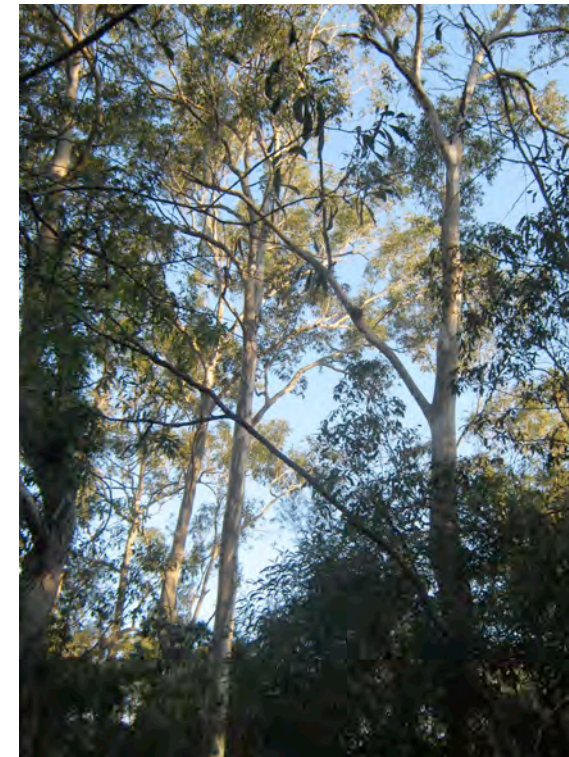


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Extras

Scoping Study Scheme 1:1000 (2 sheets)
Consultants Quotations (Not Completed)



1. Scoping Study

Social Habitat

470 Main Arm Road
Mullumbimby NSW 2482
P +612 668455177
socialhabitat@bigpond.com.au



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INTRODUCTION

Where land sharing is planned traditional title to land tenure has as severe limitations. Apart from leasehold, Joint Tenancy and Tenants in Common titles do not describe degrees of ownership. Nor do they shield one owner from the liabilities and debts of another.

With such titles, equitable division of responsibilities and benefits are arranged independently through contractual agreement between the parties.

Local Government has no involvement with such arrangements and many are made in ignorance of Land Zoning and other Government covenants.

Examples of this can be seen in Partnership Agreements for the construction of several homes where Zoning precludes more than one home per parcel. Or, in a Company brief for a mining venture on protected or suburban land.

Local Government bodies have no authority to access information on independent contractual agreements of persons who hold title to land. So, division of responsibilities and benefits, and allocation of rights when dependent on land management, is fraught and require unwieldy documentation.

Community Title arose as a legal bridge between group owners and Councils' interests.

COMMUNITY TITLE

Community Title grew out of the rapid growth in numbers of people moving out of the cities and onto rural land in the sixties and seventies.

Although Shire Councils had the authority to forbid the construction of other than approved homes, temporary dwellings were commonplace. They hadn't power to disallow people to reside on shared premises. There existed many legal loopholes. Rights of liability and occupancy were ill-defined under the existing titles; such as Tenants in Common, Joint Tenants, Partnership agreements, Etc.

During one decade political demography was affected to such a degree as to threaten and often to depose the local rural establishment. The Federal Gov. was dragged into disputes over the legality and safety of structures deemed as "homes".

In response to the demands of a new voter lobby, the NSW Gov created "Multiple Occupancy" as an interim land title. Then they got to work with long-term policies. (At that time the NSW Lands Dept. **was** still the Federal body)

A joint deal between the NSW Dept of Lands and the then new Dept of Environment eventually introduced Community Title as its' benchmark.

Other States with similar quandaries were quick follow suit.

Community Title is an instrument designed for ownership of common resources, but is also a powerful management tool in offsetting and reconciling mutual obligation.

Collective issues such as road works, park maintenance water-course monitoring, traffic control, power production sewage and mains-water management, can be dealt with as readily as the more individual concerns of plumbing and other trade-works, garbage collection rates paying, bicycle maintenance, advertising and tenancy management etc.

Community title is a contractual agreement between Local Government, the Corporate Body and the end-user, for perpetuity.

Gov. websites show Acts, By-laws and Amendments relevant to Title and information on conducting private business on Community Title property.

Various ways are identified in which assets can be sequestered, as are ways of separating asserts and parcels to Community Title.

The Community Management and Corporate Title Tribunal and the Environmental Defenders Office have recommended several Environment and Planning lawyers. As have various University bodies.

OUR OBJECTIVES

In order that Tallagandra trees progresses to submit a successful D.A., and beyond to create the project, it requires a legal structure.

The structure should clearly and unambiguously state the present ownership and determine processes of any future succession of ownership.

