

development for which justifiable contributions are paid in full and applied toward actual needs within the appropriate time frame.

Not so.

It is therefore suggested that contributions payable in respect of Multiple Occupancy developments be made at the date of application or at the latest, prior to the issuance of formal approval.

No fee recommended - in 1984

Implications of Multiple Occupancy development for the provision of other services and facilities -

It has been claimed that the type of person attracted to Multiple Occupancy type living would not place the demand on community services and facilities as might be expected from other forms of development.

True.

Experience indicates that this proposition is not correct. Tweed Shire has already experienced some Multiple Occupancy applications which were directed toward the more affluent, professional type of clientele. *not a good idea - professional type of clientele who would have correspondingly higher expectations of services to be provided by the local authority.*

Multiple Occupancy interests can always be transferred from the original occupier, for example, but, in any case, families with children will always place an additional burden on community facilities which will ultimately have to be provided by the local authority.

Such services include -

- Child care and public health facilities;
- Embellishment of active and public reserve areas (as distinct from any passive areas provided on site);
- Traffic facilities (other than roads) such as parking areas, traffic control mechanisms, bridges, etc.
- Bushfire protection and fire fighting facilities - fire trails on the site should be provided at the date of development;

- Recreational facilities; and

- Libraries

Deep

d. The need for an equitable system to rate properties with Multiple Occupancy approval commensurate with the actual residential occupation of the land -

Rating Systems to Cover Multiple Occupancies -

Currently this Shire has three rural differential general rates based upon various size categories of rural land. Effectively the rate in the dollar used for the calculation of 1985 rates for each category is -

General	1.3763
Rural A 5-10 ha.	1.2367
Rural B 10-30 ha.	1.0322
Rural C 30 + ha.	0.8946

A minimum general rate of \$169.12 applies to each category of general rate in accordance with Section 126(2)(a) of Local Government Act 1919 as amended.

Pursuant to Section 118, under definition 'rural land', subsections (2) and 4 (b) rates are currently levied on properties presently supporting Multiple Occupancies based upon a single valuation provided by the Valuer General's department subject to the application of Section 126(2)(a).

Where rural properties have portions sold after subdivision or have areas of separate occupation the Valuer General's Department will issue separate valuation for each parcel of land concerned, thus enabling the issue of separate rate notices. However, contact with that Department has indicated that properties subject to multiple occupancy standards would be considered as a total area under the one ownership used for the one purpose which may only be valued on 'englobo' criteria. The application of rating principles expressed in the Local Government Act creates a potential inequitable situation.

not according to 1980

24 July 1985.

Commissioners of Inquiry,
291 George Street,
Sydney 2000.

Dear Sir;

The RRTF is a non-profit association seeking to promote the interests of multiple occupancy in our local region. A copy of our constitution and information leaflet is enclosed for your background information.

Further to the recent announcement by the Minister for Planning & Environment that an Inquiry would be held in Tweed Shire into Multiple Occupancy, we would like to make the following requests:

- we be supplied with a copy of the guidelines or regulations which generally govern the operation of such inquiries; eg. presentation of submissions, cross examination

- we be supplied with a copy of the Terms of Reference for this specific inquiry;

- we be recorded as wishing to present a written and verbal submission to the inquiry (perhaps seperately on each of the terms of reference).

Thank you for your assistance.

Yours faithfully,

Dave Lambert
Secretary

The University of Sydney
NSW 2006
Telephone 692 2122

School of Architecture

~~CONFIDENTIAL~~

Peter Hamilton.

Please return.



12 August, 1985

Reference: CJ/sy

Mr. R. Smyth,
Director,
NSW Department of Environment and Planning
Box 3927 GPO
SYDNEY NSW 2001.

Attention: Gabriel Kibble

Dear Mr. Smyth,

RE: MULTIPLE OCCUPANCY MANUAL

I have seen the draft Consultant's brief for the preparation of a guide-book/manual on multiple occupancy in rural areas. On behalf of the Technical Assistance Group, I now express interest in undertaking this work, but with some modifications to the draft brief.

The budget amount of \$5000 does not allow for much preparation time or the involvement of a range of specialists. Accordingly, we would seek to commission only four specialists to prepare structured papers at a two-day workshop in either Grafton or Sydney. This workshop would include, say, two DEP representatives, the authors of the papers and the TAG editorial panel. Following this workshop, the editorial panel would edit the papers and illustrations and co-ordinate the publication of a xerox edition of a draft manual. We would hope to commission a representative from the Rural Resettlement Task Force, say Denis Fulford and/or Peter Hamilton, Scott Williams from the Rural Adjustment Unit at the University of New England, an M.O. specialist from the mid-North Coast, say Peter Cumming and/or Jack Wyatt and an M.O. specialist from the South Coast, say Richard Jermyn and/or Sylvia Inch. In addition we would seek to involve at no expense, say, Jane Stanley and David Kanaley from your staff and, say, Rob Doslan from Byron Shire Council planning department. We would involve Daniel McNamara in an editorial capacity and Colin James as co-ordinator.

