

Bawley Bush Retreat

About the development of Bawley Bush Retreat

We, Bill Powell and Pip James, purchased 100 lakeside acres in 1992 with a subdivision entitlement to create 4 lots. We obtained consent to build a Tourism Facility consisting of up to 19 “cabins”, a seminar room, a café and ancillaries in 1994. Until 1995 our 100 acres and the 500 acres to the west were bush blocks with no access from Bawley Point Road. In 1995 we constructed a road from Bawley Point Road to our cottage sites and sealed it to our property boundary. We also brought power and telephone in. Over the next 6 years we sold 3 lots totaling 60 acres to help recoup development expenses. After being subjected to inane and wasteful approval processes we created a further residential lot of 4 acres in 2014 leaving us with a final tourist facility balance of 36 acres.

Our vision was, and is, to create a beautiful, incontrovertibly Australian, retreat that not only complements the local environment but features the use of local natural materials. We have been slowly building a community of cottages. We have been constrained occasionally lack of funds and much too often by the NSW planning bureaucracy. We try to minimize our environmental impact via our water cycle and energy control. Given the metastasizing regulatory environment development has been a difficult process. While we have had to make compromises we are happy with the result.

Chef’s Cottage: This cottage was completed in September 2002. Except for the lack of an air conditioner it qualifies as 4.5 star tourist accommodation. Chef’s is constructed of mud brick and hardwood timber, its roof is Colorbond corrugated iron and its gables are clad in ember-resistant Hardiplank. The mud bricks are made of compressed earth, gravel and cement. They are laid on edge to create a cavity and are simply bagged with sand and cement on the inside and clay, sand and a water-repellent on the outside. While almost all of the hardwood you can see or walk on in Chef’s, including the ironbark floor upstairs, is from this property and was milled on site, the large ironbark beams were not. They are recycled bridge beams and most of the window lintels were once railway sleepers. The wheat-straw ceiling manufactured by Solamit is 40mm thick and comes from the Western District, Victoria. Internal timber lining is plantation pine, Regency profile, finished with Porter’s washes. Hardwood is mostly finished with Intergrain and the floors/stairs in tung oil. Bench tops are local Sydney Blue Gum slabs. Even the timber edges on the laminated cupboard doors are made from our own timber. The bath was installed in late 2007.

Bush Apartments: Bush Apartments 1A and 1B were completed in December 2002 and are rated by AAA Tourism (NRMA) at 4 stars. We have approval to construct another 4 pairs. In 1A/B most of the hardwood you can see is blackbutt or ironbark and was milled on site. The French doors are recycled blackbutt especially made for the units. The external walls are predominantly Mini Orb corrugated iron. Internal cladding is pine lining board finished with three different Porter’s washes. Other finishes: as per Chef’s Cottage. The composting toilets are Council approved owner-designed models. Continuous air extraction is provided by 12 volt fans. At the end of 2006 we upgraded the carparks and plan to provide outdoor baths.

Bawley Bush Retreat

Café Cottage: Café Cottage was originally built as a shed in 1996/97 and became our temporary residence so we could escape the caravan and *al fresco* shower we had been using for the previous 18 months. It is framed in and features hardwood milled on the property and is clad in Custom Orb corrugated iron. In 1998 we built a commercial kitchen in the space we had been using as a carport and, with Council consent, opened “*The Lake Willinga Bush Café*” to the public late that year. We operated the mainly outdoor café during school holidays and weekends until we closed it in December 2000. From then on we continued living there but concentrated on construction of cottages. When we moved into our new residence by the dam in July 2004 we renovated the building and re-opened it as Café Cottage at Christmas 2004. Café Cottage rates at 3.5 stars (to be ungraded to 4 stars in 2010) and is capable of sleeping 8-10 people and providing a kitchen and amenity space catering for up to 80 people. Its large blue gum verandah and gardens makes it ideal for entertaining. A composting toilet and common laundry for all guests is built alongside as a separate structure.

