

From: beau
Sent: 21 Dec 2017 11:54:41 +1100
To: Zoe Nichols
Cc: drafting@coastdesign.net.au
Subject: Re: 33 FOREST WAY - REF NO ILL17/1587
Attachments: 33 Forest Way Property Map.pdf, Tweed Council Letter.docx

Hi Zoe,

Thank you for your letter and for giving me the opportunity to submit my plans and explanation in regards to structures on my property.

I have attached a letter and map detailing the background and current uses of my land and the structures on it.

Please don't hesitate to contact me on my mobile or email to discuss what else you require or how you would like to proceed from this point onwards.

Kind Regards,

Beau

From: Zoe Nichols <ZNichols@tweed.nsw.gov.au>
Sent: Monday, 18 December 2017 10:14 AM
To: beaday@hotmail.com
Subject: RE: 33 FOREST WAY - REF NO ILL17/1587

Dear Mr Day,

Please see the following attachment.

Should you have any queries, please don't hesitate in contacting me on (02) 6670 2688.

Yours faithfully,

Zoe Nichols

Zoe Nichols

Compliance Officer
Development Assessment and Compliance



p (02) 6670 2688

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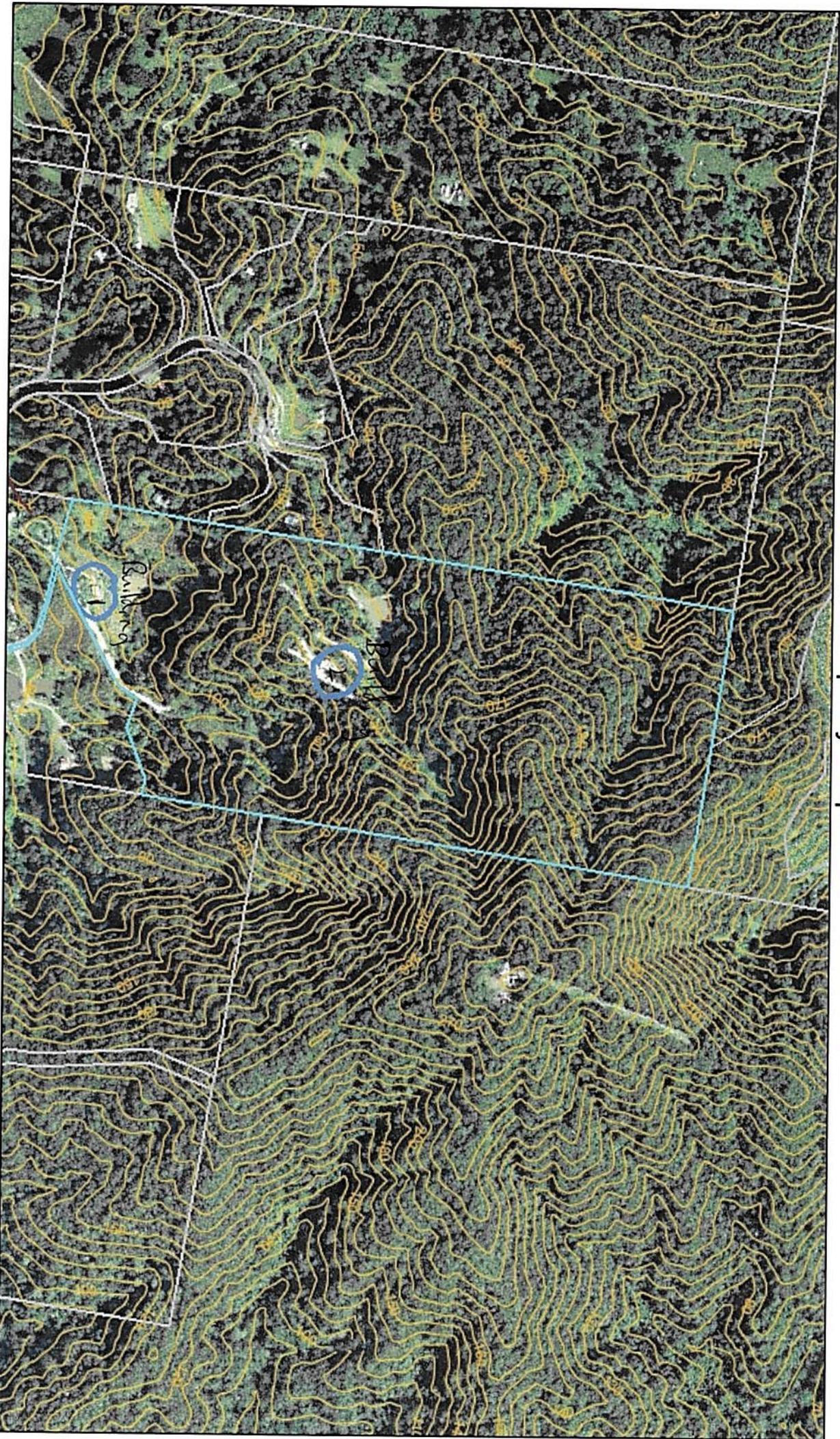
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Property Map



20 / 12 / 2017 5 : 00 : 31 PM

Roads

Contours (10m) Fugro

Property Boundaries

RGB



Green: Band_2



Blue: Band_3



Red: Band_1



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Beau Day
33 Forest Way,
Stokers Siding,
NSW

Dear Zoe,

This letter is in response to a letter sent from you on the 18th December.