In time this legal entity would facilitate the change of ownership to the proposed collective one.

2. Legal Structure and Title

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For the Development Application to be approved Logan City Council has to see that the applicant has:

- a clearly defined decision making procedure;
- a transparent and ethical identity;
- a mechanism for integrating necessary capital; and
- has identified and secured the required, proven expertise.

The legal structure should prescribe;

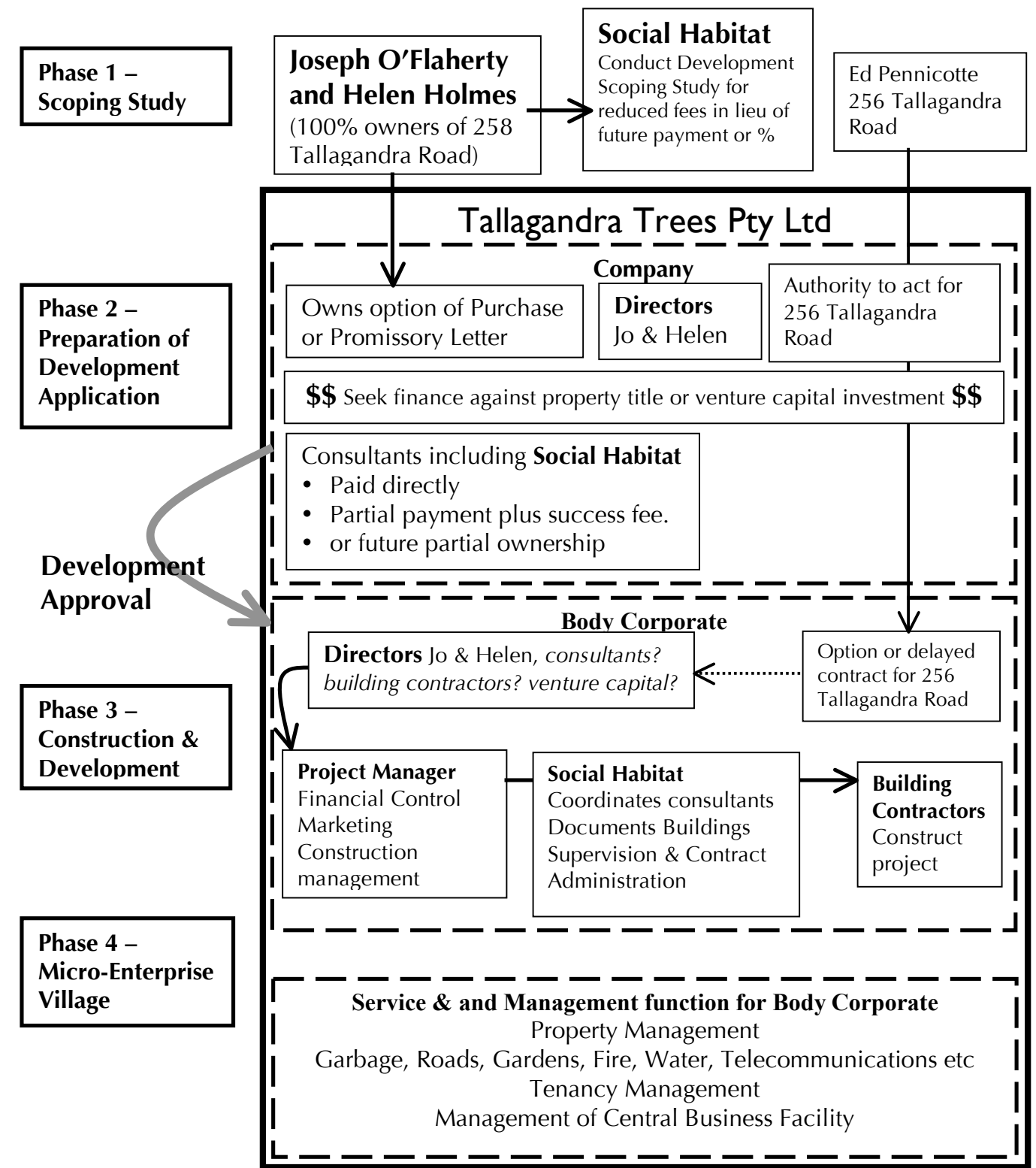
- the management procedures for the building development, community functions and the natural assets,
- personal and collective responsibilities and rights,
- the core values of this future village community,
- the safeguards against degeneration of those core values,
- and, the process of investing individuals' with title to their dwellings.
- This legal structure is referred to as the Body Corporate.

