

Draft Rural Landsharing Management Plan

‘The Midlands’



16 Whian Road, Eureka

Date: August 2023 REV A

1. Introduction

The proposed new Multiple Occupancy known as 'The Midlands' is located at 16 Whian Road, Eureka, containing a total of 14 vacant dwelling sites.

The Rural Landsharing Management Plan (RLMP) provides the internal management provisions for the community to collectively manage and make decisions regarding the on-going management of the community and the rural property. This report is a Draft version, with the final version to be further developed by the community at a later stage and approved by Council.

The Byron Shire Development Control Plan 2014 and the Byron Rural Settlement Strategy outline requirements for a RLMP for a Multiple Occupancy property. The final RLMP will be completed once the terms of the development consent are known. This will enable the RLMP to reflect the requirements of Council and other authorities such as the NSW Rural Fire Service. Council's normal practice is that the final RLMP shall be lodged for Council's review as a condition of consent and before the release of the Occupation Certificate.

This approach used by Council also facilitates a better RLMP as it allows for the emerging community of end-users to better input to the making of the RLMP and provides for 'ownership' of the RLMP for the end-users.

In addition to addressing the nominated requirements for community management and addressing key management matters such as bushfire, water, wastewater, waste and environmental sustainability, the RLMP will incorporate provisions for the management zones on the site, as depicted within Illustration 9 – Multiple Occupancy Management.

These assigned M.O. management areas on the site include:

- **Village** – containing dwelling clusters, with dwelling sites and village living land. Dwelling houses will be subject to future DA approval from Council with consideration of the Eureka Village Heritage Conservation Area in terms of final building designs and landscaping requirements.
- **Rural Living** – containing dwelling clusters, with dwelling sites and rural living land. Dwelling houses will be subject to future DA approval from Council.
- **Agriculture** – containing two dedicated dwelling sites to contain larger management areas for purposes of undertaking sustainable agriculture. Dwelling houses will be subject to future DA approval from Council.
- **Habitat** – areas subject to the Vegetation Management Plan and other protected areas designated for habitat with significant environmental values.
- **Community** – other common areas that can be used for community uses and facilities. It also includes shared infrastructure used for essential services including the central access road.

All common land will be collectively managed according to the final management plan, which will also include measures describing the management of the areas allocated for the residents' living and exclusive use. Management of forested areas, bush regeneration activities, and weed management will all be performed according to the approved Vegetation Management Plan with areas to expand these actions into the future in the north-western area of the site.