This process would in effect involve representatives from the State, Local Government, MO users and professionals with some geographic spread across the State.

The budget is restrictive in that it would limit paid involvement to five persons and would preclude any work beyond, say, 20 xerox draft manuals for distribution to participants and in mock-up form for a final publication. This would not allow for copy to publication standard or attendance upon in-house publications personnel.

7/2/84

1.

TWOED INQUIRY 2 of 4 7.8.85

COUNCIL RATING AND MULTIPLE OCCUPANCY

A) Present Methods of Rating:

Councils in N.S.W. are using 3 forms of rating with respect to multiple occupancy (M.O.) - i.e.

- (a) charging the normal rural rate (which the R.R.T.F. supports)
- (b) charging a differential rate greater than the general rate pursuant to S.118(4)(a) of the Local Government Act (L.G.A.), or
- (c) charging a differential rate greater than the rural rate but less than the general rate pursuant to S.118(4)b of the L.G.A.

With respect to charging a differential rate greater than the general rate, a committee of Far North Coast Councils commented:

"Section 118(4)(a) of the Local Government Act provides inter alia-

The council may, in the resolution making the general rate, determine -

in respect of rateable land . . . in any town, village, centre of population or urban area within the council's area and which is specified in that resolution . . . that the general rate shall be such amount in the dollar . . . as may be specified in the resolution in relation to such town, village, centre of population or urban area so specified;

'Centre of population' is defined in Section 118(1) and "means a defined part of an area designated as a centre of population by the council".

At least one council in N.S.W. has used this section of the Act for M.O. development and levied a higher rate than the general rate. The ratepayer(s) have not appealed and therefore the rating method remains valid.

It is difficult to question a method which is actually used, but it does seem a very liberal interpretation of the legislation".

With respect to the charging of a differential rate less than the general rate, the Oct. 1983 edition of the Local Government Bulletin commented:

"Section 118(4) provides:

'The council may, in the resolution making the general rate, determine:

(b) in respect of rateable land being:

- (i) all rural land in the area;
- (ii) rural land within a defined portion or defined portions of the area; or
- (iii) all rural land in the area, except that within a defined portion or defined portions of the area;

2.

that the general rate shall be such amount in the dollar being less than the amount defined to in subsection(3) as may be specified in the resolution in relation to any such rural land; and the rate so specified shall apply uniformly to all rateable land in respect of which it is so determined.'

In order for a differential rural rate to be valid it is essential that:

- "....(2) The various rates must be applied to all rural land in the various portions of council's area as determined;
- (3) The amount of the rate in respect of the various portions must be specified in the resolution and must be less than the general rate under subsection 118 (3); and
- (4) The rates determined for the various portions of council's area must be applied uniformly to all rateable parcels of land in the various areas in respect of which it is determined. This requirement is mandatory and failure to comply will result in the whole rate for the particular area being invalid.

The "portion" or "portions" referred to in subsection 118(4)(b)(ii) must be defined in one of the methods set out above in the resolution determining the rate in respect of the various portions. Each portion must be defined in a separate resolution. Failure to comply precisely with the clause will result in the invalidity of the rate".

This association holds that the present options open to Councils for rating M.O. should not be changed.

B) The Suggestion for Separate Valuations:

We concur with the Valuer General's reply to the Tweed Shire Council of 11 January, 1984 in response to their request for a separate valuation on each M.O. dwelling.

"As you are aware, the Department's existing policy is not to regard this type of occupancy as a separate parcel of land in terms of the requirements of the Valuation of Land Act, 1916, and accordingly single land valuations of the whole of the property in one ownership are presently made and issued.

However, in view of your Council's request and other recent enquiries of a similar nature, the situation has been re-examined and the conclusions are as follows:-

It is clear that Multiple Occupancy of rural land is designed to provide an alternative life style based, in part, on agriculture.

These farm complexes, whilst somewhat different in character to "conventional" farms, are nevertheless owned by one body and, from the information available, are worked as one unit on a co-operative basis for agricultural or pastoral purposes.

The development intention in all cases examined is clearly one of communal sharing of the whole of the land and NOT one of cutting the land into parcels devoted to permanent or undefined separate use . . . Council's request for separate valuations for the two cases nominated cannot be provided."

The R.R.T.F. is of the view that land developed within the provisions of Draft State Environmental Planning Policy #15 should not be seperately valued.

C) The Suggestion for Rating Based on a User Pays Principle:

In response to a Council suggestion for special rating for M.O. properties on a "user pay" principle the Department of Local Government made the following reply on 6 April 1983:

"The Council appears to assume a direct connection between rates and demand on local government services. This connection, in a direct sense, does not exist and has never existed, except perhaps in the case of local rates. It also seems to infer some sort of concept of head tax, which has never existed in local government.