BODY CORPORATE

For local councils to facilitate division of one land title into many, it needs a transparent representative body with which to negotiate. Council seeks to know that the representative legal entity has sufficient resources to effect the planned changes.

The body corporate eventually becomes the representative of the collective owners

Future purchasers of this divided asset will want to know their investment is secure and that mechanism for the happy resolution of conflict is in place.



3. Legal Structure and Title

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Recommendations:

1. A single commercial tool can serve both these parties.
2. A company which begins its' life as the DA applicant can progress to become a joint capital development vehicle.
3. When the DA is successful it mutates into a Body Corporate. And, in advent of the creation of a unit trust, it services and manages the jointly owned residue.
4. We recommend that a company is formed to apply for a DA as a Community Title;

TALLAGANDRA TREES PTY LTD.

5. Joe and Helen form a multi-phase Development Company. "Tallagandra Trees Pty.Ltd"
6. Tallagandra Trees Pty.Ltd. at the outset will be assembled for a long-term Service and Management function. It will have a facility to become a Body Corporate with an option to form a Unit Trust.
7. Helen and Joe should be the only signatories. (Directors)
8. Joe and Helen will invest Tallagandra Trees Pty.Ltd with an "Option of Purchase" of the land or, a "Promissory Letter for Purchase of land", or a delayed Contract of Sale.
9. Ed Pennicotte will invest the company with a promisory letter, an option of purchase or a delayed contract of sale.
10. Tallagandra Trees Co. will then submit the D.A. In this manner liabilities incurred through the process can be largely limited to the Company.
11. Venture Capital Investment can be invited into the Co. at any time but added directorship should be delayed until effective lodgement of a successful D.A.
12. At *that* stage, directorship can be offered to investors and/or shares can also be offered in recompense or in lieu of payment to contractors and advisors.
13. Tallagandra Co. then becomes a Corporate Body.

14. During the construction phase Tallagandra Trees Pty.Ltd. can choose to offer the purchase of each dwellings or business as; trust unit, strata title or independent title.
15. All decisions of management and guardianship of the commonly held lands and businesses will remain the jurisdiction of Tallagandra Trees Pty.Ltd., until such time as all construction is complete and all businesses and dwellings sold.
16. The future of Tallagandra Trees *could* remain managed by Tallagandra Trees Pty. Ltd. for perpetuity

4. Legal Structure and Title

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Marketing

Personal profit is not the concern of Councils. So, whilst they're concerned that the D.A. addresses the requirements of the demographic, marketing procedures and selling a development **aren't** a necessary addition to a development Application.

However, we recommend that market analysis and surveying is undertaken at the earliest possible juncture.

Valuable information can be gleaned from the responses to such studies which can contribute to on going planning improvements and simplify and expedite the DA.

The information harvested from the plan will determine Tallagandra's appeal to venture capital investors.

Marketing Plan

In Social Habitat's brief to scope the D.A. no provision was made to assess the cost of marketing Tallagandra Trees. There are many Text books written on the subject of Marketing, and much material is available on the web. Templates are downloadable at a price. Wikipeddia, however, freely provides a comprehensive description and valuable observations.

Available texts unanimously state that all successful Marketing Plans depend upon an accurate and detailed customer analysis. And, that most plans assess Marketing effectiveness on one to five years of sales figures.

In the case of most Housing Developments, dwellings are sold off the plan and infrastructure is maintained at a minimum. This is to reduce the outlay of funds to an affordable level. Nonetheless, many are arrested or fail in early stages because of enormous initial outlay costs.

For these reasons, should a Project Management Group become involved with the Tallagandra project, they will bring their own Marketing procedures to the table.

Recommendations

We recommend several strategies aimed at picturing a clear customer profile and inviting response:

- 1) Press releases.
- 2) Posters, Brochures and flyers for display in West End, Bulimba, Manly, Byron Bay etc
- 3) Advertising of public meetings.
- 4) PowerPoint presentations.
- 5) Art work, logos, etc

5. Marketing

- 6) And most importantly, the construction of a web site. This can be achieved very cheaply at the outset; we have one quote for a substantial ten page site, hosted, for an all inclusive six hundred dollars..

A web presence with provision for adding significant emerging expertise as the project progresses, will allow potential investors and interested contributors to stay abreast of proceedings.

At the outset the cost of the site can be very affordable. It can be built to accommodate links to Web Survey Companies, Real Estate Agents coordinates, sympathetic organisations and other similar projects.

This site can furthermore be linked to other High Profile sites in order to increase public awareness of Tallagandra Trees.

The site would **stay** accessible to the public if it was to be mentioned in Online News.

A website is a worldwide presence. The World market is larger than the regional.

