland Rail corridor works, ARTC will consider the most effective ongoing use of the proposal site or Lot B and decommission the MDC according to what its proposed future use would be”*.

Given the level of infrastructure that will be built it is likely the best future use of the infrastructure will be to utilize the facility to load trains and further its industrial use, subject to future approvals.

3. Methodology

The approach taken in this LUCRA is based on the NSW DPI Land Use Conflict Risk Assessment Guide published in October 2011. The approach is essentially to:

1. Gather information about the site and locality;
2. Undertake an inspection;
3. Talk to key land holders;
4. Undertake a land use conflict risk assessment; and
5. Make recommendations to reduce the risk or consequences of any conflict that should arise.

4. Background Information

The Planning proposal seeks to rezone part of lot 2 DP 1294897 (99.65 Ha to be rezoned) from RU1 to E5 to allow for the development of an industrial precinct on Craigie Lea Lane. The precinct will ultimately provide for 29 lots (approx.) of industrial land ranging in size from 2,000m² to 20Ha.

The rezoning proposal is supported by a number of strategic documents which highlight the importance of planning for industrial development along the new Inland rail corridor to grow in particular the Transport and Agricultural (value adding) sectors.

In planning the rezoning and ultimately the precinct, allowance is made for 200 staff to be directly employed in the precinct which is 5.4Km from the southern outskirts of Narromine township.

In order to satisfy the industrial needs of the future development there will need to be extensive power supply upgrades to the surrounding area, potable water piped from the Narromine town supply and an upgrade to Craigie Lea Lane (existing gravel road).

Figure 3 below shows the indicative lot layout of the future industrial precinct.

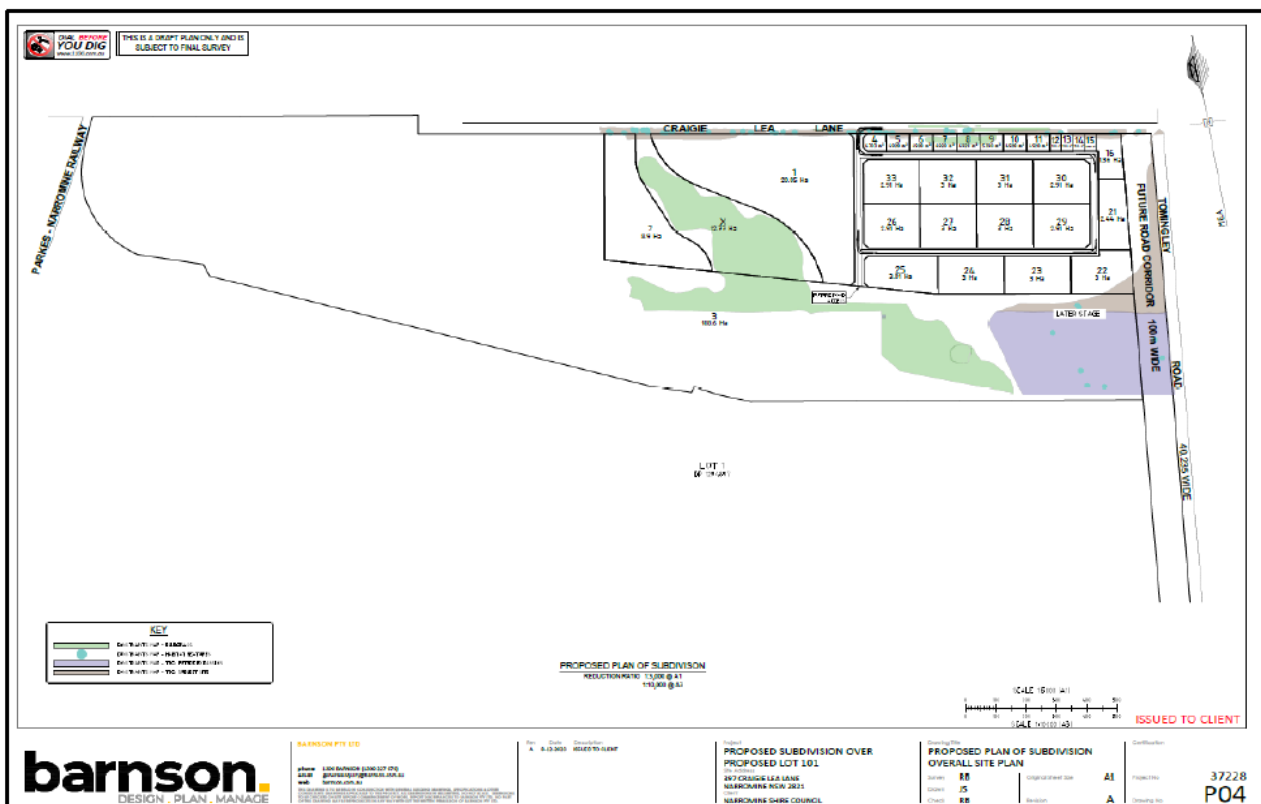


Figure 3: Subdivision Plan
 Source: Barnson Pty Ltd

In support of the Planning Proposal for the rezoning Barnson Pty Ltd have been engaged to undertake the necessary assessments required. These are seen in the substantive Planning Proposal document. Significant areas of study have included:

- Existing land use
- Topography
- Heritage
- Flora and Fauna
- Flooding
- Land and soil capability
- Contamination
- Access and traffic

Narromine Shire Council had previously engaged Barnson Pty Ltd to undertake a site Feasibility Study (September 2023) which concluded:

Barnson Pty Ltd has been engaged by Narromine Shire Council (NSC) to conduct an investigation and prepare information in support of a future Narromine Freight Hub (Industrial Hub) over part of the site at 397 Craigie Lea Lane, Narromine. The site is located approximately 6km south of the township of Narromine and is in proximity to the east-west greenfield take-off point for the Narromine to Narrabri (N2N) Inland rail corridor...

The future Industrial Hub hopes to take advantage of and support the Inland Rail development which objectives are to provide improved network efficiency and reliability, safety improvements, boost to the Australian economy, job creation and improved sustainability.

The feasibility study provides background site information for a planning proposal that shall consider amongst other things an appropriate zoning for complementary land uses supporting the intermodal facility/industrial hub.

In summary, based on investigations to date the site appears capable of supporting a future Industrial hub subject to considering further appropriate matters such as biodiversity impacts, civils augmentation and planning site suitability.

Land surrounding the proposed area for rezoning and future industrial development is used for plant agriculture, cropping and livestock grazing. Comment is made within the Planning Proposal document in regard to the land and soil. Summarized by:

An examination of the Land and Soil Capability mapping in New South Wales was conducted, affirming that the Planning Proposal Area falls within Land and Soil Capability Class 4. Class 4 denotes land with moderate to severe

limitations for certain uses, necessitating careful management to avert soil and land degradation. Specialised management practices, backed by substantial knowledge, expertise, inputs, investment, and technology, can effectively overcome these limitations. Notably, the site is not within the boundary of State Significant Farmland.

A review of groundwater bore records (WaterNSW, 2023) by Barnson Pty Ltd indicated one registered bore within the lease area of the Materials Distribution Centre (GW001568, 89m deep) and south of the area proposed for rezoning.

The two closest bores external to the property being rezoned are GW000306 and GW801300, drilled to a depth of 94.5m and 60m. According to the database GW801300 is abandoned.

The bore associated with land GW000306 has a basic rights entitlement. (Lower Macquarie Zone 4 Groundwater source).

The bore associated with land GW801300 has a basic rights entitlement. (Lower Macquarie Zone 6 Groundwater source). (WaterNSW, 2024).

