

592 Cudgen Road  
CUDGEN, NSW, 2487

4<sup>th</sup> July 2017

Development Assessment Unit  
Planning and Regulation  
Tweed Shire Council  
Murwillumbah

Attn: Lindsay McGavin

Re: Proposed development of Microbrewery  
592 Cudgen Road, CUDGEN, NSW 2487  
Lot 2 DP881996  
Owners: M.C. & E.G. Hanna

#### OVERVIEW OF PROPOSAL

Establishment of a microbrewery and tasting room within an existing packing shed on a 10ha agricultural property. We envisage opening to the public on Friday, Saturday and Sunday afternoons. The proposal is to create viability of this parcel of land via Agritourism and in doing so allow for creation of greater sustainable agricultural practices and crops to be trialled and established. It is hoped that it would also create an opportunity to increase the awareness of the Cudgen Plateau and its agricultural importance to our region.

Dear Lindsay,

After initial consultation with you onsite and ongoing research and discussion with industry and town planning consultants, we have reached a cross road with our project.

'Schedule 3 Designated development' of the Environmental Planning and Assessment Regulation 2000-NSW legislation has a category (6) for 'Breweries & Distilleries.'

Para (a) is well above our expected production therefore does not apply and para (c) is not applicable due to the position of our site. Para (b) though, does need consideration due to the fact that our property lies within 500m of a residential zone (Cudgen township). The nearest house within that Zone is approx. 400m away to the North East.

There are huge time and financial ramifications in being defined as a designated development. For us at this stage and for the size of our project these requirements could make it not viable to proceed.

The wording of Para (b) however does show room for a common sense approach. It is as follows:

*(b) that are located within 500m of a residential zone **and** are likely, **in the opinion of the consent authority**, to **significantly** affect the amenity of the neighbourhood by reason of odour, traffic or waste.*

I will endeavour to give you a brief outline of facts relevant to the three items raised, in order to assist the forming of an opinion.

#### General Information.

We are initially estimating less than 300L of brewed beer per week. With our present equipment of a 50L Brew kettle, this would entail approx. 13 hrs of actual cooking time over two days. We are looking to upgrade quickly to a 200L Brew Kettle which would see that cooking time reduced to less than 5 hours on one day. The rest of the process of fermentation and maturation takes place in sealed vessels over a matter of weeks.

#### **ODOUR**

The brewing can create some level of smell which comes about from the volatile oils associated with the Malt and Hops. These odours are only produced during the boiling of the wort and therefore will not be present during the entire brewing process. The smell is not offensive, particularly as only natural products will be used in the process and is less than the odour produced during the cooking of meals in a restaurant kitchen. These odours are confined to the area of the building on which the activity is being carried out. Prevailing winds in the area are strongly influenced by local sea breezes as is typical of coastal locations and generally occur as south easterly breezes through autumn-winter-spring and north easterly breezes in late spring- summer. Consequently, any odours would be readily dispersed and generally in the opposite direction of urban areas. On that basis and given the scope of the proposed development, it is highly unlikely that any persons in the vicinity of the land would be adversely affected by any smell arising from this microbrewery.

#### **WASTE**

The brewing process will produce some waste product in the form of 'spent grain'. This equates to about 132 kg per 500L Brew. This spent grain is a suitable food source for pigs, cattle or chickens. It is also capable for use as compost or mulch. We intend to use the spent grain for these purposes on our own property.

Waste water is created as a result of the cleaning process. This will be approx. 685L per 500L brewed. Cleaning is done with biodegradable natural compounds and the waste water collected and used back on farm on our avocado orchard.

#### **TRAFFIC**

There will be no additional deliveries or collections due to this enterprise once fitout is completed. The nature of our property provides plenty of scope for off street parking and it is not envisaged that this development will noticeably increase the existing traffic flow along Cudgen Rd.

#### **CONCLUSION**

This site is on a rural property in an agricultural zone (RU1). The proposal is consistent with all the RU1 zone objectives, particularly to encourage diversity in primary industry enterprises. The previous commercial use of the shed in which this microbrewery will be housed was as a Fruit and Veg packing shed. The noise, waste, traffic, dust and water waste from that operation and from surrounding existing agricultural activities, would be far in

excess of our proposed Microbrewery. After visiting over a dozen Microbreweries in Qld, NSW and NZ (most of which were greater in size than we envisage) we believe that the issues raised in subsection 6 Para (a) to be negligible and most definitely not significant. We are very keen to make our 25acre farm viable, grow some crops associated with making Beer and to incorporate it into this agritourism venture. The microbrewery is the key to a cash flow to invest back into our land. The best way to continue its 'protected agricultural land' status is to make it viable. We also hope that it will provide a point of connection for people with our Cudgen Plateau and thereby strengthen the importance and understanding of protecting it.

In order to not overcapitalise on a venture, on which we are taking a calculated risk, we are starting small and giving ourselves a chance to establish viability and possibly grow. Our Development Application would reflect this and if the proposal grew to a stage where clause (a) of subsection 6 was met then obviously a further DA and all that it would entail would have to be submitted to Council. To this end I would ask that the Consent Authority use their wisdom to look at our low impact proposal and base their opinion on the facts in deeming whether or not we are considered a 'Designated Development'.

To be allowed to proceed via a standard DA process would make a huge difference to us as we endeavour to create an enterprise that will have a positive outcome for all involved. Please advise me if further detail is needed on any points.

Kind regards,  
Liz Hanna