All relevant information can be accessed instantly, from anywhere at any time from Tallagandra's Trees website. The site can have a secure "backdoor" which enables you to store relevant private information there, also.

The site can automatically count each person who chances upon it, record the path that led them there, and can evaluate their actions while at the site. In this and other ways, the degree of interest can be monitored.

The number of "hits" the site sustains will advance its position on search engines.

Armed with a clear customer analysis, choosing the appropriate marketing Company will be made easier.

The following are examples of Market Plan frameworks they would apply.

<http://www.quickmba.com/marketing/plan/>

<http://inventors.about.com/library/bl/toc/nblmarket.htm>

There will need to be provision of funds to support a marketing or market testing process in this early phase.

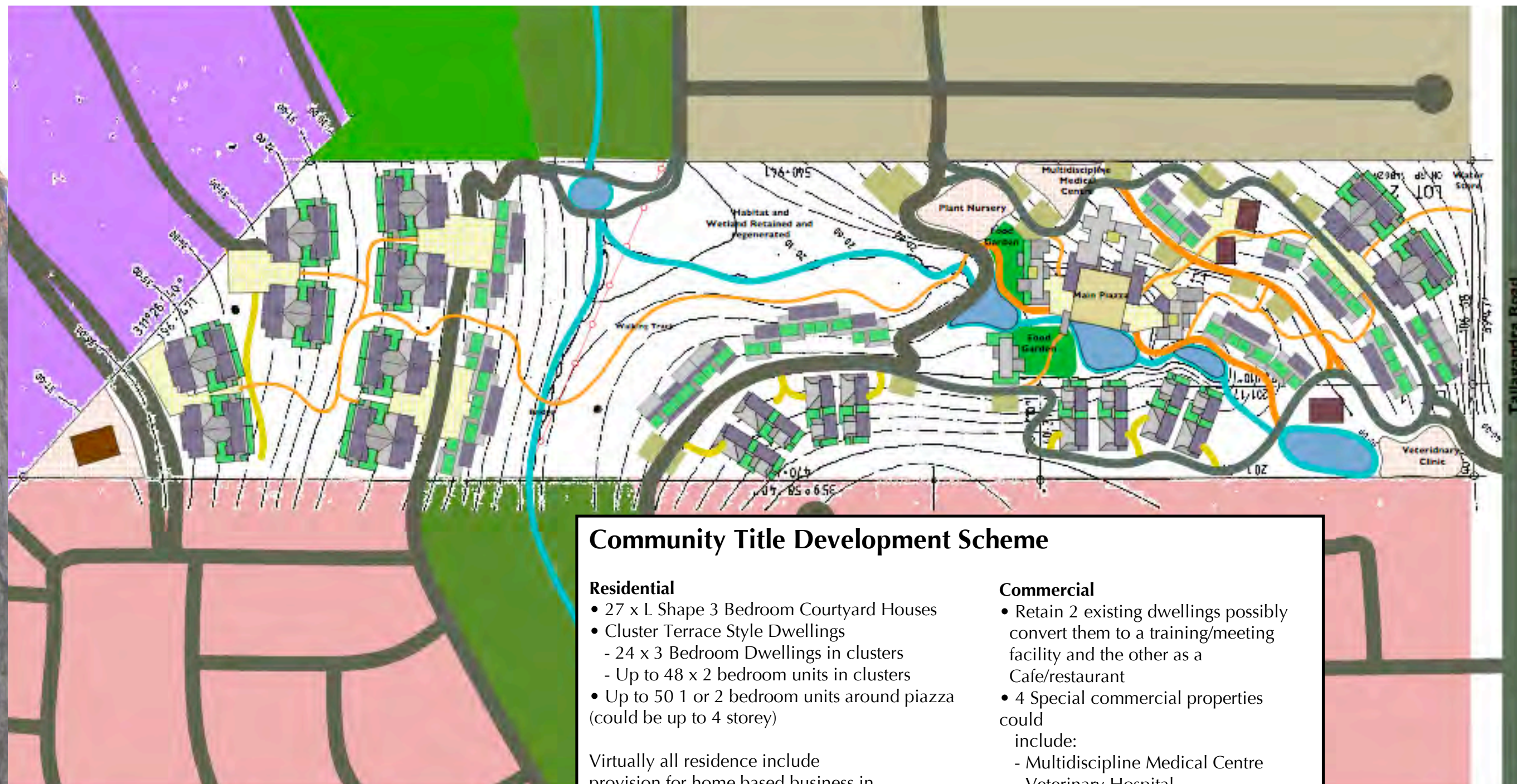
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Community Title Development Scheme

Residential

- 27 x L Shape 3 Bedroom Courtyard Houses
- Cluster Terrace Style Dwellings
 - 24 x 3 Bedroom Dwellings in clusters
 - Up to 48 x 2 bedroom units in clusters
- Up to 50 1 or 2 bedroom units around piazza (could be up to 4 storey)

Virtually all residence include provision for home based business in or near dwelling up 45sqm per dwelling.