Wattlebird Apartment/services building

Construction of our real shed commenced in 1999 and the second of its two stages was completed in 2001. The building was not only used to store tools, machinery but contained offices for both Pip and Bill until the residence was completed. During 2005 the office components at the eastern end were converted to a self-contained apartment (referred to as Studio until 2007 when we renamed it “Wattlebird”) rating first at approximately 3.5 stars and sleeping 2-3 people. We upgraded it to 4 stars in 2008. The apartment features a large library of Pip’s favourite books that guests are free to read, though not remove. The linen store and additional laundry adjoins and the machinery and workshop area is at the western end. This building is framed with treated pine and is clad with Custom Orb corrugated iron and painted Weathertex weatherboards.

Residence/Kookaburra Cottage

Construction of our residence which overlooks our main dam was commenced in June 2003 and was completed, except for landscaping, the deck and carport, in July 2004 when we moved in. The room layout is a (Bill-inspired) modification of the architect’s design submitted with our original DA. The carpark and deck were completed within a year. It has 3 bedrooms, two bathrooms and contains the reception office for Bawley Bush Cottages. The building is earth-brick-veneer with the structural frame made of treated pine. The earth bricks are made of road fill material from a local quarry pressed on site in an earth brick Civa ram press. This same material mixed with sand was used to bag the bricks. The mortar is clay and sand alone. Old bridge timbers have been used for lintels. On the exposed south end a water-proofing agent has been sprayed on the finished bagged product. As with all cottages we have featured hardwood externally and internally. Internally the walls are clad in a mixture of pine lining, Gyprock, Villaboard/tiles and earth brick. We use firewood and solar panels to heat the entire residence by means of hydronic in-floor heating and there are two composting toilets. Being built on the dam this property is not child-safe. We use the dam for private swimming, our insurance not extending to cover guests using it.

When we are absent on holidays or there is a demand, we make Kookaburra available for guest accommodation as “Kookaburra Cottage” Full details are on our website.

Bawley Bush Retreat

Cockatoo Room.

Our multi-purpose space, the Cockatoo Room, designed by Bill was constructed between April and October 2009. Since then the room has been used by many celebrating family groups for weddings and major birthdays, also for yoga and corporate retreats. The Cockatoo Room is used for accommodation when not booked for functions. It is a compressed-earth-brick-veneer building using bricks left over from residence construction and using the same Cobargo-based bricklayer (Dave Anderson) and construction methods. Lintels are recycled railway sleepers.

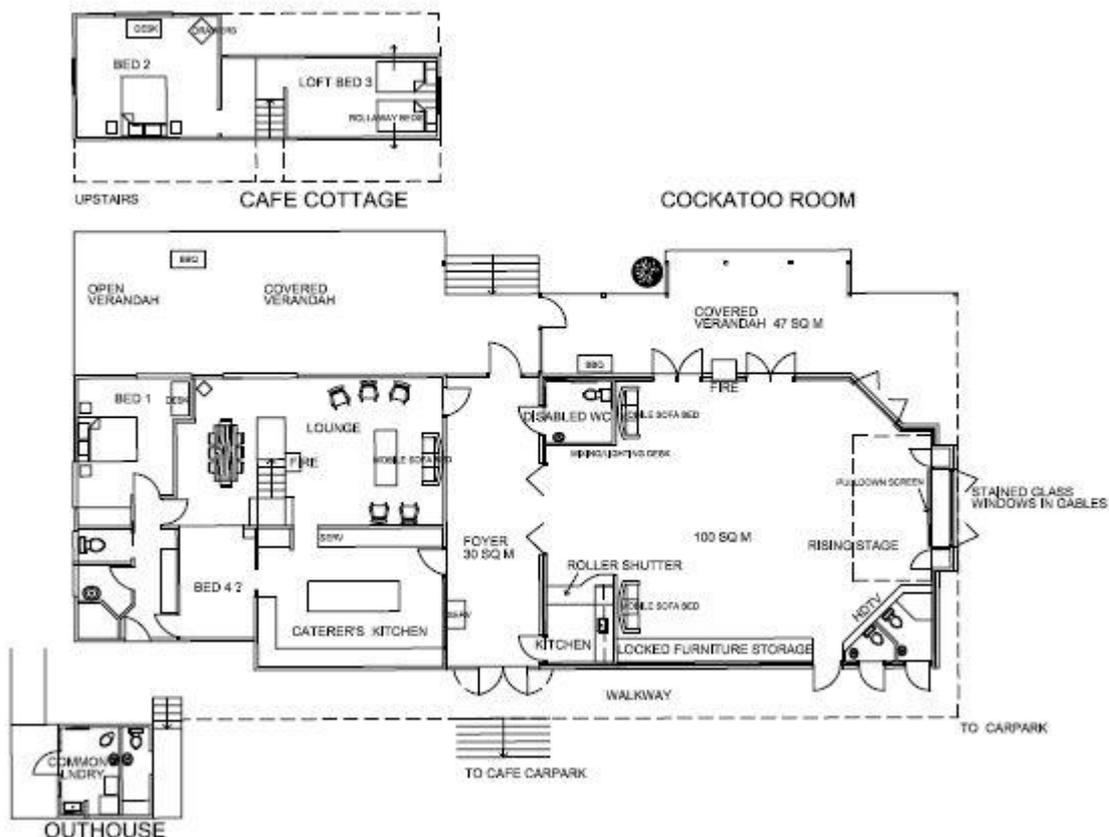
The main roof-supporting logs are local ironbark, each with a weight around 3 tonnes. These are supported by steel beams in the walls. This time almost all of the other hardwood, including the main flooring (strangely marketed as “Wormy Chestnut”, but basically mixed ashes), was sourced from a Victorian mill. The doors and windows are made from kiln-dried blackbutt by master-craftsman Peter Kastelein of Milton. Between the Lysaght Mini-Orb ceiling and the Custom Orb roof sheeting and within internal walls there is a sandwich of sound-proof insulation with ordinary insulation in the external walls. Internal cladding, once again is Regency profile pine finished with Porters wood washes and clear seal. Each opening gable window contains a stained and painted glass feature we commissioned Graham Lyons of Ulladulla to design and manufacture. The birds are a female and a male Glossy Black Cockatoos sitting within their only habitat...casuarina. We use the feather of this bird as our corporate logo.