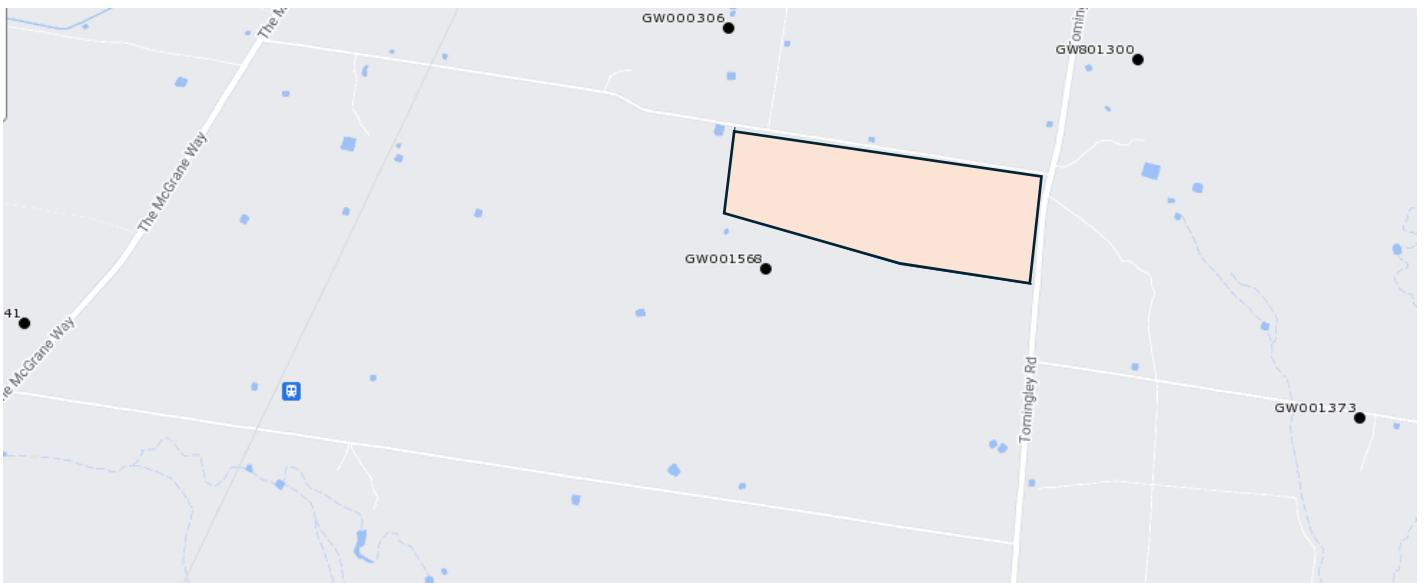


Figure 4: Local bore map

Source: Water NSW 2024, Sourced from waterNSW.com.au



Image 3: General view of the area under consideration for the planning proposal looking to the south.

Source: Barnson Pty Ltd



Image 4: General view of the area under consideration for the planning proposal looking to the north west.

Source: Barnson Pty Ltd



Image 5: General view of the Craigie Lea Lane on northern edge of development looking to the east.

Source: Barnson Pty Ltd



Image 6: Property entrance at Craigie Lea Lane.
Source: Barnson Pty Ltd

5. Site Inspection

The subject land has been extensively surveyed by Barnson Pty Ltd and consultant representatives. As the subject land is owned by Narromine Shire Council and part leased to Inland Rail ARTC it can be confirmed that the subject land has not been used for farm purposes in recent times. The land was inspected most recently on the 20th of February 2024 and as outlined in the Planning Proposal document there is evidence of both native and non native grasses and trees.

Generally, there is only light tree growth within the farm paddocks. There is extensive growth in the adjacent road corridors.

The land is fully fenced. Approximately 10 workers were present at the Materials Distribution site.

6. Consultation

The only entity directly affected by the rezoning and the future usage is ARTC Inland rail who both lease adjacent land and own land to the south.

The area to the south of the future Inland Rail line (owned by ARTC Inland Rail) is being grazed by cattle at this time. This is a casual arrangement between Inland rail and the land owner on the southern side of Narwonnah Siding Road. This arrangement has been confirmed by the Inland Rail- property manager responsible for the maintenance of the balance of Inland Rail land not under construction.

The area leased to ARTC Inland Rail for the purpose of the Materials Distribution Centre will not be utilized for grazing purposes but rather for the ongoing development of Inland Rail.

7. Use of adjacent lands

The land to the north of Craigie Lea Lane is largely held by one property owner. The property is seasonally cropped.

The area to the east of the proposed rezoning and industrial subdivision will be the subject of future road works by Transport for New South Wales. The farm area to the east of the Tomingley road is heavily timbered and cropped seasonally beyond the timber. This is highlighted in Figure 5 below.



Figure 5: Adjacent land uses shown

Source: Google Earth; Narromine Shire Council

The closest residence to the north east is 630m. The closest residence to the east of the proposed area to be rezoned is 650m. The closest residence to the north of the proposed area to be rezoned is 800m.

8 Land Use Conflict Risk Assessment

Risk identification and risk controls

The main land use activities that are likely to generate conflict in this situation are existing residences on adjacent RU1 land and industrial uses. (including the resulting traffic generation). The potential for conflict can occur in either direction.

There is minimal risk of conflict between the industrial use of the land to be rezoned and the industrial use of the Materials Distribution Centre or rail line.

There is minimal risk of conflict between the industrial use of the future precinct and the use of the neighboring agriculture land.

The activities related to the industrial use of the rezoned precinct and the neighboring residences are outlined in Table 1. Each potential conflict is given a risk ranking based on probability (likelihood) and consequence. The tables used as a baseline are included below in Appendix A. Risk rankings greater than 10 are regarded as serious and need to be addressed.