Local Government rating is primarily a tax, based on the value of land, to provide support for local government. Although this concept is modified both in relation to local rates and differential rating, there has never been any suggestion, in practice, that an individual ratepayer should receive, or indeed should be able to demand, local government services in porportion to his rates.

Secondly, it is open to doubt that the additional demands placed on local government services would be high as seems to be envisaged by some councils. It is suggested that the very nature of hamlet developments indicates that they will look inwards rather than to the community at large for many of their services.

It appears that in the "context of rating, the difference between hamlet development and other development is one of degree only. The office can see no reason why people living in a hamlet development should be treated differently from people living in a block of flats or units, people living in a granny flat, even perhaps a substantial number of people, whether related or not, living in a single dwelling. The judgment in the Dempsey family case (South Sydney Municipal Council v James and Anor 35 LGRA 342), although in another context would seem to have some relevance here."

Our association supports the above statement. With respect to M.O. residents looking "inward" for services, it is our experience that not only is this happening but that such residents

become more self-reliant in this way and see such action as an important component in achieving a healthy lifestyle.

we oppose at

We oppose at this time any proposal to amend the existing legislation with a view to introducing either a head tax, dwelling tax or separate tax on improved valuations with respect to M.O. Not only do we oppose such in principle but we also view that the introduction of any such legislation would be fraught with problems of administration. If a dwelling tax was introduced, for example, would the Council issue separate rate notices? Would an "expanded" house with separate bedroom units or a communal house of several adults be rated as one unit or several? Would pension concessions apply? Would a dwelling or the occupation of it, attract the separate valuation? Would all sections of the community be rated on a user pay principle?

As mentioned, Councils may, as an option seek to apply a differential rating for M.O. In the case of the Lismore Council, the M.O. rate is nominally the same as the general rate. It is noted when introducing this differential rate, no criteria were recorded by the Council as the basis for making this decision. By inference the sole criterion appears to have been that the "user pay"!

As an issue of principle we see no reason why, if a group of people choose to share an asset (as in the case of a property for M.O.), that they should be taxed at a higher rate. By analogy, if a number of people share an income they are not required to pay a higher rate of income tax, due to the act of sharing that income.

Councils often cite the extra road pavement damage they assume results from residents commuting to and from M.O. communities in their cars. However, according to an article in Engineers Australia (22 Feb. 1985, pp. 24-28) by Ken Dobinson, Deputy Engineer-in-Chief (Planning & Design) for the N.S.W. Dept. of Main Roads:

The amount of damage that a truck loaded to the permissible limit will do to road pavement is about 14,000 times greater than the average car; and the damage increases in relation to the fourth power of the axle load."

So a community would have to average more than 38 car trips daily for a full year to equal the road damage done by a logging truck, bulk milk tanker or cattle truck, travelling from a 'traditional' rural property on one occasion! We suggest that the only equitable and realistic method to make the user pay for road use is through petrol taxes. Short of this we approve of the present situation where the Grants Commission is making funds available to those Councils which have a population increase due in part to M.O. settlement. (It is our experience that deterioration of unsealed rural roads is disproportionately higher in this region than other regions, due to the higher rainfall, rather than to greater road usage).

To conclude, we would express the view that to legislate in order to change the basis of rating to one of a user pays principle would be a Pandoras Box of monumental proportions-eg. What rate will users of heavy vehicles pay on other rural properties? Or will clubs and hotels be rated differently from other commercial business because they generate a greater usage of roads and need more community services such as police and medical facilities to cope with the side effects of their activity?

The R.R.T.F. is of the view that the present system of rating should remain unaltered and not be based on a user pays principle.

*Rekind Value. Not the V.R. across the. Protection (see R.R.T.F.)
at a lower value than other land. (This would have the
effect of lowering rate & land use)
That a rate rebate apply for the protection land, and
that the R.R.T.F. could, since the residential R.R.T.F. should*

SUBMISSION TO DRAFT STATE ENVIRONMENTAL PLANNING POLICY

No.15

ON MULTIPLE OCCUPANCY

We (the undersigned from listed organisations and communities) support the Rural Resettlement Task Force submission in all aspects with the exception of that dealing with the common ownership of the land.