The commercial challenge in building this space was to make it suitable for a wide range of uses. However we were constrained by a requirement not to exceed in size an earlier development approval for a dining space, to provide sufficient toilets, including a disabled one, and to meet certain fire separation and other requirements demanded by Council and engineers.

To make the room's use as flexible as possible we have included almost all of the equipment professional seminar or function users could demand...including a rising stage, professional sound and lighting equipment, overhead projection etc yet have retained the essential self-catering nature of our entire facility. The equipment contained in this room is described in more detail on our website. Using the adjacent Café Cottage kitchen, guests can cater for up to 80 sit-down diners in Cockatoo or up to 180 finger-food diners.

Because Cockatoo room provides externally accessible bathrooms it is now possible for overflow guests to camp on site yet still have access to facilities. A plan of the Cockatoo/Café Cottage complex follows:-

Bawley Bush Retreat



More on environmental issues

We are often asked by our guests for more detailed information on certain environmental issues related to our development. I have tried to cover some of these FAQs below but if you would like to know more don't hesitate to ask.

Our water cycle

We are water self-sufficient except for the fact that we have our cottage linen provided and washed by a national off-site linen service. Our potable (drinking) water supply comes from storage tanks fed by roof catchment and in 2015 will be treated to comply with Australian Drinking Water standards. Non-potable supplies come from settled, triple-filtered and ultra violet treated dam water supplies. Treated dam water, a little tannin-stained, is used for all hot water (except Café kitchen, which uses potable water) and cold water in showers, baths and laundries. All waste water, whether from flushing toilets, compost toilet fluid overflow, showers, sinks, basins, laundries or dishwashers undergoes primary treatment in septic tanks and is biologically filtered from there to pumping sumps below our cottages. From there our waste water is pumped to the top of the hill for storage balancing and disposal in partly via Ecomax and partly via Wisconsin Mounds. These give us confidence that there is no possibility that waste water flows could contaminate Lake Willinga with waste water nutrients. In any case our outflow volumes are capped as part of our approval.

Bawley Bush Retreat

Ecomax waste water treatment

Ecomax is a fairly expensive proprietary water treatment and nutrient removal system. Ours consists of two earth mounds built over a fully sealed bed of river sand and blast furnace slag. A large air space created by plastic frames allows water distribution and a high-humidity space to aid a transpiration process. The mounds are covered with grass, the roots of which feed in the high humidity region. We note that the active mound always has greener, lusher grass on top. It is always at a slightly higher temperature than the inactive cell indicating that a natural chemical process is proceeding.

