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Appendix 1
BACKGROUND TO AND FEATURES OF RURAL LANDSHARING INTENTIONAL COMMUNITIES PAN COMMUNITY COUNCIL REFERENCE PAPERS Assembled by Peter Hamilton 1999

Appendix 2
ECO-VILLAGES - A SUSTAINABLE LIFESTYLE EUROPEAN COMPARISONS FOR APPLICATION IN BYRON SHIRE AND NEW SOUTH WALES David Kanaley June 2000
DEVELOPMENT APPLICATION

RURAL LANDSHARING COMMUNITY AT
74 HOPKINS CK RD, CHILLINGHAM

Background
Successful rural landsharing communities facilitate low-cost housing, provide a means to manage degraded rural land and promote community involvement between members themselves and with the outside community, see Peter Hamilton’s 1999 paper in Appendix 1 and David Kanaley’s 2000 report for the Byron Shire Council in Appendix 2. With respect to Kanaley’s terminology, we propose an intentional community along the rural landsharing model with the guiding principles of social harmony, environmental responsibility and economic independence. Our aims in the longer term are to convert to community title and develop an eco-village providing financial resources for its members. Crystal Waters Community near Maleny is a well known example of a rural landsharing community that has developed as an eco-village based on the community title model.

The land at 74 Hopkins Creek Road, Chillingham consists of two parcels, Lot 69 DP 755696 and Lot 3 DP 878542, with a combined area of 51.688 ha. Most of the land is heavily forested with large stands of Camphor Laurel, Brush Box, Flooded Gum and stands of regenerating rainforest, see the Vegetation Map p. 14. It operated as a dairy/beef/banana farm from the early 1900’s until 1995 after which it has not been put to income producing agricultural use.

The applicant is the current owner and the intention is that if council approval is obtained for a change in land use to a rural landsharing community, a number of shares will be sold covering the cost of the land and development expenses. The titles for the land will be combined and transferred into a co-operative structure. There will be one share per dwelling entitlement. The current owner will retain one share accommodating the existing council approved dwelling and sheds. It is hoped that a change to a community title structure will be possible in future. A maximum of 14 dwellings is allowed under SEPP 15, but the number of shares actually sold will depend on the interest of prospective members and their financial resources. The plan and history of this project is featured on our website

http://web.maths.unsw.edu.au/~brianj/Gabalah/

Legal Structure
Once a sufficient number of shares are sold, the land title will be transferred to a registered co-operative called Gabalah Co-operative. Each share will be associated with a dwelling entitlement in one of three proposed housing clusters. A portion of land around each dwelling will be for private use, although initially it is not intended to survey exact house plots. This may prove necessary later if the legal structure is changed to community title. Due to the relatively small size of the development, we propose that environmental and community management decisions can be made collectively by some form of consensus decision-making process without the need to
form committees. In accordance with the Co-operatives Act 1992 (NSW), there will be at least one director and one secretary.

The following internal legal issues will be addressed by procedures developed by successful rural landsharing communities:

- how to join the community, including a 6 month trial period;
- how to leave an community, giving first option to buy to the remaining residents or a limited right of refusal to an intending buyer of a house by the remaining residents;
- the internal decision making system;
- the disputes resolution system;
- the payment of internal rates or levies;
- requirements for community work;
- community meeting system.

We have in mind the model rules of Bundagen community near Coffs Harbour.

Road Access

Hopkins Creek Road provides bitumen road access to the property.

Building Sites

Dwellings will be built in three clusters of 5, 5 and 4 houses each indicated on the Settlement Map p. 12 in existing cleared areas of the property. A small community meeting place will be built at the front of the property facing Hopkins Creek Road. Each house cluster will have its own carpark and service roads to houses. Clusters may be settled in a staged development.

Electricity and telephone

It is proposed that the cluster closest to Hopkins Creek Road will be connected to mains power from the high voltage power lines traversing Lot 3. The connection of 5 dwellings will require a transformer upgrade. Depending on the interest of members, it is proposed that the two other house clusters will have solar or alternative energy supplies. The installation of a broadband wireless network is now relatively inexpensive and would obviate the need for the installation of copper wire telephone lines.

Water supply

The property is bounded by Hopkins Creek and the Rous River. There is a small dam at the rear of Lot 3. Dwellings would operate solely on tank water.

Waste disposal

The existing dwelling is operating on a council approved Biolytix™ composting system. Depending on the wishes and financial resources of the members, there is sufficient area to operate and integrated Biolytix™ waste management system for each of the three housing clusters. With chemical treatment, the outfall could be stored and used for watering an orchard in each housing cluster.

Vegetation management

The proposed development utilises much of the cleared flat land for settlement. Two cleared areas subject to occasional flooding from Hopkins Creek and the Rous River, respectively, remain. Forest and Camphor Laurel growth has occurred vigorously on the steeper slopes and ridges. Bushfire management practices will
require the mechanical removal of some Camphor Laurel trees around the settlement areas and thinning of trees in gullies.

After settlement, a program of rainforest re-vegetation utilising the Camphor canopy and the gradual removal of Camphor will be instituted. Willingness to participate in a re-vegetation program will constitute one selection criterion for membership in Gabalah Co-operative.

Flooding, landslip and fires
None of the proposed settlement areas is subject to flooding or landslip. The whole property is in a bushfire prone area. The principal risk is from fire travelling in Camphor infested forests. Settlement areas will be able to meet the requirements of building in a bushfire prone area with regards to forest setbacks, as was required with the existing timber dwelling. Each housing cluster will have its own firefighting pump and dedicated water storage facility for firefighting. Pumping from Hopkins Creek and the existing dam is also feasible in a fire emergency.