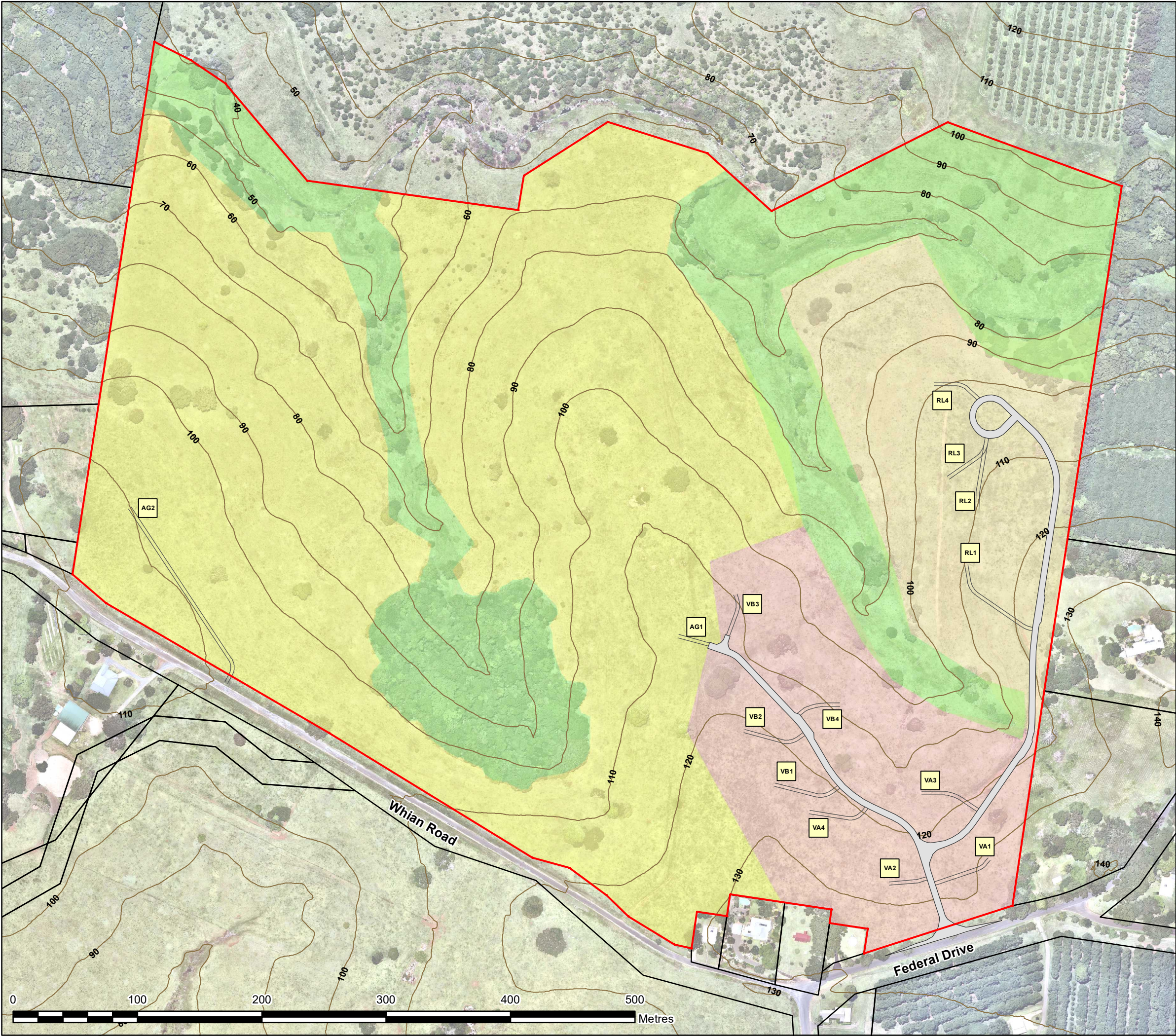
The common theme of the Multiple Occupancy is to contain a mixture of compatible land uses with the ultimate goal of implementing a highly sustainable and productive property that delivers a range of positive outcomes.

Entitlements and obligations of all shareholders, residents and visitors within the collective ownership of the property are written into and agreed upon by all parties in the 'deed of agreement'. The deed contains the necessary mechanisms for effective ongoing management of the property. Shareholders of the community make decisions following protocols described in the internal legal management structure (the deed). The deed provides for mediation processes for resolution of disagreements within the community, and also the procedures for the disposal of shares and the exit and entry of shareholders. The internal legal management structure stipulates approved behaviour based on a system of 'rights' and 'responsibilities' of members and visitors within the four land management zones.

Shareholders will observe the following commitments, to be fully detailed in the final version of the RLMP:

- ✓ Participate in community meetings, activities and events;
- ✓ Provide input into community building and community land areas;
- ✓ Research and implement a sustainable dwelling design, as much as possible according to circumstances;
- ✓ Adhere to rules for keeping cats, dogs and other animals;
- ✓ Landscape to prioritise native species and not include weed species;
- ✓ Engage with ecological enhancement works on the property;
- ✓ Participate in NSW RFS training and/or information sessions;
- ✓ Implement and maintain suitable on-site wastewater management systems; and
- ✓ Undertake positive actions to uphold social cohesion.

The proposed new community is targeted towards local families and persons with common interests and values. It provides sustainable housing options for local families with a great location close to a school and other community facilities and also implements key management provisions to allow for significant farming to occur on the site, as well as dedicated areas for ecological enhancement.