From our own metering we know that some 80% of our waste water is transpired to the air trapped within the Ecomax cells feeding the root system. Apart from its transpiration properties we chose Ecomax because the designers/installers claim the slag/sand combination locks up almost all phosphates carried in our waste water while providing a similar level of nitrate processing to alternative systems. Ours is a modification of the standard Ecomax system in that we contain within it all water not transpired rather than have it leach to the immediate surrounding ground. Waste water not transpired returns to the balance tank for re-disposal to Ecomax or Wisconsin Mound. We rest each of our two Ecomax cells for at least 6 months each year.

Wisconsin Mound

In 2014 we installed a Wisconsin Mound alongside our entrance road. This consists of a 36m X 9m wide sand and soil mound sown with grasses and designed to dispose up to 1500 litres per day from the balance tank continuously. It enables us to properly rest our Ecomax cells.

Composting toilets

We use composting instead of flushing toilets to reduce the volume of nutrient-rich waste water to be treated. We do have some flushing toilets because grey water is biologically inactive and the Ecomax suppliers advised us that their system works more effectively with some biological waste. Like all composting toilets ours are positively ventilated with 12 volt extraction fans. Positive ventilation is a great advantage of composting toilets over flushing toilets. Composting toilets should *never* smell and if one does it is either temporary because of gusting winds or because of a restriction in the vents (usually cobwebs), fan or power failure. You should tell us about it if yours smells.

Our composting toilets consist of a primary composting chamber and a secondary composting/removal chamber. Only bodily wastes, paper and bulking agent should be put down the chute, please no plastics as these do not compost. Bulking agent, ideally wood shavings because they have a large surface area for bugs to colonise, provide carbon that is necessary to balance the high nitrogen content of human waste. We use well-matured hardwood saw dust mixed with pine wood shavings for our toilets and for our food waste/worm-farm composter (by the road to the bush apartments) quite successfully. We clean the top of compost toilet chutes with water sprays and soapy water and never use chlorinated cleaners because these kill composting and septic tank bugs. It is best not to allow a composting toilet to get too wet so we have excess fluid drains. There need be no concern about the volume of urine released or of using a short spray of water to rinse chute accidents.

It takes 3-5 years for a new composting toilet of the type we use to “mature”....that is before

Bawley Bush Retreat

the original starting material needs to be removed. As a new composting toilet ages we add compost worms to turn the material in the secondary composting chamber into castings. We expect to remove no more than a wheelbarrow full of worm castings every second year after the 4th or 5th year of operation. When we do this we rake partly composted material from the bottom of the primary chamber to the now empty secondary chamber.

Maintenance of composting toilets consists of regularly knocking over the pile, ensuring proper airflow by brushing webs from the vent, ensuring there is enough bulking agent, occasionally turning the composting chamber and occasional removal of waste. There are a number of proprietary composting toilet systems available but apart from One Clivus Multrum system we have had Council permission to build our own in accordance with well-established design criteria.

The law requires that composted material (worm castings) not be used to fertilise plants where the leaf or outside of the produce of a plant is eaten unless it has been buried for 6 months after removal from the toilet. We use our worm castings to fertilise immature fruit trees, citrus trees or landscape trees and cover them with a thick layer of mulch.

Food composting

All of our kitchens have compost bins inside and outside. We ask our guests to put all liquid (oil, tea/coffee slops, off milk) and solid (vegetable waste, oil, fat, meat but not big bones or oyster shells, fish carcasses, prawn heads/shells) wastes in the compost bin. Guests are welcome to empty their own compost bins into the worm farm alongside the roadway to the bush apartments where worms will demolish the lot. This reduces landfill requirement and we put the composted material on our own vege gardens.

