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**From:**  
**Sent:**  
**Subject:**

Thursday, 26 April 2018 4:12 PM  
RE: DA 10.2018.110.1

April 26, 2018  
RE: DA 10.2018.110.1  
To Whom It May Concern:

I am writing in support of Mark Franklyn's DA application. As a local provider of yoga and wellbeing services, I feel there is a great need within the Byron Shire for a sustainable retreat space for people wanting a holistic healthy experience. Our shire is missing retreat type places that can accommodate a moderate number of people.

I run the Byron Spirit Festival as well as other events in the area and am always frustrated that I cannot find venues that will accommodate over 30 people.

I have looked over the plans and had an extensive tour of the site and believe that it should be accepted.

I have known Mark for many years and believe that he is truly looking to benefit the community utilizing his beautiful land in a way that does not impact on the local community or infrastructure.

Mark's plans to have ample parking at the retreat, and the proximity of the location to Mullum center, 5 minutes' walk, will help to make the town bustle with life without having more cars in town. Mark told me he also plans to have bicycles available for the retreat guests for this purpose.

Sincerely,

Byron Spirit Festival

**Scott, Noreen**

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**From:** |  
**Sent:** Tuesday, 24 April 2018 1:07 PM  
**Subject:** Letter in support of DA 10.2018.110.1

Dear Council,

I am totally in support of Mark Franklyn's retreat development at edge of Mullumbimby. I organise quiet kind of events - the Byron Spirit Festival, chanting retreats with Deva Premal and Miten, etc.

As you must be aware, the hinterlands of our Shire, and Byron Bay host a number of similar retreat facilities.

Mullumbimby is also a hub of yoga, vegan food and cooking schools, and the need for this kind of facility is great. It will also benefit the town financially and socially, bringing in the kinds of people who do not drink or drink and drive, don't drop garbage anywhere, and generally contribute to a better planet. Isn't this the kind of small scale tourism we seek for our prosperity and social cohesion??

I've had a good look at the land and the proposal and am pleased that it rehabilitates degraded land with conservation principles, a nursery for native plants, and generally beautifies our town!

It is not an additional campground; it is a retreat venue, holistically designed for small numbers of quiet kind of peoples.

Please contact me for further questions.

Sincerely,

**From:**  
**Sent:** Thursday, 26 April 2018 5:14 PM  
**Subject:** OBJECTION - The proposed development DA 10.2018.110.10 @ 1897 Coolamon Scenic Drive, Mullumbimby.

**Re: Objection. DA 10.2018.110.1**

**1897 Coolamon Scenic Drive,**

**Mullumbimby 2482**

I am an environmental scientist and community engagement professional who also teaches yoga so I am very interested in such a proposal. I do not believe the development fits within the RU2 Landscape zoning criteria in general.

I am not against development in this area, but the development appears to be too large for the location and not in line with community need. It also seems to be selective and judgemental of people based on their food and lifestyle choices, as if someone wouldn't be allowed to stay on the land if they ate different foods, which seems contrary to the developer's vision. The developer uses words that do not have a common meaning and are difficult to understand.

**The development does not appear to comply with:**

**Clause 6.8 Byron LEP Tourism assessment**

10 The objective of this clause is to ensure that tourism development in Rural and natural areas is small scale and does not adversely impact on the agricultural production, scenic or environmental values of the land

2) This clause applies to land in the following zones

- a. Zone RU1 primary production
- b. Zone RU2 Rural landscape

6.8

**3) Development consent must not be granted to tourism development on land to which this clause applies unless the consent authority is satisfied that:**

- a. there is, or will be, adequate vehicular access to and from a road, other than a classified road, taking into account the scale of the development proposed, and
- b. the development is small scale and low impact, and
- c. the development is complementary to the rural or environmental attributes of the land and its surrounds, and

Or:

**124. Use of caravan parks or camping grounds**

**1). A caravan park must not be used**

- a). for any commercial purpose other than a caravan park or camping ground or an associated purpose

As the developer intends on holding festivals and other paid entry events on site.

The environmental assessment and management of the site appears inadequate. There are way more species of plants besides camphor laurel.

I don't think there is adequate addressing of water, stormwater or water pollution into adjacent waterways.

I have not had much time to do an adequate analysis of this DA but wanted to be sure my submission was received.

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Mullumbimby NSW 2482



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**From:**  
**Sent:**  
**Subject:**

Wednesday, 25 April 2018 4:05 PM  
DA 1897 Coolamon Scenic Drive Mullumbimby NSW 2482

I want to object to the DA 1897 Coolamon Scenic development in Mullumbimby for the following reasons:

- Our sewage system is not able to cope as it is with the residents that already live in Mullumbimby.
- The roads in Mullumbimby have so many potholes and are in such bad shape that they cannot cope with the cars that are already on those roads.
- It is even now impossible to get a parking spot at certain times in Mullumbimby. With 2500 people come how many more cars?
- 2500 more people is almost half of the residents that already live in Mullumbimby. It will completely change the character of this town, especially since they belong to a sect.
- Michael says he is a developer that has been living here for 12 years, but really he has been visiting for 12 years. That is not the same.

Mullumbimby 2482 NSW

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**From:**  
**Sent:** Monday, 23 April 2018 3:42 PM  
**Subject:** DA: 10.2018.110.1

To whom it may concern,  
I would like my objection/submission to oppose

DA: 10.2018.110.1 to be anonymous.

Sent from my iPhone

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**From:**  
**Sent:** Thursday, 26 April 2018 10:09 AM  
**Subject:** DA 10.2018.110.10 1897 Coolamon Scenic Dr Mullumbimby

Dear Byron Shire Council

This proposal is a straightforward major development application for a commercial business dressed up in alternative philosophies & espousing values likely to appeal in this area. The impact of a very large camping ground & accomodation facility on the edge of Mullumbimby township (it is certainly not remote) would be seriously damaging on every measure. Participants in yoga, spa activities & retreats are tourists at a resort & that is what this application describes.....such retreat options are available already in the region with appropriate infrastructure and distance from towns and neighbours.

Traffic in the town & on all arterial roads is already unmanageable, this development potentially brings additional hundreds of cars - forget the notion that campers/visitors will be bike riders. The infrastructure for Mullumbimby struggles to meet existing demands, the need is for affordable housing for residents not another tourist attraction which only drains the shire, uses up facilities and returns nothing to the people who live here amidst potholes, extreme rents, intermittent power.

Please reject the further exploitation of our precious area for individual gain.

Regards

**From:**  
**Sent:**  
**Subject:**

Friday, 4 May 2018 10:26 AM  
OBJECTION to DA 110/2018

I live in Mullumbimby and I strongly object to the above DA at 1897 Coolamon Scenic Drive because of:

Increased traffic to our already overcrowded town and local chaos with up to 270 cars on site.

It looks like a vast and very expensive development which will require massive tree clearing, roads and infrastructure and is not appropriate,

Contamination and environmental damage to the water/river system.

Too many campsites.

Too many amenities blocks with showers and toilets to burden our already inadequate water/sewerage infrastructure. Is it to be "managed onsite?"

Manager's house is vast with 6 bedrooms and 7 bathrooms!! Why?

There is surely other space in our shire already for "enlightenment" lectures and yoga practice ... why more with capacity planned for 2000 potentially? How many yoga retreats can we have/are needed really. Is there to be a cult takeover of our town?

How many "yoga events" are planned for the year?

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**From:** >  
**Sent:** Thursday, 26 April 2018 3:50 PM  
**Subject:** OBJECTION - DA 10.2018.110.10

Dear council,

I'm writing to object to the proposed development DA 10.2018.110.10 @ 1897 Coolamon Scenic Drive, Mullumbimby.

The large scale development is clearly a money grab project that has no regard for the environment or community at large. There's already several campsites in the area that full fill requirements. These sites are rarely filled to capacity. The community needs long term low income housing and this development gives nothing towards solving the problem, it serves only one person- the developer and serves only to stretch town infrastructure to breaking point.

The developer originally put in a DA for affordable housing, however council rejected it based on the property being situated in a fire hazard/high flood zone. Council stated that it was unsuitable for permanent residences, therefore, one would expect it definitely unsuitable for camping.

Council suggested submitting a DA for short term stays for the homeless or those in rental crisis situations. Does this look like a development for homeless or folks in rental crisis? It's simply designed for maximum profit and as a potential event site. The community already has enough event sites with Splendor, Blues Fest and the showground.

The site is completely inappropriate as a campsite or festival site due to it's location between Coolamon Scenic Drive and Main Arm road. This intersection is one of the most dangerous sections of road in the Shire. There is no mention of fixing or upgrading the access roads to the site. With the possible increase of over 2,500 people, whether on foot, bikes or cars & busses, this location will become a major death trap. The large scale site proposal should require 2 lanes of traffic in and out of the town centre along with bike lanes and footpaths but theres no possibility of such due to the river crossings.

*"The Dwelling - I am looking forward to building this home and running the Vegetarian Camping ground and facilities from there (dwelling). The building is designed to accommodate my family and all its various combinations.*

*My girlfriend has two teenagers. I have 3 daughters and 2 grandsons, the youngest 21,...and of course my doors are always open and regularly used by the mothers of my children, their partners and my stepchildren and their children not to mention my 5 siblings and their children ...."*

The developer is clearly focused on personal gain and not in bettering the community like he claims to be. How can Council morally and ethically go ahead and approve this latest DA that will house the developer's immediate and extended family with the knowing that affordable housing is a high priority in the Shire and they have already rejected that concept. The developer keeps marketing himself as a lover of Mullumbimby and wanting the best for the community, but its clearly a lie.

As council approved this developer's prior venture for affordable housing. The old motel in Mullumbimby (near Tyre Power) which was to be for affordable housing. Though the re-modeled units were rented out initially but have since sold. I believe the last one sold for \$350K. Clearly hes been dishonest to council and the public in the past, there is no reason to trust or believe in the man whatsoever.

He has had this vision for quite some time yet was unable to share his vision with the neighbours, the locals, with the community at large till this week? Community = common unity.. I do not see a unity of community in regards to this DA. In fact it has divided the community.

The developer would be hard pressed to find any local tradies to work on this project as he has already burned most of them out through the process of building his own house at 114 Fraser's Rd, and then the Mullum Motel. His strategy seems to be consistent. Create conflict after services have been rendered, hold materials and labour as ransom and screw the honest working local tradies for as much as possible. This does NOT benefit the community and only benefits one man – the developer.

This Da isn't about caring for our community. So much of town will be impacted. We need sustainable development. 251 campsites right in town that sits at the foot of mount Chincogan, that has a very high fire risk to inaccessible country, the high environmental value of this land (some of which has already

been removed) the flooding of the site, which was made worse last year by the dam and what about the neighbors that live close by noise, trespass, trucks.

This development proposal is NOT good for Mullumbimby.

The **developer has already hosted two big events** – one wedding and one doof party – assumingly without permission from council and surely without informing the neighbourhood. Police had to come and shut them down. This clearly suggests its use as an entertainment venue or function centre - not stated by them in the DA application –

These are a few sites already in the area:

Current Mullum campgrounds:

#### 1. Showground

20 sites

\$25 per night for 2 people. Power & water. Generally not booked out. Can camp up to 28 days. Walk to town.

Football grounds.

Powered - 30 sites at \$180 p/w

Unpowered- 20 sites at \$150 p/w

Overflow - 30 sites at \$25 p/night

Permanents - Currently 12 perms. Can fit more.

Tents can stay up to 90 days.

Generally not booked out.

Walk to town.

#### 2. Maccas

10 sites allow up to 120 people.

Single site, no power - \$105 p/w

With power - \$140 p/w

Couple with power - \$30 p/night

Can stay up to 6 weeks.

Generally not booked out.

10 mins drive to town.

Local halls available for community events:

- Mullumbimby Civic Hall
- Drill Hall
- St Johns
- St Martins
- Durrumble
- Kohinur

All the above have availability and could use more utilization.

Mullumbimby is not in need of more camping or community venues.

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**Koala and wildlife area/ vegetation:**

- Wildlife in this area will massively be affected due to cutting down trees and constant noise/heaps of people. We have koalas, echidnas, bush turkeys, eagles, cockatoos, lorikeets, wallabies, goannas, water turtles, lizards etc. around here.
- What about the environmental value here? The developers say that they only removed campher, which is definitely not true. There are a lot of gumtrees, black – so the vegetation will be



affected also! They already built a big dam, roads etc. – and **they continue working on the property towards their DA ideas – although nothing is approved yet!**

### **Bushfire and flood hazard:**

- This is a bushfire and flood hazard area – and it is not only about the safety of the “campers/event participants”, but also people living up the mountain, as fire always travels up!!
- Even more fire danger due to campers having bonfires
- The developer said, just one manager will easily be able to not only to take care of the campground/events, but

also be responsible for a evacuation of the whole place in case of a fire... this is unrealistic, even when having 10

staff members!

- In a case of a heavy flooding: sewerage will pollute the whole area

### **Dangerous road:**

- CSD is a windy, narrow road. There are already a lot of accidents happening – last one just at Easter! Imagine this with a huge extra amount of cars or even caravans – so dangerous!
- The road is already at its maximum capacity for locals. Potholes have been a massive problem for a long time – how should this be solved, with a lot more cars and heavy caravans taking this road?
- There's NO footpath at all from beginning of Main Arm up to the venue! This will put campers as well as (local) motorists in danger, especially after dark! No sufficient streetlights either.

### **Water quality of the self-constructed dam:**

How is the water purity of the self-constructed dam from the run of or flooding impacts secured?

### **Neighbourhood, but also effecting Mullumbimby massively as a little town:**

- Worst concern: A parallel society can easily emerge from such an amount of people. Mullum is not capable of having such an amount of extra people in many ways. Strangers that might bring more alcohol, drugs, crime or just disturbing behaviour.
- Sound from the campsite and especially from events in the “yoga hall” will not only affect wildlife, but all surrounding neighbours on a constant basis
- Surrounding properties already suffer trespass because of farmland and views. Imagine what will happen with an extra couple of thousand people.
- Sound travelling to working farms (distressing animals) and homes
- People will bring alcohol (and maybe more) to the campsite, which means not even after 10pm there will be silence.
- How will dust mitigation for the close neighbours work, when massive traffic will approach the sandy gravel roads on the property?

## SEWAGE SYSTEM

I see that there is no application associated with this DA to connect in with the current sewage system in Mullumbimby. Is not the current sewage system already pushed to its limits. I don't see clarity about how such a huge and relevant impact to the township amenity of Mullumbimby is socially or environmentally responsible. It lacks both vision and consideration of the impact on others.

## ROAD ACCESS DANGER and DEATH

Considering the extent of numbers of people proposed to be using the site it would be very likely to increase the risks of road fatalities on the narrow winding roads. Poor driveway access and an increase in traffic will further the risk of fatalities and accidents. Mark Franklyn claims that people could be riding bikes to and from the site. Considering the potholed narrow roads as they are and the lack of provision for cyclist's safety, this further increases the risk of fatalities on an already compromised road for car thoroughfare. Furthermore there is no pedestrian access which would put at further risk many lives with people competing to get down the road.

## DISREGARD OF COUNCIL REGULATIONS RE: TENANTS and COMMUNE

I am personally aware that the "Bails" has been consistently used by a tenant on 1897 Coolamon Scenic Drive. When I have visited there I have seen that the lady lives there. I am informed that the council has requested that the building be vacated. This hasn't occurred. This is blatant disregard of the council advice and has not been enforced.

Considering the scale of tenant population being proposed by this DA and the disregard of RU2 zoning in the application and inconsistencies in the claimed number of people invited onto the property with the "right" to be there, to grant approval to this project runs the risk of an increase in a population of people who find themselves in the middle of an unclear and hostile situation with the existing community opposing this DA.

## SPIRITUAL IDEAS and ELITISM

The project claims to be running a "BLACK TEMPLE" and people will be jetsetting in from around the world to be inside this building that will apparently be "sound proofed". There is not a clear explanation or description of this philosophy, nor how such people will be behaving when they leave the site. This needs to be exposed in the interest of the general public. It is claimed that locals will not be welcome. This seems very anti-social and unclear what constitutes a "local". Very suspect how such status can be determined.

## INDEPENDENT SOCIAL IMPACT STATEMENT

Considering the inconsistencies and extreme magnitude of this DA being foisted on the pre-existing township and population of Mullumbimby, the details of this DA need to be made clearer and truthful and through this there needs to be commissioned an independent social impact study to verify the effect this will have as to proceed as is will be costly to the community.

There are more issues to raise however due to the constraints of time I request that it be understood that there are more relevant concerns being brought to attention and these need also to be investigated in the conduct of the business of Mark Franklyn.

Sincerely

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Thursday, 26 April 2018 10:28 AM  
Yoga retreat DA 10.2018.110.10

Mark

Just a brief email to say I believe your project is a great idea that is good for Mullum and Byron Shire. Anywhere that you can unite your body and mind and focus on what's good in life seems to be sensible!

Best of luck with your efforts and if I can help in any way, let me know. I am a marketeer, content creator and engagement specialist.

Thanks for your vision

**From:**  
**Sent:**  
**Subject:**

Wednesday, 25 April 2018 6:29 PM  
1897 Coolamon Scenic Drive Mullumbimby

24<sup>th</sup> April 2018

Byron Shire Council  
Mullumbimby

**RE: DEVELOPMENT AT 1897 COOLAMON SCENIC DRIVE MULLUMBIMBY**

Dear Sir/madam

We, being owners and residents of [redacted] Mullumbimby are submitting our objection to the development of 1897 Coolamon Scenic Drive Mullumbimby.

The proposal is totally out of character for the area, the size of the development of 239 campsites, 12 caravans and a 6-bedroom house, with the ability to accommodate over 2500 persons, will impact greatly on the quiet amenity of the area. The noise and visual impact will have a huge detrimental effect on the surrounding neighbours.

The vehicle access from Coolamon Scenic Drive and is a huge safety issue with this section of the road having an open speed limit with limited vision from the property driveway. There could be more than 270 vehicle movements in and out of the property each day.

A campground of this large scale is in total conflict with the surrounding properties and to the resident dwellings to the south. Noise from such a development will have a negative impact on all the surrounding neighbours.

In conclusion, the social impact of such a large development in a rural location is massive and the entire development is out of character for Mullumbimby.

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**From:** >  
**Sent:** Monday, 16 April 2018 11:56 AM  
**Subject:** 1987 Coolamon Scenic DriveDA:10.2018.110.1

I live at [redacted], just up the road from the proposed camping ground and yoga centre.

This type of development has been needed in Mullumbimby for a long time. After spending some time going through the plans i think they are fantastic.

A facility which can house 150 doing yoga in air conditioned and sound proof venue is long overdue in Mullumbimby.

I am familiar with the location as i drive by every day and love what has been done there. This is a indication of the style of development to come it will be an asset to the town.

I support the development.

Best regards

[redacted]

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**From:**  
**Sent:** Thursday, 26 April 2018 4:03 PM  
**Subject:** DA Lot 1897 Coolamon Scenic Drive

Dear Sirs,

**Proposed Lot 1897 Coolamon Scenic Drive OBJECTION**

I wish to object to the proposed DA because of the danger of the amount of traffic that will be generated on this particularly narrow dangerous road and the lack of vision for turning vehicles into this proposed area.

I am particularly concerned with the lack of vision available for vehicles entering or leaving this property. My wife and I owned the [redacted] many years ago and before we could subdivide off 4 blocks of land to this then 230 Acre parcel we had to provide a level parking area off the road for an entrance into the subdivision on which a vehicle could park without the brake on, without rolling forward onto Coolamon Scenic Drive. We also had to dedicate to Council a strip along the total frontage of our land to Coolamon Scenic Drive. Our entrance was also required to provide a clear line of sight for at least 100 metres in either direction which does not appear to be the case here. During heavy rain the area in question was flooded frequently and the creek was a recognised platypus habitat before the recent creek realignment took place.

The impeachment of the privacy of the adjoining residents also appears to be a major consideration in this case. Because of these factors I wish to object strongly to the proposal.



Virus-free. [www.avg.com](http://www.avg.com)

**From:**  
**Sent:**  
**Subject:**

Thursday, 26 April 2018 4:05 PM  
Objection to DA 1897 Coolamon Scenic Drive no.110/2018

Dear Byron Council ,

Firstly my apologies for sending off an incomplete draft with the wrong DA number cc an hour ago.  
Please accept this completed submission.

I am writing to object to DA no 110/2018

This would have to be one of the most extraordinary local DAs that has been brought to my attention: it seems very amateurishly put together, lacking in normally required documentation and seeming at odds with many Council requirements. With the potential to have an extraordinary and unacceptable impact on the small township of Mullumbimby it surely must be rejected by Council.

The sheer audacity of this proposal is startling.

Mullum does not have the capacity to absorb such a big tourist development on the outskirts of town.

We do not have the resources to maintain roads, infrastructure as it is.

Before any new major developments are proposed, BSC needs to get the Mullum Residential Strategy worked on and finalised. Ditto for the Mullumbimby Master Plan

Developers usually start small and then use loopholes and Section 95 modifications to increase the development footprint by stealth. And of course one can never be sure how entrepreneurial developers 'sell on'.

1] RU 2 land allows in the LEP for small tourist developments: This is for a massive camping ground with 239 sites, 12 tourist cabins, a massive yoga centre and a pretend managers quarters which seems to have six ensuite bedrooms that is obviously geared for more holiday rental i.e. exceeding the 12 cabins allowable. There is the potential for this site to hold c. 2400 people max and the hall has a greater capacity than Mullum Civic Hall [300 people max]. So surely, on just this basis, the DA should be rejected.

2] Coolamon Tunnel road is narrow and dangerous and not designed to support the proposed number of traffic movements including buses entering and exiting. The proposed bike path is inadequate. The proponent is stating all guests are going to bike in to town, no cars allowed?... This is crazy stuff.

There is insufficient documentation on how the exit / entry at Chinbible st is going to be developed, the impact on local residents, and how the intersection with Main Arm Rd would have to be reconfigured. This is especially critical with the high volume of traffic on Main Arm Rd and the Farmers Market traffic on Friday mornings

3] Proposed campsites are far too close to Chinbible Ck and flooding occurs .... this has not been addressed in the DA.

4] The Mullum sewerage system is already under stress and is not capable of absorbing the increased load.

5] This development is a tourist development with the obvious aim of hosting small festivals. We already have more tourists than we can cope with and no bed taxes and levies that can assist Council in meeting the impost and costs of tourism i.e. wear and tear on roads just to start with.

6]We have sufficient and well run camping grounds at the Showgrounds and Rugby League Clubs; both run by community groups .Even though there is increasing use of these facilities by tourists and festival attendees [Splendour,Blues,Mullum Music Fest] both sites have remained under capacity.

7]Affordable housing with campsites offered to locals could have worked on such site if it was a small development e.g.30 sites .But this developer is looking for big returns from short term stays by tourists all fancied up with spiritual and yoga retreats,vegan camping ....getting into some absurd developer spin never quite seen before .

8] The rural amenity of local residents will be adversely impacted.

9]The development costs have been seriously underestimated.

10]It has been somewhat puzzling how such massive lland clearance, re channelling of waterways and the building of substantial road network has been possible even before the DA has been lodged .The changes to the watercourses and dams have been particularly concerning.

11]The Spirit Fest has now relocated to the Cavanabah Centre and our own Mullum Civic Hall is a fabulous venue for festivals.We don't need any more Festival sites and as nor=ted previously we have enough extant accommodation possibilities

I am not a neighbour but hold grave concerns for the future of Mullumbimby if Council approved any aspects of this DA .Really ,BSC has to start saying no to a lot of development in the Shire and think of the residents and the need for fiscal prudence.

Rate payer



Monday, 30 April 2018 1:05 PM  
10.2018.110.1 - submission additional info

**Subject:**

Dear Simone,

When I lodged my submission last week I neglected to add the photo below that was taken on 30/3/17 of the proposed Rural Tourist camp ground.

The photo is of the dam starting to flood the front paddocks.

This was taken at approximately 2.15 pm after approx. 132mm of rain. A further 212mm fell in the next 11 hours however I did not take photos as I was out rescuing people in town from 4am.

I also have a photo taken from the distance of Chinbible creek flooding in the south eastern camp sites.

It has also been pointed out that the "Black Temple Yoga Hall" has a clearly marked "Performance entry" door.



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**From:** | . >  
**Sent:** Thursday, 26 April 2018 3:40 PM  
**Subject:** Submission Objection 10.2018.110.1 1897 Coolamon Scenic Drive Mullumbimby NSW 2482

Dear Sir?Madam

Re: Submission Objection 1897 Coolamon Scenic Drive Mullumbimby NSW 2482

Im a local living on the northern end of Coolamon Scenic Drive about 1 kilometre back from the highway and I strongly object to the above DA for the following reasons:

1. This section of Coolamon Scenic Drive is so notoriously dangerous as it is right now let alone the potential quadruple the movements of cars caravans, trucks and heavy vehicles.
2. I cannot turn right into my driveway without the real fear of being hit by an oncoming vehicle at an average of up to 100 kms ph which is the current speed limit on this road.
3. Google Maps is now funelling tourists from the north that are going through to Mullumbimby the quick way through this section of north Coolamon Scenic Drive so it is adding to the danger significantly every day even now let alone with an increase of tourists going to this proposed development at 1897 Coolamon Scenic Drive..
4. During School term the school bus from Ocean Shores to Mullumbimby travels this route twice a day with an average of 25 to 30 children on it and even though the bus drivers are extremely competent, I believe to approve this DA will be putting these children's lives at risk plus the lives of my grandchildren.
5. I have been subjected to tailgating , being overtaken on bends and serious road rage on this road which is on the increase.now let alone with a quadrupling of movements which will happen if council approves this DA.
6. I fell like the lives of my family, children, grandchildren friends and neighbours are in danger because this road is unfit to handle the movements on it already and it will be a matter of when and not if another person is maimed or killed.

If this DA is approved will the council commit to doing a major upgrade of north Collamon Scenic Drive knowing that they are putting peoples lives at risk and who will be responsible for the deaths of anyone on this road.?

Thank you.

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**From:**  
**Sent:**  
**Subject:**

Saturday, 28 April 2018 11:24 AM  
Yoga Centre

Hello Council Members

I'm writing to say how much I appreciate the possibility of Mark Franklyn's proposed Yoga Centre. Mullum surely is the centre of wellbeing, inner healing in Australia and this venue would serve this industry hugely.

Warm regards

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**From:** Lorraine Eastwood <eastwoodbvl@gmail.com>  
**Sent:** Thursday, 26 April 2018 7:27 AM  
**Subject:** OPPOSITION TO DA 10.2018.110.10

My name is [redacted]. I am a ratepayer and my home is [redacted] Mullumbimby. I oppose the above DA at 1897 Coolamon Scenic Drive, Mullumbimby. I oppose this for three main reasons.

1. Coolamon Scenic Drive is unsuitable for towing caravans. Many GPS navigation systems would be directing tourists from the M1 to turn off at the Ocean Shores/Billinudgel turn off. These systems have directed many of my visitors to come to Mullumbimby this way, as it is the shorter route.

2. Turning right, off from Main Arm Road into Mullumbimby is a hazardous intersection. In December 2016 I have personally had a car run into my car as I was turning from Coolamon Scenic Drive into Main Arm Road.

3. The camping grounds at the showgrounds and at the Leagues Club are rarely full.

The increase of traffic on this unsuitable road near a dangerous intersection is not compatible.

Please do not approve this DA.

Kind regards

(  
26th April, 2018

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**From:**  
**Sent:** Thursday, 26 April 2018 1:41 PM  
**Subject:** Support for DA 10.2018.110.10

Regarding: DA 10.2018.110.10

Dear Council,

I am writing to express my support for the proposed wellness retreat at 1897 Coolamon Scenic Dv Mullumbimby.

My support is as follows:

- The proposal reinforces the positive reputation of Mullumbimby as a destination for health, wellness, yoga, and tranquil contemplation and participation.
- The site is ideal and shows no negative impact to the surrounds.
- The proposal enhances the general economy of Mullumbimby without negatively impacting amenities.
- The architecture is of a high standard, which in turn improves the mental state of wellness participants.
- The capacity to accommodate health and wellbeing participants on a cost-friendly basis is warmly welcomed.
- The scale is modest, and the nature of operations are peaceful, which I see as a positive addition to the are.

Kind regards,

**Scott, Noreen**

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**From:**  
**Sent:**  
**To:**  
**Subject:**

I object to the Proposal of a Tourist and Visitor Accommodation ( Twelve 12) Cabins Including Use of Existing Structures as Storage and Staff Luncheon and Construction Spa,Camping Ground,Park Entry Office?Kiosk New Dwelling and Recreation Facility Yoga Facility in the strongest possible terms!!

In no way whatsoever is this going to benefit our existing community.I find it offensive just reading your proposal.

If my interest in this matter is appreciated by you I sincerely hope that you take my objection into account.

I have spoken to many well informed people and we all seem to share similar views .

It is not rocket science.We all know what more cars, more buildings, more people will do to our environment.

Yours faithfully

**From:**  
**Sent:**  
**Subject:**

Thursday, 26 April 2018 11:26 AM  
DA 10.2018.110.10

Attn: General Manager

I would like to submit a submission against the DA10.2018.110.10 at 1897 Coolamon Scenic Drive, Mullumbimby.

As a local resident, I am strongly opposed to the plan on the grounds that such a large-scale project would forever ruin the uniqueness of Mullumbimby which is a small country town. The number of extra cars on the road, and in town would mean that parking would be impossible. Our potholed streets are already under strain with the amount of cars currently using them. Thousands of extra people would make Mullumbimby like Byron Bay where tourist numbers outweigh locals, with little good coming to the local people.

The friendly, local vibe which is the reason that makes Mullumbimby such a great place to live and why we moved here, would be lost.