We submit That;

1. Ownership, management and use of land be held in common and shall apply to not less than 100% of the land.
2. That this situation prevail until such time as a Community Titles Act is introduced.
3. It is proposed that this new Community Titles Act should provide;
 - a) An inalienable right to reside on the property including the right to build a house (this right to be such as to satisfy entitlement to a First Home Ownership Grant).
 - b) That in the event of a shareholder wishing to leave, that guidelines be set out ensuring that the communities needs are satisfied, (i.e. that the rights of the individual to sell shall be conditional on community approval).
 - c) The obligation to the community should include such things as the right for a nominated period of time (12 months) to buy back a share; that the community stand to gain a monetary proportion of any private sale; that any new shareholder arranged by the seller is acceptable to the community (this could include residents on a long term trial basis - in accordance with community agreements or policy).
4. That upon the introduction of a Community Titles Act, the common ownership, management and use of land may at the discretion of the community be reduced to not less than 80% of the area of land.
5. That the proposed Act deal with the question of rating. That the Proposed Act provide that communities complying with the Act be rated as one unit and that those communities who do not or choose not to operate under the Community Titles Act be open to being rated per each unit holding.

. In addition to the above we submit that;

One of the criteria that council shall consider when determining a D.A. is a communities social and environmental aims and objectives. These objectives be agreed upon and signed by a minimum of two thirds of the share holders (or members). The number of shareholders to be estimated by the number of dwellings submitted for in the D.A.

Explanatory notes of proposed amendments to S.E.P.P. 15.

The primary concern of this submission is to ensure that the original intention of multiple occupancy legislation remains intact.

That intention being understood to mean that the legislation provide for the desire by groups with like minded goals and objectives, (including stated social and environmental objectives) to form communities of people on one parcel of land.

We feel that the draft legislation as proposed for S.E.P.P. 15 does not adequately take this into account and that the consequences of this omission will have serious repercussions for both genuine intentional communities and for local councils who will have to deal with the legislation.

The Barker report, commissioned by Lismore City Council, shows a consistent intention amongst surveyed communities to share and pool resources and to provide a large proportion of services internally.

We believe that the amendments as proposed in this submission will help to ensure that future communities approved under M.O. legislation will be consistent in their approach to this aspect of their settlement arrangements. It will give additional strength to the aims and objectives of the community and in so doing will allow councils to more realistically assess the merits of a development application based upon its stated objectives.

The second proposed amendment would ensure that the core-group of the intentional community was established at the D.A. stage, thereby making it increasingly difficult for a speculator to exploit the M.O. policy.

We believe that the present legislation will allow a rash of applications from profit motivated developers and speculators to the overall detriment of the rural environment.

We believe that if rural residential communities are approved that allow residents the freedom to buy and sell on the open market without the consent of other shareholders or community then councils should be able to rate each unit individually and furthermore, such developments should be restricted to rural residential zones.*

We believe that developments such as unit trusts, cluster farm managements etc.etc. should seek their own enabling legislation in the form of a rural strata title Act (i.e. if they wish to be outside of rural residential zones) and should in no way be allowed in on the back of multiple occupancy legislation.

We fully support the R.R.T.F. submission on the question of minimum hectare size and believe that a Multiple Occupancy development application should be judged on its merits and not by the arbitrary measurement of forty hectares.

We believe that the proposed amendments would allow an assessment on this basis.

Furthermore, and finally if the proposed legislation is not amended as we submit, we believe it would be foolish for any existing illegal (or proposed) but genuine intentional community to apply for consent under the proposed legislation since their applications will be assessed in the same light as profit motivated developments.

*Rates are based on land values (not on the estimated cost of provision of services) and about two-thirds of local government revenue is derived from Federal and State revenue sharing grants. If multiple occupancy is committed by legislation to a genuine arrangement of land sharing as proposed by this submission then it is our view that the community should only pay one rate. Just as, if a group of people shared ownership and use of a car they would not have to pay more than one registration fee.

On the other hand, if shareholders within a residential development are able to speculate on their share and/or sell on the open market without the community's participation in the sale then they are in no way sharing that portion of land to which they have title and should be rated as a separate parcel of land.

FAX DOCUMENT FROM PETER HAMILTON

1/50 Paterson Street, Byron Bay, 2481 (066) 858 648 (F/T)

TO: Colin James

FAX No: 02-351 3855 DATE: 5.9.95

Number of pages (including this sheet): 8

SUBJECT: MO re subdivision of SEPP-15

COMMENTS:

1. Herewith copies of documents re historic proposal to permit existing MOs to subdivide and the Department's response.

Re the comment in the Council report of July about amending and re-subdividing, Jim Clark (and Graham) advises me that as of today there is no new proposal before them.

2. I spoke with Steve Beath today. He advised me that the Planning Dept was aiming to have all the SEPPs reviewed by Nov. 1995 and dealt with in one (collective) amendment.

This is why there is resistance to simply restate SEPP-15 now and review later.

It is unknown to him if it is intended that

Those SEPPs being amended, will necessarily be exhibited for public comment. Sean O'Toole is in charge of this process. As far as SEPP-15 is concerned it is so far being handled by HO and not at Grafton.

Steve was very helpful and invited me to get back to him if desired.

(I had mentioned your name to him)

Regards

Peter

Miss Bader. 8/19/75 Housing Dept.
(Pain Policy Review to Cong. Kennedy.)

Re review of all SHPS & 15.