Bush Fire

The south coast forests are prone to infrequent bush fires of great intensity and there are clear risks of asset loss associated with our building disposition. To date it has been a challenging task for us to provide attractive bush retreats that comply with ever changing regulations and preserve as much of the natural bush and wildlife habitat as possible. In 1994 we were required to have a 10m clearing for each cottage and nothing else. We think the right to place our own assets at risk should be fundamental with insurers charging premiums appropriate to an assessed risk category. Unfortunately our society's predilection to incrementally interfere in other people's lives on the paternalistic argument of protecting life and property took a very sharp turn to the right in 2003 when consent authority rights were granted to the non-elected, and then overbearing, Rural Fire Service. The RFS is significantly funded and influenced by the insurance industry and the reality is that, as a consent authority, the RFS remains a covert insurance industry protection agency with a secondary capacity for saving human life. Until the 2009 Victorian fires, the legislation governing it had an overweening focus on Asset Protection Zones alone: that was *Assets*, not people. That has changed a little with the 2010 introduction of the emotionally charged Catastrophic rating level now sitting above the old Extreme rating. We have responded and have introduced an Evacuation policy that is placed for public information in every cottage.

Around 2003 new legislation in NSW classified tourist facilities like ours as a Special Protection Development. Special Protection Developments from then had to have an Asset Protection Zone (APZ) of 80 metres from buildings and a host of other, mostly brainless

Bawley Bush Retreat

constraints when applied to tourism developments. Within an APZ the canopy of any one tree could not be touching another tree and the whole of the APZ had to be fully under-scrubbed to achieve “minimal fine fuel loading at ground level”. The effect on a property like ours would have been almost complete clearing though the countervailing no-clearing requirements of environmental legislation still had to be negotiated. In the 90s the possibility of such devastation to the lives of numerous small creatures and ecosystems was actually prohibited but then when the RFS came into ascendancy it seemed to become virtually compulsory. So when we made our retreat vulnerable to the application of the new rules with a 2006 1-lot subdivision application we were concerned that we would be severely constrained. Luckily some sense was prevailing and our consent for a new lot became conditional on us implementing a Bushfire Management Plan, a Bushfire Evacuation Plan (both sensible), making some minor changes to existing buildings. We were required to install new water tanks at each cottage because swimming pools and dams were excluded from being counted as bushfire water supplies. Truly. In October 2009 the RFS dropped that insanity but the laws remain paternal, capricious and basically useless in the face of a firestorm.

Our tussles with the ailing NSW development environment (R-rated)

If you are considering developing land consider our experiences and our following assessments. Legislative changes made by unaccountable camel-creating committees within the development environment occur very frequently. What rare public planning consultation occurs through state government and its agencies is window-dressing because outcomes have already been mostly decided in advance. Council, itself a chronically under-resourced creature of a poorly accountable State, can be, and often is, overruled by unelected administrators at the Department of Planning, circumscribed by Ministerial fiat or by new legislation. Not all of our challenges have been bureaucratic, we have also engaged underskilled and over-promising private sector advisors working in the mutating planning advice sectors. These conflicted advisers purport to assist developers in interpreting arcane environmental constraints ...but all is done at developer's expense and they need to keep good relations with the legislative gatekeepers. Difficult. Be very wary and do not employ anyone whose most recent work cannot be supported by developer references.

Since we purchased here in 1992:-

1. In consideration for allowing a subdivision approved under the Local Environment Plan we had some 2.5 acres of wetland land confiscated by Council and added to Council's own Lake Willinga title.
2. During the mid 90s we had many difficulties undertaking the subdivision conditions ranging from competing expert advice, different Council inspectors with idiosyncratic, and differing, interpretations of rules (a problem that continues to plague us).
3. We faced conditions where we had no legal rights to recover costs of the development of electricity, phone and roads from others who were able to join on to them for free,
4. We struck complex engineering hurdles with the creek crossing we were required to build on Willinga Road that required us to abandon culvert construction and build an expensive bridge with 50 foot foundations. This was after a long period of delay where it seemed we would have a Native Title problem with the 20m strip of Crown Reserve Road that includes the bridge.