**16 Whian Road
Eureka
Lot 25 DP 1102773**

Proposed Multiple Occupancy

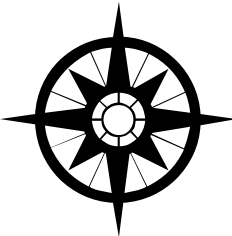
**Illustration 9:
Multiple Occupancy
Management**

Legend

- Lot
- Subject Site
- Contour (10m)
- Access Road
- Driveway
- Dwelling Site (15m x 15m)

Management Zones

- Agriculture
- Rural Living
- Village
- Habitat



Scale: A3
Datum: GDA94
Projection: MGA Zone 56

1:3,000

Data Source:
Cadastral, Topographic Data: LPI NSW 2021
LiDAR Data: NSW Spatial Services
Imagery: Nearmap 2021

Date: March 2022
Version A
LGA: Byron
Parish: Clunes

DISCLAIMER
This map was produced for the client for planning purposes and should not be used for any other purpose. The information shown in this figure should not be assumed to be completely accurate for detailed design purposes. Balanced Systems hereby disclaims liability for the use of information obtained from this figure for any purpose. This note is an integral part of this plan.



2. Structure and Contents

The Rural Landsharing Management Plan (RLMP) has the following format:

Section 1 – Structure and Contents

Section 2 – Theme, Goal & Objectives

Section 3 – Collective Management

Section 4 – Ecological Management

Section 5 – Bushfire Management

Section 6 – Onsite Wastewater Management

Section 7 – Water Management

Section 8 – Waste Management

Section 9 – Infrastructure Management

The following management plans accompany the RLMP:

Appendix A – Proposed Layout Plan

Appendix B - Vegetation Management Plan

Appendix C - Bushfire Management

Appendix D - Onsite Wastewater Management

Appendix E - Water Management Plan

3. Theme, Goal, Objectives and Intentions

The **theme and goal** of The Midlands multiple occupancy is:

- Encourage positive values and actions to be undertaken as part of a resident's day to day life by implementing a diverse multiple occupancy property containing a range of well-managed land uses compatible with the environmental characteristics of the site and the Eureka community.

The **objectives** of the Multiple Occupancy / Rural Landsharing Community are:

- to enable the intentional incoming residents to occupy the site to generate an interactive, socially stable and viable community;
- provide for fair participation and enable equitable rights and responsibilities for community members;
- protect and enhance the site's air, water, soil natural resources and ecological values;
- encourage and facilitate agricultural production in the form of sustainable farming, food growing at various scales;
- foster indigenous values and knowledge; and
- enact climate change resilience measures.

The **intentions** of the new community, in terms of collective living arrangements

- establish a lifestyle based on sustainable living principles
- commit to living within a social structure that endorses democratic rights, requires personal responsibilities and assigns a suitable conflict resolution methodology
- permits the common land to be shared by all community members, to which also requires a commitment to improving and restoring the natural resource base and to the long-term, multi-generational improvement of the land.
- enter into a long-term commitment of co-operation with other community members
- new community member(s) accept any special requirements set out within this specific community whether that be land management based, building design guidelines or other rights and responsibilities.

4. Collective Management

The collective functioning of the multiple occupancy community will be formalised in a shareholder's agreement. The following provides the framework for the shareholder's agreement.

The rural landsharing community will function by means of group decision making. Each dwelling site share is worth a total of two votes in the decision-making process.

- Multiple Occupancy Shareholders

New shareholders are permitted to join the community based on a commitment to the final Rural Landsharing Management Plan and the final Deeds of Agreement.

- Committee

A management committee of 5 members will be appointed by the community shareholders to undertake routine management of designated community components. Terms will be 2 years for each management committee. The management committee may appoint sub committees for specific roles eg. bushfire management, ecological management, infrastructure maintenance, climate change resilience, community facilities, waste management, farm management etc.

General community meetings will require a nominated quorum.