Commercial

- Retain 2 existing dwellings possibly convert them to a training/meeting facility and the other as a Cafe/restaurant
- 4 Special commercial properties could include:
 - Multidiscipline Medical Centre
 - Veterinary Hospital
 - Retail Plant Nursery

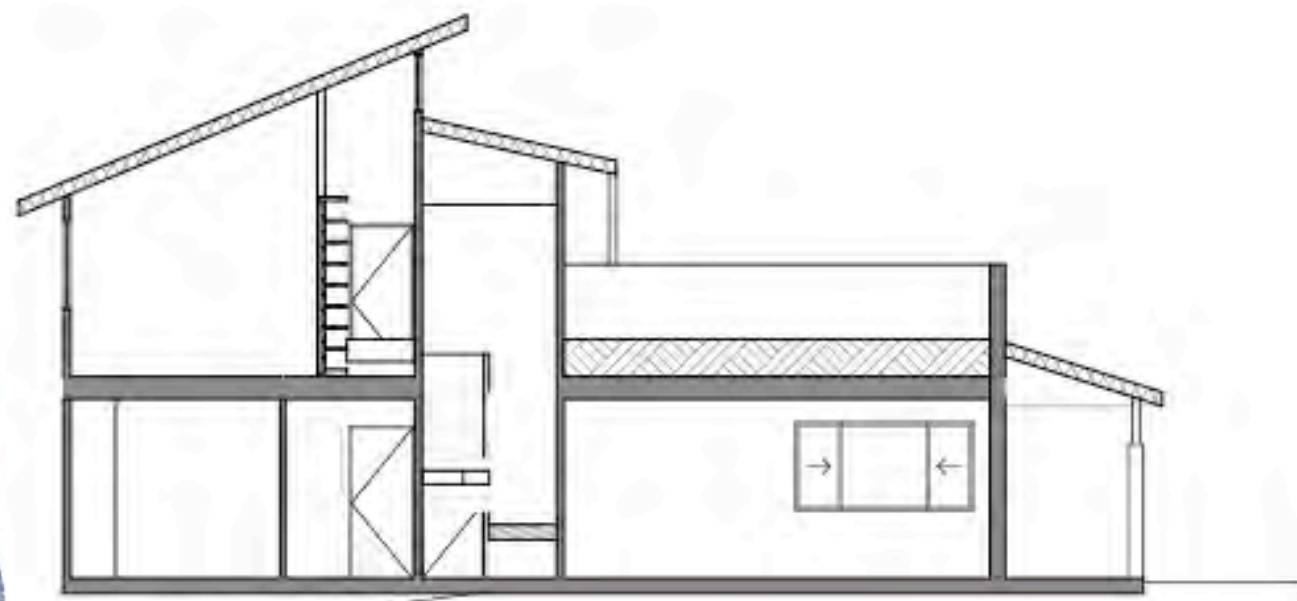
6. Scoping Study Scheme

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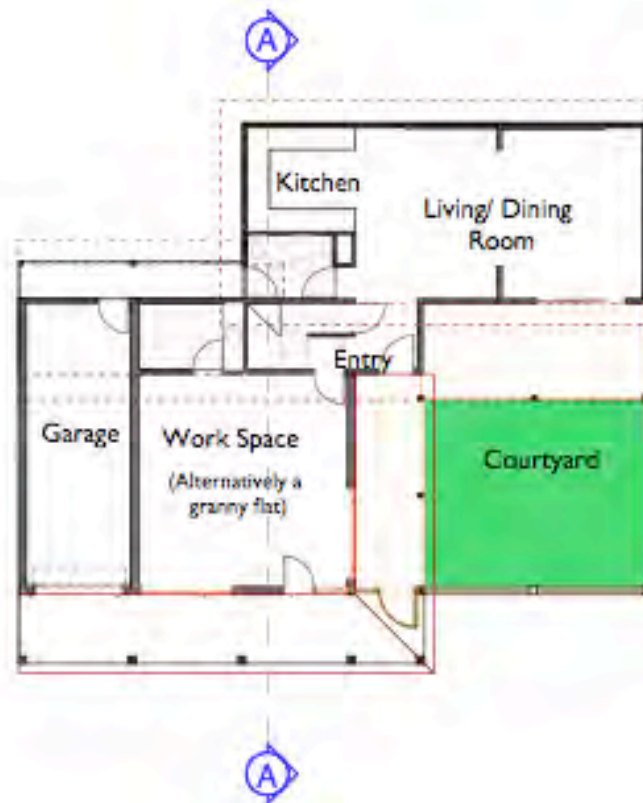