Table 1: Risk ranking for Residences in close proximity

Activity	Potential conflict	Probability level	Consequence level	Risk ranking
<i>Residences in close proximity</i>	Noise generation	C	4	8
	Increased levels of traffic in area	B	3	17
	Disturbance from lights within industrial precinct	C	4	8

Table 2: Risk ranking for Grazing/ cropping and industrial conflict

Activity	Potential conflict	Probability level	Consequence level	Risk ranking
<i>Grazing and cropping/ industrial precinct</i>	Noise from cropping works/ industrial use	D	3	9
	Spray drift	D	3	9
	Dust from fields	B	5	7
	Groundwater contamination	E	3	6

Table 3: Risk ranking industrial land to be rezoned and Materials Distribution Centre

Activity	Potential conflict	Probability level	Consequence level	Risk ranking
<i>Materials Distribution Centre/ Industrial use</i>	Noise from rail line	C	5	4
	Noise from working with steel from MDC	C	4	8
	Trespassing Rail land	C	4	8

9. Risk Reduction Controls

Risk consequences are naturally minimized by the distances to the residential receptors and the different land uses buffered by road ways, existing approved industrial uses and an existing timbered road corridor.

Residences in close proximity

The distances from the boundary of the proposed rezoned land to the residential receptors is greater than 500m and separated by tree coverage. The highest risk rating in this category is the risk associated with increased traffic in this precinct.

The risk level of conflict between the industrial use and the nearby residences is noted as B3 prior to mitigation with the consequence likely to occur or known to have happened. It is noted that the increased traffic is likely to have a moderate impact on the local community, there may be some complaints and will likely require ongoing management. (risk ranking 17).

In order to mitigate this issue of increased traffic causing an impact it is planned that Craigie Lea Lane will be upgraded to a bitumen sealed road and widened for at least the length of road between the Tomingley Road and the entrance to the Materials Distribution Centre.

In order to mitigate the additional traffic on the intersection of the Tomingley Road and Craigie Lea Lane the intersection will be upgraded to include additional turning lanes in both the north and south direction.

The sealing of Craigie Lea lane will ensure that there is less dust attributed to the road, it will be less noisy, will remain open in wet weather and storm culverts will ensure that water travels under the road and minimizes the chances of wash outs. This additional work will benefit the local residences.

The upgraded Tomingley Road intersection will assist to ensure that access to local residences is as safe as practicable.

This mitigation, combined will reduce the conflict level to C4 (risk rating of 8).

Grazing and cropping conflicts

The risk scores for items identified remain lower than a risk rating of 11 where consequences are seen to be minor or negligible.

The biggest risks are noise from cropping and or industrial use but in a rural area with seasonal cropping this is low and no additional mitigation is suggested other than to

maintain the tree line buffers in an equivalent way to what exists today. (note that this is consistent with the approach to managing biodiversity on the site).

While dust from fields may also occur from time to time in a rural setting this is to be expected and will be minimized with the maintenance of a tree buffer.

Narromine Shire Council accepts the 'Right to Farm Policy' developed by the NSW Government and the common interpretation that; *"relates to a desire by farmers to undertake lawful agricultural practices without conflict or interference arising from complaints from neighbors and other land users"*.

In regard to groundwater contamination there are no bores on the part lot to be rezoned and any industry assessed for approval will be required to mitigate the potential to contaminate any aquifer that may be present.

There is no irrigated cropping that exists close by. In this instance contamination would be rare/ unlikely to occur.

Materials Distribution Centre

The Materials Distribution Centre has previously been approved (Review of Environmental Factors, ATRC) and operates to the south and west of the proposed industrial rezoning on land leased from Narromine Shire Council.

The risk rankings are deemed to be lower than 11 and as such no particular mitigations are suggested.

Notwithstanding the low risk score, the area between the Materials Distribution Centre will be fenced to a minimum or rural type fencing and no trespassing signs will be displayed.

A summary of risk mitigation strategies for land use conflict are seen below.

Table 4: Summary of risk mitigation measures

Activity	Mitigation measure	Risk reduction
<i>Residences in close proximity</i>	Traffic generation:	B3-17 risk rating to C4-8
	Ensure Craigie Lea Lane widened and sealed.	
<i>Grazing and industrial usage</i>	Intersection upgrade Craigie Lea Lane	Good practice. Minimal risk considered D3-9
	Maintain tree line buffers	
<i>Materials Distribution Centre</i>	Maintain rural fencing- to minimize trespass	Good practice. Minimal risk considered C4-8
	Erect no trespass signage	

Appendix A

Tables describing probability, consequence and risk ranking

Probability Table- likelihood of the consequence occurring

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

Measure of consequence

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 licenses 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

	<ul style="list-style-type: none"> •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
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
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Risk ranking matrix

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

Note areas highlighted as red require specific mitigation.

Appendix B

Land Use Conflict Reduction Strategies map

For Part lot 2 DP 1294897

