I shall attempt to respond to council concerns of your letter of February 2, 2009, with reference to the additional information submitted to council on January 28, 2008.

Engineering Concerns –

Eleven A3 maps were submitted to council on January 28, 2008. These were:

MAP 1 – CONTOUR MAP showing contours, North Point, scale, existing buildings, drainage, dam, and existing vehicular tracks

MAP 2 – VEGETATION MAP showing North Point, scale, vegetation types on the property. The map was prepared by

Ecograph
Ecological and Geographic Information Systems Consultants
Limpinwood
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Phone 0266793479
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MAP 3 – AERIAL PHOTO + CONTOURS showing contours, North Point, scale, drainage, dam and an aerial photo from July 2007 indicating the extent of vegetation regrowth and cleared areas confirming the vegetation map.

MAP 4 – VEGETATION + CONTOURS showing contours, North Point, scale, drainage, dam and the vegetation map indicating the vegetation types relative to the contours in MAP 1.

MAP 5 – VILLAGE LOCATION + CONTOURS showing contours, North Point, scale, existing buildings, drainage, dam, existing vehicular tracks and the location of the three proposed villages relative to the contours. The village maps are to scale with the village areas indicated.

MAP 6 – VILLAGE LOCATION + AERIAL PHOTO showing contours, North Point, scale, drainage, dam, existing vehicular tracks, an aerial photo from July 2007 and the location of the three proposed villages relative to the contours and the aerial view indicating the extent of vegetation regrowth and cleared areas relative to the proposed village areas.

MAP 7 – VILLAGE LOCATION + VEGETATION showing contours, North Point, scale, drainage, dam, existing vehicular tracks, the vegetation map and the location of the three proposed villages relative to the contours and vegetation regrowth types.

MAP 8 – FRONT VILLAGE + VEGETATION showing (to scale), contours, North Point, scale, existing vehicular tracks, the vegetation map of the Front Village indicated on the earlier maps. Also indicated are the approximate locations of the 4 proposed new dwelling sites and community hall and proposed access roads to the dwellings.
MAP 9 – CUDGERIE VILLAGE + VEGETATION showing (to scale) contours, North Point, scale, existing vehicular tracks, the vegetation map of the Cudgerie Village indicated on the earlier maps. Also indicated are the approximate locations of the 5 proposed dwelling sites.

MAP 10 – TOP VILLAGE + VEGETATION showing (to scale), contours, North Point, scale, existing vehicular track, the vegetation map of the Top Village indicated on the earlier maps. Also indicated are the approximate locations of the 4 proposed new dwelling adjacent to the existing track.

MAP 11 – LAND USE showing contours, North Point, scale, drainage, dam, existing vehicular tracks, the areas to remain cleared for dwellings and access and the three cleared areas which may be used for agricultural purposes. The remainder of the land is forested and could be revegetated with the removal of noxious tree species, especially Camphor Laurel as indicated on the vegetation maps.

I feel that a single A3 map would be cluttered by all this information. Please let me know if you have mislaid any of these 11 maps.

In addition, there were three maps indicating the proposed subsurface irrigation sites in each village for a combined Biolytix wastewater management facility.

Because we are proposing a SEPP15 development with no subdivision possible, it is not possible to give an exact location of each proposed dwelling site, nor of each building envelope. These will depend on the resources of the proposed shareholders and the agreement of the shareholders collectively, as indicated in the draft rules of management. The proposed dwelling sites are indicative only and are determined by the existing vegetation and slope of the land.

The same can be said of the waste disposal facilities. Many potential shareholders have indicated a preference for cheaper and more environmentally efficient dry composting systems, possibly owner-built, rather than the Biolytix system used in the existing dwelling which uses mains electricity and tank water for flushing.

Car parking will also be a subject of community consultation, but there is clearly adequate area to set aside a car park for one vehicle per dwelling in each village area.