Visual impact
Houses will not be visible from adjacent properties because of forest cover on the boundaries. Tall stands of Camphor line the boundary at Hopkins Creek Road so that houses will be screened from the road. Fire resistant trees will separate individual houses from each other.

Land use conflicts
Surrounding properties are engaged in the production of beef and bananas. The drift of aerial sprays in banana plantations may be of concern but the proposed settlement areas are surrounded by forest buffer zones so that spraying should have no impact on habitation.

Extractive deposits
There will be no impact on deposits of coal, sand, gravel, petroleum or other extractive deposits as the land does not possess significant quantities of these materials.

Water resources
Each dwelling will have council approved waste disposal facilities and tank water. There will be no impact on water resources in the vicinity.

Aboriginal issues
The land has operated as freehold farmland since the early part of the twentieth century. There are no land claims or known Aboriginal relics on site.

Community benefit
The local village of Chillingham has an active community centre, a pre-school, primary school, shop and post office. Members of Gabalah Co-operative are likely to be active participants in the wider community, utilise the services provided in Chillingham and contribute to the local economy.
SITE ANALYSIS

74 HOPKINS CK RD, CHILLINGHAM

Dimensions
The land comprises two parcels, Lot 69 DP 755696 and Lot 3 DP 878542, with a combined area of 51.688 ha. Settlement will take place on three sites, Front Village, Cudgerie Village and Top Village indicated on the settlement map consisting of approximately 7, 5 and 2.7 ha of cleared land with less than 18 degree slope.

Maps
The attached maps indicate the relevant site information.

- Contour map
- Department of Lands map
- Bryce Young Reserve map
- Zoning map
- Settlement map
- Vegetation map
- Front Village map
- Cudgerie Village map
- Top Village map

Drainage
Of the watercourses indicated on the contour map, only Hopkins Creek and the Rous river have permanently running water. The other indicated water courses are gullies which only have running water during periods of heavy rainfall. There are no natural wetlands or areas subject to pondage.

Fire
The property is heavily forested and in a bushfire prone area. The areas close to settlement are adjacent to predominantly rainforest and camphor forest areas which will require the mechanical removal of trees around the settlements to comply with the requirements for building in a bushfire prone area. Many camphor trees grow in surrounding gullies and watercourses. Some need to be retained or replaced with native species to limit the possibility of erosion. The regrowth in the two gullies adjacent to the Top Village is predominantly rainforest.

Soil
Soil fieldtest report number 2K50081 was submitted for the development application DA05/0389 concerning the construction of the single dwelling presently on Lot 3 DP 878542. The proposed settlement areas have soil of a similar type, red sandy clays typical of the region.
Prime crop land

The area on the zoning map listed as prime crop and pasture land is outside the settlement areas. The classification is historical as the region is heavily overgrown with camphor.

Revegetation

The area outside the settlement regions will require rehabilitation according to a plan to be developed by members. The gradual removal of camphors in the more heavily forested areas and their replacement by native species will utilize the existing camphor canopy. Rainforest areas will require the removal of isolated camphors. Mechanical removal may be required around settlement areas.

Previous use

The land was farmed by the present owner’s uncle from 1947 to 1995. Dairy, pigs and small crops were produced until the mid-1950’s and then a move was made to beef and bananas. A small portion of steep land in the northwest of the property was used for banana growing up until 1977. The area is now heavily overgrown and because of its distance from the proposed settlements, there is no threat to habitation from residual insecticide or herbicide contaminants.

Road reserve

An old disused public road runs on the highest ridge of the property, see the Department of Lands map. The road is far from the proposed settlement areas and may be maintained as a fire trail.

Fences

All livestock was removed from the land in 1995. The fences are in disrepair. There are few remains of historical fences. Most were destroyed in the 1968 bushfire.

Settlement

The proposed settlements and indicative building footprints are indicated on the Settlement map, Front Village map, Cudgerie Village map and Top Village map. It is proposed that a community meeting place will be constructed in the Front Village at the entrance to the property.

Roads

All settlement sites are accessible by two wheel drive vehicles at present as indicated on the Contour Map. A gravel surface will be applied periodically. Each village will be car free and have its own car park and service roads.

Water

Dwellings will have their own tankwater. The existing dam may be enlarged for agricultural purposes. The hilly nature of the property does not favour the construction of a large dam with a big storage capacity. Bore water has been used by close neighbours, so bore water may also be an option for settlements.

Waste disposal

An approved Biolytix™ waste disposal system is installed in the present dwelling on the property. The owner favours an integrated, gravity fed Biolytix™
waste disposal system in each village but the final choice of waste disposal system depends on the views and financial resources of members.

**Surrounding land**

Chillingham village is located 1.6km in a south easterly direction from the property. It has a preschool, primary school, shop, post office and community hall. The Bryce Young Reserve (Lot 2 DP 878542) is public land that was donated to the Tweed Shire Council by the applicant in 1999 as part of a subdivision at that time. It consists of 1.1ha of land between the Rous River and the old watercourse of Hopkins Creek bounded by a public road, see the *Bryce Young Reserve map* from the Department of Lands. It has not been utilised by the Tweed Shire Council since it was donated in 1999.

The surrounding properties are predominantly residential or beef, banana and small scale crop farming.