I have already had to complain to the police this year about an event held on that site. The police said that many residents had rung to complain and they were on their way. I imagine that this is only the start of the problems for local people. I consider the project to be over-the-top development veneered by the promise of 'attracting visionaries.'

I know that Mark Franklyn is a large scale developer and I think he feels he has found a gold mine in Mullumbimby.

I urge council to reject this DA on grounds of harm not just to the many people living anywhere near the property, but for the whole of Mullumbimby.

Yours faithfully,

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**From:**  
**Sent:** Thursday, 26 April 2018 3:36 PM  
**Subject:** Application 110/2018

Hi I am opposed to this development as it does not conform to the zoning. It is far to large a development. The noise from property when the owner has had a Doof there could be heard by a number of residents in Mullumbimby. Enough complaints made it necessary for the police to come all the way from Byron to address the matter. It's in a high flood area and the road is dangerous , especially people on bicycles around blind corners. Thank you | : (

Sent from my iPad



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**From:** >  
**Sent:** Tuesday, 10 April 2018 1:17 PM  
**Subject:** DA No. 10.2018.110.1

**Attention: Simone Reeves and**

Dear | and Reeves

I refer to the Byron Shire Council's Referral for Consideration and Advice (dated 20 March 2018) pertaining to DA. No. 10.2018.110.1

The Tweed Byron Local Aboriginal Land Council (TBLALC) Cultural Heritage Unit is staffed and equipped to provide site-specific research and consultation on matters of Aboriginal cultural heritage (ACH). The preparation of a site report involves background research on the region and the site followed by an on-site inspection. The site visit includes an informed on-country evaluation as well as consultation and advice regarding the laws and regulations that apply to the protection of ACH. The site report includes recommendations to assist the applicant in risk management and compliance. The full process is usually completed within two weeks of receipt of a formal 'order'.

In this instance, given the location of the site, TBLALC would also invite one or more representatives of the Arakwal people to participate in the site inspection.

TBLALC has a standard schedule of fees. Arakwal invoice separately because they engage appropriate representatives as required on a case-by-case basis. The service is provided largely on a cost-recovery basis (i.e.; it is relatively inexpensive).

I recommend that the applicant engage TBLALC to conduct a site inspection and prepare a report. Of course, the site report is intended to also inform the Byron Shire Council's consideration of the DA in the context of Aboriginal cultural heritage.

To request a site inspection the applicant should contact:

Gina Combo  
Cultural Heritage Operations Coordinator  
Email: [culturalheritage@tblalc.com](mailto:culturalheritage@tblalc.com)  
**Tweed Byron Local Aboriginal Land Council**  
Cultural Heritage Unit (CHU)  
PO Box 6967, Tweed Heads South NSW 2486  
Ph: 0755 361763 Mb: 0484 001345

Kind Regards

*Maurice Gannon*

Maurice Gannon  
Conservation Planning Officer  
**Tweed Byron Local Aboriginal Land Council**  
PO Box 6967, Tweed Heads South NSW 2486  
Ph: 0755 361763 Mb: 0407 643 349

**From:**  
**Sent:**  
**Subject:**

Friday, 4 May 2018 10:28 AM  
Objection to DA110/2018

I live in Mullumbimby and I strongly object to the above DA at 1897 Coolamon Scenic Drive because of:

Increased traffic to our already overcrowded town and local chaos with up to 270 cars on site.

It looks like a vast and very expensive development which will require massive tree clearing, roads and infrastructure and is not appropriate,

Contamination and environmental damage to the water/river system.

Too many campsites.

Too many amenities blocks with showers and toilets to burden our already inadequate water/sewerage infrastructure. Is it to be "managed onsite?"

Manager's house is vast with 6 bedrooms and 7 bathrooms!! Why?

There is surely other space in our shire already for "enlightenment" lectures and yoga practice ... why more with capacity planned for 2000 potentially? How many yoga retreats can we have/are needed really. Is there to be a cult takeover of our town?

**Scott, Noreen**

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**From:** Paul Jameson <pauljameson888@gmail.com>  
**Sent:** Thursday, 26 April 2018 11:45 AM  
**Subject:** DA 11072018

Dear Council.

I am a long time resident and ratepayer having owned land and lived in Main Arm since 1980 and am now resident in Suffolk Park.

I wish to object in the strongest terms to the proposed camping site and yoga pavilion on Coolamon Scenic Drive Mullumbimby.

I believe it is a gross overdevelopment of the rural site, Traffic will be dangerous and swamp a very poor rural road, environmental impacts will be strongly negative and the impact on neighbours will be horrendous.

Further I do not accept the proponent's assertion that it will be a low key, vegan establishments where visitors will be bussed in and a maximum of 300 will be on site at any one time. I believe that the development, if approved as submitted, will allow for at least a couple of thousands visitors at any given time together with traffic, noise and dust from unsealed roads

I request Council to reject this proposal

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**From:** >  
**Sent:** April 2018 10:13 PM  
**Subject:** DA 10.2018.110 at 1897 Coolamon Scenic Drive

Dear Sir/Madam

I would like to object to the development proposal for this tourist cabin/camping/event venue proposal.

I have been a resident of Byron Shire for 25 years and travel to work in Mullumbimby along Coolamon Scenic Drive. My objections to this proposal include:

1. Size of development. Too many cabins and tent spaces. Yoga hall and amenities buildings capacity excessive for location.
2. Traffic and pedestrian increase. The road leading to Mullum is narrow and the proposed volume of additional traffic and people is unsuitable.
3. Loss or degradation of amenity and peacefulness for existing neighbours.

This development would be too big and too close to Mullumbimby and in particular would bring too many people and too much additional traffic to the area.

Yours sincerely

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**From:**  
**Sent:** Friday, 20 April 2018 8:34 PM  
**Subject:** in support of DA 10.2018.110.1

dear council staff ....

i'm writing in support of DA 10.2018. 110.1. i live in the shire and have been to the property at 1897 coolamon scenic drive . i support the overall concept of this project . there is a great need for this sort of amenity in the shire . particularly for an affordable wellness retreat centre and a great accoustic healing space . i trust the issues , particularly the scale of the project and traffic , can be sorted .

sincerely ,

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**From:** >  
**Sent:** Saturday, 28 April 2018 6:45 AM  
**Subject:** 1897 Coolamon Scenic Dr

The only things that are allowable currently on these 20 hectre RU2 lots close to town is camping and tourist accomodation (12 bedrooms, with DA approval). So essentially council is setting this direction.

We should consider allowing land in non-flood prone areas within close proximity to town to do some amount of subdivision into 1.5 acre lots, so people living there can grow their own food and walk or cycle to town and school.

We should mandate that these "Agrihoods" should be designed to be flood tolerant and self sufficient in terms of electricity, water and sewage. As part of the arrangement a substantial contribution (eg. X% of post subdiivision lot valuations) should made toward local affordable housing and infrastructure (bike paths and required road upgrades etc)

As the big money moves into town and the demographic changes, so will our council's disposition.

Doing nothing will eventually lead to more Tallowood Ridge (non-eco/ small block) unsustainable suburban development in areas close to Mullum town. Anyone who has visited Tallowood recently can see that it is being expanded.

We can sit still or lead the way in terms of sustainability, its our choice.

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**From:** |  
**Sent:** Thursday, 26 April 2018 12:23 PM  
**Subject:** 1897 Coolamon Scenic Drive- 110/2018

Dear Council,

***I note that I request that my identity needs to remain confidential.***

The land at 1897 Coolamon Scenic Drive seems more suitable for a large lot subdivision than a huge camping ground and resort facility.

By taking so long time to establish a strategic and sustainable growth and rezoning plan for the Mullumbimby township and its direct surrounds (and in most cases currently disallowing any prospect of subdivision), Council is (unintentionally?) now directing owners of properties adjacent to the Mullum township to submit DAs involving camping and tourist cabins.

Who will pay for the infrastructure upgrades and increased policing required for the large increase in visitors associated with the proposed camp sites?

Specifically who will pay for:

- o A new parking lot somewhere near Woolworth's which will be required to support the additional thousands of campers visiting the Mullumbimby town from the proposed development.
- o The additional 2,000(?) visitors will create a large additional load on the existing Mullumbimby sewage treatment plant. I understand from a recent article in the Echo that during rain events the STP is already releasing raw sewage. (<https://www.echo.net.au/2018/04/brunswick-valley-stp-overloaded/> )
- o Increased policing will be required due to large numbers visitors staying at the resort.
- o Due to the high frequency of cars driving off the road on Coolamon Scenic Drive a maximum speed limit of 60 kph should be set for the entirety of Coolamon Scenic Drive. The current state speed limit of 100 kph is not appropriate nor safe for CSD. Police will need to enforce the new speed limit as on the straighter sections of the road vehicles are already frequently traveling far in excess of the current 100 kph limit.
- o Due to volume of cars, more prompt repair of potholes will be required, particularly those potholes that require drivers to enter the oncoming lane to avoid the potholes.
- o Several of the corners where cars are most frequently going off the road should be further straightened.

Allowing large lot sustainable subdivisions close to town will allow residents to walk or cycle to town and grow their own food. This will provide a high quality of life for residents. I contend that if strict requirements are put in place for sustainability (passive solar designs, electricity production, water and sewage mgmt ) that this sort of development can align with the Mullumbimby community objectives. Council should also design a rezoning fee structure that could help pay for future affordable housing and infrastructure projects.

Is it not unfair for rate payers to fund the additional infrastructure required for a large resort?

Why keep attracting more and more tourists with no way to pay for the infrastructure required to support them?

Kind regards,

**Subject:**

Thursday, 26 April 2018 3:37 PM

OBJECTION - the proposed development DA 10.2018.110.10 @ 1897 Coolamon Scenic Drive, Mullumbimby.

Dear council,

I'm writing to object to the proposed development DA 10.2018.110.10 @ 1897 Coolamon Scenic Drive, Mullumbimby.

The large scale development is clearly a money grab project that has no regard for the environment or community at large. There's already several campsites in the area that full fill requirements. These sites are rarely filled to capacity. The community needs long term low income housing and this development gives nothing towards solving the problem, it serves only one person- the developer and serves only to stretch town infrastructure to breaking point.

The developer originally put in a DA for affordable housing, however council rejected it based on the property being situated in a fire hazard/high flood zone. Council stated that it was unsuitable for permanent residences, therefore, one would expect it definitely unsuitable for camping.

Council suggested submitting a DA for short term stays for the homeless or those in rental crisis situations. Does this look like a development for homeless or folks in rental crisis? It's simply designed for maximum profit and as a potential event site. The community already has enough event sites with Splendor, Blues Fest and the showground.

The site is completely inappropriate as a campsite or festival site due to it's location between Coolamon Scenic Drive and Main Arm road. This intersection is one of the most dangerous sections of road in the Shire. There is no mention of fixing or upgrading the access roads to the site. With the possible increase of over 2,500 people, whether on foot, bikes or cars & busses, this location will become a major death trap. The large scale site proposal should require 2 lanes of traffic in and out of the town centre along with bike lanes and footpaths but theres no possibility of such due to the river crossings.

"The Dwelling - I am looking forward to building this home and running the Vegetarian Camping ground and facilities from there (dwelling). The building is designed to accommodate my family and all its various combinations.

My girlfriend has two teenagers. I have 3 daughters and 2 grandsons, the youngest 21,...and of course my doors are always open and regularly used by the mothers of my children, their partners and my stepchildren and their children not to mention my 5 siblings and their children ...."

The developer is clearly focused on personal gain and not in bettering the community like he claims to be. How can Council morally and ethically go ahead and approve this latest DA that will house the developer's immediate and extended family with the knowing that affordable housing is a high priority in the Shire and they have already rejected that concept. The developer keeps marketing himself as a lover of Mullumbimby and wanting the best for the community, but its clearly a lie.

As council approved this developer's prior venture for affordable housing. The old motel in Mullumbimby (near Tyre Power) which was to be for affordable housing. Though the re-modeled units were rented out initially but



have since sold. I believe the last one sold for \$350K. Clearly has been dishonest to council and the public in the past, there is no reason to trust or believe in the man whatsoever.

He has had this vision for quite some time yet was unable to share his vision with the neighbours, the locals, with the community at large till this week? Community = common unity.. I do not see a unity of community in regards to this DA. In fact it has divided the community.

The developer would be hard pressed to find any local tradies to work on this project as he has already burned most of them out through the process of building his own house at 114 Fraser's Rd, and then the Mullum Motel. His strategy seems to be consistent. Create conflict after services have been rendered, hold materials and labour as ransom and screw the honest working local tradies for as much as possible. This does NOT benefit the community and only benefits one man - the developer.

This Da isn't about caring for our community. So much of town will be impacted. We need sustainable development. 251 campsites right in town that sits at the foot of mount Chincogan, that has a very high fire risk to inaccessible country, the high environmental value of this land (some of which has already been removed) the flooding of the site, which was made worse last year by the dam and what about the neighbors that live close by noise, trespass, trucks.

This development proposal is NOT good for Mullumbimby.

The developer has already hosted two big events - one wedding and one doof party - assumingly without permission from council and surely without informing the neighbourhood. Police had to come and shut them down. This clearly suggests its use as an entertainment venue or function centre - not stated by them in the DA application -

These are a few sites already in the area:

Current Mullum campgrounds:

1. Showground

20 sites

\$25 per night for 2 people. Power & water. Generally not booked out. Can camp up to 28 days. Walk to town. Football grounds.

Powered - 30 sites at \$180 p/w

Unpowered- 20 sites at \$150 p/w

Overflow - 30 sites at \$25 p/night

Permanents - Currently 12 perms. Can fit more.

Tents can stay up to 90 days.

Generally not booked out.

Walk to town.

2. Maccas

10 sites allow up to 120 people.

Single site, no power - \$105 p/w

With power - \$140 p/w

Couple with power - \$30 p/night

Can stay up to 6 weeks.

Generally not booked out.

10 mins drive to town.

Local halls available for community events:

- Mullumbimby Civic Hall
- Drill Hall
- St Johns
- St Martins
- Durrumble
- Kohinur

All the above have availability and could use more utilization.

Mullumbimby is not in need of more camping or community venues.

Koala and wildlife area/ vegetation:

- Wildlife in this area will massively be affected due to cutting down trees and constant noise/heaps of people. We have koalas, echidnas, bush turkeys, eagles, cockatoos, lorikeets, wallabies, goannas, water turtles, lizards etc. around here.
- What about the environmental value here? The developers say that they only removed campher, which is definitely not true. There are a lot of gumtrees, black - so the vegetation will be affected also! They already built a big dam, roads etc. - and they continue working on the property towards their DA ideas - although nothing is approved yet!

Bushfire and flood hazard:

- This is a bushfire and flood hazard area - and it is not only about the safety of the "campers/event participants", but also people living up the mountain, as fire always travels up!!
- Even more fire danger due to campers having bonfires
- The developer said, just one manager will easily be able to not only to take care of the campground/events, but also be responsible for a evacuation of the whole place in case of a fire... this is unrealistic, even when having 10 staff members!

- In a case of a heavy flooding: sewerage will pollute the whole area

Dangerous road:

- CSD is a windy, narrow road. There are already a lot of accidents happening - last one just at Easter! Imagine this with a huge extra amount of cars or even caravans - so dangerous!
- The road is already at its maximum capacity for locals. Potholes have been a massive problem for a long time - how should this be solved, with a lot more cars and heavy caravans taking this road?
- There's NO footpath at all from beginning of Main Arm up to the venue! This will put campers as well as (local) motorists in danger, especially after dark! No sufficient streetlights either.

Water quality of the self-constructed dam:

How is the water purity of the self-constructed dam from the run of or flooding impacts secured?

Neighbourhood, but also effecting Mullumbimby massively as a little town:

- Worst concern: A parallel society can easily emerge from such an amount of people. Mullum is not capable of having such an amount of extra people in many ways. Strangers that might bring more alcohol, drugs, crime or just disturbing behaviour.
- Sound from the campsite and especially from events in the "yoga hall" will not only affect wildlife, but all surrounding neighbours on a constant basis
- Surrounding properties already suffer trespass because of farmland and views. Imagine what will happen with an extra couple of thousand people.
- Sound travelling to working farms (distressing animals) and homes
- People will bring alcohol (and maybe more) to the campsite, which means not even after 10pm there will be silence.

- How will dust mitigation for the close neighbours work, when massive traffic will approach the sandy gravel roads on the property?

Due to the significant enviromental and iconic land, if the developer is so spiritually conscious, he should just protect the enviroment and regenerate the land back to its original state like, most other spiritually aware and enviromentally conscious people in the area.

Please confirm that you've received my submission as the Byron Bay website wasn't working well.

Thanks,

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**From:** |  
**Sent:** Monday, 16 April 2018 12:49 PM  
**Subject:** da 10-2018-110-1 >

We are healing conference and retreat organisers who live in Byron Bay.

We struggle to find suitable places which are vegan drug and alcohol free with enough space to facilitate our workshops and with the option of affordable onsite accomodation.

We have reviewed the proposal and commend the proponent for the respect of the land and the presentation. We think that the Yoga Meditation facility will attract international teachers and participants.

We believe that this facility will be a great support to the local community and its just within walking distance of the shops and restaurants as well as the hinterland natural attractions.

kind regards  
|

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**From:**  
**Sent:** Tuesday, 17 April 2018 12:46 PM  
**Subject:** Vegan Camping Ground : DA 10/2018/101/1

I live in the hinterland of Mullumbimby and have been a meditator for many years.

I am pleased to see the consciousness of the proposed development in respect to the provision of low cost accomodation and access to yoga / meditation and residential facilities and most of all personal self development.

The reports online indicate a low environmental impact and desire to rehabilitate the natural environment which i greatly support.

The buildings and facilities will be a credit to the town.

I fully support the development proposed.

Kind regards

**From:**  
**Sent:**  
**Subject:**

Tuesday, 10 April 2018 5:27 PM  
110/2018 1897 coolamon scenic drive mullumbimby

i would like to make a submission about the proposed caravan park yoga centre proposal.  
this development is not good planning  
there are several topics of concern that it raises to me

1: fire risk - im concerned that the proposed development has not addressed the fire risk or the demand on the local fire service for hazmat conditions, caravan fires are different to normal fires and the area of bush surrounding the site is bush and steep, neighbouring properties will be in danger, most caravan parks are requested by guests if they can have a fire, even in a container this can become a real hazard for the bush and the air quality of the surrounding neighbourhood which is mullumbimby itself.

the recent fire of upper main main was caused by a camper lighting a fire!

2: traffic road use at the intersection of main arm road and coolamon scenic drive is at present difficult especially on fridays with the farmers market, friday is always a busy day of arrivals for any caravan park or function centre, the use of federation bridge for caravans also concerns me as to the misguidance of nat says to bring traffic along Coolamon scenic drive which is narrow dangerous and recently prone to land slips that have actually closed the road during the last flood

3: Entrance of facility. the entrance will have to drop away from the above mentioned road, i would consider that dangerous due to the blind ness of the road users also a tow vehicle and caravan which may weigh as much as 5 tonne could find leaving the site dangerous. if the alternate exit of chin bible ave is used this would cause more traffic, noise and disruption to the main arm road.

4: riparian area , this was a creek, a corridor for wildlife, flora & fauna from the above mountain . which is our towns iconic mountain. im surprised that the dams have gone ahead prior to the da ,, thus reducing the total outlay the development is projecting that it will cost \$1.8 mill it has diverted a creek which is integral to the diverse range of wildlife using the corridor from the mountain to the water source.

im also concerned at the tree removal that has occurred to my untrained eye it seems that native species have been romped whilst leaving weed species such as camphor laurels again the cost of tree removal has not been addressed in the total cost of development & at a cost of \$1,000 per tree this is a significant total in excess of the tens of thousands of dollars that the shire is missing out of in the contribution calculation . it also raises concerns about land stability and erosion issues.

5: flood, the site is a floodway. the recent evacuation of a caravan park in nth queensland make me concerned that there is not adequate evacuation points or proceeders in place to deal with a flood that as we know can occur overnight without warning. this will place stress on our volunteer organisations such as the ses or brunswick valley rescue. toilets will also be flooded and pollute the creek and waterways

6: effluent as mentioned above the flood will cause pollution of the water way and creek and the brunswick river, the fact that they will be connecting to the towns sewer is another concern as most if not all larger newer caravan parks have onsite waste water management so the use of water for landscaping is kept to a minimum and effluent is not putting the local sewerage treatment plant under stress. my concerns for the toilets and effluent that might escape during flooding this will pollute the entire brunswick river during floods.

7: future use; a good business has a business plan that usually has a 3 5 7 & 12 year plan, a profitable caravan park usually expands with more sites and new cabins . there dose not seem to be any indication of the growth for this resort,

will they allow permanent sites? will there be a duration of stay on these permanent sites? some parks allow you to live on site others have a time contrition of a total of 152 night in a year , this has not been addressed.

will the park be dog friendly ? now or in the future? this is a riparian area and dogs would not be suitable but will demand push them to allow dogs?

the use of the hall has not been addressed fully will it be a wedding venue ? and what can be put in place to stop such use?

the owner has recently held a doof which was not noticed to the neighbours and the police were called this action makes me think that he doesn't really care for the neighbours or the wildlife ..

this concerns me as what will the purpose of the hall be if yoga gatherings involve drumming chanting or screaming workshops.

if the owner sells this site in the near future what will the new owners do with the site and the hall and the rather large resort farm stay dwelling, 6 bedrooms and 7 bathrooms, that is one large lavish house, this site could be sold later to a van park consortium such as a big 4 park they have a business plan for all their parks that involve permanent sites and cabins as cabins are more profitable that a camp site.

i know there are some what ifs in this point but that is my fear to the future use of such a large resort. at the end of the day its all about profit and it might be sold if not profitable or a change in use, then its development via stealth.

8: rural land; this is rural land . actually it is foldable rural land that needs good management for stock but this resort is in no way in the rural strategy for our small town

9: noise as too my point 7 above, the real use of this resort will have a real and damaging affect to the area as a whole for not only residents but for the wildlife that currently uses the floral corridor from the ridge to the creek the owner has shown a complete disregard to the community in the past on this topic and i beleive the council should not allow such a large scale development behind a residential area again as to my point above about being dog friendly or not this could be a real nusence for the wildlife and residents. as the site extended from coolamon scenic drive to chinbible ave there are many residents that could and will be affected our to the topography of the site and the position at the base of our iconic mountain.

10: economics ; the statement of this cost of the resort being \$1.8,000,000.00 is ludicrously low ... i can't help but wonder if this is why the owner has made dams roads and earth works and stone sculptures ahead of this application. i don't beleive the fact there is a possibility of paid employment in this resort for the locals , as im a caravaner and camper my self i have noticed most if not all big profitable parks seem to use woofers or transients to foreful jobs such as garden maintenance , security and even management usually with acomadation provide as part of the wage or in due of the wage.

if the hall is used as a function centre with the 2 commercial kitchens will alcohol be served? this is a real concern as alcohol licenses are easy to obtain for functions and gatherings these days, this creates an undeniable bad influence for the residents along the road and adjacent properties i don't see how this will be good for our overcrowded town that is already choked with locals and tourists during festival times on the subject of the economics of a caravan park resort , im so happy to see the football club and the show ground used for camping and the profit from such camping going back into the ground and in turn back into the community such as the new toilet and amenities block currently being upgraded at the show ground, im glad the community is benefiting from the camping that has been allowed over the recent years. it would be such a shame to see these other parks neglected and not used as there is another large park in the competition for a happy camper.

i know i've covered several points in this submission and im trying to keep it brief , im passionate about this as i beleive it will affect the lifestyle that i moved to mullumbimby for.

i have never thought that Mullumbimby ever needed such a large resort style caravan park with a new hall so close to town and in sensitive , iconic area.

i see no benefit to the town or the community for allowing this development to go ahead in any form , similar to the reasons it was rejected for the affordable housing situation , putting people in a flood way is in my opinion criminal and misguided.

there is and will be a real danger to life of patrons as well as to the general public using the roads, not only near the entrance but for the entire length of coolamon scenic drive. with 5 tonne vehicles and vans driving roads that they don't know.

please consider my points on this submission i would not like to see it happen , i don't beleive we need it and it has the potential to look like a ghetto.

thank you for your time on this submission :



**From:**  
**Sent:**  
**Subject:**

Sunday, 22 April 2018 8:40 PM  
Proposed DA for the camping ground off Coolamon Scenc Drive Mullumbimby NSW

To whom it may concern,  
Huonbrook do strongly object to this Development because our local infrastructure will not be able to cope with such an influx the town already seems stretched to the limit .The roads are already in an appalling condition without more and more cars using them , the sewage system probably in a similar situation.To even consider this developement is ridiculous .

Sent from my iPad.

**From:**  
**Sent:**  
**Subject:**

April 2018 12:55 PM  
DA - 10.2018.110.1 - Proposed Vegetarian accommodation, kiosk, dwelling, camping ground  
etc.....

Dear Sir or Madam:

So, Council assured the community that the large-scale tourist development on the RU1 zone at Ewingsdale that attracts 5000 people per week would not set a precedence for the use of our Shires farming lands?

Mayor Richardson made it very clear in his Council speeches that just because Council supported this development's unapproved activities and would change the LEP to accommodate these unapproved activities.....did not mean that any other developer would be able to do the same, or similar thing on the rural zones in the Shire.

In fact, Mayor Richardson stated "Council could just say no".

Byron Shire Council put your money where your mouth is and "just say no" to this development and any future development of our farming lands that encompasses large scale tourism and non-appropriate uses of agricultural land. Send a clear message to developers that Council will not support nor condone the fragmentation or alienation of our quality agricultural resource land in Byron Shire.

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**From:**  
**Sent:**  
**Subject:**

Thursday, 26 April 2018 2:25 PM  
Submission opposing DA 2018.110 for Mullumbimby campground

I personally oppose this proposed DA 2018.110 for a 239 site caravan site/campground, yoga hall, day spa, six cabins and a large managers residence on Coolamon Scenic Drive for the following reasons:

1. This is not a small scale tourist facility. According to the LEP land on RU2 Rural landscape only allows: "...small scale rural tourism uses associated with primary production and environmental conservation." A 239 site retreat/resort along with multiple outbuildings cannot be considered a small scale rural tourism facility. For this alone this DA should be rejected outright as it does not conform to the Byron Shire LEP.
2. I don't really see the need for an additional large campground in Mullumbimby. The town already has two very nice campgrounds at the show ground and out by the Leagues club in the industrial area. Even at a peak time like the last Blues Festival when I drove by the show ground there was maybe 50 campsites and caravan spaces occupied. Where is the demand for all these additional campsites come from? Most people coming to the Shire to camp would rather stay closer to Byron Bay and there are many campsites to choose from there. I doubt this would be a profitable venture for the developer and its the responsibility of Council to vote against developments such as this that will likely not succeed.
3. The infrastructure especially the roads is insufficient to handle the large influx of potential visitors should they do somehow get occupied to full occupancy. Coolamon Scenic Drive is narrow and windy with dangerous blind curves. With several hundred more people or possibly over 2000, that is way too much traffic for such a road. It will endanger the lives of residents who use this road to get to town. There is also questionable plans for sewerage and if it is connected to the Valences Rd. treatment facility it may not be able to handle the extra sewage especially considering the recently publicised overflow following a large rain storm
4. Mullumbimby town cannot really handle the influx of hundreds or possibly several thousand more visitors. Already it is a big issue to park in town. If this goes through and even a few hundred people are there parking will be almost impossible!
5. This proposed campground/retreat will have a big negative impact on the rural amenity of the nearby residents who are affected. We come and live on rural properties specifically to enjoy the quiet rural sounds and vistas. Hundreds of people camping outdoors, without any sound proofing to minimise the loud sounds coming from the site will have an unbearable impact on the neighbouring areas. The additional traffic will also be a problem.
6. There is too much risk from potential flooding and bushfire events around the site. The campsite is surrounded by forest and bushland and one careless campfire could quickly go out of control and with the right winds quickly spread through the campground and neighbouring residential and rural areas. The flooding risks from the nearby waterways is also a potential problem.
7. The traffic in and out of Mullumbimby could be horrendous with all these potential extra visitors. This would be aggravated if the Saddle Ridge Road development goes through as well as the proposed development near the community gardens. The bottleneck at Uncle Tom's Pies will become a major problem as well. I as a resident don't want to have to sit for long periods in traffic just to get in and out of town.

8. So many people on this land will definitely have a negative impact on the environment (flora and fauna) and would contrary to the LEP's objective for environmental conservation.

This is simply a very inappropriate bad development. No matter how the developers try to make it palatable by calling it a spiritual retreat and a vegan yoga campground it's likely not going to be that nice and the impacts on the people of Mullumbimby and surrounding areas horrendous and unacceptable. .

It would be much better if the developer build small scale housing for low income rentals on this space.

Please reject this inappropriate DA. Thank you for your consideration.

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**From:**  
**Sent:** Wednesday, 25 April 2018 3:46 PM  
**Subject:** DA 10.2018.110.10

DA 10.2018.110.10  
Proposed Vegan Yoga Retreat  
1897 Coolamon Scenic Drive  
Mullumbimby

- >
- > I have lived in the Byron shire for well over 40 years. Attended Durrumbul primary school and have lived in Myocum for the past 17 years. I'm well aware of how the growth in Mullumbimby is affecting its residents. We don't want to lose our beautiful town and feel overrun by tourists.
  - > However, I have carefully followed the above proposal for a yoga/meditation camping ground and feel that it is just what this area needs. I attend regular yoga classes both in Byron and Mullumbimby and my teacher struggles to find a suitable venue in either area. The constant catch cry in class being we need heating/cooling and a larger space as these classes keep growing, each week bringing more students to an already overcrowded space. The Mullumbimby class is held in a local hall where our early morning class arrival and departure noise often disturbs neighbours as it held in a residential neighbourhood. Similarly, their mowing etc often create hearing problems in the hall. Another yoga class I attend is held in Ewingsdale in a converted garage of a private home. Again unsuitable.
  - > A large number of our shires residents are involved in some kind of spiritual practice or teaching that would benefit from a purpose built facility like this one.
  - > A friend currently holds many of her yoga retreats overseas because there is not an affordable alternative.
  - > I have been to the site and seen the restorative work that has been carried out and the plans for future land regeneration. I'm very impressed with the work and the vision.
  - > I feel like it's close enough to access on foot from town but won't impact Mullumbimby itself. If anything it may reduce some of the congestion in town if people can use this area for classes and workshops.
  - > This is exactly the kind of small development this area needs. Attracting conscious people who will respect their immediate environment and our wonderful town.
  - > I'm involved in a family retail business in Mullumbimby and will also look forward to the potential boost in sales growth this may bring to us without putting pressure on our roads and parking. I understand many visitors to site will come by air and shuttle and will be able to walk or use push bikes for transport to and from town.
  - > Doesn't get any better than this. Low impact, high returns!
  - > I'm all for it and so is my family.