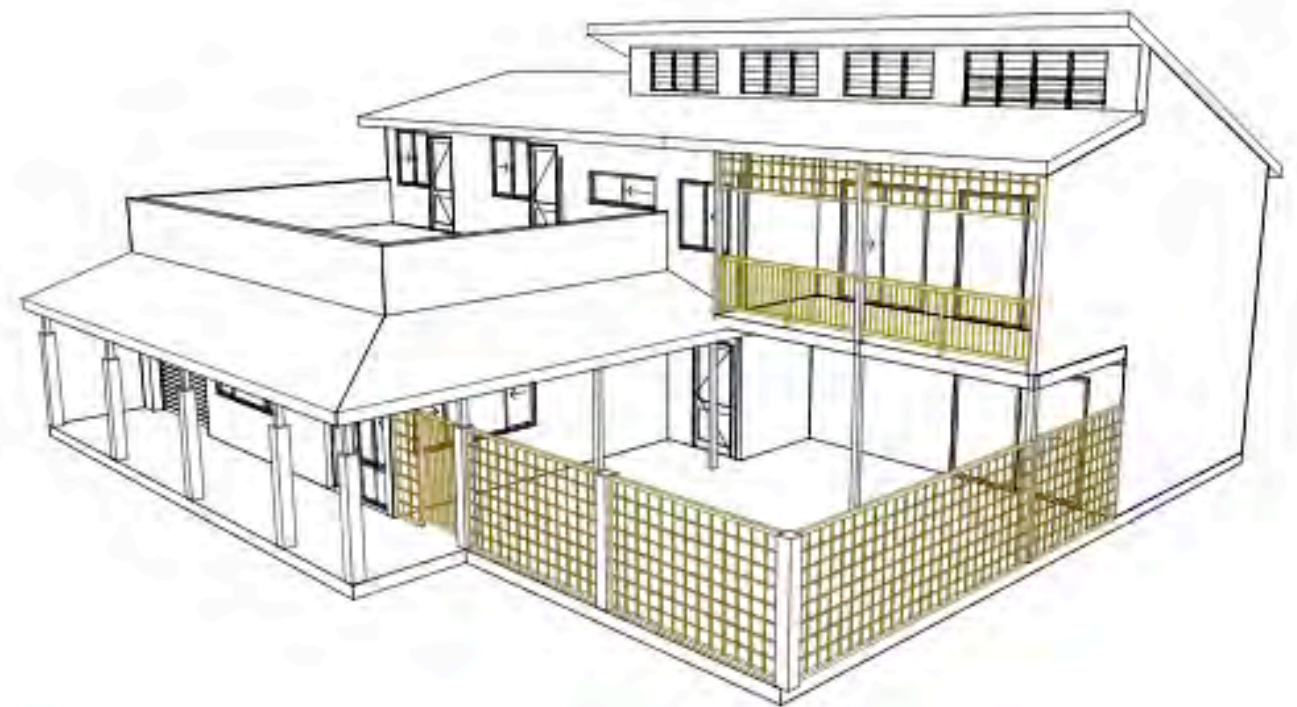
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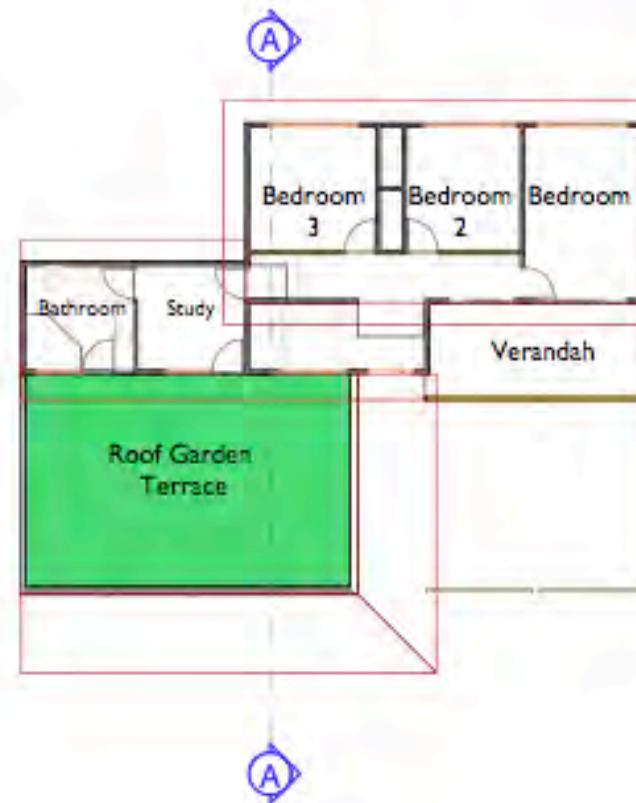
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Section AA



First Floor Plan



Ground Floor Plan

Typical L Shape Dwelling

There would be various versions of this dwelling depending on orientation.