- Decision making

Most decisions will require a simple majority other than key decisions which will require a 75% majority. Key decisions include items such as changing the management theme, goal or objectives, changing the constitution, assigning committee members or removal or addition of a community member.

An annual budget will be prepared by the management committee and considered by a general community meeting. The budget will address ongoing and capital funds required for the functioning of the community including maintenance of key infrastructure.

- Levies

Annual community levies will be applied such that each dwelling site contributes equally to providing the necessary funds to meet adopted budget spending. Levies may provide for Council rates, other land taxes, insurances and other expenditures including costs for upkeep and maintenance of the property, including the shared internal access road which will require ongoing maintenance works.

- Buying and selling a M.O. shares

The process for purchase of a share site is as follows:

- i. Interested person(s) request an interest in a share for purchase and submit application
- ii. Existing community to review application
- iii. On acceptance the incoming person(s) have a 'entry period' where they are required to attend meetings and demonstrate a commitment to the community.
- iv. Following the entry period, the community can accept or reject the application.

The process for sale of a share site is as follows:

- i. Shareholder advises share is for sale
- ii. Upon receipt of a pending buyer providing a signed commitment to purchase at a nominated price and commitment to abide the shareholder agreement, the community has 3 months either to accept the purchaser or find a suitable purchaser to purchase on the same terms. Alternatively, after the 3 months, the community can purchase the share at the nominated price.
- iii. Recognition and understanding of collective land ownership & resource use is required of any incoming shareholder.

- Dispute Resolution

The community will establish an effective, proven methodology for conflict and dispute resolution.

- Behaviour Requirements

All members are required to act in the best interests of the community by acting in a positive spirit of goodwill and by upholding the to be developed constitution including any by-laws contained within.

Unruly behaviour will be dealt with through a systematic process administered by the management committee. Any non-cooperative members of the community can ultimately be removed from the community if a commitment to change and goodwill is not undertaken.

- Dogs, Cats and other animals

Pets are not entirely restricted however they are to be managed to maintain amenity, safety and protect ecological values on the property, which are a priority:

- Cats are in no way permitted on the property due to the significant adverse impact on local native wildlife.
- Dogs are restricted to certain size and breeds, that includes but not limited to, guide dogs, companion dogs and farm dogs. Dogs must be well-trained and correctly housed. If a member's dog is not well trained or well behaved, they can be removed from the community. Limits on number of dogs per household is also required.
- Some livestock may be permitted on agricultural common land with agreeance of the community with correct management provisions such as poultry, herd animals or other farm animals.

- Visitors and tourists

Community members are not permitted to construct or utilise any building for the purposes of rural tourist accommodation or temporary holiday accommodation.

Community members are permitted to have visitors, however must make a commitment to informing visitors of the nature of the property and the collective aims, objectives and intentions of the multiple occupancy.

5. Ecological Management

Protecting and enhancing the significant ecological values of the site is a fundamental objective of the multiple occupancy proposal. The management committee will appoint a sub-committee to coordinate ecological works on the site.

The shareholders agreement will stipulate measures for both shareholders sites as well as for common land.

One means of enhancing and restoring the ecological values will be by implementing the Vegetation Management Plan (VMP) attached to the Development Application submission. The primary stages of this plan will be implemented by the DA proponent prior to 'handing over' the site to the community.

The VMP provides for the planting of 12,600 tree plantings worth of work to be carried out as bush regeneration on the site. It stipulates a detailed works schedule for undertaking these ecological works in targeted areas of the site as depicted in the following VMP plan. The ecological works schedule details the actions required to complete the five-year program.

The management committee will be responsible for managing environmental weeds across the site in accordance with the VMP.

Shareholders will be invited to attend an annual meeting regarding progress of the VMP, and the sub-committee will report on progress of the VMP by means of issuing the annual monitoring report as well as outline summary of existing costs and budget for the forthcoming year's works.

The VMP areas will have different access rights considering the existing ecological values on the site. The Midlands Remnant, which is to be fenced off from cattle access, will also only be accessible by arrangement of the community and will not contain any walking tracks for general use as an environmental facility.