Got concern was/is that SHP's face the possibility
introduced over time. Some covers same
area. Questions arise. Is it about what
there are mutually supporting &
contradictory.

What is expected that — here, collecting,
will achieve?

Are they doing things that started out as one, to
be achieved?

D " They was why he was likely to review the
other one, & then review

He did not want to bring in new things or
overstate the case, but rather to take
a look at the views of the audience, called "

the Review (reports) the work of consultation
but he has not seen any materials for
them.

It is still a HO matter when O'Neil is
responsible.

C He does not know if it is proposed for the SHPS
or scholars.
The SHPS is reported by Dept to the University for

(2)

should not be carried on whether or not

Now as the time to write accordingly is out with
H. insisted on to get back to him.

The present strategy is that all the new
series are to be reviewed by H. and it is
intended to make one single arrangement

Feb 16

(14)

7(

31

5. A

41

19

(4)

— — —

(4)

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Steve Easton (Senior political adviser to Kowale in
D of Housing.)

He was an "shelter"

Cal will speak with him re M & M Annual

(12)

Cal suggests contacting him direct

(15)

General Policy.

It seems that Gov. are giving priority to containing
perimeter growth via "urban infill", and preventing
coastal destruction. (9)

They are sensitive to the "debacle" of the DO policy,
seen to be ripped off by developers, rather
than bona fide infill.

Local Govt have criticised the plan as not being
"close enough" to the "local Govt action".

"Community Title" is also seen as a pit falling
into a similar situation. Apparently seen as a
profit driven rather than asserting existing industry/
commerce etc.

DUAP subscribes to this in view of Kowale's past association
(+ presumed support for) Local Govt. Advised to
tread carefully in referring to State surrounding HQ Council

(NB take the opportunity to comment on support for LG.)

Cal felt it may be app to consider promoting no⁽¹¹⁾
from the "grassroot agreement" by essentially
the housing issue. Low cost, self help
private initiatives to clear falling, family
owned - mortgage free houses
is part the housing aspect of MO (ie it is having the green effect
(This will hit a good nerve) ^{this})

Caro had a recent meeting with Lordess & Kent. (13)

Kavine sits in meetings with Lordess - (no housing)
She may the best person to speak with re planning
ideas/questions to Kent/Knowles etc.

Lordess - To ensure the content with the Govt.
Set framework to writing the bill of support
" SEC to adopt a policy. The higher ups
were likely to treat this seriously
(cf. Larkin, Ken Galloway
(John Maxwell to read letter of support)

Col 26.7.95. (MO 45 101-374)

In response to my memo.

- (1) He will contact Gabrielle
 - (2) She has established strong contact with Knowles
 - (3) Knowles has est. a strong relationship with Andrew Cabbie-Wood (Director of Housing)
 - (4) Cam has strong connection John Went.
- John Went (is a planner, went through with Col)
John is coordinating planning roles of a number of Govt Dept.

In effect he is like a de facto 'Director General' of planning.

John has "inspired" RDA to relinquish their design role in "planning functions". They already have "water". A mega dept is likely to address planning activities. Argument is that planning should come from one central unit.

Went advised Galf Whitham (in same branch) became inner member of Galf's "think tank". It was John who encouraged Whitham to get interested in urban affairs. Whitham appointed Uren, and John "was calling the shots" in setting up DUD.

John ran the SA Housing Trust
Manager of Philip Fox

"Will he become an official bureaucrat?"

- (5) No, it seems he prefers the unrestricted role of advisor.

He is amenable to Cabinet since under brief then he would have a Dept.

- (6) While this reshuffle is going on, Gabrielle is unlikely to say too much, - a wait & see attitude

reminding Council members to "read carefully".
(eg qualify that we support local foot and
this a thing - specific recognition!)

- (10) Col tells it may be the time (as strategy at this time)
for something we can do on the ground
to do it again. - viz as housing issue
family income
low cost issue

to give a sample - ref in our letter to the Council
- no 'montague free' housing. This will "hit a
good nerve"

He will do what he can on the Council, if necessary
of disc.

- (17) He will be meeting with Chris Barber & will
raise these issues.

- (18) Carr did have a meeting with Knott, set up by
John Mart.

- (19) Mart is very close to the housing movement.
He is the Patron of the "New Community Housing Trust"
This body does not have many teeth.
Tomlin, John Mart, Kevin Strelight, Barbara McLean,
etc. - met to talk about community housing.
The Trust was set up to get funds for its aims.
(They got £100,000).

Kevin met Knott & he asked her to raise the
issue of m.c. (which Mart can do) but Mart
didn't want the issue of debt not housing.

Col. Fells mo about to produce a House case.
the House aspect is mainly holding up
complexities of housing (ie opportunities
being missed for housing).

It may ^{have} been ~~to~~ ^{not} get recognition in the
National Housing Strategy as an option for
young people.