Includes:

- 3 bedroom 133sqm dwelling
- 40sqm work space (work space can easily be converted to granny flat)
- single garage

7. Scoping Study Scheme

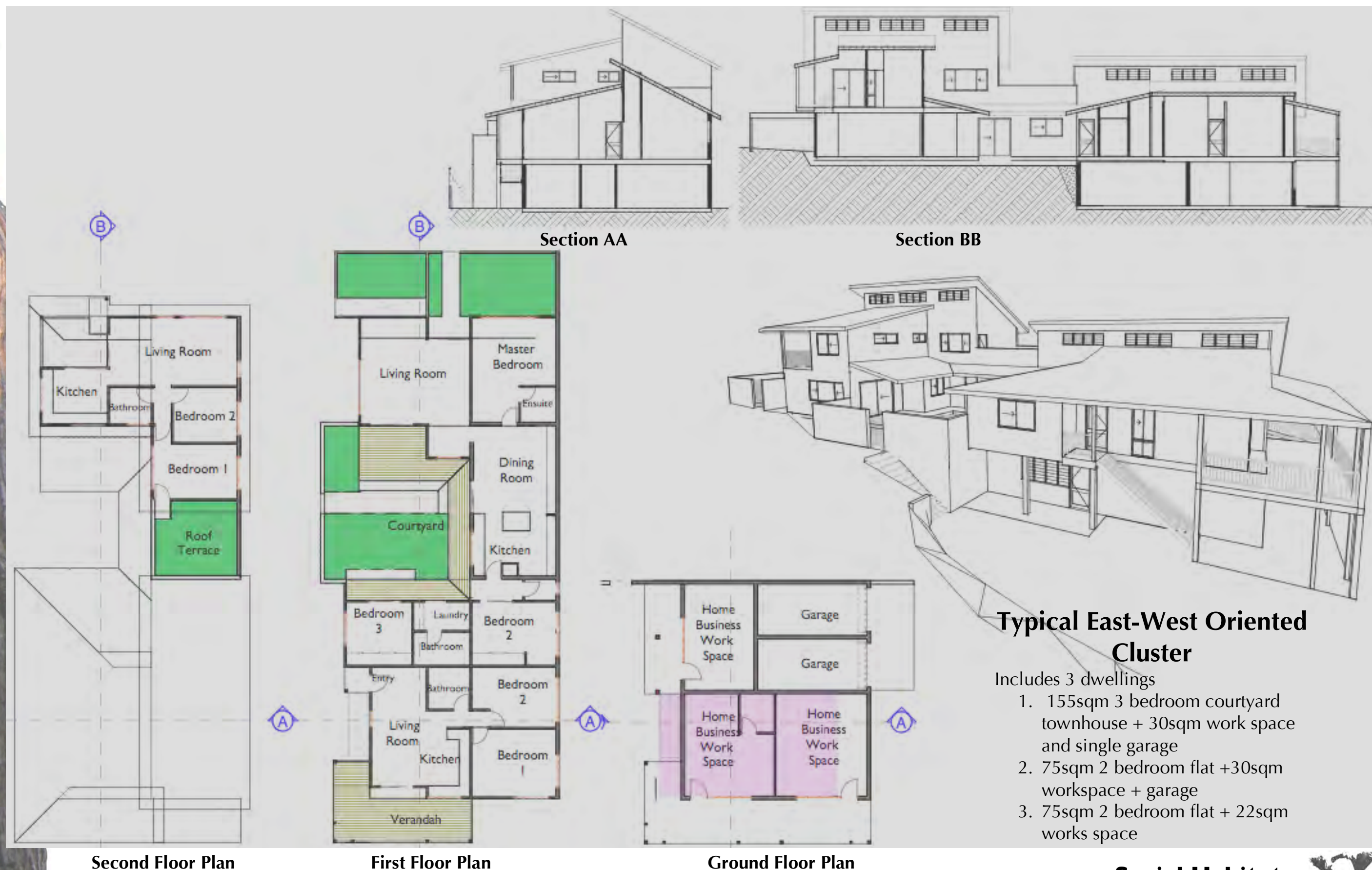
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Residential