>

> Sent from my iPad

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**From:**  
**Sent:** Sunday, 29 April 2018 10:37 PM  
**Subject:** DA 10.2018.110.10

To Byron Shire Council,

I have looked at the plans for this submission and also been down to the site 1897 Coolamon Scenic Drive and I feel this project will be wonderful for the area.

It is the most beautiful piece of land that the community will be able to have access to for yoga retreats and meditation.

The Yoga and meditation space is architecturally beautiful and will bring prestige to our area.

I own a house in Mullumbimby and I feel it will elevate the value of our town.

It will bring money into the community.

I hope it will go ahead.

Regards

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**Subject:**

Wednesday, 16 May 2018 9:15 AM  
DA 10.2018.110.10

**ATTN: General Manager**

I oppose the proposed camping ground on Coolamon Scenic Drive, DA 10.2018.110.10 on the grounds that the roads are unable to accommodate that much extra traffic, they cannot accommodate the traffic requirements as is. The turn from Main Arm Road into Coolamon Scenic Drive is already dangerous and many more cars coming from the left would probably make this turn a black spot, ie accidents and perhaps deaths. It is already extremely difficult to find parking in Mullumbimby and a development this size would increase this problem. I also object on the grounds of the amenity of our small town to such a large-scale development.

Your faithfully,

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**From:**  
**Sent:**  
**Subject:**

April 2018 8:07 AM  
Submission for DA 10.2018.110.1

I am a resident of Mullumbimby (20 years), I live in Coolamon Scenic Drive (1983) less than a kilometre along the road from the proposed development at 1897.

I strongly object to this development application being passed as it will for ever change the rural and natural character of the rural landscape (RU2) on the edge of Mullumbimby.

This outlying area of town has already been an option for further development (change from RU2 to urban) by council a couple of years ago (one of 10 options I think) and was quickly considered in appropriate because of safety (road width and quality) and expense (pasture next to bitumen making any development of road, pavement or driveway impractical).

239 camping and caravan sites, a yoga hall, day spa, six cabins, kiosk, 70 parking spaces all with substantial excavation and grading, and a manager's residence is not small scale rural tourism, will not be low impact and is not suitable in that location.

DA10.2018.110.1 for 1897 Coolamon Scenic Drive is a bad, inappropriate development. It must be rejected and, if necessary, Council must strongly defend its decision if Land & Environment Court action is a consequence.

Regards



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**Sent:** Friday, 20 April 2018 7:43 AM  
**To:** ourbyron  
**Subject:** DA 10.2018.110.1

To whom it may concern,

I am a resident of Mullumbimby and i am active in the community here as a practicing | . I have been aware of Mark Franklyn's project to create a retreat centre for yoga and mediation for sometime now. I have visited the property many times. The land is beautiful, the dam is so peaceful and attracts birdlife.

I have had a thorough look at the plans for the retreat centre proposed and I see that the proposal is well thought out. With lots of care taken to meet the needs of people seeking a tranquil rejuvenating yoga, spa and meditation experience. It has been designed with a keen eye for beauty and enhancement that matches the already stunning natural beauty of the area. What a special offering and asset to the area this is!

An exciting and generous vision to create a sanctuary dedicated to healing through contemplation, meditation, and yoga, wow! I love the way that people visiting the space can also contribute by adding their knowledge and skills to gardening in the permaculture gardens or regenerating the native forrest. And that this is a vegan space.

I also see the proximity to Mullumbimby is perfect as it is an easy walk or ride to the township, shops cafes. An incredibly insightful world class endeavour that adds to an already uniquely beautiful community. I foresee this will easily become a space that Mullumbimby residents would be proud of and would visit to enjoy the gardens or to attend the yoga studio.

kind regards

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**From:**  
**Sent:** Saturday, 28 April 2018 9:38 AM  
**Subject:** DA 10.2018.110.10

Dear Byron Council,

As an enrolled resident of the Tweed Byron shire I would like to voice my protest against the recent submission for approval of the proposed "vegan yoga retreat" (DA 10.2018.110.10). I feel that their recent publication for support of the proposed development in the Byron Shire Echo is misleading. I believe this article (page 5 of the Echos most recent publication Vol 32 #46) does not inform the reader of the proposed development seeking approval (but rather seeks support) and misleads the reader into thinking there is a shortage of yoga retreats in the area (there are at least 7 other yoga retreats that already exist in Mullumbimby). With this in mind I believe this space could be used for something that better serves the interests of the public.

Can you please take note of this when deliberating upon the approval of this proposal.

Kind Regards,

**From:**  
**Sent:**  
**Subject:**

Monday, 23 April 2018 7:30 PM  
DA 110/2018 (1897 Coolamon Scenic Drive MULLUMBIMBY NSW 2482)

Manager (Planning)

I recently provided a submission on the above Development Application. Since submitting my objection to this development, the developer's "Vision Statement" has been released to the community. I draw this to your attention as it brings into question the stated aims of the DA lodged with Council in many regards. I am now not entirely sure what proposal the developer actually has in mind.

The house is not a Manager's residence, but a family abode. Further, the developer stated at a public meeting yesterday that the property was not open to the community, and that it will provide camping for selected clientele of the meditation and yoga centre.

The developer states there is an unmet need. As Council would be aware, there are a number of community spaces that are underutilised already. Mullumbimby already has two camping sites with capacity. Finally, the development can't be both a public venue and camping ground and a closed site, open only to adherents to a specific dietary and spiritual purpose. At other times, the developer has inferred the site is for "affordable housing". Hence my objection is not only to the proposal submitted to Council, but the unclear and contradictory alternative proposals floated to the community.

### ***1897 Coolomon Scenic Drive***

#### ***Vision Statement***

#### ***Mullumbimby & Byron Shire***

*Byron Shire is world renowned as a wellness destination and a place of healing.*

*Many internationally recognised Personal Development programmes have been initiated and nurtured here and many world renowned teachers come here to teach and refresh.*

*In general, this shire has an enormous appetite for the inner journey in its many and varied forms and modalities.*

*Sitting at the heart of this consciousness movement is Mullumbimby.*

### *The Land*

*The project is situated on a beautiful piece of land at the base of Chincogan on the edge of the Mullumbimby township.*

*The property is close enough to the town centre for people to walk and ride their bikes and also remote enough to minimise any impact of events on the local community.*

*If approved, the current pedestrian/cycleway from town will be linked to the Vegetarian Camping Ground and keeping car traffic to a minimum.*

*A higher vision for the property is to keep the land in one ownership and undertake a programme of rehabilitation and beautification.*

### *The DA*

*The goal of this development is to attract visionaries from all over the world to connect and inspire.*

*This DA is not a Tourist Development. It is a small scale development conceived, owned and operated by myself, the sole director of Keywaters Pty Ltd.*

*It's a personal response to a traumatic world and my contribution to the wellness movement.*

*The reason why the wellness movement is so huge is because it offers hope.*

*Science is confirming that Yoga and Meditation is the natural way to heal and open ourselves to life's exquisite tenderness and beauty.*

*The facility is to meet a pre-existing and growing demand within the community and the global consciousness movement.*

*This development is for people travelling on the inner journey towards peace and self-knowledge.*

### *The Dwelling*

*I am looking forward to building this home and running the Vegetarian Camping Ground and facilities from there.*

*The building is designed to accommodate my family and all it's various combinations.*

*My girlfriend has two young teens, I have 3 daughters and 2 grandsons the youngest of whom is 21 and I'm hopeful they will join me in this endeavour and of course my doors are also always open and still regularly used by the mothers of my children their partners and my stepchildren and their children. Not to mention my 5 siblings and their families. And my late mothers dog, Benny.*

### *Vegetarian Camping Ground*

*This project is vegetarian.*

*Sometime ago I heard that the majority of rainforest being cleared in the Amazon was for the production of meat.*

*I then realised we no longer have the luxury of eating meat the way we do. It's not a matter of taste, it's a matter of consciousness.*

*I decided then that becoming a vegetarian offered a peaceful way to personally respond and make a difference.*

*I realised that If we all became vegetarian or even reduced consumption of meat to say once a month then this would go a long way to solving the environmental problems we face today.*

*People using the Camping and other facilities will attend because it's vegetarian.*

*This is the consciousness that I want to nurture in this development.*

*This camping site is primarily set up to cater for conscious events that will be attracted by the yoga and meditation facility.*

*The development of the camping facility will be staged and expand as the growth dictates.*

*Booking will be available from the kiosk on site which will be open normal hours and online 24/7.*

### *The Spa*

*Relaxation, massage, yoga, meditation, community and reconnection with nature all prepare us better for the inner journey.*

*The Spa will offer a space surrounded by nature for relaxation and reflection and will be open most days.*

*Bookings can be made online or at the kiosk.*

### *Yoga Meditation Space*

*My inspiration is from Sadhguru who asks the question.*

*"How can you transform the world without first transforming individual human beings?"*

*So transforming the individual, begins with the inner journey towards peace and the inexhaustible richness of being.*

*In 2016 I commissioned award winning Architect Charles Wright to design a Yoga and Meditationspace which would reflect*

*" the emerging consciousness in the human species."*

*The building design imagines the inverted triangle or pyramid, the fragility of the human experience and tenacity of the creative spirit. The space will be gracious, soundproofed and air conditioned.*

*The Yoga Meditation Space is purpose built for the consciousness movement.*

*We anticipate that this venue will attract some of the greatest teachers in the world and on these occasions may hold classes of up to 150 people.*

*The building is designed to be divided into 3 smaller spaces for more intimate classes which we anticipate will be regularly attended by locals as well as campers.*

*We are aware of an existing unmet demand for this kind of facility within the local community and the wider population.*

*The proposal imagines that the facility will be hired with accommodation and the kitchen facilities will allow for the preparation of vegetarian meals.*

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**Subject:**

Thursday, 12 April 2018 10:48 AM  
URGENT: Notification of DA?

Dear Sir/Madam,

My husband & I have been away on holidays all of March & have come home to the fact that a proposal to council is for a holiday park which is almost directly across the road from us. However, we have not received any notification of a DA !

I would like to know why?

Our property is at ; **Mullumbimby** & you will find it listed in my husbands name

We await some kind of information from you urgently, as we understand submissions close in a couple of weeks.

with regards

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**From:** byroneforms <byroneforms@byron.nsw.gov.au>  
**Sent:** Tuesday, 27 March 2018 12:21 PM  
**Subject:** FW: 110/2018  
**Attachments:** form.xml; receipt.pdf; 1913656-DOC270318-27032018113123-0001.jpg

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**From:** byroneforms  
**Sent:** Tuesday, 27 March 2018 12:20:31 PM (UTC+10:00) Canberra, Melbourne, Sydney  
**To:** byroneforms  
**Subject:** Submission from Mullumbimby Objection 110/2018

**Form Name:** Submission lodgement form  
**Submission ID:** SUB10200

#### **Submission -**

**Type of submission:** Objection

**Submission:** Dear Liaison Officer, We totally object to this large scale development which we have only just been notified of and rural zoned property which will severally impact upon our family home our quality of life our peacefully country surroundings and this will be the same for other surrounding properties. We strongly believe this development in this area is totally not suited, not in keeping with surrounding properties and not what this zoning objective is set out for. We will go from having one or 2 neighbours to possibly hundreds and hundreds... We feel the size & type of development is over the top and wrong in many ways for this area, including:- the location/proximity to our property and home (see attachment) which ranges to within 70-150m of the 230 camp sites, 12 cabins & yoga centre. This constant and intrusive noise, smoke and other pollution from this development will travel directly uphill straight into our home. The blind entrance/exit into the property is very dangerous and Coolamon Scenic Drive is dangerous enough without loads more people not knowing where they're going, driving in and out at all hours of the day/night. The whole thing is just not suited to this location and the noise will be unbearable, the fire danger on that ridge with campers having fires with be a real concern, also the campers will most likely tramp through our property to get access to climb Mt Chincogan (which already happens to some extent). The native flora and fauna around our area will all be impacted with many native birds, frogs, lizards, koalas, wallaby's etc will all affected by this development and their usually homes and corridor along this ridge/valley will be stopped or impacted by this development. In summing up, we strongly object to this large scale (non Byron/Shire/Mullumbimby) development and would urge council to look after our community and totally reject this application and possible further similar applications for current surrounding residents and future generation residents. Yours sincerely, Mullumbimby 2482



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**From:** byroneforms <byroneforms@byron.nsw.gov.au>  
**Sent:** Thursday, 29 March 2018 5:47 AM  
**Subject:** FW: Submission from | Objection 10.2018.110.1  
**Attachments:** form.xml; receipt.pdf

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**From:** byroneforms  
**Sent:** Thursday, 29 March 2018 5:46:33 AM (UTC+10:00) Canberra, Melbourne, Sydney  
**To:** byroneforms  
**Subject:** Submission from | 10.2018.110.1

**Form Name:** Submission lodgement form  
**Submission ID:** SUB10210

**Submission -  
Type of:**

: 10.2018.110.1 Parcel Nr: 218430 In response to the letter I received from Byron Shire Council concerning the "Proposal of a Tourist and Visitor Accommodation" at 1897 Coolamon Scenic Drive Mullumbimby, I am making a submission to strongly object against this proposal. When I read the letter I was instantly shocked by the enormity and size of the planned construction of buildings i.e. new dwelling, Tourist Cabins, and especially the number of Camp Sites on the Camping Ground, which is 239 sites!!!). I believe this kind of development.....is totally out of touch with the local .....and would even be bigger than any caravan parks in the Tweed Valley and the Gold Coast. The environmental impact would be huge, and I am not sure if our sewage treatment plant could cope with so much more effluent. Furthermore, traffic along Coolamon Scenic Drive is already substantial and the increase in cars travelling along there needs to be considered. I live ..... proposed development and the peace and quiet of my property and neighbourhood would be greatly compromised. Furthermore, the lower lying parts of the property are flood prone and would be very soggy, muddy camp sites, unless the owners would build the area up a lot. As far as I know the cow paddock : ..... (which is level and in some parts even higher than the proposed area for camping) has been declared a floodplain years back, and building was not allowed. The Mullumbimby Show ground also has camping facilities and their grounds are higher than those of the new proposal. Even at the show ground the lawns are unavailable for camping a lot of the time due to lots of rainfall. Also, the noise level of hundreds of people camping and driving their cars around the park would be rather high and quite a nuisance. I have had a look at some Holiday Parks on the Tweed Coast, e.g. Pottsville North and South Holiday Parks. They are quite large already and have "only" around 70 camp sites and 11 cabins. The proposed one in Mullum would be 4 times the area in camp sites, and I just cannot accept the scale of this. The impact on the environment and wildlife(which I have not even mentioned in this letter) also plays a considerable role! I am not against progress, but I am NOT IN FAVOUR of this large scale development along Coolamon Scenic Drive. I have lived in Mullumbimby since 2001 and appreciate it's country feel and relaxed atmosphere. I think that up to 30 camp sites and a few cabins would be tolerable, and they have to be on higher ground, and as far away from residential houses as possible. r

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**From:** byroneforms <byroneforms@byron.nsw.gov.au>  
**Sent:** Wednesday, 4 April 2018 3:41 PM  
**Subject:** FW: Submission from : Objection #110/2018  
**Attachments:** form.xml; receipt.pdf

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**From:** byroneforms  
**Sent:** Wednesday, 4 April 2018 3:40:43 PM (UTC+10:00) Canberra, Melbourne, Sydney  
**To:** byroneforms  
**Subject:** Submission from : Objection #110/2018

**Form Name:** Submission lodgement form  
**Submission ID:** SUB10220

**Submission -**

**Type of submission:** Objection

**Submission:** As a local resident I wish to object to so many people coming onto our substandard and dangerous road, with a minute budget of 1.8 million dollars which will not cover needed road improvements. A possible 15% increase of local population will negatively impact of town facilities. The "yoga hall" (we have many already in town underutilized) sounds like an entertainment hub, so likely big increases in attendees. Already accidents and holiday makers leaving cattle gates open in their quest to walk up Mt Chincogan, are causing difficulties for local residents. Loud music, traffic movements and congestion will reduce safety and rural quiet for locals. The road is totally unsuitable for lots of mobile homes and caravans, which would likely drive through Mullum town and/or through winding hilly Coolamon Scenic Rd towards Ocean Shores. Under the standard "affordable housing" type patter, we are likely to be promised accomodation for the poor, but actually create holiday treats for the wealthy and mobile. Of course. the developers will also claim to increase biodiversity but so many people and sites will rarely be compatible with wildlife and rainforest. Surely if we must have more tourist accomodation it should be on a long straight road with potential to reafforest pasture and degraded land, not a steep, floodprone site with awkward access. The development budget at 1.8 million is derisory. This would not even pay for one roundabout at he Main Arm road.

## Scott, Noreen

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**From:** byroneforms <byroneforms@byron.nsw.gov.au>  
**Sent:** Thursday, 5 April 2018 9:56 AM  
**Subject:** FW: Submission from . | Objection 110/2018  
**Attachments:** form.xml; receipt.pdf

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**From:** byroneforms  
**Sent:** Thursday, 5 April 2018 9:55:45 AM (UTC+10:00) Canberra, Melbourne, Sydney  
**To:** byroneforms  
**Subject:** Submission from . | 110/2018

**Form Name:** Submission lodgement form  
**Submission ID:** SUB10221

### Submission -

**Type of submission:** Objection

**Submission:** I oppose the DA to establish this large camping ground, with associated events attached. 1. Mullumbimby already has three camping grounds. 2. This will impact hugely on peaceful and rural environment, affect nearby households with noise. 3. This could potentially add thousands more to the population of Mullumbimby, which already is struggling with additional impact from tourism and unauthorised use of Air BNB and short term holiday lets. 4. I understand this could be flood prone land. 5. The impact on traffic and unsafe entry on Coolamon Scenic Drive , and then into Mullumbimby is unacceptable, as is any alternative access via Chinbible St. Traffic on Friday Market day already causes congestion. Approving this adds unacceptable pressure on roads and road infrastructure already in poor condition. 6. The need for toilets, showers and such facilities will place additional pressure on our sewerage system, which is already struggling to cope. 7 I understand the developer is already having a disturbing impact on neighbours with noise, lack of consultation, tree clearing, road works and advertising, holding events, it appears without adequate approvals. We strongly object to the putting profits before the imminity of the Mullumbimby community.

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**From:** byroneforms <byroneforms@byron.nsw.gov.au>  
**Sent:** Friday, 6 April 2018 11:30 AM  
**Subject:** FW: Submission from . : ; Objection 10.2018.110.1  
**Attachments:** form.xml; receipt.pdf

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**From:** byroneforms  
**Sent:** Friday, 6 April 2018 11:29:46 AM (UTC+10:00) Canberra, Melbourne, Sydney  
**To:** byroneforms  
**Subject:** Submission from . : ; 10.2018.110.1

**Form Name:** Submission lodgement form  
**Submission ID:** SUB10223

**Submission -**

**Type of submission:** Objection

**Submission:** My objection to this DA is that as I use Mullumbimby Pool daily I experience the traffic and parking that is already a problem This tourist /camping area will increase the traffic in a small rural town This development is out of character for the town of Mullumbimby The rural roads cannot cope with the volume of cars this DA will generate This DA will generate a huge amount of noise in a quite rural area Who will police this area and ensure that it doesn't become a festival site

6 April 2018

THE GENERAL MANAGER  
BYRON SHIRE COUNCIL  
PO BOX219  
MULLUMBIMBY  
NSW 2482

DEAR SIR

RE; DEVELOPMENT APPLICATION 10.2018.110.1

We refer to your notification of the abovementioned Development Application.

Firstly let us make clear that we are completely opposed to such a large scale development being proposed on the property adjoining our premises on Parcels no 112790 and 240231. Any amended applications will be fully considered.

The issues of concern we have in relation to the application as it presently stands are as follows:-

The application states that there is "no disadvantage to those people who currently reside proximate to the site", nevertheless with what would appear to be more than 500 people using the proposed site daily for temporary accommodation purposes, we have reservations as to the sufficiency of the infrastructure proposed, the impact on the environment, including flora, fauna and existing lifestyle conditions attached to our residency.

One of the major concerns we hold is in regard to the aspect of flooding which arises due to the development. There is a history of large flooding events in Mullumbimby including a number in the vicinity in question. The development application is not clear in its proposals as to access to the proposed accommodation sites and whether adequate arrangements are to be made to ensure all weather access. We have deep concerns that the large number of proposed tenants will have no suitable means to leave the property in times of severe weather events, and will be poorly prepared to last out events necessitating in the large scale movement of people over adjoining properties including ours.

Another of our concerns is that many of the proposed roads are to be gravel only, and situated on sloping terrain which can easily be foreseeable as being prone to being washed away with

the resultant material being deposited in Chinbible Creek causing possible pollution not only of the creek but the Brunswick River.

We also have grave concerns as to the feasibility of the "emergency fire exit" as proposed and the effect it will have on accessibility of residents not included in the proposal. As it appears the construction of the bridge as set out in the proposal would in our opinion have a gross detrimental effect on the safe passage of traffic as it presently stands. The main area of concern is in relation to Main Arm Road, Chinbible Avenue and the Mullumbimby Show Ground. Also, the existence of this bridge would seem to be an added impetus to the restriction of the natural flow of the creek and exasperating the disposal of flood waters from upstream of the bridge.

The next point to be raised is the question of adequate security to protect not only ourselves but any users of the property as set out in the proposal. The current proposal does not show any change to the existing fencing between adjoining properties and the property in question. Our concerns are that, whilst the existing boundaries are sufficiently fenced to secure the cattle and livestock presently on our property, we have grave concerns that should the application go ahead, persons, whether adult or children will have no difficulty, whether intentionally or otherwise, from straying or trespassing onto neighbouring properties placing themselves, our livestock and ourselves at risk. The increased size of the population on the property in question, and the temporary nature of the residencies certainly makes the chance of unnecessary intrusions on to our property a major concern. The proximity to Mt Chincogan is an added incentive which may tempt people to cross our property in an unsupervised and possibly dangerous manner.

Another point of concern is that the proposal as set out is the insufficient addressing of the issue of Fire Risk. Whilst there is some mention of fire containment in the near vicinity to the buildings on the site, the large area on the whole property has not been addressed. The increased population must certainly increase the likelihood of unwanted fires occurring. The heavily forested areas on the boundaries would seem to present a fire hazard susceptible to blazes started whether accidentally or not by visiting persons unaware of inherent fire danger.

In conclusion, the magnitude of this proposal has caused us great concern, particularly considering the short amount of time allocated in which to raise objections. The time allocated in which to reply to the proposal seems inadequate especially considering the Easter vacation was in the time provided, means that any response has not been allowed sufficient time for proper assessment of the proposal, consideration being given to ALL matters raised therein, and consultation with others affected by the plan to share views and concerns common to all.

Concernedly yours

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**From:** byroneforms <byroneforms@byron.nsw.gov.au>  
**Sent:** Saturday, 7 April 2018 12:50 PM  
**Subject:** FW: Submission from . . . . . Objection 1897  
**Attachments:** form.xml; receipt.pdf

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**From:** byroneforms  
**Sent:** Saturday, 7 April 2018 12:49:48 PM (UTC+10:00) Canberra, Melbourne, Sydney  
**To:** byroneforms  
**Subject:** Submission from . . . . . Objection 1897

**Form Name:** Submission lodgement form  
**Submission ID:** SUB10225

**Submission -**

**Type of submission:** Objection

**Submission:** Three points. 1. There appears to be more than ample tourist accommodation for caravans and camping at the Showgrounds and the Leagues Club. Neither area could be considered as overflowing. 2. The infrastructure of Mullumbimby appears not to have grown since the 1960s. Town roads are in a dangerous state, even in the main shopping area. There appears to be regular power outages and internet problems. (I realise as not a Council responsibility) These issues must be addressed before any expansion. 3. The park will be rated as a tourist facility and not on the basis of population. Therefore us ratepayers will be subsidising this development. I suggest that each visitor be charged a levy based on the weight of the vehicle and the duration of the stay and that this levy be directed to road maintenance. It would make ratepayers a little more generous.

As long term residents and ratepayers of Coolamon Scenic Drive we wish to object to the proposed development DA #110/2018 at 1897 Coolamon Scenic Drive.

The proposed development is a large caravan/camping park. Clearly it is not small scale or of low impact and cannot be considered to meet the spirit or intention of the Rural Tourist Strategy in RU2 zones. It is the equivalent of adding a major subdivision for Mullumbimby without providing the associated rating income. Byron Shire cannot keep up with current infrastructure maintenance, particularly roads, sewerage and drainage which have to be paid by ratepayers while this development encourages more visitors who contribute nothing to this upkeep. Approval of this project would set a very bad precedent for Mullumbimby and Byron Shire in general.

A ground with 239 camping sites, 12 tourist cabins, expansive accommodation unit ("manager's residence") and 270 parking spaces with 10 staff is a significant commercial enterprise. It will be run to enhance profits which means maximizing occupation and usage of the proposed "Yoga Hall" (read event hall) to the detriment of the local environment. The suggested once per month major usage of this hall is not to be believed. The so called manager's house with 6 self contained bedrooms with ensuites and common amenities areas with bathrooms looks more like 6 accommodation units for staff or overflow visitors? The suggested development cost of \$1.8m is highly questionable.

It is hard to see how this will lead to an enhancement of environmental values with potentially over 1000 people tramping over the site. We already have issues with trespassers crossing private property and leaving gates open trying to climb "Iconic Mt Chincogan". This will be exacerbated, particularly for neighbouring properties, and for anyone running livestock it makes the new Biosecurity Requirements a nightmare.

Coolamon Scenic Drive is a narrow twisting country road particularly near the proposed site. Although there have been some improvements made in recent years this has only led to more traffic travelling at higher speeds as there is no speed limit except at both ends where there is housing. We use the road regularly and often see near misses and dangerous overtaking. We regard the traffic assessment to be overly optimistic particularly as it does not address potential congestion at the Main Arm Turnoff. It will also lead to more large caravan/motorhome movements on a road which is totally unsuitable for this type of traffic. Probable use of the Chinbible Road exit has been glossed over.

Mullumbimby already has two camping sites at the showground and Leagues Club grounds. It also has a major parking problem and this will only make it significantly worse. We do not need another large camping site and this proposal should be rejected.



The General Manager  
Byron Shire Council  
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Mullumbimby NSW 2482  
By email: [council@byron.nsw.gov.au](mailto:council@byron.nsw.gov.au) & [submissions@byron.nsw.gov.au](mailto:submissions@byron.nsw.gov.au)

Dear Sir/Madam,

**RE: Submission in relation to Development Application No. 10.2018.110.1**

<b>Property Details</b>	1897 Coolamon Scenic Drive MULLUMBIMBY NSW 2482
<b>Type of Work</b>	Tourist and Visitor Accommodation (Twelve (12) Cabins including Use of Existing Structures as Storage and Staff Lunchroom and Construction of Day Spa), Camping Ground (Two Hundred and Thirty Nine (239) Sites), Park Entry Office/Kiosk, New Dwelling and Recreation Facility (Indoors) - Yoga Facility
<b>Application No.</b>	110/2018
<b>Date Lodged</b>	23/02/2018
<b>Cost of Work</b>	\$1,800,000.00
<b>Liaison Officer</b>	Miss S Kenyon
<b>Applicant</b>	Chris Lonergan - Town Planner
<b>Applicant Address</b>	PO Box 2585 BYRON BAY NSW 2481
<b>Certifier</b>	Byron Shire Council
<b>Owner</b>	Keywaters Pty Ltd

We have reviewed the Development Application made available on-line and have sought professional advice in interpreting the proposal to assist in our submission. The following pages set out the grounds for our objection for your detailed consideration as part of the assessment of the Development Application.

#### Site Context

Our residence is located at No. , which is directly east of the proposed development site on the other side of Coolamon Scenic Drive. The image below shows the proximity of our property to the proposed development.



Character of locality:

The land is predominately zoned RU2 with some small areas of Deferred Matter and is predominately surrounded by RU2 Zone aside from adjoining land to the south which is zoned R2 Residential.

### RU2 Rural Landscape - Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To enable the provision of tourist accommodation, facilities and other small-scale rural tourism uses associated with primary production and environmental conservation consistent with the rural character of the locality.
- To protect significant scenic landscapes and to minimise impacts on the scenic quality of the locality.