NB^m all the debate of housing of first time,
high housing costs, mo did not get a mention.

This is the most alternative social housing movement.

Re Search:

Supplementary approach is to get local authority to
support a waiting

The tactic is to take to SEC. It gets support at SEC
which is taken seriously by the local
govt etc

(14) He may write, as well as, speak with Granville
(she has excellent links to the bank at the moment).

Re the letter for the Mineral University Press.
Could the board at any stage of the process.

Does anything go through Granville into the bank ?
In theory yes, but receptions are to be made.
It may be that Granville goes to attend and can
especially for advice of a political nature.

Barth Glidley is a prominent (character of Fleming).

Want worth 'nudging' as advisor, but probably not direct. Ronnie may be best contact (person) in this regard. She is close to him, acts up on some committee, the above Housing Trust.

Dropping her a letter may be helpful in addition to his mentioning it to her.

(13) Steve Bader would contacting: (Col will be speaking with him re mo)

left quit filed

1

MEMORANDUM

To: Col James

From: Peter Hamilton,
1/50 Paterson st., Byron Bay, 2481 (066) 858648

Date: 22.7.95

Subjects: 1. Handbook, 2. Reinstatement SEPP-15

1. Handbook

I have located the disc of the MO Manual in the Grafton Office! Malcolm Imirie (in the absence of Trevor Prior at the time) said he was able to provide me with a copy on disc (IBM compatible) but required Kibble's OK to release it to me.

We wish to put energy into this right away regardless of when the Policy is reinstated.

Request 1.

Could you please obtain from Gabriel a clearance for a copy on disc of the MO Manual to be supplied to me?

2. Reinstatement of SEPP-15 as a matter of urgency

We have not had any formal commitment from Craig Knowles to reinstate SEPP-15 as per the request in our letter of 12 May last. (Copy attached).

Knowles visited Byron Bay for several hours on Wednesday this week and visited some coastal areas of concern. (See *Northern Star* report attached).

I was present at a 30 minute press interview he gave with the local media. He was specifically asked about the reinstatement of SEPP-15. His reply without prompting, indicated to me that he was well aware of the issue as he said that "he was aware of the concern and would be visiting an MO".

He said that it was Government policy and "I will reinstate the Policy following its present review".

Paul Levins (Chief of Staff) was also travelling with the Minister. I had a good connection with him. Is he known to you?

I had earlier rung the Minister's office (22 June) to ascertain the status of the reinstatement and was directed to Sean O'Toole, (one of the Assistant Directors of the Department) who said that "the reinstatement was being looked at in terms of the Purdon Report".

When I questioned him on the relevance of the Purdon Report at this time he could not, or would not, elaborate.

I advised him that Pan Com had been extensively involved in the Purdon survey, and in view of this would appreciate the opportunity to comment on any proposals arising from a reconsideration of the Purdon report, before any recommendation was made to the Minister.

(As you will recall we have certain reservations about the Purdon Report).

He could not give me any indication of when the reinstatement might occur, but said, that in the context of the current review of a number of SEPPs, priority was being given to those relating to "urban consolidation". This as I see it, could result in a considerable delay in reinstating the MO policy.

I checked with Trevor Prior a few days ago, to see if he was involved in this process and he said that he was not as the matter had not been referred to the Grafton Office.

The Lismore City Council have refused the staff recommendation to introduce an enabling provision in their LEP to permit any new MO's in this council area.

In our letter of 12 May we comment on our understanding that many SEPP's are being reviewed and, in the light of this, made a special request that:

**"the Policy be reinstated in its present form,
without alteration, as a matter of urgency".**

We go on to say that we would look forward to participating in a review of this policy at a later time.

I do not know if Gabriel is aware of the ALP policy to reinstate this SEPP, and, the Minister's commitment to do so.

Request 2.

Could you please sound out Gabriel's knowledge/involvement if any, with reinstatement of the Policy and Knowle's recent public commitment to do same, and, in particular any obstacles to reinstating SEPP-15 "as is" as a matter of urgency and to review same at a later time?

Anything further you may be able to do to facilitate a speedy reinstatement would be much appreciated.

I hope you have fully recovered your health.

Regards.

Peter

MEMORANDUM

To: Col James

From: Peter Hamilton,
1/50 Paterson st., Byron Bay, 2481 (066) 858648

Date: 22.7.95

Subjects: 1. Handbook, 2. Reinstatement SEPP-15

1. Handbook

I have located the disc of the MO Manual in the Grafton Office! Malcolm Imirie (in the absence of Trevor Prior at the time) said he was able to provide me with a copy on disc (IBM compatible) but required Kibble's OK to release it to me.

We wish to put energy into this right away **regardless** of when the Policy is reinstated.

Request 1.

Could you please obtain from Gabriel a clearance for a copy on disc of the MO Manual to be supplied to me?