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Commercial

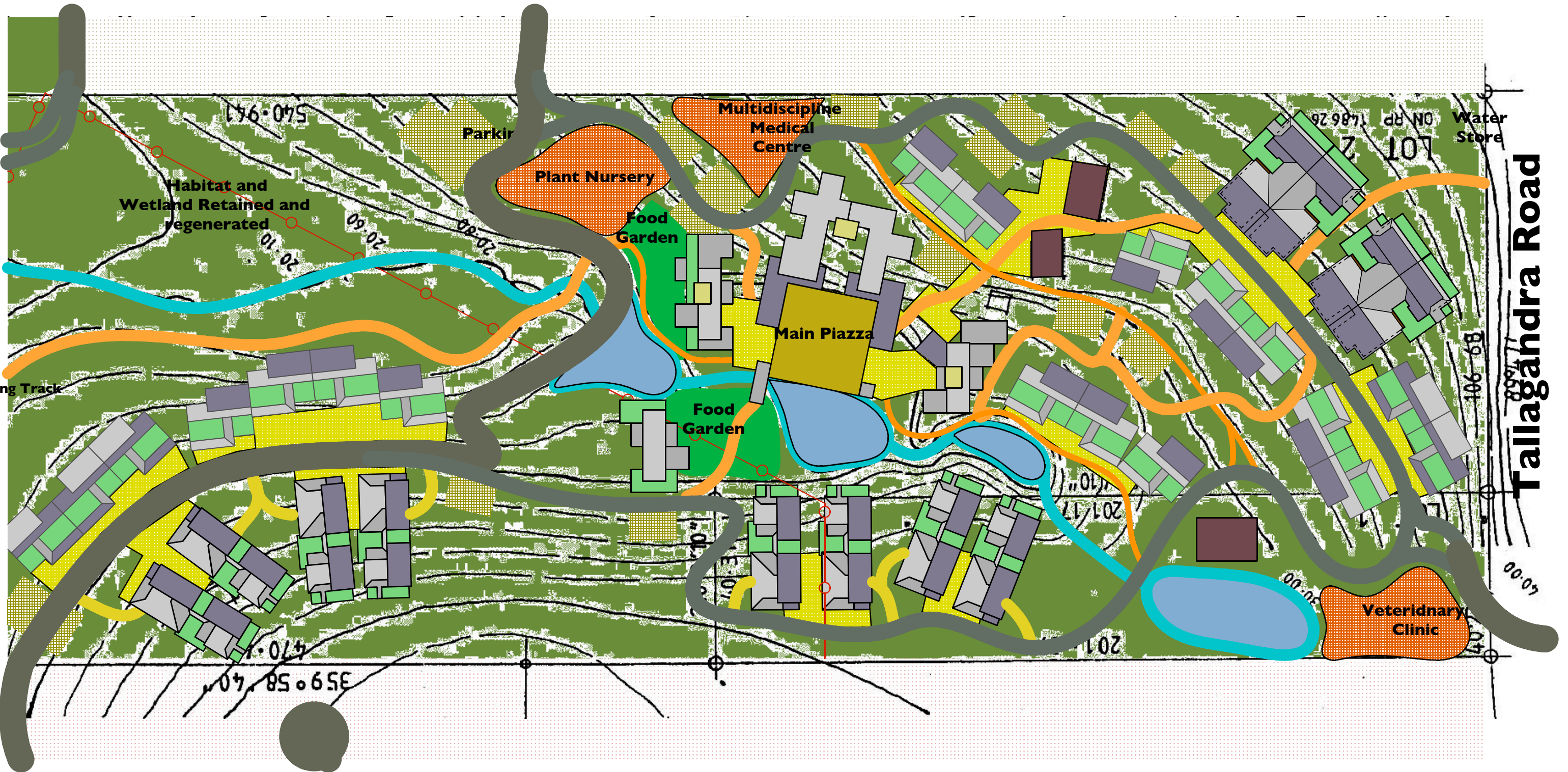
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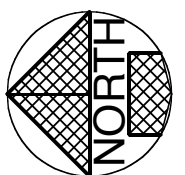
Contact: Malcolm Price
Phone 02 66845177 Mobile 0410623348
470 Main Arm Road Mullumbimby NSW 2482
Email: socialhabitat@bigpond.com.au

Scoping Study Scheme Ta



Tallagandra Trees

Project: New Community Title 258 Tallagandra Road Holmview
 Owners: Helen Holmes & Joseph O'Flaherty
 Site Plan Scale 1:1000 at A1 December 2008



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