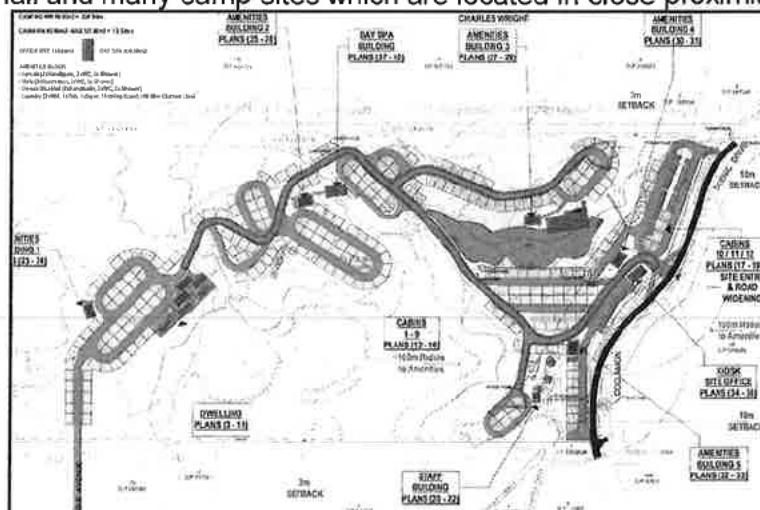
The proposed development does not encourage primary industry, does not maintain the rural landscape character or propose compatible land uses and is not deemed to minimise impacts on the scenic quality of the land. Whilst the proposal will enable the provision of tourist accommodation, it cannot be classified as small scale associated with primary production and environmental conservation. Subsequently the proposal is deemed to be at odds with all of the objectives of the RU2 Zone.

The Statement of Environmental Effects (SEE) states that the proposal is well removed from agricultural activities on adjacent properties however our property extends the same length of frontage as the subject property and is a working farm using machinery, motorbikes, chemicals and we have firearms registered to the property for vermin control. It is also noted that there is farming property on the northern side where camp sites are proposed close to the boundary. Any future occupants of this development if approved will complain about noise from farming practices on adjacent farmland which will impact us working on our property.

Whilst we understand Rural Tourist accommodation is permissible in an RU2 zone, the proposed cabins along with 239 Camping sites is not deemed small scale, is not associated with any primary production, not consistent with the rural character and is incompatible with the surrounding land uses. The subject site backs on to Rural properties on 3 sides and residential properties along Main Arm Road which if approved will have a detrimental impact to all existing residents. There are proposed campsites, buildings and car parks all along the property on Coolamon Scenic Drive which will impact on the scenic quality of the land.

### Visual Impact:

The application states that it will be obscured from the road however from the plans submitted in the application (inserted below) it is clearly evident that there are a large number of cabins, amenities buildings, a Kiosk, site office, Yoga Hall and many camp sites which are located in close proximity to the road.



Most of these structures are within about 30m of the road, many of which are only setback 10m from the street boundary. There is no way that these buildings can be obscured from view unless a significant amount of

mature vegetation is planted along the street boundary and even then, it would take a number of years to provide some visual screening.

Given the elevation of our property we also look over the whole eastern side of the development. This will be obscured by 9 cabins and 26 campsites alone without walking outside of our dwelling. Given the site topography, the subject land is lower than Coolamon Scenic Drive and therefore this development will be much more visible from the road. A quick glance at Google street view highlights the amount of the subject property that is visible from the street (see images below).



The following table has been put together assessing the application against all of the relevant clauses of the Byron LEP and DCP 2014 and provide justification why the proposed development is incongruent with the Rural zone, the locality and is an overdevelopment of the site:

<p><b>2.2 RU2 Landscape</b></p> <p>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. To maintain the rural landscape character of the land, To provide for a range of compatible land uses, including extensive agriculture, To enable</p>	<p>The property is not well removed from agricultural activities. The property is surrounded by working beef cattle farms and plantation timbers. There is one farm immediately to the north where buildings will be close to property boundaries.</p> <p>The land is only cleared as the land owner cleared</p>
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<p>c. the development is complementary to the rural or environmental attributes of the land and its surrounds, and</p> <p>d. the development will not have a significant adverse impact on agricultural production, amenity or significant features of the environment</p> <p>4) Development consent must not be granted for the purpose of tourism development on land to which this clause applies unless</p> <p>a) the lawfully erected dwelling house or dual occupancy (attached) is situated on land, or</p> <p>b) a dwelling house may be erected on the land under this plan</p> <p><b>5) Development consent must not be granted to development under subclause (4) if the development:</b></p> <p>(a) includes an ancillary caretakers or managers residence, or</p> <p>(b) is for the purpose of more than 1 bed and breakfast accommodation</p> <p><b>6) In this clause small scale means a scale that</b></p>	<p>c) The developer has already cleared eucalypts on the property. 239 sites are not complementary to a rural environment where houses adjoin. These are working farms. This will be disruptive to the rural lifestyle just by sheer numbers. How are 5 amenities blocks going to be hooked to the sewerage system? Where are these ET's coming from? It will visually impact with so many buildings, tents, cars. This is not rural landscape development.</p> <p>d) 3m setbacks from side boundaries where adjoining dwellings are located can not be considered as having minimal impact on amenity. These sites that can have 12 persons each will impact neighbours with at least noise and vision. Trespass will impact adjoining owners of Mount Chincogan and our property which already is impacted as we have the hill that overlooks Mullum. This will impact our privacy as well as works that are carried out on our farm. The 10m setback from Coolamon Scenic drive will put it in clear vision of local dwellings and those travelling along Coolamon Scenic Drive. It is out of character with the rural properties surrounding it. It is not just stock grazing adjacent. Many dwellings look onto this property it what could become a tent city.</p> <p>a) The proposed dwelling house seems extravagant for a manager's residence with 6 separate bedrooms in clusters of 2 and 9 bathrooms. It should also be noted that the bails have already been illegally converted into a house that has tenants living in it with a development application currently with council for its use. 750/2017 Use of Structure as a Dwelling House. Whilst the new plans say it is a lunchroom it has already been converted to a house, which is presumed what it will continue to be.</p> <p>a) The bails have already been converted into a dwelling so will become a second residence.</p> <p>b) Whilst no B&amp;B is proposed the design of the new residence leads to 6 separate accommodations each with own amenities. This could be used as a B &amp;B.</p> <p>A) This states that it will be small enough to be</p>
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<p>is small enough to be generally managed and operated by the principal owner living on the property. Tourism development includes, but is not necessarily limited to, development for any of the following purposes</p> <p>A bed and breakfast  B camping grounds  C farm stay accommodation  D eco – tourist facilities  e. home industries that provide services, or the sale of goods on site to visitors  f. information and education facilities  g. restaurants and cafes.  H. rural industries that provide services, or the sale of goods on site to visitors</p>	<p>managed by the principal owner living on site however it is clearly identified that it will have a manager/family in the dwelling (not the owner). The dwelling is located a long distance from the main campsites that will affect the amenity of nearby residences and not directly visible from the Caretakers residence.</p> <p>B) How will a family manage what could be 2500 people?</p>
<p>2.6 Camping ground Regulations Sec 107  Number of showers and toilets to be provided</p>	<p>5 amenities blocks plus the yoga centre, kiosk and 7 toilets in the dwelling can be a lot of sewerage discharged into an already busting at the seams sewerage system.</p> <p>Where are all of these ET's coming from for toilets, showers and washing machines?</p> <p>Three (3) of these amenities blocks will be visible from Coolamon Scenic Drive. Not to mention clothes lines full of washing. Totally out of character for a rural landscape zone.</p> <p>My own house will be within the 100m of an amenities block</p>
<p>2.7 Local Government (Caravan parks, camping grounds and moveable dwellings) Regulation 2005</p>	
<p><b>Subdivision 1 Land and Site requirements</b></p> <p>83 Minimum size of caravan or camping ground</p> <p>(1) A caravan park must not have an area of less than one hectare or, if a lesser area is prescribed by a relevant environmental planning instrument, that lesser area.</p> <p>(2) There is no minimum size for a camping ground</p> <p>84 Community amenities</p> <p>(1) Of the total land area of a caravan park or camping ground:</p> <p>a. At least 10 percent, or</p> <p>b. Such lesser proportion (but not less than 6 percent) as the approval for the caravan park or camping ground may allow, must be reserved for recreation or other communal activities</p> <p>(2) In deciding whether to allow a lesser</p>	<p>The proponent is making available over 8 hectares of the site for recreation ie open space, free of roads, vans, tent sites and amenities buildings. These open spaces will impact on neighbour's amenities of an natural and rural landscape when there could be 2800 people at their back doors as this site impacts so many rural and residential dwellings.</p> <p>Noise and trespass will be a major factor as many properties in the vicinity already have trespass issues.</p>



<p>proportion, the council must have regard to the type and range of amenities to be provided and to such other matters relevant.</p>	
<p><b>89. Setbacks of dwelling sites and campsites from road frontages</b></p> <p>(1) a dwelling site or camp site must not be located closer than 10 metres to a public road or 3 metres to any other boundary of the caravan park or camping ground unless the approval for the caravan park or camping ground so allows.</p> <p>(2) the approval for a caravan park or camping ground must not allow a lesser distance unless the council is satisfied that the dwelling site or camp site has been or will be properly screened, fenced, enclosed or otherwise treated.</p>	<p>The application states all sites are located in excess of 10 m however the sites on the northern and southern boundaries are 3m from the boundary.</p> <p>Being within 3 m of another property will impede the amenity of the adjoining owners and lead to trespass as there are only old barbed wire fences on the property.</p> <p>The entire property should have a proper fence that occupants of the tourist accommodation cannot get through and nowhere near approved dwellings</p> <p>All of these sites will interfere with the natural lifestyle of those within the area. It will create conflict with adjoining properties</p>
<p><b>Subdivision Roads</b></p> <p><b>92. Entrance and Exit roads</b></p> <p>(1) a road that forms an entrance to or exit from a caravan park or camping ground must be at least 7 metres wide.</p> <p>(2) in the case of a divided road, the width of the sealed portion of the road on either side of the median strip must be at least 5 metres</p> <p>(3) the arrangement for the width of an entrance or exit road to taper into or meet the width of the sealed portion of the access roads leading to the entrance or exit must be as specified in the approval for the caravan park or camping ground</p> <p><b>99. Road surfaces</b></p> <p>All access roads, including all passing and parking bays, must be an all weather sealed or other surface finish specified in the approval for the caravan park or camping ground, and must be adapted to the topography to allow for adequate drainage and to eliminate excessive grades</p> <p><b>100. Lighting</b></p> <p>All access roads must be adequately lit between sunset and sunrise.</p> <p><b>102 Sewerage</b></p>	<p>Whilst this proposes to have a separate ingress and egress, Coolamon Scenic Drive is too busy and narrow to have such an entrance with a large number of vehicles and camping trailers. There is no vision, poor road condition, potholes and is in an open speed zone. The road is uphill of the driveway which reduces visibility. This stretch of road is renowned for accidents. Persons coming out of the current driveway have already nearly caused accidents.</p> <p>The road is not capable of handling such large traffic amounts nor delivery trucks and garbage trucks that will also be a part of the development.</p> <p>Does not appear to comply with Ausroads either.</p> <p>The proposal of gravel roads (which the owner has constructed over the past 12 months) will be noisy for adjoining owners as it has already become and create dust in the dry.</p> <p>It should also be noted that these paddocks flood and will be washing silt and gravel into the recently constructed dam and Chinbible creek. Noise has already increased for neighbours from all of the gravel roads.</p> <p>Close by residents enjoy the peace, tranquillity and no lighting of a rural area. This will not be visually appealing to neighbours who currently enjoy a rural lifestyle and will be intrusive into our enjoyment of the rural zone.</p>


<p>a). Must be connected to mains sewer or b). must be provided with an alternative sewerage disposal system</p>	<p>How is this large-scale development able to find enough ET's to connect to the town sewerage system considering there are five amenities blocks, washing machines, a house with 7 bathrooms, a yoga centre with amenities, a dump point, a kiosk with amenities and a workers lunchroom(house) with amenities? This block floods so onsite sewerage is not suitable as it will wash into the creek system where I believe there may be fish habitat. What stops this rural camping site being used as an outside urinal during parties as happened on 5<sup>th</sup> January 2018 at a doof party on the site The site drains into Chinbible Creek.</p>
<p><b>111. Proximity of dwelling sites to shower blocks and toilet blocks</b></p>	<p>It should be noted that my own property is located within 100 m of a proposed amenities block which will be visually and socially undesirable for me to sit on my verandah and be so close to this type of building. A visit to any campground will see amenities blocks as place of noise where people congregate. We will also be impacted by noise.</p>
<p><b>Subdivision 7 Management</b> <b>121. Maximum number of persons per dwelling site or camp site</b></p>	<p>The proponent states this is up to management of park. No matter what they state the site will still be capable of having 2868 persons on site in the camp grounds if they wish at any stage. This is in town against homes and against rural properties. Parties recently by the land owner sent cattle berserk on an adjoining farm. Farmers should not be subject to development that will cause issues with livestock. Where will all these cars park once the 270 spaces are full – along Coolamon Scenic Drive? Noise will impact the whole town due to the location of the site being partly in the urban area and Mount Chincogan pushing sound back into town. It has already happened there twice.</p>
<p><b>124. Use of caravan parks or camping grounds</b> <b>1). A caravan park must not be used</b> <b>a). for any commercial purpose other than a</b> <b>caravan park or camping ground or an</b> <b>associated purpose</b></p>	<p>a) The application has a purpose-built hall with kitchen facilities, a kiosk with kitchen facilities. The owner has stated that there will be functions held on the site. Noise and visual aesthetics of the development are not in line with the Rural and natural character of the locality and will create conflict with adjoining owners as well as social impacts for adjoining owners and the town as a whole. Noise from recent events had complaints to the police from all over Mullumbimby.</p>
<p><b>Subdivision 8</b> <b>127 Garbage removal</b></p>	<p>Trucks entering and exiting on the site will be a danger on this narrow road, produce noise from traveling on the</p>




<p><b>131 Buildings</b></p> <p>1). A building must not be erected in a caravan park or camping ground so allows.</p>	<p>many roads recently constructed, and hydraulic lifters etc for adjoining properties that enjoy the country peace. More traffic on Coolamon Scenic and smells that emanate from rotting vegetable and other garbage's will impact nearby properties.</p> <p>a). The dairy bails have already been converted without consent into a dwelling that has been occupied by a tenant for approx. 12 months. Council is aware of this and has to this date not made the tenant vacate or stop the works being carried out.</p>
<p><b>Social impact assessment</b></p> <p>The proponent speaks about: -</p> <p>a). this site being capable of meeting a need for low cost tourist accommodation in the area.</p> <p>b). Improves holiday experience for people</p> <p>c). No disadvantage for those people who currently reside proximate to the site.</p>	<p>a) This site has been refused in a Council EOI for affordable housing due to site constraints, bushfire, HEV and flooding. It is clear the intentions are to use the site for tourists under the umbrella of a "Yoga" retreat as he is applying for rural tourist accommodation and states it will improve the holiday experience of visitors to the area. Mullumbimby is not a tourist town and already has 3 camping grounds. Rural properties will be impacted by these tourists or visitors. Trespass will impact the farms as it is becoming a common statement "I can enter, its only a farm"</p> <p>b) If its not a tourist facility why does he state it will improve the holiday experience. This will impact the scenic quality of not just the adjoining owners. Coolamon is a beautiful drive and it will be come a site of tents and concrete buildings and is out of character with a rural and natural locality. We need to keep farms close to town as farms. This is a grosse overuse of a rural farm.</p> <p>c) The proponent does not live on the property so how does he know it wont impact those that reside beside the property. I am an adjoining owner having lived in my home for 25 years and prior to this was my grandmothers home. We are a working farm. The noise will impact us if legally there can be 2800 people on site. It will affect my cattle that cannot handle such parties. Visually I will instead of looking across farm land will see concrete amenities blocks and hundreds of tents and a worker building(dwelling) This is not in character with our rural landscape zone. A camp ground of this large scale conflicts with properties on the north, east and west and residential dwellings on the south. Farms use machinery, chemicals and all farming practices. Property value will decrease with this scale of</p>

<p>D). A greater range of tourist activities.</p>	<p>camping ground against properties that have a rural and natural landscape.</p> <p>Land owners to the north and east have purchased properties that are visually admired by tourists and suffer trespass on a daily basis and people think this is acceptable. This WILL increase with a tourist facility adjoining them.</p> <p>d) Noise from tourist activities will have an impact on the quiet country area we live in. A development of this scale should not be anywhere near a town where large amounts of residents will be impacted. Byron Shire has many tourist parks that are often only half full as well as our camp grounds at the showground and football grounds.</p> <p>In conclusion the social impact is massive.</p> <p>Scenic quality for nearby residents</p> <p>This locality is of rural and natural character. This proposal is completely out of character with this locality as residents will be impacted by thousands at their doorsteps.</p> <p>It is in total conflict with beef farming, plantation farming and residential homes.</p> <p>Properties will be impacted by trespass as somebody wants to jump a fence to get to town quicker or have a look at the beautiful views from farms.</p> <p>There is no possible way to put a bike track on the side of the road where the development is as the road drops off about a metre from the road edge down an embankment.</p> <p>Increased traffic will have an impact on neighbours and the town. There is little parking within the town already. Near miss car accidents on this section of road are a daily occurrence just by the screech of brakes. This includes the intersection of Main Arm Road where cars locking brakes is an hourly occurrence.</p> <p>Visually it will be unacceptable to residents that enjoy the rural landscape for farms, grass and cattle to now see hundreds of cars, tents and buildings.</p> <p>A view of 5 toilet blocks a massive 6 bedroom home, large hall, kiosk, timber platforms that will be constructed on the side of a hill, car parks, ancillary buildings is large scale development and not in line with the RU2 rural landscape. This site will be a mass of development considering all of the timber platforms that will be constructed that are interfering with the land as they will need engineering and drilling into the land to support them.</p> <p>In one breath it speaks about the new driveway and</p>
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	<p>removal of trees and in the next it speaks about landscaping there to shield from the road.</p> <p>The development talks about being able to be managed by a family living in the dwelling then speaks about 10 employees. How is this small scale?</p> <p>This entire development is contradictory and out of character. It will have a severe impact on nearby properties and Mullumbimby as a town.</p>
<b>D1.2.2 Setbacks from boundaries</b>	<p>Whilst the development complies with the setbacks for the main dwelling it only speaks about Coolamon Scenic Drive. The dwelling is much closer to Chinbible ave as well as an access road from the dwelling and development into Chinbible Ave. Currently no road exists into Chinbible however it appears to propose a road be built over the fish habitat area.</p> <p>This does not speak about the dwelling that has already been constructed on the site near Coolamon Scenic Drive.</p>
<b>D1.2.4 Character and visual Impact</b>	<p>Again, this only talks about the visual impact from Coolamon Scenic drive and not Chinbible Ave and Warina Place properties. Vegetation removal on the property has already included removing Eucalypts prior to this application.</p> <p>The entire development on that side of the site will visually impact adjoining owners in Chinbible Ave and Warina Place.</p>
<b>D1.2.5 Fences</b>	<p>The development does not propose any fences which will impact many adjoining properties with trespass and visually disturbed views of the rural landscape</p>
<b>D1.2.6 Balconies</b>	<p>The proponent has considered the visual softening and better amenity for the "users" of the house by having northerly balconies to face Mount Chincogan but has nowhere considered the visual amenity for adjoining properties.</p>
<b>D1.3.3 Expanded dwelling</b>	<p>If this dwelling as proposed is a caretaker's house why is it built as an expanded dwelling with one living area and then 3 separate modules with all 6 bedrooms having their own bathroom amenities, and all other modules having a bathroom? This leads more to a bed and breakfast style accommodation.</p> <p>Each of the 3 bedroom modules is 114 sqm with decks. An 80sqm kitchen dining module with bathroom, an 80 sqm loungeroom with bathroom and a roughly 80sqm media room with bathroom.</p> <p>This is will not be use as a caretaker home as stated. It is</p>

<p><b>DCP 2014 D3.3.3 Caravan parks and camping grounds</b></p> <p><b>Prescriptive measures.</b></p> <p><b>Objectives</b></p> <ol style="list-style-type: none"> <li>1. To ensure that the design and operation of caravan parks and camping grounds will meet the needs of users and will be compatible with the character of existing development in the locality.</li> </ol> <p><b>Performance criteria</b></p> <ol style="list-style-type: none"> <li>1. The design of caravan parks and camping grounds must be compatible with the existing streetscape and character of the precinct in which it is located.</li> <li>2. Caravan parks and camping grounds should be designed to avoid adverse effects on the amenity of the precinct in which they are located.</li> <li>3. The proposed site must be suitable for the development of the caravan park or camping ground, having particular regards to the following principles</li> </ol> <p>a). steep slopes must be avoided because of drainage slip and bushfire problems and potential damage to the environment.</p>	<p>an expanded dwelling</p> <p>Whilst it states it will not be visible from the view of the road and adjoining dwellings I have included photos of what I currently see.</p> <p>This will impact the locality as it is rural, residential on one boundary, quiet and farming on other boundaries. Visually it will impact and 10m will make no difference as hundreds of tents and cars are a far cry from farms not to mention all of the stuff that will lay around camp sites</p>  <p>This is my view from a bedroom. Imagine looking at amenities buildings and tents and 70 tents and cabins. We will be visually impacted, and this is only a part of our view. This will not be in character with the rural and natural character of our location. 10 m from the road will still be in my clear vision for most of the eastern boundary. It is clearly stated that this development is to make income from the property....which he purchased recently with this in mind as construction works started not long after purchase.</p> <p>a) Camp sites on steep land will disturb the environment as the timber platforms will require footings into the soil to hold the platforms and weight of people on them. The vegetation has recently been cleared by the landowner.</p> <p>Bush fire whilst there is a bushfire report will not help landowners up hill of the development. There is the potential for accidentally lit fires or camp fires escaping and putting property owners at risk. Mount Chincogan is difficult to access if there was a fire.</p> <p>The land has been cleared of vegetation so what stabilises this land above the dam now?</p>
<p>b). parks must not disturb water courses and must not be located in low-lying areas with poor drainage, or in flood liable land</p>	<p>b) A extensive dam was constructed in the tributary to chinbible creek over 12 months ago. This same dam flooded the front paddocks where tent sites are proposed in March 2017. Chinbible creek regularly breaks the banks during floods. Flooding of these low-lying areas has the</p>

<p>c. existing vegetation and areas with ecological and conservation values must be protected</p> <p>d). sites which are difficult to landscape and integrate into the visual environment are unsuitable</p> <p>e). site layout and landscaping must break up or conceal the repetitive image of caravans and movable dwellings</p> <p>f). climatically and visually exposed sites such as headlands and ridges are unsuitable</p> <p>g).location adjacent to incompatible land uses is unacceptable</p> <p>h) sites must not form a barrier to adjacent public lands</p> <p>i) sites that accommodate or able to accommodate long term residents must have good access to appropriate services and facilities</p>	<p>potential for rubbish and silt to wash into the waterways where there are possible fish habitats.</p> <p>c) The site does have a high environmental value. With the potential for thousands on the site how is this going to be protected.</p> <p>d) It is not possible to landscape this site so as to not visually impact neighbours when he speaks about removing trees to provide vision for the dangerous driveway. My house will look straight across tent sites. This will be visually unsuitable to all adjoining rural and residential owners.</p> <p>e) When properties look straight at large clusters of tent sites how is this not repetitive for adjoining owners?</p> <p>f) n/a</p> <p>g) Having what is or isn't a vegetarian rural tourist facility is not compatible with the adjoining properties. There are at least 2 beef cattle farms and a plantation farm adjoining it. These use chemicals, farm equipment have cattle bellowing, tractors, motorbikes and firearms. Its it compatible with traditional farming practices...NO. There will be complaints as it is not what they believe in or the noise associated with farming with interfere with them. It should be refused just on this one element.</p> <p>h) n/a</p> <p>i) Long term should not be allowed as this will become affordable accommodation, something Council has already refused for the site.</p>
<p>4. a minimum of 10% of the total area of the caravan park or camping ground must be developed for recreation and communal activities, The recreation and communal activities are must not include any caravan site, campsite, roadway or land designated for any other purpose, but may be grassed and landscaped with trees and other plants.</p>	<p>It is stated that there is 8 ha available for recreation. This is not compatible with farming as noise from parties they have held has frightened cattle on adjacent farms making them run and charge. Cattle are dollars to farmers and they can't risk such a development beside so many farms.</p> <p>Residents that enjoy the peace of living in a rural area will potentially have 2000 people sitting at their back fences and what about the noise generated from this?</p>

<p>5. Development applications must demonstrate that the proposed development will be consistent with the requirements of Chapters B6 Buffers and Minimising Land Use conflict, B9 Landscaping, B11 Planning for crime prevention and B13 Access and mobility.</p>	<p>5) With the potential of over 2000 visitors to the property how is crime and trespass going to be prevented? What stops people entering the adjoining farms and homes. Farms generally have machinery outside.</p> <p>If this is a family managing this monster development how are they never going to leave home and be able to see what is happening 340 m away on the other side of the property? There is vegetation that will conceal all of these sites.</p> <p>There is no way that crime can be prevented, and it is totally inconsistent with this location. The application is s very conflicting in its entirety. The social impact statement has not addressed how crime and trespass will be prevented.</p> <p>The development conflicts with adjoining property uses of beef cattle farms, plantation farms and residential homes. Having large functions beside homes is inconsistent and conflicting.</p>
<p><b>D3.3.4 Rural Tourist &amp; Farm Stay Accommodation Objectives</b></p> <p>1. Ensure rural tourist accommodation does not detract from the rural and natural character of the locality.</p>	<p>The plans indicate that the cabins will be located directly in front of the dam and near the carpark. The dam is visible from my bedroom and clearly from Coolamon Scenic. This type of construction is not compliant with rural and natural character. Below is from Coolamon Scenic Drive whilst he was digging the dam. This is a rural view not at least 9 cabins and and 30 campsites and amenities block and a kiosk. Totally out of character.</p> 
<p>2. Ensure rural tourist accommodation does not adversely affect the conduct and productivity of agricultural operations on the site or nearby lands</p>	<p>2. Being a property located at the bottom of Mount Chincogan it is extremely likely that tourists will trespass on farms that own the mountain. Likewise with our farm on the eastern boundary. We already suffer trespass as our property overlooks Mullum. With a site having the potential to have 1000's on site it will be impossible to keep tourists off affecting our</p>

<p>3. Facilitate and support the establishment of low scale farm tourism as a secondary business to primary production, where farm stay accommodation is proposed</p> <p>Performance Criteria</p> <ol style="list-style-type: none"> <li>1. Development located and operated so that it does not:- <ol style="list-style-type: none"> <li>a) Adversely affect the conduct and productivity of agricultural operations on the site</li> <li>b) Create potential for conflict with adjoining land uses</li> </ol> </li> <li>c) Disrupt environmental enhancement projects on land</li> <li>d) Impact ecological or environmental values of land and</li> <li>e) Conflict with buffer requirements pursuant to Chapter B6 Buffers and minimising Land Use Conflict.</li> </ol> <p>2. Rural Tourist accommodation must be designed and located to be compatible with the surrounding rural and natural landscape. Where new buildings are proposed to be constructed for the purpose for the purpose of rural tourist accommodation sub building are to be clustered and located in proximity to the primary dwelling house on the lot</p>	<p>agricultural operations.</p> <p>3. The property has no agricultural activity since the owner purchased the property. It was always a cattle property. This is not secondary business, its turning a farm into a mega event centre where the tourist accommodation and shop are the only income.</p> <p>1</p> <ol style="list-style-type: none"> <li>a) There are no longer agricultural activities on the property. Development and road construction has commenced.</li> <li>b) Adjoining properties are a mix of residential and farming. Two events have already been held on the site causing problems with neighbouring cattle late at night. This was reported to Byron Bay Police on 5/1/18. Large development such as this adjoining farms and residential properties will create conflict as livestock take fright easily. Tourists abusing neighbours right to privacy and peace will be a major issue.</li> <li>c)</li> <li>d) The property has a high conservation value. The development proposes to use most of the clear land and what he has recently cleared yet he states there is 8ha of open space. This can only mean that he is using the environmental land as open space. Some of the development that was cleared is for the Yoga Hall as this has only been done in the last 12 months.</li> <li>e) Some buildings appear to be very close to buffer zones as well as camp sites on the northern boundary. Land on the northern side is plantation and are under threat of fires from a Rural Tourist development of this size and nature.</li> </ol> <p>2. The development comprises at least 12 cabins, a large 6 module home, day spa, huge yoga hall, 5 amenities blocks, kiosk and the lunch room that is currently used as an illegal dwelling. (Note the plans that have it with bedroom and kitchen). Many of these will be visible from Coolamon Scenic Drive, Warina Place and Chinbible Ave. Whilst they may be in clusters the entire length of the property on Coolamon Scenic Drive is to be developed with buildings and platforms. <b>Some sites are in excess of 300m from the main dwelling and not visible due to</b></p>
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3. development is to be low scale and designed and located to be compatible with the surrounding rural environment and of minimal environmental impact

4. Car parking spaces must be provided in accordance with Chapter B4
5. Provision of recycling and waste management in accordance with Chapter B8 Waste minimisation & Management
6. The development must observe the road and boundary setback requirements specified in Chapter D2 Residential Accommodation and Ancillary development in Rural Zones (D2.2.2) and the character and visual impact requirements (D2.2.3)
7. Rural Tourist Accommodation is to be suitably sited in accordance with the requirements of Chapter C3 Visually Prominent sites, Visually prominent development and View Sharing

#### **Prescriptive measures**

1. Rural tourist accommodation can incorporate up to 12 bedrooms collectively and accommodate a minimum of 2 persons per bedroom,

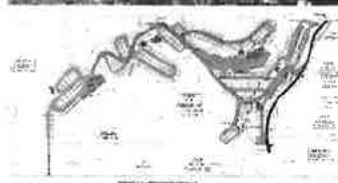
#### **vegetation.**

3. There is nothing about the Coolamon Scenic Drive side of the development that is in keeping with the Rural Landscape

4. The property is surrounded by agricultural farms, small allotments and residential dwellings.

251 sites and all the other buildings whilst on a farm is not small scale in amongst all the other development. There has already been a lot of environmental damage done on the property with dam and road construction and much more to construct all the buildings and the platforms for camping which will need to be footed into the ground.