Bawley Bush Retreat

5. Electricity County Councils were corporatised and their line work outsourced during our early construction period. It is hard to believe and painful to recall how many problems this caused us. Regulations seemed to change every month and we ended up with a design that required us to have 2 electricity meters. Later we were charged separate minimum consumption costs for each meter, no argument brooked. Utilities suffered a growth of overbearing regulation designed to bolster state-owned electricity corporation profits and maximise potential sale value. Some inequities have been corrected but many remain. For example: we paid Integral Energy a large sum for a 63KVA transformer to be placed on one of the many poles we paid for, a size we were advised was necessary for the whole of our approved development. But we have no ownership rights over the transformer, the many poles or the 1.2km of cable we paid to have installed. Depending on our load requirements (which are now calculated more conservatively than they were at time of installation) we may now be required to upgrade the transformer 100KVA to complete the original development. Our advice from the new poles and wires company is that should this happen we would be required to pay for that new transformer but we would receive no credit for the 63KVA one removed (it belongs to them!) even though that company will be free to resell that removed transformer to some other unsuspecting developer/consumer. Go figure this form of theft by the state!
6. SEPP 14 wetlands bounded, but did not extend to, our land at the date of our purchase. New regulations were introduced soon afterwards to disallow clearing within 100m of a SEPP 14 wetland. This made a huge difference to future development potential on those parts of our land that were not identified for development in our 1994 tourist facility approval.
7. Our land was rezoned in 1999 after a 5-year council-wide rezoning process. During this long rezoning consideration period Council and the Department of Planning refused to accept SEPP1 and development applications dealing with our land even though there was an extant legal environment for doing so. Council was able to unilaterally refuse certain applications because a new Plan *was under consideration*. This prevented us moving on and making sensible financial decisions in a period of personal financial recession.
8. For various reasons, not the least being our financial position, we needed to make several changes to our tourist facility consents to survive. These were expensive and fraught. We found that a frustrating part of getting a development consent is that a new consent may well not be what you applied for and possibly inferior to existing consents. You don't get a letter from Council saying "these are the new proposed consent conditions...are you sure you still want to proceed with your application?" (Such a step would have prevented several time-consuming Council errors in approvals having been made. Our experience is that most approvals have at least one unintended error in them. It was in the late 90s we discovered that planning authorities thrive on "condition creep". Approvals now are an instruction manual for further approvals. Like many other parts of its economy, creative land development in NSW is being stifled by over-regulation...with the result being blandness, similarity and, above all, some bureaucrat's cover-his-arse idea of safety. They seem to think Life can be rendered riskless by regulation.
9. When the new Shoalhaven LEP was published in 1999 we found that errors introduced into the gazetted Local Environment Plan by brilliant minds in the Department of

Bawley Bush Retreat

Planning. These minds replaced wording negotiated at length locally between us and Council and their modifications meant that the legal right to build houses on our rural residential, already subdivided lots was completely lost. We became unable to sell land because potential purchasers were no longer entitled to build a house on our subdivided lots. It took Council and the Department a further two years to correct the error.

Unbelievably the first error was replaced by a new one and it too had to be corrected before our original rights to sell land with a right to a dwelling house was restored. You might think an apology, richly due, was made to us. Pigs might fly.

10. Bushfire arrangements totally changed as a result of a fearful over-reaction to major fires in the late 90s. NSW went from a development environment focussed on saving every tree to one where a large number had to be removed or development could not proceed. This manic shift stifled many developments and added ridiculously to costs. The RFS was granted trumping Consent Authority status by the then wondrous Labor Government. Then Epauettes Man, Phil Koperberg, always on TV in his fancy outfit, and his Rosehill bureaucracy became all (too) powerful. To change any aspect our existing approvals we then had to have Development Applications amended and consented to by this new bureaucracy. The consent bureaucracy is not to be confused with the local volunteer firefighters who themselves have also been unwilling and continuing victims of changing and over-regulation.
11. It turned out that the new RFS arrangements lead to a veritable exodus of RFS managers transferring to the private sector to become fire consultants. In this role, for more money than the RFS paid them, they started interpreting the arcane requirements of “Planning For Bushfires” to thousands of developers lumbered with this new time wasting creation. In the 90s “Planning for Bushfires” was a recommended construction guideline but at the stroke of a pen was given legislative status and has since been amended and amended with next to zero commercial consultation. It became an incredibly inflexible document focussed on *Asset Protection Zones* not on human life protection zones, mainly because of insurance industry participation in the funding of the RFS.
12. The introduction of the GST in July 2000 also bit us in ways we could not have foreseen. Land became a product on that date and sales of new lots subject to GST. If you create a lot of land now you engage and pay a valuer to value the land *as if it existed at 30th June 2000* and the difference between this value and sale price is subject to GST at the rate of 10%. This is a joke of course since if all of these new lots had existed at the 30 June 2000 the value of land at that time would have been different. But hey, who said taxation has to be reasonable? I won't mention Capital Gains Tax or the even newer and then discontinued NSW stamp duty charge on investment properties but, take it from me, there are circumstances where governments can make one's life difficult and can make as much, sometimes more, from private land sales than developers do. In an enterprise economy that is a particularly galling frustration. Governments are great at regulation, appalling at small business facilitation.
13. Our land, being within 1km of the coast (coastal lakes are counted as coast) became part of a new politically saleable “Coastal Zone” in about 2000 and became governed by the new SEPP71. This meant that the subdivision of our last single lot entitlement had, without our knowledge, become “State Significant Development” and Council was no