2. Reinstatement of SEPP-15 as a matter of urgency

We have not had any formal commitment from Craig Knowles to reinstate SEPP-15 as per the request in our letter of 12 May last. (Copy attached).

Knowles visited Byron Bay for several hours on Wednesday this week and visited some coastal areas of concern. (See *Northern Star* report attached).

I was present at a 30 minute press interview he gave with the local media. He was specifically asked about the reinstatement of SEPP-15. His reply without prompting, indicated to me that he was well aware of the issue as he said that "he was aware of the concern and would be visiting an MO".

He said that it was Government policy and "I will reinstate the Policy following its present review".

Paul Levins (Chief of Staff) was also travelling with the Minister. I had a good connection with him. Is he known to you?

I had earlier rung the Minister's office (22 June) to ascertain the status of the reinstatement and was directed to Sean O'Toole, (one of the Assistant Directors of the Department) who said that "the reinstatement was being looked at in terms of the Purdon Report".

When I questioned him on the relevance of the Purdon Report at this time he could not, or would not, elaborate.

I advised him that Pan Com had been extensively involved in the Purdon survey, and in view of this would appreciate the opportunity to comment on any proposals arising from a reconsideration of the Purdon report, before any recommendation was made to the Minister.

(As you will recall we have certain reservations about the Purdon Report).

He could not give me any indication of when the reinstatement might occur, but said, that in the context of the current review of a number of SEPPs, priority was being given to those relating to "urban consolidation". This as I see it, could result in a considerable delay in reinstating the MO policy.

I checked with Trevor Prior a few days ago, to see if he was involved in this process and he said that he was not as the matter had not been referred to the Grafton Office.

The Lismore City Council have refused the staff recommendation to introduce an enabling provision in their LEP to permit any new MO's in this council area.

In our letter of 12 May we comment on our understanding that many SEPP's are being reviewed and, in the light of this, made a special request that:

**"the Policy be reinstated in its present form,
without alteration, as a matter of urgency".**

We go on to say that we would look forward to participating in a review of this policy at a later time.

I do not know if Gabriel is aware of the ALP policy to reinstate this SEPP, and, the Minister's commitment to do so.

Request 2.

Could you please sound out Gabriel's knowledge/involvement if any, with reinstatement of the Policy and Knowle's recent public commitment to do same, and, in particular any obstacles to reinstating SEPP-15 "as is" as a matter of urgency and to review same at a later time?

Anything further you may be able to do to facilitate a speedy reinstatement would be much appreciated.

I hope you have fully recovered your health.

Regards.

Peter

THE Northern Star

THURSDAY, JULY 20, 1995

Bypass gets go-ahead

By RICHARD CONRAD

State Minister for Urban Affairs and Planning Craig Knowles was blasted for lack of consultation with Byron Shire land owners while here announcing the go-ahead for the Brunswick Heads bypass yesterday.

Although no construction starting date was given, Mr Knowles has just approved rezoning a corridor of land at Brunswick Heads for the bypass.

"In a planning sense, this was the final step in the process to allow the bypass to proceed," he said.

Brunswick Heads Progress Association president Percy Sheaffe welcomed the news, but said they still were waiting for construction tenders to be called.

"We're very anxious for it to go ahead," Mr Sheaffe said.

"Had there not been a change of government, the successful tenderer would have been chosen by now."

At Byron Bay, Mr Knowles was bailed up in Apex Park yesterday afternoon by local residents who fired a barrage of questions about government intervention in local development controversies and proposed changes to planning policies.

Brisbane-based developer Chum Vidgen drove to Byron Bay to question the Minister about the State Government's intentions towards 500 hectares he owns at North Ocean Shores.

Earlier this year, Environment Minister Pam Allan placed an In-

What Knowles said

● **Brunswick Heads bypass:** Route rezoning approved, 'clear to proceed'.

● **Byron Shire wetlands:** Council bid for 'flexible' zones rejected to ensure wetlands are protected.

● **North Oceans Shores:** Land inspected, need for further protection to be raised with Environment Minister Pam Allan.

● **Multiple Occupancy policy:** 'I will reinstate legislation'.

● **Coastal policy:** More co-ordination needed between councils.

● **Carr's 'coastal hitlist of bad developments':** Some have quite clearly gone well beyond anyone's ability to halt them.

terim Protection Order on this land, which the State Government plans buying and adding to 325 hectares bought by the previous State Government for a nature reserve.

Mr Knowles inspected the land with local conservationists earlier yesterday and undertook to discuss their concern that further protection was needed with Ms Allan.

However, Mr Vidgen said he had come from Brisbane to meet the Minister as there had been no communication from the Carr Government about plans to buy his land.

Mr Knowles yesterday explained how his refusal of changes to wetland zones proposed by the Byron Shire Council had pre-empted plans to build three tourist cabins near

● *Continued next page.*

Byron developers attack Minister

● *From Page 1*

Taylors Lake at Broken Head.