This is not low scale development in amongst homes and not rural when you consider not much of the clear land will be left.




5. With the potential for thousands to be on site where is the waste management plan and will neighbours have to put up with the noise of garbage trucks, the smell of rotting rubbish and more trucks on Coolamon Scenic Drive.
6. Visual impact potentially could be destroyed along Coolamon Scenic. Those driving past and neighbours will just see buildings, tents and cars...no longer will it be "Coolamon Scenic Drive" but something that could look very slummy.
7. As stated above this will be visually prominent from Coolamon Scenic with most of this side of the road to have some form of development or building and cars. It is interesting to note that the dwelling is to be situated where it will take in the views but those that now see farm land will see development.

The cabins will be clearly seen from Coolamon Scenic drive.

The main dwelling appears to be more accommodation due to the design of 6 separate bedrooms all with private



<p>with overall accommodation densities in accordance with table D3.1</p> <p>2. Rural tourist accommodation is to be designed with the following measures</p> <p>a) Each rural tourist accommodation structure is to have a gross floor are of not more than 60m2 comprising a maximum of 2 bedrooms</p> <p>b) All weather parking must be on site</p>	<p>amenities and 3 separate modules with own amenities. Each of the modules is in excess of 100m2. This can also be used as rural tourist accommodation.</p> <p>This is not spatially isolated and will adversely impact on the nature of rural landscape for this property and those surrounding it. It is clearly visible from dwellings on adjoining properties all the entire length of the Coolamon Scenic drive boundary.</p> <p>The only reason some of these dwellings can go is because the current owner has cleared a lot of the property which can be confirmed with the earthmoving contractors that worked there. Much of the environment integrity has already been disturbed. Whilst he states no night time recreation is proposed it has already occurred and the simple sheer numbers that can be on site will disrupt and disturb the amenity of adjoining homes and livestock.</p>
<p><b>2.12 DCP 2014 Part B Sec B14 Earthworks</b></p> <p>The Objectives of the 1m of maximum earthworks required under this Clause are:</p> <p>To minimise Environmental impact, to blend the development into the site</p> <p>To minimise erosion risk To minimise disturbance to the natural land form</p> <p>To encourage designs which blend into the natural landform</p>	<p>Much of the earthworks were commenced well before the application was lodged with Council which must be for obvious reasons.</p> <p>Whilst the application states there are minimal works forgetting about what has already been done. There are a lot of buildings that will need piers as well as the five amenities blocks and roads. Whilst some of the roads have been done in the past 12 months there are a lot more to go. This is not minimal and the sites will consume nearly half of the property.</p> 

2.13 Part B8 Waste management  
To maximise reuse and recycling of household  
waste and industrial/commercial waste

2.14 Planning for Bushfire



## 2.17 Draft coastal management



Where did all the trees go? This is before and after he started earthworks and tree felling

The proponent proposes to compost all waste on site. This could become a disgusting smell for local residents particularly in summer.

Large commercial bins on site will be unsightly in a rural zone and the noise of steel bin lids crashing and garbage trucks are not what is expected in a rural landscape community.

Noise from this whole development will impact residents in everything that occurs on the site.

I am a fire fighter with the NSW RFS and senior officer of Mullumbimby brigade which takes in this property. The plan states that fire fighting vehicles will access via Chinbible Ave however the site is not accessible through this road. It is a dead end and also has Chinbible Creek to get over which has fish habitat. Our vehicle weighs 14 tonne so will not be able to cross the creek. Power lines are not underground as the power poles in the paddock are clearly visible from Coolamon Scenic drive.

I believe that the dam should not be relied on for water particularly if they are trying to evacuate. The dwelling should also have water tanks specifically for fire fighting. How is it considered that 1 person can evacuate such a spread out camp ground that could have over 2000 people on it. Whilst the plan says 530 an approval could allow 2800 at 12 per site.

	<p>It should be noted that the greatest threat of fire is from those starting fires in the camping ground and entering properties to the north. The properties are above and I consider them to be of more a threat as fire travels uphill quickly. Access to the properties on Mount Chincogan is difficult for fire fighting.</p> <p>It should be investigated as to what trees were removed as it is believed a Coolamon Tree was removed along with Eucalypts to make way for the dam and road works along the northern boundary.</p> <p>What approvals were obtained for the 3 dams as they are not ancillary to agriculture? This may be a question for the Department of Water.</p> <p>The application says it is on cleared land with no native trees to be removed. Has it been investigated as to what trees were removed and burnt last year.</p>
<b>3 Sec. 79(1)(b) Impact on Environment</b>	<p>The application states that it is in a visually isolated location which could not be further from the truth. The properties adjoining on the north, east and south all look over this section of the property.</p> <p>The existing building spoken about was an old run down bails that was typical of a farm. This has been developed into a house with massive dams dug out the front and the construction of the camping decks has begun. This is all clearly visible from my home. The fact it states it was grazing country and now it will be full of tent sites cars and buildings demonstrates that it will be a visual impact. It is interesting that it speaks about retaining trees along Coolamon Scenic Drive to screen the development when there is nearly nothing as he has cleared the site and it is very open to visual impact as my photos have demonstrated.</p>
<b>3.2 SEPP No 55 Contaminated Soil</b>	<p>The property was used for both dairy and beef cattle and as such most farmers used chemicals around their bails. It should be considered the site be checked for Organochlorines as used by farmers particularly when the bails are now a residence with an occupant.</p>
<b>3.3 Measures to protect the environment</b>	<p>Site works – Considerable earth works have already been carried out with a lot of soil excavated, moved and spread out as per photos. Some roads have been constructed, but more to come. The amount of earthworks is considerable considering all the decks for camping and buildings will be peered. Roads construction will be considerable. The property has flooded since the dam was constructed.</p>
<b>3.4 Impact on the built environment</b>	<p>Whilst he states large setbacks will detract from the design I cant understand how 10m from the road can be considered considerable when currently you look at</p>

	<p>farmland that will become tent city. The streetscape and character of the site is rural landscape, this is far from rural landscape to throw so many tent sites, Timber platforms and eyesore additional buildings into 8 ha mostly along coolamon Scenic Drive.</p> <p>The surrounding buildings are old farm houses or houses built in the 60's and 70's. They are not properties covered in buildings or tents. They are rural properties that are mostly farmed. This development is out of character and will attract overflow from festivals and the like</p>
<b>3.5 Social &amp; Economic Impacts in Locality</b>	<p>The proponent states it will provide tourist and residential accommodation. This will have a social impact to have so many people on site on a property that has always been single family run. It will introduce trespass, noise, traffic issues and accidents, traffic issues at Main Arm Road, interference on neighbours right to peace.</p> <p>I do wonder how this is going to strengthen the residential base in the shire...IS THIS THE AFFORDABLE HOUSING HE WILL PUT IN THERE BY RENTING THS SITES OUT LONG TERM. We are aware that council refused his EOI for Affordable housing so this is a way to get around it illegally.</p>
<b>3.6 Relationship to Adjoining development</b>	<p>The application states building development sits 15m from Coolamon Scenic however the plans show 10m. How can tents on platforms be considered visually soft and so close to a busy road with full vision to adjoining homes and the road</p> <p>The bulk and scale of the development can not be reduced because of design. The fact it is going from clear farmland to over scale development in a Rural Landscape Zone should not be permissible.</p> <p>The application continually speaks about being visually isolated. This is totally a made-up buzz words. This is not minimal, having watched this view for 25 years. Our view will become cars, tents and buildings.</p> <p>It will distract just by sheer scale and will distract from the rural amenity as, we now enjoy the peace of day and night, the darkness of night. The increase in traffic movements on a dangerous road will take away our amenity. These will all be lost to us if this development is allowed to proceed by this council.</p>
<b>4 Secd.79C(1)(c) Suitability of the Site</b>	<p>The sheer scale of this development considering roads and construction of buildings decks and campsites is an over development of the site. The development leaves little open grassland view that is considered Rural Landscape. The land is situated between other rural farmlands as well as small holding dwellings. The function centre can become an event site.</p> <p>The sheer scale of the capacity of the number of sites</p>

	<p>could hold Mullumbimby's entire population. Take in to consideration it is not small scale, is on a dangerous road, Mullum is already busting at the seams, the town already has Yoga centres and 3 campgrounds and the noise that this property could generate and has generated will take away from the character of the land and the peace and tranquillity the residents enjoy.</p> <p>This is a lot of sewerage to add to an already over loaded sewerage system and the site is inappropriate for onsite sewerage due to flooding.</p> <p>This is large scale development aimed at attracting tourists in a non-tourist town and is not compliant with the LEP. The Planner has tried to use words and statements to make it feel as though it is.</p> <p>This development has the potential to become a Commune.</p>
<b>4.1 Service</b>	<p>Electricity – the application states that power is underground yet powerpoles throughout the site are visible.</p> <p>Garbage collection – states that garbage from the development will be taken to the tip. It doesn't state the regular days this will be done.</p> <p>Organic matter is proposed to be composted on site. This will create horrible smells particularly for close neighbours of which there are a couple and could be worse on windy days. What will happen to this compost when the paddocks flood?</p> <p>Sewerage – States this will be connected to the town. This should not be permissible for such a large development and potential of the site to have 3000 persons.</p> <p>The paper has released an article of the current state of the overloaded system and this property should not be allowed to connect at the detriment to the residents of Mullumbimby</p>
<b>6 Sec. 79C(1)€ Public Interest</b>	<p>The earthworks commenced 18 months ago and continue. This will continue with a lot more earthworks for the construction of further buildings and campsites. All the decks on sloping land will have piers into the ground. 1 deck has been constructed so the extent of the earthworks can be seen. This is not minimal</p> <p>The proponent has stated that Public response will be positive however he has never spoken to the adjoining owners about his proposal so it is ridiculous to think residents would consider turning a farm into a large scale event site in amongst homes and farms would be favourable. It is quite the opposite with a large proportion of the town against the proposal.</p>

	<p>The loss of native trees occurred before the application was lodged. Regardless of architectural designs this will change the Rural landscape to all buildings and gravel and it nothing like the existing character. Noise will travel up hill to residents and with large events deflect into town due to being at the base of Mount Chincogan. This development will detract from the existing character of farmland particularly on Coolamon Scenic drive where the entire boundary will have development. The farm streetscape will be gone, and the rural amenity will be lost.</p>
<b>Planning for Bushfire</b>	<p><b>ACCESS</b></p> <p>The plan identifies that there are 3 access roads to Coolamon Scenic Drive and a link road to Chinbible Ave. This is not correct. The property has 1 dangerous access onto Coolamon Scenic Drive. There is no access across the creek at Chinbible Ave.</p> <p>A 14 tonne fire truck is slow to access onto a dangerous and already busy road and there is no access across Chinbible creek for a 14 tonne truck.</p> <p>APZ – The PB uses the grassland vegetation to the east and south of the staff lunch room as an APZ. How is this achievable when this land is privately owned by others? The statement has the property as in an FDI 80 area. The FDI changes on a daily basis and at times in the past year has been well over 100 with Total Fire Bans declared for the District. FDI index values are very sensitive to input values.</p> <p>6.3 Electricity supply states it is available along Coolamon Scenic Drive and will be installed underground to the site however power poles and electricity wires run through the site. Note that power poles are identified on the traffic plan</p> <p>6.5 Access and egress –</p> <p>(h) roads should not traverse wetlands. A lot of the property is swamp land.</p> <p>Whilst there is a Bushfire plan for the property with APZ's this does not consider the issue of those camping lighting fires and putting properties to the north and west under considerable risk. Camp sites are located close to the neighbour boundaries and not visible from the main dwelling. Some of these are also on timber decks. The application should consider the threat of fire escaping the property.</p>
<b>Flora and Fauna Assessment</b>	<p>Current land use is state as existing paddocks and dwelling. This dwelling the illegally converted bails with tenant.</p> <p>Landform – A first order stream and been largely excavated for the dam to be built</p> <p>Description again states a through site. There is only one</p>

	<p>way in and out. Some of the site has already been cleared by this owner more than 12 months ago in areas of the proposed development</p> <p>The map on page 18 of the study identifies the areas of vegetation communities. It should be noted that a look at Six maps shows areas that have been cleared by this owner compared to the current map used being subtropical rainforest and disturbed to the north and north east of the dam site. There were eucalypts removed in this area.</p> <p>Large scale events on this property will affect the flora and fauna. It will be impossible for the owner on site to be able to prevent possibly 2800 people disturbing the flora and fauna. Some will also be impacted by noise. This is an area that has always been protected and quiet. The size of the development will impact this.</p> <p>Much of the development is close to natural streams and creeks throughout the property. How is contamination and pollution from the development going to be prevented. The land owner can not guarantee this. What will happen during floods on the property with all the additional vehicles, people and goods on site. The creeks will be contaminated which leads to a possible fish habitat in Chinbible creek at the end of Chinbible ave.</p>
<b>Traffic Impact Assessment</b>	<p>The proposed development is on a section of Coolamon Scenic Drive that is narrow, windy and barely 2 cars wide. It is a section where many car accidents have occurred and is subject to many near miss accidents.</p> <p>The speed limit commences into an open zone well before the driveway.</p> <p>The images depicted on pages 6 of the traffic assessment are not accurate vision from the driveway site. The pictures from Google maps below show accurate vision</p> <p>The road from the site heading south into Mullum meets one of the worst most dangerous intersections in Mullumbimby where near misses are an everyday occurrence. This intersection cannot possibly handle more cars from a single development only a couple of hundred metres up the road.</p> <p>There are no footpaths between the site and Mullumbimby and houses close to the road enable no possible way to have pedestrian footpaths constructed. This is a dangerous road to try and cross due to the amount of traffic out of Main Arm Road especially now as there is access from Tallowood Estate onto Main Arm Road and the already busy Coolamon Scenic Drive.</p>
<b>4.1 Development traffic assessments</b>	<p>The draft traffic generation is only a figure. The site can hold 306 cars...how is it considered it would only generate 50 movements in or out and 53 for the spa</p>



	<p>which can hold 150 people?</p> <p>This is completely made up number considering what he could potentially have on site.</p>
<b>4.2 Development Traffic Distribution</b>	<p>Again, this is not factual. It is only an estimate.</p> <p>Semi-trailers and caravans travel this road every day. This is mostly due to GPS's in recent years telling people this is the quickest route to Mullum.</p>
<b>4.3 Coolamon Scenic Drive/Site Access intersection</b>	<p>Having lived opposite this development since the mid 80's this section of the road is narrow, dangerous, lacks vision and is in an open speed zone. Traffic does travel past this driveway at speeds of around 80km/h.</p> <p>We have seen a large growth in the number of cars travelling this road particularly now as it takes you straight to the freeway.</p> <p>GPS's are now also sending heavy vehicles through this road that do not know the area.</p> <p>The table does not indicate the intersection can handle this. Its an estimate with no fact.</p> <p>In the wet its extremely dangerous and vehicles stopped to turn into the site will cause accidents and what will be worse is large vehicles or those with camper trailers trying to enter Coolamon Scenic Drive into traffic travelling in excess of 80km/h and coming.</p> <p>Caravans are generally in the vicinity of 18 to 24 foot. A caravan pulling out onto Coolamon Scenic drive will cause accidents as it takes a lot longer to get out and vehicle on Coolamon Scenic will be unable to stop by the time they come into vision.</p> <p>This is a recipe for disaster.</p> <p>Was this driveway access approved or the second driveway he has put in at the southern end of Coolamon Scenic Drive?</p>
<b>Table 5.1 Car parking requirement</b>	<p>This shows 270 camping car spaces with plus an additional 36 spaces for the day spa. This indicates that there would be more than 50 vehicle movements in or out of the property as indicated in 4.1.</p>
<b>5.3 Traffic Circulation</b>	<p>This states roads are 6m wide providing for 2 way movement however the bushfire plan states roads must be 8m wide for fire vehicles.</p>
<b>6.1 Access design</b>	<p>Clearly states that figure 6.1 is in accordance with Ausroads Part 4A for a design speed LIMIT of 60km/h.</p> <p>This road is clearly Open Speed with cars able to do 100km/h. Whilst most don't do this speed it is easily travelled at 80km/h.</p>
<b>6.2 Sight Distance Analysis</b>	<p>This states that there will be tree clearing to create vision however the application has this area with landscaping to be put in. This negates what he is stating regarding clearing to achieve vision.</p> <p>Again they have done sight distance as a speed of</p>

	<p>60km/h. This should be done at the speed that is permissible.</p> <p>A reaction time of 1.5 sec is nothing when a car comes along at 80km/h and a caravan pulls out of there.</p> <p>Regardless of a reaction time of 1.5 secs a truck travelling at 80km/h will not pull up in 1.5 seconds</p> <p>The line of sight photos with the application are taken from the middle of the road and not from the edge of the driveway which is what people exiting will see.</p> <p>Figure 6.6 clearly again is taken from on the road and not the driveway. It shows that there isn't a lot of vision facing north.</p> <p>It should also be noted that roadside grass along this section is usually as high as a car.</p> <p>Again, this demonstrates that access onto Coolamon Scenic Drive for Caravans or camper trailers is dangerous and could cause more incidents or near misses than this road already has.</p> <p>This road is not suitable for this large scale tourist park.</p>
<b>7.0 Service Vehicles</b>	<p>The proponent is making provision for heavy vehicles to enter the site. This is presumed to be for Garbage trucks and delivery trucks. How are they going to enter and exit safely with out the potential to cause accidents or rear enders for people waiting to enter?</p> <p>The road is narrow, windy, extremely dangerous in the wet and potholed. The road is narrow with cars having to move off the edge when large vehicles are going past.</p>
<b>Summary of Conclusions and recommendations to traffic report</b>	<p>Access onto Coolamon Scenic for such a large development should be considered dangerous considering the number of vehicles that could be entering or exiting.</p> <p>A secondary egress into Chinbible Ave will become an ingress as well. Where has this been approved as a Secondary access and has fish habitat been investigated at Chinbible Creek?</p> <p>The conclusion again states that the driveway will be designed for a speed of 60km/h. The speed approved for Coolamon Scenic drive is 100Km/h.</p> <p>It would be interesting to see where the counter was set up with the speeds as I know I come past the driveway at greater speeds than indicated in the report</p>

### Conclusion

Given all of the reasons listed in the above table it is requested that the proposed development be refused outright by Council. The proposed application is deemed to be a gross overdevelopment of a Rural site in close proximity to Rural and Residential dwellings on the fringe of Mullumbimby. The development would have a severely negative impact on the amenity of adjoining residents for many reasons including increased noise from the hundreds of residents/visitors and traffic congestion from the high number of vehicles entering and leaving the site. The proposed buildings and campsites would be highly visible from the road and would be a

major detractor from the rural character of the locality. It is considered that the proposed development is completely out of character with the subject site and locality and should subsequently be refused.

Please don't hesitate to contact me regarding any of the issues raised in this submission, I look forward to hearing from you,

Kind regards

<p><b>2.2 RU2 Landscape</b></p> <p>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. To maintain the rural landscape character of the land, To provide for a range of compatible land uses, including extensive agriculture, To enable the provision of tourist accommodation, facilities and other small scale rural tourism uses associated with primary production and environmental conservation consistent with the rural character of the locality, to protect significant scenic landscapes and to minimise impacts on the scenic quality of the locality.</p>	<p>The property is close to agriculture and it is surrounded by working beef cattle farms, many of which use chemicals. It is unsafe for people to camp beside this land.</p> <p>The land owner has ALREADY cleared many trees which were NOT camphor trees. Google maps clearly show evidence of this. I believe that some residents have these photos attached to their submissions.</p> <p>He has NO DA for the converted structure as a dwelling. The insulation was put in the roof 2 weeks ago. Why is he still developing it and why has it been tenanted?</p>
<p><b>Clause 6.8 Byron LEP Tourism assessment</b></p> <p>10 The objective of this clause is to ensure that tourism development in Rural and natural areas is small scale and does not adversely impact on the agricultural production, scenic or environmental values of the land</p> <p>2) This clause applies to land in the following zones</p> <p>a. Zone RU1 primary production</p> <p>b. Zone RU2 Rural landscape</p>	<p>Clearly this development is NOT SMALL SCALE. According to legislation, the 239 campsites, 12 cabins and 6 bedroom 7 bathroom house are capable of having in excess of 2500 people on site. This is a massive intrusion on this part of town.</p> <p>This would have a huge impact on the quiet lifestyle of the immediate neighbours as well as surrounding properties and their animals and livestock. The illegal doof that was held there in January this year prompted many calls to the police who tried to shut the party down unsuccessfully. Music and strobe lights caused significant trauma and damage to livestock on surrounding farms.</p>

6.8

**3) Development consent must not be granted to tourism development on land to which this clause applies unless the consent authority is satisfied that:**

a. there is, or will be, adequate vehicular access to and from a road, other than a classified road, taking into account the scale of the development proposed, and

b. the development is small scale and low impact, and

c. the development is complementary to the rural or environmental attributes of the land and its surrounds, and

d. the development will not have a significant adverse impact on agricultural production, amenity or significant features of the environment

a) The existing access onto Coolamon Scenic drive is dangerous and unsuitable for this development. This part of Coolomon Scenic Dve is the scene of many accidents and there is no clear vision from the property driveway. It cannot sustain hundreds of vehicles, especially large ones, coming in and out all day and night.

b) small scale means a scale that can be managed and operated by the principal owner living there. With the large numbers that could be accommodated , this property cannot be considered small scale.

c) the development can already clearly be seen from the road. It has the potential to look like a shanty town or a tent city given the large numbers of people who can stay there. It will be highly visible and noisy on this narrow already dangerour road.

d) tree clearing and other illegal work already carried out here has already altered the rural character of the land. This is not rural landscape development.

**4) Development consent must not be granted for the purpose of tourism development on land to which this cause applies unless**

a) the lawfully erected dwelling house or dual occupancy (attached) is situated on land, or

b) a dwelling house may be erected on the land under this plan

If this dwelling as proposed is a caretaker's house why is it built as an expanded dwelling with one living area and then 3 separate modules with all 6 bedrooms having their own bathroom amenities. This leads more to a bed and breakfast style accommodation.

Each of the 3 bedroom modules is 114 sqm with decks. An 80sqm kitchen dining module with bathroom, an 80 sqm lounge room with bathroom and a roughly 80sqm media room with bathroom.

This is will clearly not be use as a caretaker home and seems to be an expanded dwelling.

**1.12DCP 2014 Part B Sec B14  
Earthworks**

The Objectives of the 1m of maximum earthworks required under this Clause are:

To minimise Environmental impact, to blend the development into the site

To minimise erosion risk To minimise disturbance to the natural land form

To encourage designs which blend into the natural landform

Most of the earthworks were commenced well before the application was lodged with Council.

The application states there are minimal works forgetting about what has already been done. There are a lot of buildings that will need piers as well as the five amenities blocks and roads. Whilst some of the roads have been done in the past 12 months there are a lot more to go. This is not minimal.

<b>3.3 Measures to protect the environment</b>	<p>Site works – Considerable earth works have already been carried out with a lot of soil excavated, moved and spread out as per photos. Some roads have been constructed, but more to come. The amount of earthworks is considerable considering all the decks for camping and buildings will be peered. Roads construction will be considerable. The property has flooded since the dam was constructed.</p>
<b>3.4 Impact on the built environment</b>	<p>Whilst he states large setbacks will detract from the design I cant understand how 10m from the road can be considered considerable when currently you look at farmland that will become tent city. The streetscape and character of the site is rural landscape, this is far from rural landscape to throw so many tent sites, Timber platforms and eyesore additional buildings into 8 ha mostly along Coolamon Scenic Drive.</p> <p>The surrounding buildings are old farm houses or houses built in the 60's and 70's. They are not properties covered in buildings or tents. They are rural properties that are mostly farmed. This development is out of character with this area.</p>
<b>3.5 Social &amp; Economic Impacts in Locality</b>	<p>The developer states it will provide tourist and residential accommodation. This will have a social impact to have so many people on site on a property that has always been single family run. It will introduce trespass, noise, traffic issues and accidents, traffic issues at Main Arm Road, interference on neighbours right to peace.</p>
<b>4.1 Service</b>	<p>Electricity – the application states that power is underground yet power poles throughout the site are visible.</p> <p>Garbage collection – states that garbage from the development will be taken to the tip. It doesn't state the regular days this will be done.</p> <p>Organic matter is proposed to be composted on site. This will create horrible smells particularly for close neighbours of which there are a couple and could be worse on windy days.  <b>What will happen to this compost when the paddocks flood?</b></p> <p>Sewerage – States this will be connected to the town. This should not be permissible for such a large development and potential of the site to have 3000 persons.</p> <p>The Echo last week released an article of the current state of the overloaded system and this property should not be allowed to connect at the detriment to the residents of Mullumbimby</p>

<b>Traffic Impact Assessment</b>	<p>There are no footpaths between the site and Mullumbimby and houses close to the road enable no possible way to have pedestrian footpaths constructed.</p> <p>This is a dangerous road to try and cross due to the amount of traffic out of Main Arm Road and Coolamon Scenic Drive.</p>
<b>4.1 Development traffic assessments</b>	<p>The site can hold over 300 cars...how is it considered it would only generate 50 movements in or out and 53 for the spa.... which can hold 150 people?</p> <p>This is blatantly untrue and is a figure plucked out of thin air.</p>
<b>4.3 Coolamon Scenic Drive/Site Access intersection</b>	<p>Traffic passes the property at speeds of around 80km/h.</p> <p>This road is getting busier as GPS's are now also sending heavy vehicles through this road that do not know the area.</p> <p>The table does not indicate the intersection can handle this. It is purely an unproven estimate.</p>
<b>6.1 Access design</b>	<p>Clearly states that figure 6.1 is in accordance with Ausroads Part 4A for a design speed LIMIT of 60km/h.</p> <p>This road is clearly Open Speed with cars able to do 100km/h. Whilst most don't do this speed it is easily travelled at 80km/h.</p>
<b>7.0 Service Vehicles</b>	<p>The proponent is making provision for heavy vehicles to enter the site. This is presumed to be for garbage and delivery trucks. Safe entry and exit cannot be assured.</p> <p>The road is narrow, windy, extremely dangerous in the wet, and always has pot holes.</p>
<b>Summary of Conclusions and recommendations to traffic report</b>	<p>Access onto Coolamon Scenic Drive for such a large development should be considered dangerous considering the amount of vehicles that could be entering or exiting.</p> <p>A secondary egress into Chinbible Ave will become an ingress as well. Where has this been approved as a Secondary access and has fish habitat been investigated at Chinbible Creek?</p> <p>The conclusion again states that the driveway will be designed for a speed of 60km/h. The speed approved for Coolamon Scenic drive is 100Km/h.</p>



<p><b>Conclusion</b></p>	<p><b>THE APPLICATION SHOULD BE REFUSED ON THE FOLLOWING GROUNDS:</b></p> <p>The sheer scale of the capacity of the number of sites shows it is not small scale.</p> <p>This is large scale development aimed at attracting tourists and is not compliant with the LEP.</p> <p>Residents will be impacted by hundreds of people close to their homes.</p> <p>It is in total conflict with beef farming, plantation farming and residential homes.</p> <p>Mullumbimby already has an over loaded sewerage system and the site is inappropriate for onsite sewerage due to flooding</p> <p>Large scale events may be held on the property and these may not be limited to yoga and meditation.</p> <p>This development has the potential to become a Festival site or a Commune.</p> <p>There is no way to put a bike track on the side of the road where the development is, as the road drops off about a metre from the road edge down an embankment. I don't even believe this has been put in the DA! Perhaps it's a feel good fantasy thing!</p> <p>Increased traffic will mean Coolamon Scenic Drive will be even more hazardous than it is already . It cannot take any more significant increases in traffic.</p> <p>The development will have an adverse effect on the amenity of Mullumbimby town.</p> <p>Visually it will be unacceptable to residents that enjoy the rural landscape for farms, grass and cattle to now see hundreds of cars, tents and buildings</p> <p>Campgrounds and the noise that this property could generate and has generated will take away from the character of the land and the peace and tranquillity the residents enjoy.</p> <p>The developer needs to make a profit from his investment and will need huge numbers of guests on a regular basis to do this.</p> <p>This entire development is contradictory and out of character. It will have a severe impact on nearby properties and Mullumbimby as a town.</p>

<p>2.2 RU2 Landscape</p> <p>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. To maintain the rural landscape character of the land, To provide for a range of compatible land uses, including extensive agriculture, To enable the provision of tourist accommodation, facilities and other small scale rural tourism uses associated with primary production and environmental conservation consistent with the rural character of the locality, to protect significant scenic landscapes and to minimise impacts on the scenic quality of the locality.</p>	<p>The property is close to agriculture and it is surrounded by working beef cattle farms, many of which use chemicals. It is unsafe for people to camp beside this land.</p> <p>The land owner has ALREADY cleared many trees which were NOT camphor trees. Google maps clearly show evidence of this. I believe that some residents have these photos attached to their submissions.</p> <p>He has NO DA for the converted structure as a dwelling. The insulation was put in the roof 2 weeks ago. Why is he still developing it and why has it been tenanted?</p>
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<p><b>1.12DCP 2014 Part B Sec B14 Earthworks</b></p> <p>The Objectives of the 1m of maximum earthworks required under this Clause are:</p> <p>To minimise Environmental impact, to blend the development into the site</p> <p>To minimise erosion risk To minimise disturbance to the natural land form</p> <p>To encourage designs which blend into the natural landform</p>	<p>Most of the earthworks were commenced well before the application was lodged with Council.</p> <p>The application states there are minimal works forgetting about what has already been done. There are a lot of buildings that will need piers as well as the five amenities blocks and roads. Whilst some of the roads have been done in the past 12 months there are a lot more to go. This is not minimal.</p>