Bawley Bush Retreat

longer the Consent Authority. The authority was now the Department of Infrastructure Planning and Natural Resources. That incompetent mob again. After much tooing and froing with officers and filling in of applications, Hey Presto, the Department's powers for small subdivisions were passed back to Council for smaller developments. New application. Our Environment study already prepared in 2004 by a highly regarded ecologist now had to be updated because new environmental tests had been put in place.

We finally lodged our application in 2005 together with required Bushfire, survey and soil and water studies. Guess what! Our expert's environmental study which said there would be no impact on endangered species was rejected by Council's Threatened Species Officer. It seems the TSOs job was to second guess university qualified independent consultants. So offended was our consultant he refused to have anything more to do with the TSO, Council or the project so, after paying him, we had to find another consultant. At our request this new consultant met with the TSO and assured me that as a result he knew exactly what had to be done this time. Eventually his study, coming to the same conclusion as the first, was also rejected by the TSO. Then this consultant too refused to have anything more to do with the project. He was paid.

It was only after this that the TSO made it clear he required a specific marsupial study to satisfy him that there were no threatened species. We then discovered that our problem came down to a single dead tree about 300mm in diameter near the edge of the area to be cleared for the Asset Protection Zone of the house site on the proposed lot. It could have threatened species using it and, amusingly since any threatened beasties would fly to it, could not be retained in open space without underscrub left around it. But then it wouldn't be an APZ!! By that time more than three years had elapsed since we started the application process, some of the delay being caused by our own surveyor.

We discovered at this time too that the RFS had required us to upgrade the Tourism Facility fire protection regime if they were to give consent to this application. Sort of bureaucratic blackmail isn't it? We engaged a third Environment firm who were not only flora but marsupial and bushfire experts all rolled into one (and incidentally one of those RFS expats mentioned above). Bushfire man was necessary anyway because, guess what, the bushfire rules had changed since the first study and our subdivision would now have to be assessed now in the light of the new rules. So out with the old bushfire study. It took this consultant and his offsider another 6 months to complete the work (in November 2008) from date of engagement. Overworked they said. They probably were...this whole development consulting industry busying itself with satisfying arcane criteria is completely out of hand. It works up zillions of pages of reports on each project that end up simply as a tick on a bureaucrat's file to be forgotten forever. Their work at our site included laying out 34 Elliott (live animal) traps over 2 consecutive nights and using ultrasonic microphones to record night sounds. The only animal found in the traps (and unreported by them at that) was a dead antechinus (native mouse) which died of fright in the trap....so much for protecting species. Thank God, no White Footed Dunnarts.

Unfortunately we were informed that a Yellow Bellied Glider had been identified by a computer analysing sound recordings and this was a problem, a BIG problem. The animal *could* be camping in the bloody dead tree and the only risk-free way forward now, we were advised, was for us to conduct a study of the whole local range of the YBG....about

Bawley Bush Retreat

70 acres apparently and obviously mostly well outside our own property. More money! More bureaucratic blackmail? At this point after some lucky probing of Bushfire Man we found that when the slightly reduced (yes reduced!) clearing now required under bushfire guidelines for Asset Protection Zones was combined with our capacity to move the proposed southern boundary and house site a few metres south the precious dead tree was no longer within the APZ. Joy Oh Joy!!! Bewdy Mate. YBG bullshit study no longer needed.