5.1 Landcare

The community is collectively encouraged to undertake landcare activities, or similar type initiatives, on the site, including educational and community-based activities.

6. Bushfire Management

Maintaining the site's preparedness to mitigate bushfire threats is an essential role for the community and its member residents.

The Bushfire Assessment attached to the Development Application provides a detailed assessment of the bushfire risks of the overall property and for the dwelling sites. It also outlines requirements for bushfire access, bushfire water supply and other bushfire management measures.

The DA approval contains specific bushfire measures which have been agreed by the NSW Rural Fire service and which are to be adhered to at all times.

{INSERT BUSHFIRE DA CONSENT CONDITIONS}

6.1 Local RFS

The management committee will ensure the local Rural Fire Service brigade has an updated map and list of shareholders dwellings with contact numbers and water storage locations etc.

Shareholders will be encouraged to join the local Rural Fire Service and attend RFS information sessions and training days.

7. Onsite Wastewater Management

All sites were assessed for the suitability of various options for wastewater management. The following is a summary of that assessment:

“ All proposed sites are capable of Wastewater Management with wastewater treatment design available to ameliorate recognised constraints.”

It should be noted that individual Wastewater Management designs and S68 applications to Council will be required with any future Development Applications for each proposed vacant share.

7.1 Available methods for on-site wastewater management

All vacant shares are shown to be capable of a sustainable wastewater management for a minimum 3- bedroom dwelling, considering that:

- Contemporary on-site wastewater standards will be used
- Best technology Best Practice is allowed
- Future development applications for each vacant lot will be assessed based on the future development proposed

On-site Wastewater Treatment Systems options include:

- Waterless Composting Toilets
- Greywater Treatment Systems
- Sand Filters
- AWTS's
- Reed Beds

Wastewater Application Methods Available

- Subsurface Irrigation
- ETA Beds
- Mounds

*The following Table lists effluent disposal area required when combinations of the above Treatment Process's and Application Methods are used based on a hydraulic loading of 517.5L/day.

Table 1:

Split System	Application Method	Area Required
Waterless Composting Toilet		
Grey water Tank	ETA Bed	46m ²

Table 2:

All Black & Greywater	Secondary Treatment	Application Method	Area Required
3000L Septic Tank	Sand Filter	ETA Bed	70m ²

Table 3:

All Black & Greywater	Secondary Treatment	Application Method	Area Required
3000L Septic Tank	Reed Bed	ETA Bed	68m ²

Table 4:

All Black & Greywater	Secondary Treatment	Application Method	Area Required
AWTS	Aeration	Sub-surface Irrigation	218m ²

As indicated by the above tables, the proposed 'Vacant Lots' are capable of sustainable wastewater management.

This is based on:

- All sites have access to ample wastewater disposal areas
- All sites have ample area available for duplicate application areas
- All assumptions are conservative

{INSERT ANY SPECIFIC WASTEWATER CONSENT CONDITIONS}

8. Water Management

Domestic, garden and firefighting water requirements need to be met by each house site. Water roof capture and water tank storage will provide for all domestic use on the property.

The Water Management Plan is attached.

{INSERT ANY SPECIFIC WATER MANAGEMENT CONSENT CONDITIONS}

9. Waste Management

The various stages of the community require the management of waste both at the construction stages of the community itself and during each of the dwelling application stages.

The Waste Management Plan is attached.

{INSERT ANY SPECIFIC WASTE MANAGEMENT CONSENT CONDITIONS}

10. Infrastructure Management

When the community proceeds with the post-construction stage, the ongoing maintenance of the infrastructure will be managed by the community.

The internal road system is the primary item of shared infrastructure essential for access.

The management committee will need to budget for maintenance such as drain cleaning, repair works and consider a sinking fund for future road upgrading.

All community members, when joining the community make a commitment to provide financial input and / or physical works input into maintaining community infrastructure, that could include items such as any future community building, shared water pumps and pipes, boundary or internal community fences and any other type of shared infrastructure.