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<p>The General Manager Byron Shire Council PO Box 219 Mullumbimby NSW 2482</p>	
<p>Re: Objection. DA 10.2018.110.1 1897 Coolamon Scenic Drive, Mullumbimby 2482</p>	
<p>Please find my objection reasons below as per the LEP and DCP</p>	
<p><b>2.2 RU2 Landscape</b> To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. To maintain the rural landscape character of the land, To provide for a range of compatible land uses, including extensive agriculture, To enable the provision of tourist accommodation, facilities and other small scale rural tourism uses associated with primary production and environmental conservation consistent with the rural character of the locality, to protect significant scenic landscapes and to minimise impacts on the scenic quality of the locality.</p>	<p>The property is not well removed from agricultural activities. The property is surrounded by working beef cattle farms and plantation timbers. There is one farm immediately to the north where buildings will be close to property boundaries. The land is only cleared as the land owner cleared many trees including eucalypts and what was believed to be a Coolamon tree which were burned to hide the evidence. There are no approvals for the converted structure as a dwelling in fact there are people still living in this property and works continue to the rebuilding of it.</p>
<p><b>Clause 6.8 Byron LEP Tourism assessment</b> 10 The objective of this clause is to ensure that tourism development in Rural and natural areas is small scale and does not adversely impact on the agricultural production, scenic or environmental values of the land 2) This clause applies to land in the following zones a. Zone RU1 primary production b. Zone RU2 Rural landscape</p> <p>6.8 <b>3) Development consent must not be granted to tourism development on land to which this clause applies unless the consent authority is satisfied that:</b></p>	<p>Whilst this is a permissible use there are several issues.</p> <ul style="list-style-type: none"> <li>- The plans show This development will be clearly visible from Coolamon Scenic Drive, approved dwellings surround the property. A visit to each of the adjoining properties will clearly show this. The proponent even shows a view from his property to a dwelling on the northern boundary. There are dwellings that sit above this property that will clearly look over this</li> <li>- The proponent states it will not be seen as boundary trees will be retained. Many of these trees and palms have already been removed. We never used to see the bails however sitting on my verandah now we clearly see the converted bails and dams.</li> <li>- A photo below clearly shows the agricultural paddocks that will become a mass of cabins and roads clearly visible from our bedroom as trees have been removed.</li> <li>- It should be noted that working farms surrounding this use chemicals etc in their every day farming. It would not be appropriate to have a camp ground beside such existing agricultural land.</li> <li>- This development is not small scale. Whilst it is on 16 ha, the 239 campsites, 12 cabins and 6 bedroom house are capable of having in excess of 2800 people on site. This is a massive intrusion on the quiet lifestyle of this part of town and an already bulging at the seams town.</li> </ul>



<p>a. there is, or will be, adequate vehicular access to and from a road, other than a classified road, taking into account the scale of the development proposed, and</p> <p>b. the development is small scale and low impact, and</p> <p>c. the development is complementary to the rural or environmental attributes of the land and its surrounds, and</p> <p>d. the development will not have a significant adverse impact on agricultural production, amenity or significant features of the environment</p>	<p>a) The existing access onto Coolamon Scenic drive is dangerous. There have been many accidents on this section of road that has an open speed limit. There is no vision from the property driveway with large vehicles and cars where there could be up to 306 vehicles in and out several times each day.</p> <p>b) The development is large scale when it can be utilised to 12 persons per site. This could equate to more than 2800 persons on site. This will disrupt the peaceful amenity neighbours now enjoy. The social impact statements also talks about tourist activities. Noise and visual impact to adjoining properties will be large as well as to noise in town</p> <p>c) The developer has already cleared eucalypts on the property. 239 sites is not complementary to a rural environment where houses adjoin. These are working farms. This will be disruptive to the rural lifestyle just by sheer numbers. How are 5 amenities blocks going to be hooked to the sewerage system? Where are these ET's coming from? It will visually impact with so many buildings, tents, cars. This is not rural landscape development.</p> <p>d) 3m setbacks from side boundaries where adjoining dwellings are located cannot be considered as having minimal impact on amenity. These sites that can have 12 persons each will impact neighbours with at least noise and vision. Trespass will impact adjoining owners of Mount Chincogan and our property which already is impacted as we have the hill that overlooks Mullum. This will impact our privacy as well as works that are carried out on our farm. The 10m setback from Coolamon Scenic drive will put it in clear vision of local dwellings and those travelling along Coolamon Scenic Drive. It is out of character with the rural properties surrounding it. It is not just stock grazing adjacent. Many dwellings look onto this property it what could become a tent city.</p>
<p>4) Development consent must not be granted for the purpose of tourism development on land to which this cause applies unless</p> <p>a) the lawfully erected dwelling house or dual occupancy (attached) is situated on land, or</p> <p>b) a dwelling house may be erected on the land under this plan</p>	<p>a) The proposed dwelling house seems extravagant for a managers residence with 6 separate bedrooms in clusters of 2 and 9 bathrooms. It should also be noted that the bails has already been illegally converted into a house that has tenants living in it with a development application currently with council for its use. 750/2017 Use of Structure as a Dwelling</p>

<p><b>5) Development consent must not be granted to development under subclause(4) if the development:</b></p> <p>(a) includes an ancillary caretakers or managers residence, or</p> <p>(b) is for the purpose of more than 1 bed and breakfast accommodation</p> <p><b>6) In this clause small scale means a scale that is small enough to be generally managed and operated by the principal owner living on the property. Tourism development includes, but is not necessarily limited to, development for any of the following purposes</b></p> <p>A bed and breakfast</p> <p>B camping grounds</p> <p>C farm stay accommodation</p> <p>D eco – tourist facilities</p> <p>e. home industries that provide services, or the sale of goods on site to visitors</p> <p>f. information and education facilities</p> <p>g. restaurants and cafes.</p> <p>H. rural industries that provide services, or the sale of goods on site to visitors</p>	<p>House.</p> <p>Whilst the new plans say it is a lunchroom it has already been converted to a house, which is presumed what it will continue to be.</p> <p>a) The bails have already been converted into a dwelling so will become a second residence.</p> <p>b) Whilst no B&amp;B is proposed the design of the new residence leads to 6 separate accommodations each with own amenities. This could be used as a B &amp;B.</p> <p>A) This states that it will be small enough to be managed by the principal owner living on site however it is clearly identified that it will have a manager/family in the dwelling (not the owner). The dwelling is located a long distance from the main campsites that will affect the amenity of nearby residences and not directly visible from the Caretakers residence.</p> <p>B) How will a family manage what could be 2800 people?</p>
<p>2.6 Camping ground Regulations Sec 107</p> <p>Number of showers and toilets to be provided</p>	<p>5 amenities blocks plus the yoga centre, kiosk and 9 toilets in the dwelling can be a lot of sewerage discharged into an already busting at the seams sewerage system.</p> <p>Where are all of these ET's coming from for toilets, showers and washing machines?</p> <p>Three (3) of these amenities blocks will be visible from Coolamon Scenic Drive. Not to mention clothes lines full of washing. Totally out of character for a rural landscape zone.</p> <p>My own house will be within the 100m of an amenities block</p>
<p>2.7 Local Government (Caravan parks, camping grounds and moveable dwellings) Regulation 2005</p>	
<p><b>Subdivision 1 Land and Site requirements</b></p> <p>83 Minimum size of caravan or camping ground</p>	
<p>(1) A caravan park must not have an area of less than one hectare or, if a lesser area is prescribed by a relevant environmental planning instrument, that lesser area.</p> <p>(2) There is no minimum size for a camping ground</p> <p>84 Community amenities</p> <p>(1) Of the total land area of a caravan park or camping ground:</p> <p>a. At least 10 percent , or</p> <p>b. Such lesser proportion (but not less</p>	<p>The proponent is making available over 8 hectares of the site for recreation ie open space, free of roads, vans, tent sites and amenities buildings. These open spaces will impact on neighbours amenities of an natural and rural landscape when there could be</p>

<p>than 6 percent) as the approval for the caravan park or camping ground may allow, must be reserved for recreation or other communal activities</p> <p>(2) In deciding whether to allow a lesser proportion, the council must have regard to the type and range of amenities to be provided and to such other matters relevant.</p>	<p>2800 people at their back doors as this site impacts so many rural and residential dwellings.</p> <p>Noise and trespass will be a major factor as many properties in the vicinity already have trespass issues.</p>
<p><b>89. Setbacks of dwelling sites and campsites from road frontages</b></p> <p>(1) a dwelling site or camp site must not be located closer than 10 metres to a public road or 3 metres to any other boundary of the caravan park or camping ground unless the approval for the caravan park or camping ground so allows.</p> <p>(2) the approval for a caravan park or camping ground must not allow a lesser distance unless the council is satisfied that the dwelling site or camp site has been or will be properly screened, fenced, enclosed or otherwise treated.</p>	<p>The application states all sites are located in excess of 10 m however the sites on the northern and southern boundaries are 3m from the boundary.</p> <p>Being within 3 m of another property will impede the amenity of the adjoining owners and lead to trespass as there are only old barbed wire fences on the property. The entire property should have a proper fence that occupants of the tourist accommodation cannot get through and nowhere near approved dwellings</p> <p>All of these sites will interfere with the natural lifestyle of those within the area. It will create conflict with adjoining properties</p>
<p><b>Subdivision Roads</b></p> <p><b>92. Entrance and Exit roads</b></p> <p>(1) a road that forms an entrance to or exit from a caravan park or camping ground must be at least 7 metres wide.</p> <p>(2) in the case of a divided road, the width of the sealed portion of the road on either side of the median strip must be at least 5 metres</p> <p>(3) the arrangement for the width of an entrance or exit road to taper into or meet the width of the sealed portion of the access roads leading to the entrance or exit must be as specified in the approval for the caravan park or camping ground</p> <p><b>99. Road surfaces</b></p> <p>All access roads, including all passing and parking bays, must be an all weather sealed or other surface finish specified in the approval for the caravan park or camping ground, and must be adapted to the topography to allow for adequate drainage and to eliminate excessive grades</p> <p><b>100. Lighting</b></p> <p>All access roads must be adequately lit between sunset and sunrise.</p>	<p>Whilst this proposes to have a separate ingress and egress, Coolamon Scenic Drive is too busy and narrow to have such an entrance with many vehicles and camping trailers. There is no vision, poor road condition, potholes and is in an open speed zone. The road is uphill of the driveway which reduces visibility. This stretch of road is renowned for accidents. Persons coming out of the current driveway have already nearly caused accidents. The road is not capable of handling such large traffic amounts nor delivery trucks and garbage trucks that will also be a part of the development.</p> <p>Does not appear to comply with Ausroads either.</p> <p>The proposal of gravel roads (which the owner has constructed over the past 12 months) will be noisy for adjoining owners as it has already become and create dust in the dry.</p> <p>It should also be noted that these paddocks flood and will be washing silt and gravel into the recently constructed dam and Chinbible creek. Noise has already increased for neighbours from all of the gravel roads.</p> <p>Close by residents enjoy the peace, tranquillity and no lighting of a rural area. This will not be visually appealing to neighbours who currently enjoy a rural lifestyle and will be intrusive into our enjoyment of the rural zone.</p>

**102 Sewerage**

- a). Must be connected to mains sewer or
- b). must be provided with an alternative sewerage disposal system

How is this large scale development able to find enough ET's to connect to the town sewerage system considering there are five amenities blocks, washing machines, a house with 7 bathrooms, a yoga centre with amenities, a dump point, a kiosk with amenities and a workers lunchroom(house) with amenities?

This block floods so onsite sewerage is not suitable as it will wash into the creek system where I believe there may be fish habitat.

What stops this rural camping site being used as an outside urinal during parties as happened on 5<sup>th</sup> January 2018 at a doof party on the site

The site drains into Chinbible Creek.

**111. Proximity of dwelling sites to shower blocks and toilet blocks**

It should be noted that my own property is located within 100 m of a proposed amenities block which will be visually and socially undesirable for me to sit on my verandah and be so close to this type of building.

A visit to any campground will see amenities blocks as place of noise where people congregate. We will also be impacted by noise.

**Subdivision 7 Management****121. Maximum number of persons per dwelling site or camp site**

The proponent states this is up to management of park. No matter what they state the site will still be capable of having 2868 persons on site in the camp grounds if they wish at any stage. This is in town against homes and against rural properties. Parties recently by the land owner sent cattle berserk on an adjoining farm. Farmers should not be subject to development that will cause issues with livestock.

Where will all these cars park once the 306 spaces are full – along Coolamon Scenic Drive?

Noise will impact the whole town due to the location of the site being partly in the urban area and Mount Chincogan pushing sound back into town. It has already happened there twice.

**124. Use of caravan parks or camping grounds****1). A caravan park must not be used**

- a). for any commercial purpose other than a caravan park or camping ground or an associated purpose

- a) The application has a purpose-built hall with kitchen facilities, a kiosk with kitchen facilities. The owner has stated that there will be functions held on the site. Noise and visual aesthetics of the development are not in line with the Rural and natural character of the locality and will create conflict with adjoining owners as well as social impacts for adjoining owners and the town as a whole. Noise from recent events had complaints to the police from all over Mullumbimby.

**Subdivision 8****127 Garbage removal**

<p><b>131 Buildings</b></p> <p>1). A building must not be erected in a caravan park or camping ground so allows.</p>	<p>Trucks entering and exiting on the site will be a danger on this narrow road, produce noise from traveling on the many roads recently constructed, and hydraulic lifters etc for adjoining properties that enjoy the country peace. More traffic on Coolamon Scenic and smells that emanate from rotting vegetable and other garbage's will impact nearby properties.</p> <p>a). The dairy bails have already been converted without consent into a dwelling that has been occupied by a tenant for approx. 12 months. Council is aware of this and has to this date not made the tenant vacate or stop the works being carried out.</p>
<p><b>Social impact assessment</b></p> <p>The proponent speaks about:-</p> <p>a). this site being capable of meeting a need for low cost tourist accommodation in the area.</p> <p>b). Improves holiday experience for people</p> <p>c). No disadvantage for those people who currently reside proximate to the site.</p>	<p>a) This site has been refused in a Council EOI for affordable housing due to site constraints, bushfire, HEV and flooding. It is clear the intentions are to use the site for tourists under the umbrella of a "Yoga" retreat as he is applying for rural tourist accommodation and states it will improve the holiday experience of visitors to the area. Mullumbimby is not a tourist town and already has 3 camping grounds. Rural properties will be impacted by these tourists or visitors. Trespass will impact the farms as it is becoming a common statement "I can enter, its only a farm"</p> <p>b) If its not a tourist facility, why does he state it will improve the holiday experience. This will impact the scenic quality of not just the adjoining owners. Coolamon is a beautiful drive and it will be come a site of tents and concrete buildings and is out of character with a rural and natural locality. We need to keep farms close to town as farms. This is a grosse overuse of a rural farm.</p> <p>c) The proponent does not live on the property so how does he know it wont impact those that reside beside the property.</p> <p>I am an adjoining owner having lived in my home for 25 years and prior to this was my grandmothers home. We are a working farm. The noise will impact us if legally there can be 2800 people on site. It will affect my cattle that cannot handle such parties.</p>
	<p>Visually I will instead of looking across farm land will see concrete amenities blocks and hundreds of tents and a workers building(dwelling) This is not in character with our rural landscape zone.</p> <p>A camp ground of this large scale is in conflict with properties on the north, east and west and residential dwellings on the south. Farms use machinery, chemicals and all farming practices. Property value will decrease with this scale of camping ground against properties that have a rural and natural landscape.</p> <p>Land owners to the north and east have purchased</p>

<p>D). A greater range of tourist activities.</p>	<p>properties that are visually admired by tourists and suffer trespass on a daily basis and people think this is acceptable. This WILL increase with a tourist facility adjoining them.</p> <p>d) Noise from tourist activities will have an impact on the quiet country area we live in. A development of this scale should not be anywhere near a town where large amounts of residents will be impacted. Byron Shire has many tourist parks that are often only half full as well as our camp grounds at the showground and football grounds.</p> <p>In conclusion the social impact is massive.</p> <p>Scenic quality for nearby residents</p> <p>This locality is of rural and natural character. This proposal is completely out of character with this locality as residents will be impacted by thousands at their doorsteps.</p> <p>It is in total conflict with beef farming, plantation farming and residential homes.</p> <p>Properties will be impacted by trespass as somebody wants to jump a fence to get to town quicker or have a look at the beautiful views from farms.</p> <p>There is no possible way to put a bike track on the side of the road where the development is as the road drops off about a metre from the road edge down an embankment.</p> <p>Increased traffic will have an impact on neighbours and the town.</p> <p>There is little parking within the town already.</p> <p>Near miss car accidents on this section of road are a daily occurrence just by the screech of brakes. This includes the intersection of Main Arm Road where cars locking brakes is an hourly occurrence.</p> <p>Visually it will be unacceptable to residents that enjoy the rural landscape for farms, grass and cattle to now see hundreds of cars, tents and buildings.</p> <p>A view of 5 toilet blocks a massive 6 bedroom home, large hall, kiosk, timber platforms that will be constructed on the side of a hill, car parks, ancillary buildings is large scale development and not in line with the RU2 rural landscape. This site will be a mass of development considering all of the timber platforms that will be constructed that are interfering with the land as they will need engineering and drilling into the land to support them.</p>
	<p>In one breath it speaks about the new driveway and removal of trees and in the next it speaks about landscaping there to shield from the road.</p> <p>The development talks about being able to be managed by a family living in the dwelling then speaks about 10 employees. How is this small scale?</p> <p>This entire development is contradictory and out of character. It will have a severe impact on nearby properties and Mullumbimby as a town.</p>
<p><b>D1.2.2 Setbacks from boundaries</b></p>	<p>Whilst the development complies with the setbacks for the main dwelling it only speaks about Coolamon Scenic Drive. The</p>

<p><b>D1.2.4 Character and visual Impact</b></p> <p><b>D1.2.5 Fences</b></p> <p><b>D1.2.6 Balconies</b></p> <p><b>D1.3.3 Expanded dwelling</b></p>	<p>dwelling is much closer to Chinbible ave as well as an access road from the dwelling and development into Chinbible Ave. Currently no road exists into Chinbible however it appears to propose a road be built over the fish habitat area.</p> <p>This does not speak about the dwelling that has already been constructed on the site near Coolamon Scenic Drive.</p> <p>Again, this only talks about the visual impact from Coolamon Scenic drive and not Chinbible Ave and Warina Place properties. Vegetation removal on the property has already included removing Eucalypts prior to this application.</p> <p>The entire development on that side of the site will visually impact adjoining owners in Chinbible Ave and Warina Place.</p> <p>The development does not propose any fences which will impact many adjoining properties with trespass and visually disturbed views of the rural landscape</p> <p>The proponent has considered the visual softening and better amenity for the “users” of the house by having northerly balconies to face Mount Chincogan but has nowhere considered the visual amenity for adjoining properties.</p> <p>If this dwelling as proposed is a caretakers house why is it built as an expanded dwelling with one living area and then 3 separate modules with all 6 bedrooms having their own bathroom amenities. This leads more to a bed and breakfast style accommodation or affordable housing.</p> <p>Each of the 3 bedroom modules is 114 sqm with decks. An 80sqm kitchen dining module with bathroom, an 80 sqm loungeroom with bathroom and a roughly 80sqm media room with bathroom. This is will not be use as a caretaker home as stated. It is an expanded dwelling</p>
<p><b>DCP 2014 D3.3.3 Caravan parks and camping grounds</b></p> <p><b>Prescriptive measures.</b></p> <p><b>Objectives</b></p> <ol style="list-style-type: none"> <li>1. To ensure that the design and operation of caravan parks and camping grounds will meet the needs of users and will be compatible with the character of existing development in the locality.</li> </ol> <p><b>Performance criteria</b></p> <ol style="list-style-type: none"> <li>1. The design of caravan parks and camping grounds must be compatible with the existing streetscape and character of the precinct in which it is located.</li> <li>2. Caravan parks and camping grounds should be designed to avoid adverse effects on the amenity of the precinct</li> </ol>	<p>Whilst it states it will not be visible from the view of the road and adjoining dwellings I have included photos of what I currently see. This will impact the locality as it is rural, residential on one boundary, quiet and farming on other boundaries. Visually it will impact and 10m will make no difference as hundreds of tents and cars are a far cry from farms not to mention all of the stuff that will lay around camp sites</p>

in which they are located.

3. The proposed site must be suitable for the development of the caravan park or camping ground, having particular regards to the following principles



This is my view from a bedroom. Imagine looking at amenities buildings and tents and 70 tents and cabins. We will be visually impacted, and this is only a part of our view. This will not be in character with the rural and natural character of our location. 10 m from the road will still be in my clear vision for the most of the eastern boundary. It is clearly stated that this development is to make income from the property....which he purchased recently with this in mind as construction works started not long after purchase.

a). steep slopes must be avoided because of drainage slip and bushfire problems and potential damage to the environment.

b). parks must not disturb water courses and must not be located in low-lying areas with poor drainage, or in flood liable land

c). existing vegetation and areas with ecological and conservation values must be protected

d). sites which are difficult to landscape and integrate into the visual environment are unsuitable

e). site layout and landscaping must break up or conceal the repetitive image of caravans and movable dwellings

f). climatically and visually exposed sites such as headlands and ridges are unsuitable

a) Camp sites on steep land will disturb the environment as the timber platforms will require footings into the soil to hold the platforms and weight of people on them. The vegetation has recently been cleared by the landowner. Bush fire whilst there is a bushfire report will not help landowners up hill of the development. There is the potential for accidentally lit fires or camp fires escaping and putting property owners at risk. Mount Chincogan is difficult to access if there was a fire. The land has been cleared of vegetation so what stabilises this land above the dam now?

b) A extensive dam was constructed in the tributary to chinbible creek over 12 months ago. This same dam flooded the front paddocks where tent sites are proposed in March 2017. Chinbible creek regularly breaks the banks during floods. Flooding of these low-lying areas has the potential for rubbish and silt to wash into the waterways where there are possible fish habitats.

c) The site does have a high environmental value. With the potential for thousands on the site how is this going to be protected.

d) It is not possible to landscape this site so as to not visually impact neighbours when he speaks about removing trees to provide vision for the dangerous driveway. My house will look straight across tent sites. This will be visually unsuitable to all adjoining rural and residential owners.

e) When properties look straight at large clusters of tent sites how is this not repetitive for adjoining owners?



<p>g).location adjacent to incompatible land uses is unacceptable</p> <p>h) sites must not form a barrier to adjacent public lands</p> <p>i) sites that accommodate or able to accommodate long term residents must have good access to appropriate services and facilities</p> <p>4. a minimum of 10% of the total area of the caravan park or camping ground must be developed for recreation and communal activities, The recreation and communal activities are must not include any caravan site, campsite, roadway or land designated for any other purpose, but may be grassed and landscaped with trees and other plants.</p> <p>5. Development applications must demonstrate that the proposed development will be consistent with the requirements of Chapters B6 Buffers and Minimising Land Use conflict, B9 Landscaping, B11 Planning for crime prevention and B13 Access and mobility.</p>	<p>f)</p> <p>g) Having what is or isn't a vegetarian rural tourist facility is not compatible with the adjoining properties. There are at least 2 beef cattle farms and a plantation farm adjoining it. These use chemicals, farm equipment have cattle bellowing, tractors, motorbikes and firearms. Its it compatible with traditional farming practices...NO. There will be complaints as it is not what they believe in or the noise associated with farming with interfere with them. It should be refused just on this one element.</p> <p>h)</p> <p>i) Long term should not be allowed as this will become affordable accommodation, something Council has already refused for the site.</p> <p>4. It is stated that there is 8 ha available for recreation. This is not compatible with farming as noise from parties they have held has frightened cattle on adjacent farms making them run and charge. Cattle are dollars to farmers and they can't risk such a development beside so many farms. Residents that enjoy the peace of living in a rural area will potentially have 2000 people sitting at their back fences and what about the noise generated from this?</p> <p>5) With the potential of over 2000 visitors to the property how is crime and trespass going to be prevented? What stops people entering the adjoining farms and homes. Farms generally have machinery outside. If this is a family managing this monster development how are they never going to leave home and be able to see what is happening 340 m away on the other side of the property? There is vegetation that will conceal all these sites. There is no way that crime can be prevented, and it is totally inconsistent with this location. The application is s very conflicting in its entirety. The social impact statement has not addressed how crime and trespass will be prevented. The development conflicts with adjoining property uses of beef cattle farms, plantation farms and residential homes. Having large functions beside homes is inconsistent and conflicting.</p>
<p>D3.3.4 Rural Tourist &amp; Farm Stay</p>	

## Accommodation

### Objectives

1. Ensure rural tourist accommodation does not detract from the rural and natural character of the locality.

The plans indicate that the cabins will be located directly in front of the dam and near the carpark. The dam is visible from my bedroom and clearly from Coolamon Scenic. This type of construction is not compliant with rural and natural character. Below is from Coolamon Scenic Drive whilst he was digging the dam. This is a rural view not at least 9 cabins and 30 campsites and amenities block and a kiosk. Totally out of character.



2. Ensure rural tourist accommodation does not adversely affect the conduct and productivity of agricultural operations on the site or nearby lands

2. Being a property located at the bottom of Mount Chincogan it is extremely likely that tourists will trespass on farms that own the mountain. Likewise with our farm on the eastern boundary. We already suffer trespass as our property overlooks Mullum. With a site having the potential to have 1000's on site it will be impossible to keep tourists off affecting our agricultural operations.

3. Facilitate and support the establishment of low scale farm tourism as a secondary business to primary production, where farm stay accommodation is proposed

3. The property has no agricultural activity since the owner purchased the property. It was always a cattle property. This is not secondary business, its turning a farm into a mega event centre where the tourist accommodation and shop are the only income.

### Performance Criteria

1. Development located and operated so that it does not:-


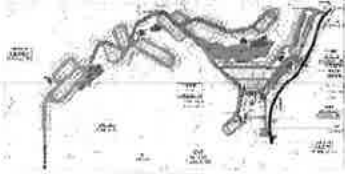
- a) Adversely affect the conduct and productivity of agricultural operations on the site
- b) Create potential for conflict with adjoining land uses

1

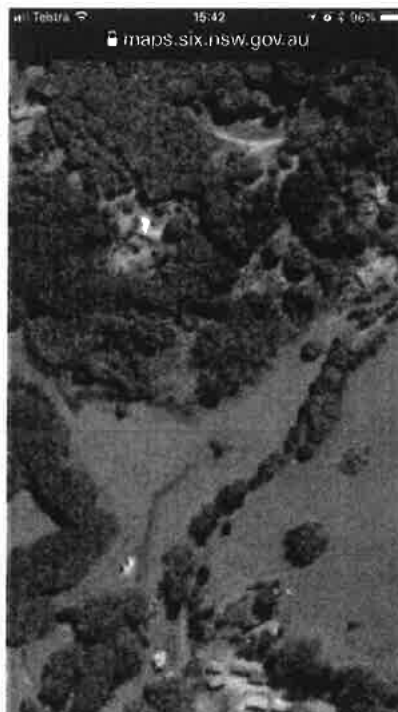
- a) There are no longer agricultural activities on the property. Development and road construction has commenced.
- b) Adjoining properties are a mix of residential and farming. Two events have already been held on the site causing problems with neighbouring cattle late at night. This was reported to Byron Bay Police on 5/1/18. Large development such as this adjoining farms and residential properties will create conflict as livestock take fright easily. Tourists abusing neighbours right to privacy and peace will be a major issue.