But by then we had spent \$15000 in environmental studies just to satisfy some bureaucrat covering his posterior that no threatened species on this 4 acre parcel of land that was already zoned for development would be affected. Mad. And, as you can see, it has made me a little crazy. *I wish I had knocked over or let the termites loose on that dead tree before I started the application. If we have a bushfire that will be the **only** tree that will be burnt, green trees survive bushfires. I can understand why some people argue that seeking forgiveness after an event is to be preferred to seeking permission.*

In June 2009 we obtained the subdivision consent. However it was subject to 38 separate consent conditions. We eventually satisfied them all after waiting 5 months for our surveyor to get off his backside and submit an engineering drawing to Council to satisfy one of these conditions: that the single lot 100m gravel access road be widened from 4m to 5m. We still had to apply for construction consent to build the required wider road and have it approved. We wanted to underscrub the approved building envelope so a potential buyer could actually see the building site for the trees. It is true that most people cannot envisage something that is not in place at the time. But it turned out that could not be done until the subdivision was actually registered. In the meantime land values crashed again and I was unmotivated to proceed at a pace. I did finally get the Linen Plan drawn up by the surveyor I lost some trust in and the associated S88B drafted by a lawyer in 2013. We later applied to the Land Titles Office to have the Linen Plan registered and this was finally issued in mid 2014 just before the approval expired. So 9 years after starting we had a registered lot with a separate title. Can I now clear the land to promote its sale. NO! Even though we have an approved APZ that allowed subdivision the land cannot be cleared until an application to build a house on it is submitted and approved... typically a \$7000 exercise that could take another year. And I don't even want to build the house, just sell the land. So I can't yet clear what will certainly one day be the house site clearing so someone could clearly see where their house would go. If that is not truly stupid I don't know what is. And when I do finally sell I will be paying GST and Capital Gains Tax on it.

The above is a very abridged development diary. The fuller one would make you really weep. Would we have done it knowing what we now know?... probably not. However it was best not to know. South Coast Commercial property values are now so far below replacement cost that completion of the approved development is, shall we say, not currently viable.

Next

But there are things I still want to do at Bawley Bush Retreat. I want to expand the function room and its veranda to better accommodate the space needed by yoga groups

Bawley Bush Retreat

and weddings, I want to have a small and attractive camping area for overflow guests to use and possibly to accommodate some casual RVs, I would love to build a bridal cottage, even another larger cottage, we must keep upgrading existing cottages to keep them up with contemporary customer expectations especially in view of the fact each cottage is size-constrained by its 1994 approval. But I need to get our approved Masterplan modified to accomplish a good bit of that. Advice already received says that the RV idea is dead since no tent site can be provided without a clearing of 100m around it. And that can't be done because where that land is not protected it is owned by someone else. So it all gives the salaried shiniies in the quangoes another opportunity to say why things can't be done or to load us up with conditions beyond an ordinary citizen's comprehension. In the meantime, while we continue to operate our business, Pip and I increasingly do more of the things that retired people do....travel, music, reading, visit far-flung family and worry about our superannuation!!

When we look at what we have created, though more expensive and more modest than we had hoped to have developed by now, we can't help feeling a sense of pride in our achievement. That comes not from the numerous positive responses we have from our guests who we have aimed so single-mindedly to satisfy, though that is satisfying and important. It comes from complete contrast that the sheer physicality of Bawley Bush Retreat makes with the utter absence of physical residual from my previous career as a shiny-bum business executive. Though it is but a partial realisation of our mad dream, I love the look of what we have created so far. I thought it could be achieved in my lifetime and within my financial capacity but I now accept that it can't. Whether someone else completes it or uses it as a basis for a dream of theirs is in the tea-leaves and that's OK.

Perhaps it would have been better if there had been less obstruction and more achievement, though perhaps not for my getting of wisdom. It was a big disappointment to find so much legislative and bureaucratic obstruction and incompetence for almost no benefit to the environment or the productive economy.

I have become both sympathetic to and disrespectful of public servants and many of their successor or next-career private consultants who are satisfied enough to live their lives regulating the activities of other people. Politicians are conservative and respond to the loudest voices which are mostly against idea implementation. Public sector employees are so under-resourced to do their jobs and overloaded with regulations and structural overburden that negativity, over-regulation and error is, sadly, the most likely outcome. And post-approval compliance auditing has been budgeted out of existence. I maintain respect for only two out of many inspectors who have been here. I now find it so hard to deal productively with the salaried gatekeepers when I have to deal with Council I employ an intermediary ...just to keep me sane.

Rant over.

Bill Powell