The Taylor family (who have approval for seven cabins and have applied for three more) and the Byron Shire Council say they have heard nothing directly from the Minister.

Mr Knowles yesterday avoided questions about lack of consultation with property owners, instead replying he was on the North Coast to learn first hand about local issues from local people.

DEPARTMENT OF SCHOOL EDUCATION
BALLINA CLUSTER
SCHOOL COUNCIL DEVELOPMENT DAY
TUESDAY MAY 21 1991

AGENDA

9.30 - 9.45	Introduction	Patricia Wilson
9.45 - 10.30	Getting Started	Neville Rogan Kate O'Driscoll Max Hendricks Ruth Russell Christine Rijks

10.30 - 11.00 Morning Tea

11.00 - 11.30	School Council Experiences	Kevin Davy Lesley Smith
11.30 - 12.00	Issues	Workshop
12.00 - 12.30	Questions	Panel

12.30 - 1.30 Lunch

1.30 - 2.30	Working in groups	Workshops
2.30 - 3.00	Making meetings work.	Patricia Wilson

FAX DOCUMENT FROM PETER HAMILTON

1/50 Paterson Street, Byron Bay, 2481 (066) 858 648 (F/T)

✓
TO: *Colin James*

FAX No: *02-3513855*

DATE: *22.7.95*

Number of pages (excluding this sheet): *5*

SUBJECT: *Memo*

COMMENTS: *See over.*

11/7/95

DVAP

Roy Hayward

420622

Ed 10 Aug 90 ref to 89

DCA

Ward 6.1 Word 6.1
can do conversion

"Word" will transport to

Version 3

Word 6.1 for Windows

It will say this is a doc file do
you wish to convert 'ye'!

MO Handbook

Herald

○ Trevor/Jim away
usual

○ CEPP-15 Ass Dir
Should I tole status?
Ref to Rendon Report
appears not having dealt
with by Grafton.
Suggestions - re our comment
on Rendon Report.

25/6/95

COL JAMES

Steps

John Warr. Task Force by Sept.

All Steps urban consolidation

Principal - Philip Fox. DO

RTA + water for

Annexable.

Steve Baxter

Malcolm Irvine re →

Tues Hand copy

edit

Need to write to Gabrielle for release
or FBI.

He will check with Roy next Tues &
wif me to confirm if they have
it on disc.

Malcolm has a copy of the "final"
draft on hard copy (in his cupboard!)
If an CPM can be transferred as
bulk text to "Word", but this
requires reformatting by hand,
& correction of punctuation etc.
Sands hopes to try
+ scan!! with Bill.
Bill RM

22/6/95

Sharon = Asst Dir of Dept
~~Sharon~~ ~~OT~~ = Sec to Minstr Knowledge
Sean O'Toole.

- ^{to reinstate} ~~Emergency~~ in light of "entering into" rights
- 1. ○ { Pancom ^{last night} ~~rights~~ need
- Acknowledgement on way
- Answer to us & Coker may be "looking at it" just
- Would not be down as to who/minths.
- Reinstatement being looked at in terms of Pardon Report.

4
of Prob etc re upgrade SEPP-15 + Manual
for drive assignment.

LB L00 0p0p0009 L2 L 0 0 03

5/16/95

Rob

He will ring Jim C on Mon. 26th to
sound out what is happening.

MORE to review - light of this re
my visit Trevor.

Di - supports my speaking with
Trevor, review of feedback from Rob.

30/6/95 Jim away 2 wks.

Steven Baxter Senior Public advocate
Phen to office

Step

228249
Ministers office.

Urban consolidation

no ~~not~~
revelin

~~John + John + Haverhill~~
~~Rayley CBI + 9/11~~

can. 5/4

7/1/95 David Lane

Grafton office employed in 80's
Roy Haywood. Computer person
Walcom Group to special
Crownmenco CPM/

Has program to need CPM to 4.
convert. to IBM - DOS to Word?
Can remember project but not title.

David Kennedy?

~~David Kennedy~~

Rob Dooten

c/ Kidd to Room.

Jane Stanley

Jane Stanley 25/5/95 re location of Mount disc.

He recalls meeting on 25/5/95 in Grafton,
- Min present, Col in chair... at
maybe this at David K's place.

Jim Clark was in dept (Grafton) at this time & prob.
recalls of how it was at that time.

Trevor Pinn was not there. He was in the H.M. office at this time.

The fact that he knew about the Mount mystery
then that he read the file was brought by
Jim Clark.

There was no computer in Grafton office at
this time, though it is assumed that it had one.
(David Remon / Economist in the way Lane is
on the.)

More likely is David Remon who became a
computer buff & if Grafton were involved in
the computer trouble he would know about it;
or may have any) even have his own disc copy!

Jane Stanley followed through on her
Lancaster enquiry of the file.