- c) Disrupt environmental enhancement projects on land
- d) Impact ecological or environmental values of land and

- c)
- d) The property has a high conservation value. The development proposes to use most of the clear land and what he has recently cleared yet he states there is 8ha of open space. This can only mean that he is using the

<p>e) Conflict with buffer requirements pursuant to Chapter B6 Buffers and minimising Land Use Conflict.</p> <p>2. Rural Tourist accommodation must be designed and located to be compatible with the surrounding rural and natural landscape. Where new buildings are proposed to be constructed for the purpose for the purpose of rural tourist accommodation sub building are to be clustered and located in proximity to the primary dwelling house on the lot</p> <p>3. development is to be low scale and designed and located to be compatible with the surrounding rural environment and of minimal environmental impact</p>	<p>environmental land as open space. Some of the development that was cleared is for the Yoga Hall as this has only been done in the last 12 months.</p> <p>e) Some buildings appear to be very close to buffer zones as well as camp sites on the northern boundary. Land on the northern side is plantation and are under threat of fires from a Rural Tourist development of this size and nature.</p> <p>2. The development comprises at least 12 cabins, a large 6 module home, day spa, huge yoga hall, 5 amenities blocks, kiosk and the lunch room that is currently used as an illegal dwelling. (Note the plans that have it with bedroom and kitchen). Many of these will be visible from Coolamon Scenic Drive, Warina Place and Chinbible Ave. Whilst they may be in clusters the entire length of the property on Coolamon Scenic Drive is to be developed with buildings and platforms. <b>Some sites are in excess of 300m from the main dwelling and not visible due to vegetation.</b></p> <p>There is nothing about the Coolamon Scenic Drive side of the development that is in keeping with the Rural Landscape</p> <p>3.The property is surrounded by agricultural farms, small allotments and residential dwellings.</p> <p>251 sites and all the other buildings whilst on a farm is not small scale in amongst all the other development. There has already been a lot of environmental damage done on the property with dam and road construction and much more to construct all the buildings and the platforms for camping which will need to be footed into the ground.</p> <p>This is not low scale development in amongst homes and not rural when you consider not much of the clear land will be left.</p>  
<p>4. Car parking spaces must be provided in accordance with Chapter B4</p> <p>5. Provision of recycling and waste management in accordance with Chapter B8 Waste minimisation &amp; Management</p>	<p>4. With the potential for thousands to be on site where is the waste management plan and will neighbours have to put up with the noise of garbage trucks, the smell of rotting rubbish and more trucks on Coolamon Scenic Drive.</p> <p>5. Visual impact potentially could be destroyed along Coolamon Scenic. Those driving past and neighbours will just see buildings, tents and cars...no longer will it be</p>

<p>6. The development must observe the road and boundary setback requirements specified in Chapter D2 Residential Accommodation and Ancillary development in Rural Zones (D2.2.2) and the character and visual impact requirements (D2.2.3)</p> <p>7. Rural Tourist Accommodation is to be suitably sited in accordance with the requirements of Chapter C3 Visually Prominent sites, Visually prominent development and View Sharing</p> <p><b>Prescriptive measures</b></p> <ol style="list-style-type: none"> <li>1. Rural tourist accommodation can incorporate up to 12 bedrooms collectively and accommodate a minimum of 2 persons per bedroom, with overall accommodation densities in accordance with table D3.1</li> <li>2. Rural tourist accommodation is to be designed with the following measures <ol style="list-style-type: none"> <li>a) Each rural tourist accommodation structure is to have a gross floor area of not more than 60m<sup>2</sup> comprising a maximum of 2 bedrooms</li> <li>b) All weather parking must be on site</li> </ol> </li> </ol>	<p>"Coolamon Scenic Drive" but something that could look very slummy.</p> <p>6. As stated above this will be visually prominent from Coolamon Scenic with most of this side of the road to have some form of development or building and cars. It is interesting to note that the dwelling is to be situated where it will take in the views but those that now see farm land will see development.</p> <p>7. The cabins will be clearly seen from Coolamon Scenic drive. The main dwelling appears to be more accommodation due to the design of 6 separate bedrooms all with private amenities and 3 separate modules with own amenities. Each of the modules is in excess of 100m<sup>2</sup>. This can also be used as rural tourist accommodation.</p> <p>This is not spatially isolated and will adversely impact on the nature of rural landscape for this property and those surrounding it. It is clearly visible from dwellings on adjoining properties all the entire length of the Coolamon Scenic drive boundary. The only reason some of these dwellings can go is because the current owner has cleared a lot of the property which can be confirmed with the earthmoving contractors that worked there. Much of the environment integrity has already been disturbed. Whilst he states no night time recreation is proposed it has already occurred and the simple sheer numbers that can be on site will disrupt and disturb the amenity of adjoining homes and livestock.</p>
<p><b>2.12 DCP 2014 Part B Sec B14 Earthworks</b></p> <p>The Objectives of the 1m of maximum earthworks required under this Clause are:  To minimise Environmental impact, to blend the development into the site  To minimise erosion risk To minimise disturbance to the natural land form  To encourage designs which blend into the natural landform</p>	<p>Much of the earthworks were commenced well before the application was lodged with Council which must be for obvious reasons.</p> <p>Whilst the application states there are minimal works forgetting about what has already been done. There are a lot of buildings that will need piers as well as the five amenities blocks and roads. Whilst some of the roads have been done in the past 12 months there are a lot more to go.</p> <p>Excavation will need to occur for all buildings to connect to the sewer.</p> <p>This is not minimal and the sites will consume nearly half of the property.</p>



Where did all the trees go? This is before and after he started earthworks and tree felling

<p>To maximise reuse and recycling of household waste and industrial/commercial waste</p> <p>2.14 Planning for Bushfire</p> <p>2.17 Draft coastal management</p>	<p>The proponent proposes to compost all waste on site. This could become a disgusting smell for local residents particularly in summer.</p> <p>Large commercial bins on site will be unsightly in a rural zone and the noise of steel bin lids crashing and garbage trucks are not what is expected in a rural landscape community.</p> <p>Noise from this whole development will impact residents in everything that occurs on the site.</p> <p>I am a fire fighter with the NSW RFS and a member of Mullumbimby brigade which takes in this property. The plan states that fire fighting vehicles will access via Chinbible Ave however the site is not accessible through this road. It is a dead end and has Chinbible Creek to get over which has fish habitat. Our vehicle weighs 14 tonne so will not be able to cross the creek. Power lines are not underground as the power poles in the paddock are clearly visible from Coolamon Scenic drive.</p> <p>I believe that the dam should not be relied on for water particularly if they are trying to evacuate. The dwelling should also have water tanks specifically for firefighting.</p> <p>How is it considered that 1 person can evacuate such a spread out camp ground that could have over 2000 people on it. Whilst the plan says 530 an approval could allow 2800 at 12 per site. It should be noted that the greatest threat of fire is from those starting fires in the camping ground and entering properties to the north. The properties are above, and I consider them to be of more a threat as fire travels uphill quickly. Access to the properties on Mount Chincogan is difficult for fire fighting.</p> <p>It should be investigated as to what trees were removed as it is believed a Coolamon Tree was removed along with Eucalypts to make way for the dam and road works along the northern boundary.</p> <p>What approvals were obtained for the 3 dams as they are not ancillary to agriculture? This may be a question for the Department of Water.</p> <p>The application says it is on cleared land with no native trees to be removed. Has it been investigated as to what trees were removed and burnt last year.</p>
<p><b>3 Sec. 79(1)(b) Impact on Environment</b></p>	<p>The application states that it is in a visually isolated location which could not be further from incorrect. The properties adjoining on the north, east and south all look over this section of the property.</p> <p>The existing building spoken about was an old run down bails that was typical of a farm. This has been developed into a house with massive dams dug out the front and the construction of the camping decks has begun. This is all clearly visible from my home. The fact it states it was grazing country and now it will be full of tent sites cars and buildings demonstrates that it will be a visual impact.</p> <p>It is interesting that it speaks about retaining trees along</p>

	<p>Coolamon Scenic Drive to screen the development when there is nearly nothing as he has cleared the site and it is very open to visual impact as my photos have demonstrated.</p>
<b>3.2 SEPP No 55 Contaminated Soil</b>	<p>The property was used for both dairy and beef cattle and as such most farmers used chemicals around their bails.</p> <p>It should be considered the site be checked for Organochlorines as used by farmers particularly when the bails are now a residence with an occupant.</p>
<b>3.3 Measures to protect the environment</b>	<p>Site works – Considerable earth works have already been carried out with a lot of soil excavated, moved and spread out as per photos. Some roads have been constructed, but more to come.</p> <p>The amount of earthworks is considerable considering all the decks for camping and buildings will be peered. Roads construction will be considerable. The property has flooded since the dam was constructed.</p>
<b>3.4 Impact on the built environment</b>	<p>Whilst he states large setbacks will detract from the design I cant understand how 10m from the road can be considered considerable when currently you look at farmland that will become tent city. The streetscape and character of the site is rural landscape, this is far from rural landscape to throw so many tent sites, Timber platforms and eyesore additional buildings into 8 ha mostly along coolamon Scenic Drive.</p> <p>The surrounding buildings are old farm houses or houses built in the 60's and 70's. They are not properties covered in buildings or tents. They are rural properties that are mostly farmed. This development is out of character and will attract overflow from festivals and the like</p>
<b>3.5 Social &amp; Economic Impacts in Locality</b>	<p>The proponent states it will provide tourist and residential accommodation. This will have a social impact to have so many people on site on a property that has always been single family run. It will introduce trespass, noise, traffic issues and accidents, traffic issues at Main Arm Road, interference on neighbours right to peace.</p> <p>I do wonder how this is going to strengthen the residential base in the shire...IS THIS THE AFFORDABLE HOUSING HE WILL PUT IN THERE BY RENTING THS SITES OUT LONG TERM. We are aware that council refused his EOI for Affordable housing so this is a way to get around it illegally.</p>
<b>3.6 Relationship to Adjoining development</b>	<p>The application states building development sits 15m from Coolamon Scenic however the plans show 10m. How can tents on platforms be considered visually soft and so close to a busy road with full vision to adjoining homes and the road</p> <p>The bulk and scale of the development can not be reduced because of design. The fact it is going from clear farmland to over scale development in a Rural Landscape Zone should not be permissible.</p> <p>The application continually speaks about being visually isolated. This is totally a made-up buzz words. This is not minimal, having watched this view for 25 years. Our view will become cars, tents and buildings.</p> <p>It will distract just by sheer scale and will distract from the rural amenity as, we now enjoy the peace of day and night, the darkness of night. The increase in traffic movements on a</p>

	<p>dangerous road will take away our amenity. These will all be lost to us if this development is allowed to proceed by this council.</p>
<b>4 Sec D.79C(1)(c) Suitability of the Site</b>	<p>The sheer scale of this development considering roads and construction of buildings decks and campsites is an over development of the site. The development leaves little open grassland view that is considered Rural Landscape. The land is situated between other rural farmlands as well as small holding dwellings. The function centre can become an event site.</p> <p>The sheer scale of the capacity of the number of sites could hold Mullumbimby's entire population. Take in to consideration it is not small scale, is on a dangerous road, Mullum is already busting at the seams, the town already has Yoga centres and 3 campgrounds and the noise that this property could generate and has generated will take away from the character of the land and the peace and tranquillity the residents enjoy.</p> <p>This is a lot of sewerage to add to an already over loaded sewerage system and the site is inappropriate for onsite sewerage due to flooding.</p> <p>This is large scale development aimed at attracting tourists in a non tourist town and is not compliant with the LEP. The Planner has tried to use words and statements to make it feel as though it is.</p> <p>This development has the potential to become a Commune.</p>
<b>4.1 Service</b>	<p>Electricity – the application states that power is underground yet powerpoles throughout the site are visible.</p> <p>Garbage collection – states that garbage from the development will be taken to the tip. It doesn't state the regular days this will be done.</p> <p>Organic matter is proposed to be composted on site. This will create horrible smells particularly for close neighbours of which there are a couple and could be worse on windy days. What will happen to this compost when the paddocks flood?</p> <p>Sewerage – States this will be connected to the town. This should not be permissible for such a large development and potential of the site to have 3000 persons.</p> <p>The paper has released an article of the current state of the overloaded system and this property should not be allowed to connect at the detriment to the residents of Mullumbimby</p>
<b>6 Sec. 79C(1)€ Public Interest</b>	<p>The earthworks commenced 18 months ago and continue. This will continue with a lot more earthworks for the construction of further buildings and campsites. All the decks on slopping land will have piers into the ground. 1 deck has been constructed so the extent of the earthworks can be seen. This is not minimal</p> <p>The proponent has stated that Public response will be positive however he has never spoken to the adjoining owners about his proposal, so it is ridiculous to think residents would consider turning a farm into a large scale event site in amongst homes and farms would be favourable. It is quite the opposite with a large proportion of the town against the proposal.</p> <p>The loss of native trees occurred before the application was lodged. Regardless of architectural designs this will change the Rural landscape to all buildings and gravel and it nothing like the</p>



	<p>existing character. Noise will travel up hill to residents and with large events deflect into town due to being at the base of Mount Chincogan.</p> <p>This development will detract from the existing character of farmland particularly on Coolamon Scenic drive where the entire boundary will have development. The farm streetscape will be gone and the rural amenity will be lost.</p>
<b>Conclusion</b>	<ul style="list-style-type: none"> <li>- The earthworks have been and will be extensive in the grassed areas of the farm</li> <li>- Many of the buildings and sites are near boundary fences. There is minimal screening along Coolamon Scenic Drive and grass paddock are visual for the entire boundary. To change from paddocks to buildings, roads, campsites and carparks takes away all of the rural character of this particular area.</li> </ul>
<b>Planning for Bushfire</b>	<p><b>ACCESS</b></p> <p>The plan identifies that there are 3 access roads to Coolamon Scenic Drive and a link road to Chinbible Ave. This is not correct. The property has 1 dangerous access onto Coolamon Scenic Drive. There is no access across the creek at Chinbible Ave. A 14 tonne fire truck is slow to access onto a dangerous and already busy road and there is no access across Chinbible creek for a 14 tonne truck.</p> <p>APZ – The PB uses the grassland vegetation to the east and south of the staff lunch room as an APZ. How is this achievable when this land is privately owned by others?</p> <p>The statement has the property as in an FDI 80 area. The FDI changes on a daily basis and at times in the past year has been well over 100 with Total Fire Bans declared for the District. FDI index values are very sensitive to input values.</p> <p>6.3 Electricity supply states it is available along Coolamon Scenic Drive and will be installed underground to the site however power poles and electricity wires run through the site. Note that power poles are identified on the traffic plan</p> <p>6.5 Access and egress –</p> <p>(h) roads should not traverse wetlands. A lot of the property is swamp land.</p> <p>Whilst there is a Bushfire plan for the property with APZ's this does not consider the issue of those camping lighting fires and putting properties to the north and west under considerable risk. Camp sites are located close to the neighbour boundaries and not visible from the main dwelling. Some of these are also on timber decks. The application should consider the threat of fire escaping the property.</p>
<b>Flora and Fauna Assessment</b>	<p>Current land use is state as existing paddocks and dwelling. This dwelling the illegally converted bails with tenant.</p> <p>Landform – A first order stream and been largely excavated for the dam to be built</p> <p>Description again states a through site. There is only one way in and out. Some of the site has already been cleared by this owner more than 12 months ago in areas of the proposed development</p> <p>The map on page 18 of the study identifies the areas of vegetation communities. It should be noted that a look at Six</p>



	<p>open speed zone. Traffic does travel past this driveway at speeds of around 80km/h.</p> <p>We have seen a large growth in the number of cars travelling this road particularly now as it takes you straight to the freeway. GPS's are now also sending heavy vehicles through this road that do not know the area.</p> <p>The table does not indicate the intersection can handle this. Its an estimate with no fact.</p> <p>In the wet its extremely dangerous and vehicles stopped to turn into the site will cause accidents and what will be worse is large vehicles or those with camper trailers trying to enter Coolamon Scenic Drive into traffic travelling in excess of 80km/h and coming.</p> <p>Caravans are generally in the vicinity of 18 to 24 foot. A caravan pulling out onto Coolamon Scenic drive will cause accidents as it takes a lot longer to get out and vehicle on Coolamon Scenic will be unable to stop by the time they come into vision .</p> <p>This is a recipe for disaster.</p> <p>Was this driveway access approved or the second driveway he has put in at the southern end of Coolamon Scenic Drive?</p>
<b>Table 5.1 Car parking requirement</b>	<p>This shows 270 camping car spaces with plus an additional 36 spaces for the day spa. This indicates that there would be more than 50 vehicle movements in or out of the property as indicated in 4.1.</p>
<b>5.3 Traffic Circulation</b>	<p>This states roads are 6m wide providing for 2 way movement however the bushfire plan states roads must be 8m wide for fire vehicles.</p>
<b>6.1 Access design</b>	<p>Clearly states that figure 6.1 is in accordance with Ausroads Part 4A for a design speed LIMIT of 60km/h.</p> <p>This road is clearly Open Speed with cars able to do 100km/h. Whilst most don't do this speed it is easily travelled at 80km/h.</p>
<b>6.2 Sight Distance Analysis</b>	<p>This states that there will be tree clearing to create vision however the application has this area with landscaping to be put in. This negates what he is stating regarding clearing to achieve vision.</p> <p>Again they have done sight distance as a speed of 60km/h. This should be done at the speed that is permissible.</p> <p>A reaction time of 1.5 sec is nothing when a car comes along at 80km/h and a caravan pulls out of there.</p> <p>Regardless of a reaction time of 1.5 secs a truck travelling at 80km/h will not pull up in 1.5 seconds</p> <p>The line of sight photos with the application are taken from the middle of the road and not from the edge of the driveway which is what people exiting will see.</p> <p>Figure 6.6 clearly again is taken from on the road and not the driveway. It shows that there isn't a lot of vision facing north. It should also be noted that roadside grass along this section is usually as high as a car.</p> <p>Again this demonstrates that access onto Coolamon Scenic Drive for Caravans or camper trailers is dangerous and could cause more incidents or near misses than this road already has.</p> <p>This road is not suitable for this large scale tourist park.</p>

<b>7.0 Service Vehicles</b>	<p>The proponent is making provision for heavy vehicles to enter the site. This is presumed to be for Garbage trucks and delivery trucks. How are they going to enter and exit safely with out the potential to cause accidents?</p> <p>The road is narrow, windy, extremely dangerous in the wet and potholed. The road is narrow with cars having to move off the edge when large vehicles are going past.</p>
<b>Summary of Conclusions and recommendations to traffic report</b>	<p>Access onto Coolamon Scenic for such a large development should be considered dangerous considering the number of vehicles that could be entering or exiting.</p> <p>A secondary egress into Chinbible Ave will become an ingress as well. Where has this been approved as a Secondary access and has fish habitat been investigated at Chinbible Creek?</p> <p>The conclusion again states that the driveway will be designed for a speed of 60km/h. The speed approved for Coolamon Scenic drive is 100Km/h.</p> <p>It would be interesting to see where the counter was set up with the speeds as I know I come past the driveway at greater speeds than indicated in the report</p>
<b>Conclusion</b>	<p>THE APPLICATION SHOULD BE REFUSED ON THE FOLLOWING GROUNDS:</p> <ul style="list-style-type: none"> <li>- Does not comply with the objectives of the Zone – the development and all the buildings is not small scale tourism associated with agriculture – there is to be no agriculture</li> <li>- It is not low impact – it impacts on agricultural production</li> <li>- It is not complimentary to the rural attribute of the land and the surrounds – it impacts the scenic and environmental values of the land.</li> <li>- Conflicts with other adjoining residential development and rural/agricultural practices.</li> <li>- Traffic – the traffic plan only deals with the intersection not the impact of increased traffic on a busy, narrow and dangerous road and the dangerous Main Arm Road/ Coolamon Scenic Drive intersection</li> <li>- The traffic plan does not address the high speeds and poor sight lines.</li> <li>- The traffic plan vehicle movements need to be challenged when the site will have the capacity to have in excess of 2800 persons, 306 cars and trucks etc entering and exiting</li> <li>- Extensive site works have already occurred</li> <li>- Extensive site works will occur with platforms, retaining walls, and substantial excavations as well as road construction. Camping platforms will require footing excavation and no mention of safety rails. Sewerage will also require excavation. All of this cannot be considered minimal</li> <li>- The Rural landscape will be altered with the entire Coolamon Scenic Drive side being developed. The site is below road height and will change the rural amenity. Clearing that has taken place has already started this.</li> <li>- There is no flood study of the land that floods considerably which has been worsened by his own</li> </ul>

	<p>construction already.</p> <ul style="list-style-type: none"> <li>- The Vegetarian camp ground conflicts with adjoining land uses being residential and beef cattle</li> <li>- Functions on the site have already impacted neighbours and will worsen.</li> <li>- Social impact – The number of potential patrons will impact the amenity of neighbours.</li> <li>- The flora and fauna statement focus is on camphor removal and tree plantings. There is a lot of flora and fauna not identified</li> <li>- The managers residence design appears more bed and breakfast or affordable housing than a home</li> <li>- The development is a largescale business inviting overseas and interstate persons to a closed community.</li> <li>- In summary a large business venture conflicts with the with the Rural landscape</li> </ul> <p>I hope you take my thoughts into consideration</p>
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I was born and raised on the farming property  
My  
parents have lived there for 33 years and I would like my children to grow up in the farm  
environment.

It would be a travesty for this application to go ahead as functions on this site have already caused a  
disturbance in the neighbourhood and totally out of character with the area.

Kindest regards



April 21, 2018

To Whom It May Concern:

As Founders and Director of Rainbow Yoga, a family-run business training yoga teachers in kids, partner and community yoga, I'm writing here to support Mark Franklyn's endeavor to build a vegan camping ground, spa, and yoga and meditation retreat in Mullumbimby.

Both Mark Franklyn and us share a vision of making this world a better place by bringing conscious living and relating to as many people as we can. We have seen the wonderful effects that our unique social, interactive and playful yoga has on people and communities, and especially on the future generation, and its power to connect people and bring us all closer together with kindness and love.

We, Mark Franklyn and us, want to share our passion for this transformation of the world from the inside out with as many people as we can, and we believe that creating a physical space for it in Mullumbimby, one of the leading hubs for personal and social transformation in Australia, will be a great aid in this.

I have visited Mark's property and have listened, read and viewed the plans he proposes and I can see many benefits in them for our community, bringing even more life and prosperity to our beautiful town.

As a company that runs over 100 teacher trainings and retreats a year and have trained over 20,000 yoga teachers all around the world, I find it hard to find locations big enough and affordable enough in our area to run them. Mark's vision is to create a space that will comfortably accommodate groups such as mine and will have a variety of budget options for those seeking transformation and evolution.

Mark's plans to have ample parking at the retreat, and the proximity of the location to Mullum center, 5 minutes' walk, will help to make the town bustle with life without having more cars in town. Mark told me he also plans to have bicycles available for the retreat guests for this purpose.

We are here to make Mullumbimby better and brighter than ever, and we hope you can be a part of this vision with us by supporting Mark Franklyn project.

## **Objections based on current council Development regulations**

### **Definition: RU2 Landscape**

To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. To maintain the rural landscape character of the land, To provide for a range of compatible land uses, including extensive agriculture, To enable the provision of tourist accommodation, facilities and other small scale rural tourism uses associated with primary production and environmental conservation consistent with the rural character of the locality, to protect significant scenic landscapes and to minimise impacts on the scenic quality of the locality.

### **Objection:**

The property is not well removed from agricultural activities. The property is surrounded by working beef cattle farms and plantation timbers. There is one farm immediately to the north where buildings will be close to property boundaries.

The land is only cleared as the land owner cleared many trees including eucalypts and what was believed to be a Coolamon tree which were burned to hide the evidence.

There are no approvals for the converted structure as a dwelling in fact there are people still living in this property and works continue to the rebuilding of it.

### **Development Clause: 6.8 Byron LEP Tourism assessment**

10 The objective of this clause is to ensure that tourism development in Rural and natural areas is small scale and does not adversely impact on the agricultural production, scenic or environmental values of the land

2) This clause applies to land in the following zones

- a. Zone RU1 primary production
- b. Zone RU2 Rural landscape

Whilst this is a permissible use there are several issues.

- The plans show this development will be clearly visible from Coolamon Scenic Drive, approved dwellings surround the property. A visit to each of the adjoining properties will clearly show this. The developer even shows a view from his property to a dwelling on the northern boundary. There are dwellings that sit above this property that will clearly look over this
- The developer states it will not be seen, as boundary trees will be retained. Many of these trees and palms have already been removed. Photographic evidence shows the agricultural paddocks that will become a mass of cabins and roads clearly visible from some residences on Coolamon drive.
- It should be noted that working farms surrounding this use chemicals etc in their every day farming. It would not be appropriate to have a camp ground beside such existing agricultural land.
- This development is not small scale. Whilst it is on 16 ha, the 239 campsites, 12 cabins and 6 bedroom house are capable of having in excess of 2500 people on site. This is a massive intrusion on the quiet lifestyle of this part of town and an already bulging at the seams town.

**3) Development clause: consent must not be granted to tourism development on land to which this clause applies unless the consent authority is satisfied that:**

- a. there is, or will be, adequate vehicular access to and from a road, other than a classified road, taking into account the scale of the development proposed, and
- b. the development is small scale and low impact, and
- c. the development is complementary to the rural or environmental attributes of the land and its surrounds, and
- d. the development will not have a significant adverse impact on agricultural production, amenity or significant features of the environment

**Objection:**

- a) The existing access onto Coolamon Scenic drive is dangerous. There have been many accidents on this section of road that has an open speed limit. There is no vision from the property driveway with large vehicles and cars where there could be up to 270 vehicles in and out several times each day.
- b) The development is large scale when it can be utilised to 12 persons per site. This could equate to more than 2800 persons on site. This will disrupt the peaceful amenity neighbours now enjoy. The social impact statements also talks about tourist activities. Noise and visual impact to adjoining properties will be high as well as a high contribution to noise in town.
- c) The developer has already cleared eucalypts on the property. 239 sites is not complementary to a rural environment where houses adjoin. These are working farms. This will be disruptive to the rural lifestyle just by sheer numbers. How are 5 amenities blocks going to be hooked to the sewerage system? Where are these ET's coming from? It will visually impact with so many buildings, tents, cars. This is not rural landscape development.
- d) 3m setbacks from side boundaries where adjoining dwellings are located cannot be considered as having minimal impact on amenity. These sites that can have 12 persons each will impact neighbours with at least noise and vision.

**Development Clause: 5) Development consent must not be granted to development under subclause (4) if the development:**

- (a) includes an ancillary caretakers or managers residence, or
- (b) is for the purpose of more than 1 bed and breakfast accommodation

**Objection:**

The proposed dwelling house seems extravagant for a manager's residence with 6 separate bedrooms in clusters of 2 and 7 bathrooms.

It should also be noted that the bails have already been illegally converted into a house that has tenants living in it with a development application currently with council for its use. 750/2017 Use of Structure as a Dwelling House.

Whilst the new plans say it is a lunchroom it has already been converted to a house and is inhabited as such whether legally or illegally, which is presumed what it will continue to be.



**6) In this clause small scale means a scale that is small enough to be generally managed and operated by the principal owner living on the property. Tourism development includes, but is not necessarily limited to, development for any of the following purposes**

- a. bed and breakfast
  - b. camping grounds
  - c. farm stay accommodation
  - d. eco – tourist facilities
  - e. home industries that provide services, or the sale of goods on site to visitors
  - f. information and education facilities
  - g. restaurants and cafes.
  - h. rural industries that provide services, or the sale of goods on site to visitors.
- a) This states that it will be small enough to be managed by the principal owner living on site however it is clearly identified that it will have a manager/family in the dwelling (not the owner). The dwelling is located a long distance from the main campsites that will affect the amenity of nearby residences and not directly visible from the Caretakers residence.
  - b) How will a family manage what could be 2500 people?

## **2.6 Camping ground Regulations Sec 107**

### **Number of showers and toilets to be provided**

5 amenities blocks plus the yoga centre, kiosk and 7 toilets in the dwelling can be a lot of sewerage discharged into a sewerage system already not coping with new development in Mullumbimby.

Three (3) of these amenities blocks will be visible from Coolamon Scenic Drive. Not a feature of a rural landscape zone.

## **2.7 Local Government (Caravan parks, camping grounds and moveable dwellings) Regulation 2005**

### **Clause: Subdivision 1 Land and Site requirements**

#### **83 Minimum size of caravan or camping ground**

**(1) A caravan park must not have an area of less than one hectare or, if a lesser area is prescribed by a relevant environmental planning instrument, that lesser area.**

**(2) There is no minimum size for a camping ground**

#### **84 Community amenities**

**(1) Of the total land area of a caravan park or camping ground:**

- a. At least 10 percent , or
- b. Such lesser proportion (but not less than 6 percent) as the approval for the caravan park or camping ground may allow, must be reserved for recreation or other communal activities

- (2) In deciding whether to allow a lesser proportion, the council must have regard to the type and range of amenities to be provided and to such other matters relevant.

**Objection:**

The developer is making available over 8 hectares of the site for recreation; that is, open space, free of roads, vans, tent sites and amenities buildings. These open spaces will impact on neighbour's amenities of a natural and rural landscape when there could be 2800 people at their back doors as this site impacts so many rural and residential dwellings.

Noise and trespass will be a major factor as many properties in the vicinity already have trespass issues from people who have recently had use and access to the developer's property. Noise disturbance has already occurred with "doof" camping parties being held on the property over the new year period with no notification nor consideration of neighbours, or their stock.

**Clause: 89. Setbacks of dwelling sites and campsites from road frontages**

- (1) a dwelling site or camp site must not be located closer than 10 metres to a public road or 3 metres to any other boundary of the caravan park or camping ground unless the approval for the caravan park or camping ground so allows.

- (2) the approval for a caravan park or camping ground must not allow a lesser distance unless the council is satisfied that the dwelling site or

camp site has been or will be properly screened, fenced, enclosed or otherwise treated.

**Objection:**

The application states all sites are located in excess of 10 m however the sites on the northern and southern boundaries are 3m from the boundary.

Being within 3 m of another property will impede the amenity of the adjoining owners and lead to trespass as there are only old barbed wire fences on the property. The entire property should have a proper fence that occupants of the tourist accommodation cannot get through and nowhere near approved dwellings.

All of these sites will interfere with the natural lifestyle of those within the area. It will create conflict with adjoining properties where, like mine, the property was purchased with a high level of privacy desired.

**Clause: Subdivision Roads**

**92. Entrance and Exit roads**

- (1) a road that forms an entrance to or exit from a caravan park or camping ground must be at least 7 metres wide.

- (2) in the case of a divided road, the width of the sealed portion of the road on either side of the median strip must be at least 5 metres (3) the arrangement for the width of an entrance or exit road to taper into or meet the width of the sealed portion of the access roads leading to the entrance or exit must be as specified in the approval for the caravan park or camping ground

**99. Road surfaces**

All access roads, including all passing and parking bays, must be an all weather sealed or other surface finish specified in the approval for the caravan park or camping ground, and must be adapted to the topography to allow for adequate drainage and to eliminate excessive grades

#### **100. Lighting**

All access roads must be adequately lit between sunset and sunrise.

#### **102 Sewerage**

- a). Must be connected to mains sewer or
- b). must be provided with an alternative sewerage disposal system

#### **Objection:**

Whilst this proposes to have a separate ingress and egress, Coolamon Scenic Drive is too busy and narrow to have such an entrance with large numbers of vehicles and camping trailers turning into a driveway. There is no vision, poor road condition, potholes and it is in an open speed zone. The road is uphill of the driveway which reduces visibility. This stretch of road is renowned for accidents. Persons coming out of the current driveway have already nearly caused accidents.

The road is not capable of handling such large traffic amounts nor delivery trucks and garbage trucks that will also be a part of the development. There is little to no space to widen the road to allow for the higher level of traffic nor is the road suitable for heavy vehicles.

The proposal of gravel roads (which the owner has constructed over the past 12 months) will be noisy for adjoining owners as it has already become and create dust in the dry which finds its way into the homes of nearby residents.