Flora and Fauna –

The vegetation map was drawn up by

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Ecological and Geographic Information Systems Consultants
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for a project funded the Tweed Catchment Management Authority. Comparison with the recent aerial photographs provided indicate that it is reasonably accurate. A statement concerning Flora and Fauna management is given on pages 11-12 of the submission of January 28, 2008. Aerial photos from 1954 prove that the two parcels of land were predominantly pasture at that time. The land in the proposal is severely degraded rural land. Observations on the property since 1998 have indicated few native animals except bush rats, snakes and wallabies that would also survive on surrounding properties given over to beef and banana farming.
Management plans for the application were proposed on pages 7 - 14 of the submission of January 28, 2008. A more detailed plan will be developed with consultation among shareholders.

**Environmental Health Concerns –**

The provision of waste disposal facilities for each dwelling will depend on the resources of the shareholders and the agreement of the shareholders collectively, as indicated in the draft rules of management.

Many potential shareholders have indicated a preference for cheaper and more environmentally efficient dry composting systems, possibly owner-built, rather than the Biolytix system used in the existing dwelling. However, since the soil type at each proposed village site is similar to the soil type of the existing facility, it is clear that there is sufficient land available for a subsurface irrigation system in each village with a Biolytix system attached to each dwelling.

The proposal is indicative only, as required by the SEPP15 legislation. It would be contravening the intent of the legislation for anyone to prescribe a waste management facility without the agreement of shareholders.

a) As indicated on p14 of the submission of January 28, 2008, the applicant is a person with suitable historical knowledge. A contaminated lands assessment has been provided for the existing dwelling by the applicant (DA05/0389) and the same statutory declaration would apply to the whole property for the present development to satisfy the Council’s Contaminated Lands Policy, possibly with the exception of the Top Village where a banana packing shed was once located. However, the Top village may itself be problematic with respect to bushfire issues.

b) The submitted on-site sewage management design for a single dwelling on the property would also apply to all the dwellings in each village with the subsurface irrigation area indicated on each map. However, shareholders with the required skills may prefer owner-built dry composting systems complying with the relevant state government legislation.

**Planning and Bush Fire Issues –**

The proposed 14 dwelling sites were calculated to comply with SEPP15 legislation after the amalgamation of the two titles presently owned by the applicant. It would make no sense to amalgamate the titles unless the Council gave conditional approval to the application.

As indicated in the submission of January 28, 2008, it is proposed that the development be *staged* with the Top Village developed last. Therefore, with Council’s approval, the whole development could take place on the larger parcel of land initially. Shareholders could then decide to purchase the remaining block, amalgamate the titles and sell 3 shares in addition to the 11 from the two villages. This is not inconsistent with the proposal submitted on January 28, 2008.

My on-site conversation with the representative of the Rural Fire Service on June 23, 2008 indicated that only 3 dwellings were possible in the Top Village in order to have
the required asset protection zones. Access to the village would be via a 2 metre wide gravel road with 2 metre buffer and turning circle.

- Many potential shareholders are people living locally in Chillingham (2km) and the Murwillumbah (18km) area which already provide community facilities and services, including public transport (school bus up Hopkins Creek Road), community and health services and local employment in Murwillumbah.

- The effect of the proposed development on the agricultural use of the surrounding lands was addressed in the response to the local submissions to council, especially points 1) and 2) p 16–17. The distance between the proposed settlement sites and the property boundary and the amount of existing vegetation in buffer area shows that there is no conflict with, say, aerial spraying and residential settlement.

- The proposed agriculture in the cleared areas not set aside for settlement will depend on the skills and interests of the shareholders. Small scale but intensive organic farming and orchards would be consistent with the environmental principles of the development. The flood prone land adjacent to the watercourses would be ideal for limited agriculture if fenced off from the neighbours’ cattle.

- The housing would be affordable simply because with 14 shares, a share could be purchased for as little as $40000. A small owner-built dwelling might be constructed for $50000, so that housing could be obtained by members of the local community, presently renting, for under $100,000. Fewer shares would lead to a higher share price. By contrast, the adjacent two bedroom steel house and 1.1 ha parcel of land sold 2 years back for around $470,000. Small lots of land in this area are increasingly rare and attract a premium price. The potential shareholders I have spoken to are already well connected with the local community and, with a careful selection process, would increase that connectivity within our proposed rural landsharing community.

I hope the information I have provided clarifies my submission of January 28, 2008.

Yours faithfully,

Brian Jefferies