I would like to provide you with the best explanation to my current personal situation as well as details of my property and the improvements and uses currently upon it.

Background

The land is 100 acres zoned RU2 in Stokers Siding.

I bought the land in around October 2007.

My intentions for the land have always been to build a home to live in and to farm the land commercially and create the infrastructure required to do so.

In 2008 I received approval from forestry for a 15 acre hardwood timber plantation at the southern end of the property of which I planted out about 8 acres in 2009.

I received organic certification from the OGA about 5 years ago, and listed bananas as my main produce as well as a number of other fruit trees, vegetables and herbs.

I have planted over 1500 bananas and over 200 other fruit trees, however have not been very successful commercially as yet due to my changing financial and family situation.

Buildings on Land

There are now 3 structures on the property which were all initially built as Farm sheds and met the Exempt Development Requirements of A10 Schedule 1 of the Tweed DCP 2008.

I will name these 3 structures as Shed, Building 1 and Building 2 for the purposes of easy description within this letter and provide their descriptions under their headings below.

Shed

This is a 72m² shed that is used for storage of farm machinery, equipment and tools. Construction of this building began in 2013 and it is still incomplete. It lies 60meters to the West of Building 2, however I did not indicate this on the map I have sent you.

Building 1

The first part of this building was built in 2008 and was 45 m². It was used as a shed for farm machinery and equipment as well to shelter my caravan for about 3 years. In about 2011 I added a lean-to to the front for my tractor and enclosed the initial part of the building to stay in intermittently with my partner. I moved out of this building completely in October 2014. Since then until the present various people have stayed in this building on and off in exchange for doing work on the farm. The current footing area of this building is about 96m². Due to noise complaints from an adjacent neighbour about the noise of workers in this building earlier this year the front lean-to has now been closed in and fully acoustically

insulated. The building has a toilet, shower, sink and stand-alone oven for the workers. It has a septic system that was inspected a couple of months ago by a member of Tweed Shire Council.

My intentions are to try and receive development consent in the near future for this building to be used as a Rural Workers Dwelling. I believe I will be able to satisfy the 4 conditions described in Part 4.2C (3) of the Tweed LEP 2014. I regret that I have not sought Council consent for this earlier.

Building 2

Construction of this building began with an excavation sometime in 2011. It was built as a machinery and banana/fruit packing and drying shed. The initial footing area covered 96m².

It was built with timber frame and iron cladding. It was used solely for the initial intended purposes until early 2014. In early 2014 my partner became pregnant with twins and we did not want to raise babies in the then current state of building 1, nor did we want to try live through renovating building 1 to a decent standard while my partner was pregnant. So we decided to convert part of Building 2 into a liveable area complete with bedroom, bathroom and a make-do kitchen. I achieved this, and moved into this space 2 days before the twins birth on October 30th 2014. A stand-alone solar system, some wiring and plumbing, septic system and approved compost toilet were all in place by this time. We lived like this for over 2 years, knowing that we needed approval from council but not yet knowing exactly what we wanted to do and therefore what we would submit. A number of windows were added to the building at various stages over this time to improve its liveability. At the end of last year we moved out of this building to care for my mother in her house who had been diagnosed with Dementia. After realising that her house was not suitable we decided to add another bedroom and toilet to Building 2. This has now been done and we have been living back in this building for over 6 months. The septic system from this house was also inspected a couple of months ago by the same member of Tweed Council (someone by the name of Mark).

My intention for this building is to receive approval from council for this house as the primary dwelling on the property. There are still significant works to be done to the building but I believe we can satisfy all conditions in due course for this approval.

I am currently putting together the DA and have recruited the services of Tweed Coast Design and Drafting and Coastline Building and Certification Group to assist me with this application. We hope to have it ready for submission sometime in January 2018. You are welcome to organise inspection of the property at any time although I would personally prefer to submit the DA prior to this so all the plans are clear and concise and all requirements addressed.

The above explanation and descriptions are not intended as an excuse for not following Council's Plans and Policies as was required but more as a true account of how, when and why things have happened as they have. I regret my actions that have led me to the position I now find myself in but I hope in the future I can work with Council to ensure compliance and consent as far as is possible.

Please feel free to contact me anytime on my mobile: 0405 537 143, or via my work or personal email.

Kind Regards,

Beau Day