It should also be noted that these paddocks flood and will be washing silt and gravel into the recently constructed dam and Chinbible creek. Noise has already increased for neighbours from all of the gravel roads.

Close by residents enjoy the peace, tranquillity and no lighting of a rural area. This will not be visually appealing to neighbours who currently enjoy a rural lifestyle and will be intrusive into our enjoyment of the rural zone.

How is this large - scale development able to find enough ET's to connect to the town sewerage system considering there are five amenities blocks, washing machines, a house with 7 bathrooms, a yoga centre with amenities, a dump point, a kiosk with amenities and a workers lunchroom(house) with amenities?

This block floods so onsite sewerage is not suitable as it will wash into the creek system which is a fish and turtle habitat. What stops this rural camping site being used as an outside urinal during parties as happened on 5th January 2018 at a doof party on the site?

The site drains into Chinbible Creek.

#### **Clause: 36 Drainage**

- (1) A caravan park or camping ground must be provided with a stormwater drainage system.
- (2) All dwelling sites and camp sites must be adequately drained.

**Note.** The Act requires stormwater drainage work to be carried out only with the approval of the council. The Local Government (Water, Sewerage and Drainage) Regulation 1993 specifies further requirements with respect to drainage.

**Objection:**

To adequately drain the proposed camp sites on an area that already floods is going to see an increase of runoff onto neighbouring properties or into the adjoining creek which may cause flooding further downstream and damage the property of other residents.

**Clause: 111. Proximity of dwelling sites to shower blocks and toilet blocks**

**Subdivision 7 Management**

**121. Maximum number of persons per dwelling site or camp site**

**124. Use of caravan parks or camping grounds**

**1). A caravan park must not be used**

**a). for any commercial purpose other than a caravan park or camping ground or an associated purpose**

**Subdivision 8**

**127 Garbage removal**

**131 Buildings**

**1). A building must not be erected in a caravan park or camping ground so allows.**

**Objection:**

(121)The developer states this is up to management of park. No matter what they state the site will still be capable of having 2868 persons on site in the camp grounds if they wish at any stage. This is in town against homes and against rural properties. Parties recently by the land owner sent cattle berserk on an adjoining farm. Farmers should not be subject to development that will cause issues with livestock.

Noise will impact the whole town due to the location of the site being partly in the urban area and Mount Chincogan pushing sound back into town. It has already happened there twice.

a) The application has a purpose- built hall with kitchen facilities, a kiosk with kitchen facilities. The owner has stated that there will be functions held on the site. Noise and visual aesthetics of the development are not in line with the Rural and natural character of the locality and will create conflict with adjoining owners as well as social impacts for adjoining owners and the town as a whole. Noise from recent events had complaints to the police from all over Mullumbimby.

Trucks entering and exiting on the site will be a danger on this narrow road, produce noise from traveling on the many roads recently constructed, and hydraulic lifters etc for adjoining properties that enjoy the country peace. More traffic on Coolamon Scenic and smells that emanate from rotting vegetable and other garbage will impact nearby properties.

a). The dairy bails have already been converted without consent into a dwelling that has been occupied by a tenant for approx. 12 months. Council is aware of this and has to this date not made the tenant vacate or stop the works being carried out.

## **Social impact assessment**

The developer speaks about:-

- a). this site being capable of meeting a need for low cost tourist accommodation in the area.
- b). Improves holiday experience for people
- c). No disadvantage for those people who currently reside proximate to the site.

### **Objection:**

- a) This site has been refused in a Council EOI for affordable housing due to site constraints, bushfire, HEV and flooding. It is clear the intentions are to use the site for tourists under the umbrella of a "Yoga" retreat as he is applying for rural tourist accommodation and states it will improve the holiday experience of visitors to the area. Mullumbimby is not a tourist town and already has 3 camping grounds. Rural properties will be impacted by these tourists or visitors. Trespass will impact the farms as it is becoming a common statement "I can enter, it's only a farm"
- b) If it's not a tourist facility why does he state it will improve the holiday experience. This will impact the scenic quality of not just the adjoining owners. Coolamon is a beautiful drive and it will become a site of tents and concrete buildings and is out of character with a rural and natural locality. We need to keep farms close to town as farms. The developer does not live on the property so how does he know it won't impact those that reside beside the property.
- c) My family are adjoining homeowners who have lived in their home for almost 40 years. They bought the home for its rural outlook, peaceful atmosphere and privacy. The noise will impact them if legally there can be 2800 people on site. Visually, they will instead of looking across farm land will see concrete amenities blocks and hundreds of tents and a workers building(dwelling) This is not in character with our rural landscape zone.

A camp ground of this large scale is in conflict with properties on the north, east and west and residential dwellings on the south. Farms use machinery, chemicals and all farming practices. Property value will decrease with this scale of camping ground against properties that have a rural and natural landscape.

Landowners to the north and east have purchased properties that are visually admired by tourists and suffer trespass on a daily basis and people think this is acceptable. This WILL increase with a tourist facility adjoining them.

Noise from tourist activities will have an impact on the quiet country area we live in. A development of this scale should not be anywhere near a town where large amounts of residents will be impacted. Byron Shire has many tourist parks that are often only half full as well as our camp grounds at the showground and football grounds.

The negative social impact would be enormous. Including but not exclusively;

- The Scenic quality for nearby residents
- This locality is of rural and natural character. This proposal is completely out of character with this locality as residents will be impacted by thousands at their doorsteps.
- It is in total conflict with beef farming, plantation farming and residential homes.
- Properties will be impacted by trespass as somebody wants to jump a fence to get to town quicker or have a look at the beautiful views from farms.

- There is no possible way to put a bike track on the side of the road where the development is as the road drops off about a metre from the road edge down an embankment.
- Increased traffic will have an impact on neighbours and the town.
- Parking within the town is a nightmare already with the current level of locals and visitors.
- Near miss car accidents on this section of road are a daily occurrence just by the screech of brakes. This includes the intersection of Main Arm Road where cars locking brakes is an hourly occurrence.
- A view of 5 toilet blocks a massive 6 bedroom home, large hall, kiosk, timber platforms that will be constructed on the side of a hill, car parks, ancillary buildings is large scale development and not in line with the RU2 rural landscape. This site will be a mass of development considering all of the timber platforms that will be constructed that are interfering with the land as they will need engineering and drilling into the land to support them.
- The DA is contradictory, it includes visions of the new driveway and removal of trees and in the next it speaks about landscaping there to shield from the road.
- The development talks about being able to be managed by a family living in the dwelling then speaks about 10 employees.

This entire development is contradictory and out of character. It will have a severe impact on nearby properties and Mullumbimby as a town.

**Clause: D1.2.2 Setbacks from boundaries**

**Objection:** Whilst the development complies with the setbacks for the main dwelling it only speaks about Coolamon Scenic Drive. The dwelling is much closer to Chinbible Ave as well as an access road from the dwelling and development into Chinbible Ave. Currently no road exists into Chinbible however it appears to propose a road be built over the fish habitat area. The plan also does not include Warina Place which is also impacted by the proposed development due to its proximity to the development.

This does not speak about the dwelling that has already been constructed on the site near Coolamon Scenic Drive.

**Clause: D1.2.4 Character and visual Impact**

**Objection:**

Again, this only talks about the visual impact from Coolamon Scenic drive and not Chinbible Ave and Warina Place properties. Vegetation removal on the property has already included removing Eucalypts prior to this application. The entire development on that side of the site will visually impact adjoining owners in Chinbible Ave and Warina Place.

**Clause: D1.2.5 Fences**

**Objection:**

The development does not propose any fences which will impact many adjoining properties with trespass and visually disturbed views of the rural landscape.

**Clause: D1.2.6 Balconies**

**Objection:**

The developer has considered the visual softening and better amenity for the “users” of the house by having northerly balconies to face Mount Chincogan but has nowhere considered the visual amenity for adjoining properties.

**Clause: D1.3.3 Expanded dwelling**

**Objection:**

If this dwelling as proposed is a caretakers house why is it built as an expanded dwelling with one living area and then 3 separate modules with all 6 bedrooms having their own bathroom amenities. This leads more to a bed and breakfast style accommodation.

Each of the 3 bedroom modules is 114 sqm with decks. An 80sqm kitchen dining module with bathroom, an 80 sqm loungeroom with bathroom and a roughly 80sqm media room with bathroom. This is will not be use as a caretaker home as stated. It is an expanded dwelling.

**grounds**

**DCP 2014 D3.3.3 Caravan parks and camping**

**Prescriptive measures.**

To ensure that the design and operation of caravan parks and camping grounds will meet the needs of users and will be compatible with the character of existing development in the locality.

**Performance criteria**

The design of caravan parks and camping grounds must be compatible with the existing streetscape and character of the precinct in which it is located.

Caravan parks and camping grounds should be designed to avoid adverse effects on the amenity of the precinct in which they are located.

The proposed site must be suitable for the development of the caravan park or camping ground, having particular regards to the following principles a). steep slopes must be avoided because of drainage slip and bushfire problems and potential damage to the environment.

b). parks must not disturb water courses and must not be located in low-lying areas with poor drainage, or in flood liable land

c. existing vegetation and areas with ecological and conservation values must be protected

d). sites which are difficult to landscape and integrate into the visual environment are unsuitable

e). site layout and landscaping must break up or conceal the repetitive image of caravans and movable dwellings

f). climatically and visually exposed sites such as headlands and ridges are unsuitable

g).location adjacent to incompatible land uses is unacceptable

h) sites must not form a barrier to adjacent public lands

i) sites that accommodate or able to accommodate long term residents must have good access to appropriate services and facilities

4. a minimum of 10% of the total area of the caravan park or camping ground must be developed for recreation and communal activities, The recreation and communal activities are must not include any caravan site, campsite, roadway or land designated for any other purpose, but may be grassed and landscaped with trees and other plants.

5. Development applications must demonstrate that the proposed development will be consistent with the requirements of Chapters B6 Buffers and Minimising Land Use conflict, B9 Landscaping, B11 Planning for crime prevention and B13 Access and mobility.

**Objection:**

- a) Camp sites on steep land will disturb the environment as the timber platforms will require footings into the soil to hold the platforms and weight of people on them. The vegetation has recently been cleared by the landowner.
- b) Bush fire whilst there is a bushfire report will not help landowners who are uphill of the development. There is the potential for accidentally lit fires or camp fires escaping and putting property owners at risk. Mount Chincogan is difficult to access if there was a fire. Much of the vegetation is still Camphor Laurel on the mountain which is highly flammable.
- c) The land has been cleared of vegetation so what stabilises this land above the dam now?
- d) extensive dam was constructed in the tributary to Chinbible creek over 12 months ago. This same dam flooded the front paddocks where tent sites are proposed, in March 2017. Chinbible creek regularly breaks the banks during floods. Flooding of these low-lying areas has the potential for rubbish and silt to wash into the waterways which are native fish and turtle habitats.
- e) The site does have a high environmental value. With the potential for thousands on the site how is this going to be protected? When properties look straight at large clusters of tent sites how is this not repetitive for adjoining owners?

Having what is or isn't a vegetarian rural tourist facility is not compatible with the adjoining properties. There are at least 2 beef cattle farms and a plantation farm adjoining it. These use chemicals, farm equipment have cattle bellowing, tractors, motorbikes and firearms. It will not be compatible with current use and would conceivably cause friction between neighbours which would not be conducive to the calm soothing environment the developer is proposing. There will be complaints as it is not what they believe in or the noise associated with farming will interfere with them. It should be refused just on this one element.

l) Long term should not be allowed as this will become affordable accommodation, something Council has already refused for the site.

It is stated that there is 8 ha available for recreation. This is not compatible with farming as noise from parties they have held has frightened cattle on adjacent farms making them run and charge. Cattle are dollars to farmers and they can't risk such a development beside so many farms. Residents that enjoy the peace of living in a rural area will potentially have 2000 people sitting at their back fences and what about the noise generated from this?

5) With the potential of over 2000 visitors to the property how is crime and trespass going to be prevented? What stops people entering the adjoining farms and homes. Farms generally have machinery outside.



If this is a family managing this monster development how are they never going to leave home and be able to see what is happening 340 m away on the other side of the property? There is vegetation that will conceal all of these sites.

There is no way that crime can be prevented and it is totally inconsistent with this location. The application is very conflicting in its entirety. The social impact statement has not addressed how crime and trespass will be prevented.

The development conflicts with adjoining property uses of beef cattle farms, plantation farms and residential homes. Having large functions beside homes is inconsistent and conflicting.

**Clause: 2.2. Ensure rural tourist accommodation does not adversely affect the conduct and productivity of agricultural operations on the site or nearby lands**

**Facilitate and support the establishment of low scale farm tourism as a secondary business to primary production, where farm stay accommodation is proposed**

**Performance Criteria**

**Development located and operated so**

**that it does not:-**

**Adversely affect the conduct and productivity of agricultural operations on the site**

**Create potential for conflict with adjoining land uses**

**Disrupt environmental enhancement projects on land**

**Impact ecological or environmental values of land and**

**Conflict with buffer requirements pursuant to Chapter B6 Buffers and minimising Land Use Conflict.**

**Rural Tourist accommodation must be designed and located to be compatible with the surrounding rural and natural landscape. Where new buildings are proposed to be constructed for the purpose for the purpose of rural tourist accommodation sub building are to be clustered and located in proximity to the primary dwelling house on the lot.**

**Objection: 2.3.1**

vegetation. Being a property located at the bottom of Mount Chincogan it is extremely likely that tourists will trespass on farms that are situated on the mountain. Likewise with adjoining properties elsewhere.

The property has no agricultural activity since the owner purchased the property. It was until recently, a cattle/ dairy property. This is not secondary business, its turning a farm into a mega event centre where the tourist accommodation and shop are the only income.

There are no longer agricultural activities on the property. Development and road construction has commenced.

Adjoining properties are a mix of residential and farming. Two events have already been held on the site causing problems with neighbouring cattle late at night. This was reported to Byron Bay Police on 5/1/18. Large development such as this adjoining farms and residential properties will create

conflict as livestock take fright easily. Tourists abusing neighbours right to privacy and peace will be a major issue.

The property has a high conservation value. The development proposes to use most of the clear land and what he has recently cleared yet he states there is 8ha of open space. This can only mean that he is using the environmental land as open space. Some of the development that was cleared is for the Yoga Hall as this has only been done in the last 12 months.

Some buildings appear to be very close to buffer zones as well as camp sites on the northern boundary. Land on the northern side is plantation and are under threat of fires from a Rural Tourist development of this size and nature.

The development comprises at least 12 cabins, a large 6 module home, day spa, huge yoga hall, 5 amenities blocks, kiosk and the lunch room that is currently used as an illegal dwelling.

Note the plans that have it with bedroom and kitchen). Many of these will be visible from Coolamon Scenic Drive, Warina Place and Chinbible Ave. Whilst they may be in clusters the entire length of the property on Coolamon Scenic Drive is to be developed with buildings and platforms. Some sites are in excess of 300m from the main dwelling and not visible due to vegetation.

There is nothing about the Coolamon Scenic Drive side of the development that is in keeping with the Rural Landscape.

**Clause:**

**4.Car parking spaces must be provided in accordance with Chapter B4**

**5.Provision of recycling and waste management in accordance with Chapter B8 Waste minimisation & management**

**6.The development must observe the road and boundary setback**

**requirements specified in Chapter D2 Residential Accommodation and**

**Ancillary development in Rural Zones (D2.2.2) and the character and visual impact requirements (D2.2.3)**

**7.Rural Tourist Accommodation is to be suitably sited in accordance with the requirements of Chapter C3 Visually Prominent sites, Visually prominent development and View Sharing**

**Prescriptive measures**

**1.Rural tourist accommodation can incorporate up to 12 bedrooms collectively and accommodate a minimum of 2 persons per bedroom, with overall accommodation densities in accordance with table D3.1**

**2.Rural tourist accommodation is to be designed with the following measures**

- a) Each rural tourist accommodation structure is to have a gross floor are of not more than 60m2 comprising a maximum of 2 bedrooms**
- b) All weather parking must be on site**

**Objection:**

4. The property is surrounded by agricultural farms, small allotments and residential dwellings.

251 sites and all the other buildings whilst on a farm is not small scale in amongst all the other development. There has already been a lot of environmental damage done on the property with dam and road construction and much more to construct all the buildings and the platforms for camping which will need to be footed into the ground.

This is not low scale development in amongst homes and not rural when you consider not much of the clear land will be left.

5. With the potential for thousands to be on site where is the waste management plan and will neighbours have to put up with the noise of garbage trucks, the smell of rotting rubbish and more trucks on Coolamon Scenic Drive.

6. Visual impact potentially could be destroyed along Coolamon Scenic. Those driving past and neighbours will just see buildings, tents and cars...no longer will it be "Coolamon Scenic Drive" but something that could look very slummy.

7. As stated above this will be visually prominent from Coolamon Scenic with most of this side of the road to have some form of development or building and cars. It is interesting to note that the dwelling is to be situated where it will take in the views but those that now see farm land will see development.

The cabins will be clearly seen from Coolamon Scenic drive. The main dwelling appears to be more accommodation due to the design of 6 separate bedrooms all with private amenities and 3 separate modules with own amenities. Each of the modules is in excess of 100m<sup>2</sup>. This can also be used as rural tourist accommodation.

This is not spatially isolated and will adversely impact on the nature of rural landscape for this property and those surrounding it. It is clearly visible from dwellings on adjoining properties all

the entire length of the Coolamon Scenic drive boundary. The only reason some of these dwellings can go is because the current owner has cleared a lot of the property which can be confirmed with the earthmoving contractors that worked there.

Much of the environment integrity has already been disturbed. Whilst he states no night time recreation is proposed it has already occurred and the simple sheer numbers that can be on site will disrupt and disturb the amenity of adjoining homes and livestock.

**Clause: 2.12 DCP 2014 Part B Sec B14 Earthworks The Objectives of the 1m of maximum earthworks required under this Clause are: To minimise Environmental impact, to blend the development into the site**

**To minimise erosion risk**

**To minimise disturbance to the natural land form**

**To encourage designs which blend into the natural landform**

**Objection:**

Much of the earthworks were commenced well before the application was lodged with Council which must be for obvious reasons.

Whilst the application states there are minimal works forgetting about what has already been done. There are a lot of buildings that will need piers as well as the five amenities blocks and roads. Whilst some of the roads have been done in the past 12 months there are a lot more to go. This is not minimal and the sites will consume nearly half of the property.

**Clause: 2.13 Part B8 Waste management**

**To maximise reuse and recycling of household waste and industrial/commercial waste**

**Objection:**

The developer proposes to compost all waste on site. This could become a disgusting smell for local residents particularly in summer, not to mention an increase in the number of flies present in the area. Any sort of composting may attract vermin and in turn, snakes and other undesirable wildlife.

Large commercial bins on site will be unsightly in a rural zone and the noise of steel bin lids crashing and garbage trucks are not what is expected in a rural landscape community. Noise from this whole development will impact residents in everything that occurs on the site.

**Clause: 2.14 Planning for Bushfire**

**Objection:**

The plan states that fire fighting vehicles will access the property via Chinbible Ave in the event of a fire, however the site is not accessible through this road. It is currently a dead end with a watercourse at the end of it. A fire vehicle weighs 14 tonne so will not be able to cross the creek.

Power lines are not underground as the power poles in the paddock are clearly visible from Coolamon Scenic drive. The dam could not be relied on for water due to the inconsistent rainfall in the area particularly if they are trying to evacuate. The dwelling should also have water tanks specifically for fire-fighting.

How is it considered that 1 person can evacuate such a spread out camp ground that could have over 2000 people on it. Whilst the plan says 530, an approval could allow 2800 at 12 per site. It should be noted that the greatest threat of fire is from those starting fires in the camping ground and entering properties to the north. The properties above the proposed development are most at risk as fire travels uphill quickly. Access to the properties on Mount Chincogan is difficult for fire fighting.

It should be investigated as to what trees were removed as it is believed a Coolamon Tree was removed along with Eucalypts to make way for the dam and road works along the northern boundary.

Has approval been obtained for the 3 dams as they are not ancillary to agriculture? This may be a question for the Department of Water.

The application says it is on cleared land with no native trees to be removed. Has it been investigated as to what trees were removed and burnt last year.

**Clause: 3 Sec. 79(1)(b) Impact on Environment**

**Objection:**

The application states that it is in a visually isolated location which could not be further from the truth. The properties adjoining on the north, east and south all look over this section of the property.

The existing building spoken about was an old run- down bails that were typical of a farm. This has been developed into a house with massive dams dug out the front and the construction of the camping decks has begun. The fact it states it was grazing country and now it will be full of tent sites cars and buildings demonstrates that it will have a visual impact. It is interesting that it speaks about retaining trees along Coolamon Scenic Drive to screen the development when these have already been cleared.

#### **Clause 3.2 SEPP No 55 Contaminated Soil**

##### **Objection:**

The property was used for both dairy and beef cattle and as such most farmers used chemicals around their bails. It should be considered the site be checked for Organochlorines as used by farmers particularly when the bails are now a residence with an occupant.

#### **Clause: 3.3 Measures to protect the environment**

##### **Objection:**

Site works – Considerable earth works have already been carried out with a lot of soil excavated, moved and spread out.

Some roads have been constructed, but more to come. The amount of earthworks is considerable considering all the decks for camping and buildings will be on piers. Roads construction will be considerable. The property has flooded since the dam was constructed.

#### **Clause: 3.4 Impact on the built environment**

##### **Objection:**

Whilst the developer states large setbacks will detract from the design, currently you look at farmland that will become tent city. The surrounding buildings are old farm houses or houses built in the 60's and 70's. They are not properties covered in buildings or tents. They are rural properties that are mostly farmed. This development is out of character with the current built environment on many levels.

#### **Clause: 3.5 Social & Economic Impacts in Locality**

**Objection:** The developer states it will provide tourist and residential accommodation. This will have a social impact to have so many people on site on a property that has always been single family run. It will introduce trespass, noise, traffic issues and accidents, along Coolamon Drive, Main Arm Road, and eventually Chinbible street and also interfere with the peace of neighbours.

The concern is that the developer will use this as a backdoor into creating the low-cost housing development initially proposed but rejected by Council. He already contravenes council decision by continuing to allow residents in the illegal converted bales.

#### **Clause: 3.6 Relationship to Adjoining development**

##### **Objection:**

The application states building development sits 15m from Coolamon Scenic however the plans show 10m. How can tents on platforms be considered visually soft and so close to a busy road with full vision to adjoining homes and the road

The bulk and scale of the development cannot be reduced because of design. The fact it is going from clear farmland to over scale development in a Rural Landscape Zone should not be permissible.

The application continually speaks about being visually isolated. This is not the case as the rural view has been what my family have looked out at for almost 40 years. It is now less isolated due to the number of trees cleared.

It will distract just by sheer scale and will distract from the rural amenity as, we now enjoy the peace of day and night and the darkness of night. The increase in traffic movements on a dangerous road will take away our amenity. These will all be lost to us if this development is allowed to proceed by this council.

#### **4 Secd.79C(1)(c ) Suitability of the Site**

##### **Objection:**

The sheer scale of this development considering roads and construction of buildings decks and campsites is an over development of the site. The development leaves little open grassland view that is considered Rural Landscape. The land is situated between other rural farmlands as well as small holding dwellings. The function centre can become an event site.

The sheer scale of the capacity of the number of sites could hold Mullumbimby's entire population. Take in to consideration it is not small scale, is on a dangerous road, Mullum is already busting at the seams, the town already has Yoga centres and 3 campgrounds and the noise that this property could generate and has generated will take away from the character of the land and the peace and tranquillity the residents enjoy.

This is a lot of sewerage to add to an already over loaded sewerage system and the site is inappropriate for onsite sewerage due to flooding.

This is large scale development aimed at attracting tourists in a non-tourist town and is not compliant with the LEP. The Planner has tried to use words and statements to make it feel as though it is.

This development has the potential to become a Commune.

##### **Clause: 4.1 Services- Electricity and others**

##### **Objection:**

the application states that power is underground yet power poles throughout the site are visible.

Garbage collection – states that garbage from the development will be taken to the tip. It doesn't state the regular days this will be done.

Organic matter is proposed to be composted on site. This will create horrible smells particularly for close neighbours of which there are a couple and could be worse on windy days. What will happen to this compost when the paddocks flood?

Sewerage – States this will be connected to the town. This should not be permissible for such a large development and potential of the site to have 3000 persons.

The local newspaper has released an article of the current state of the overloaded system and this property should not be allowed to connect at the detriment to the residents of Mullumbimby.

**Clause: 6 Sec. 79C(1)€ Public Interest**

**Objection:**

The earthworks commenced 18 months ago and continues. This will continue with a lot more earthworks for the construction of further buildings and campsites. All the decks on sloping land will have piers into the ground. 1 deck has been constructed so the extent of the earthworks can be seen. This is not minimal The developer has stated that Public response will be positive however he has never spoken to the adjoining owners about his proposal so it is ridiculous to think residents would consider turning a farm into a large scale event site in amongst homes and farms would be favourable. It is quite the opposite with a large proportion of the town against the proposal.

The loss of native trees occurred before the application was lodged. Regardless of architectural designs this will change the Rural landscape to all buildings and gravel and it will be nothing like the existing character. Noise will travel up hill to residents and with large events deflect into town due to being at the base of Mount Chincogan.

This development will detract from the existing character of farmland particularly on Coolamon Scenic drive but also at the end of Warina place and Chinbible St. where the entire boundary will have development. The farm streetscape will be gone and the rural amenity will be lost.

**Flora and Fauna Assessment**

Current land use is stated as existing paddocks and dwelling. This dwelling the illegally converted bails with tenant.

Landform – A first order stream and been largely excavated for the dam to be built

Description again states a through site. There is only one way in and out. Some of the site has already been cleared by this owner more than 12 months ago in areas of the proposed development The map on page 18 of the study identifies the areas of vegetation communities. It should be noted that a look at Six maps shows areas that have been cleared by this owner compared to the current map used being subtropical rainforest and disturbed to the north and north east of the dam site. There were eucalypts removed in this area.

Large scale events on this property will affect the flora and fauna. It will be impossible for the owner on site to be able to prevent possibly 2800 people disturbing the flora and fauna. Some will also be impacted by noise. This is an area that has always been protected and quiet. The size of the development will impact this. Much of the development is close to natural streams and creeks throughout the property. How is contamination and pollution from the development going to be prevented. The land owner cannot guarantee this. What will happen during floods on the property with all the additional vehicles, people and goods on site. The creeks will be contaminated which will impact the native turtle and fish habitat in Chinbible creek at the end of Chinbible ave.

**Conclusion:**

The development application should be refused on a number of grounds as indicated by addressing the various clauses and requirements of local government legislation of NSW. The council should consider its current residents and determine whether or not this development is in the best interests of those residents, rate payers and voters or whether it will change the character of the town to the detriment of the shire and the community. The developer has admitted that he has no intention of contributing to the community but rather will bring in outsiders who have no appreciation of our

town or our community values. My family have been residents of Mullumbimby for more than 40 years and have made a valuable contribution to the community through their continuing involvement in improving the lives of Mullumbimby people.



**To: Byron Shire Council**

70-90 Station Street

PO Box 219 Mullumbimby NSW 2482

**Submission in relation to:**

**Development Application Number: 110/2018**

**Address of proposed development: 1897 Coolamon Scenic Drive Mullumbimby 2482**

**Type of Work:** Tourist and Visitor Accommodation (Twelve (12) Cabins including Use of Existing Structures as Storage and Staff Lunchroom and Construction of Day Spa), Camping Ground (Two Hundred and Thirty Nine (239) Sites), Park Entry Office/Kiosk, New Dwelling and Recreation Facility (Indoors) – Yoga Facility

**I oppose the above-mentioned application for the following reasons:**

The scale of the proposal is excessive and unable to be supported by the already strained infrastructure and services (infrastructure - roads, parking, stormwater and sewerage management infrastructure; services – potential demands for extra policing during peak visitor times) in our town. The scale of the proposal is also thoroughly out of sync with Mullumbimby's appeal as a small town, with a big welcoming, relaxed and creative vibe. This is a selling point for our town as a tourist location and must not be ignored.

The proposed development could allow for a temporary increase of over 2800 people to Mullumbimby's population during peak visitor times. That would be an increase of over 77% of our population of 3597 (as measured at the time of the 2016 census). Considering that this temporary increase could occur a number of times during the calendar year due to our Shire's many festivals, the impact of this is significant and cannot be supported by our current infrastructure. Both locals and council alike are well aware of the challenges our town faces as regards maintenance of roads in particular.

To be specific:

1. The potential wear and tear on roads, that lie between the centre of town and both entry/exit points to the proposed development, is unsupportable by our already overstretched budget for road upkeep.  
Sitting in choked traffic flies in the face of our relaxed, small town image as suggested above.
2. I have similar grave concerns about the unreasonable demand for parking down town during peak visitor times.

3. I have serious concerns about the impact of the proposed development on the health of the Brunswick River.

Gravel road run-off will presumably end up in the river via Chinbible Creek.

I have serious concerns about the adequacy of our Sewerage Treatment Plant to handle the massive temporary increase in sewerage that would be generated (if sewerage generated by the proposed development is not being treated on site). If the sewerage generated is to be treated on site, I have concerns that this be carried out to an absolute benchmark standard. The river is the heart of our town and the heart of our valley and its biodiversity. It must be protected for its value both within its own right and as a resource for our residents as well as our visitors (or we will hardly remain a popular Northern Rivers destination).

4. I am seriously concerned about the loss of amenity for locals in our own town due to repeated temporary large scale increased to our town's population. A potentially huge increase in foot traffic and noise outside my own house and throughout our neighbourhood is of significant concern to me. This impacts the amenity of my own property, as well as the general amenity of our town as a whole.

These are very serious reasons why a development application of this type and scale is inappropriate for Mullumbimby.