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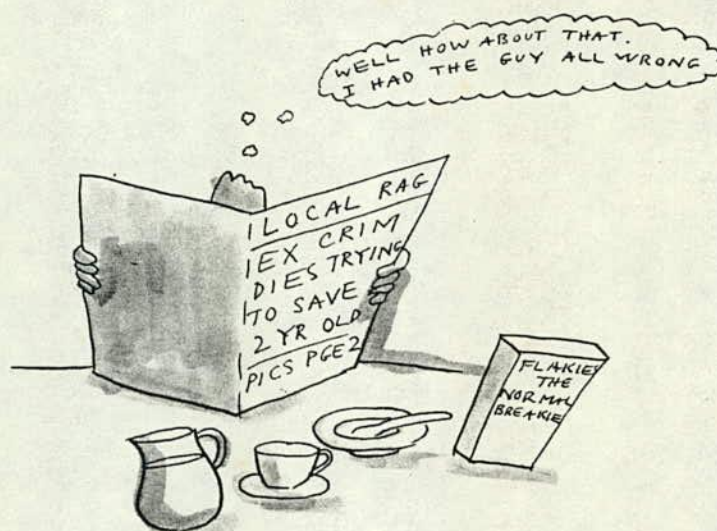
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Introduction:**WHAT IS A GROUP HOME AND WHO IS IT FOR?**

As affordable shelter becomes less accessible for those who are more financially marginal and/or socially isolated (single parents, single persons, young families, students, the elderly, frail, and people with physical, developmental or psychiatric disabilities), shared housing options present an attractive option.

A 'Group Home' is a form of shared housing where at least two unrelated persons live together in a dwelling unit, each having one's own private space and sharing other common areas, such as kitchen, living and dining rooms. It is socially distinguished from other options in that an unrelated "family of choice" shares a single dwelling unit.

The N.S.W. Government has recognised the need for group housing for disadvantaged persons in the state wide planning policy: State Environmental Planning Policy N^o9 "Group Homes". This policy aims to facilitate:

- a) permanent group homes in which **disabled persons** or **socially disadvantaged persons** may lead as normal a life as possible by living permanently in an ordinary household environment; and
- b) transitional group homes which provide temporary accommodation for disabled persons or socially disadvantaged persons in an ordinary household environment instead of in an institutional environment for purposes such as alcohol or drug rehabilitation, "half-way" rehabilitation for people formerly living in institutions and refuges for **men, women or young people**.

More detailed information on the policy (referred to as SEPP N^o9 from hereon) is set out in the following text, particularly in Chapter 2.

The aim of a group home is to create a "supportive setting", to allow individuals to reach their human potential and to become contributing, productive members of society. By living in the community, residents of group homes may be more able to respond to services, obtain training and become employed. The physical environment can facilitate this **normalisation** if it is personal, manageable, of human scale and can be changed and used by residents.

There are many benefits attributed to group homes, including **cost-effectiveness**, the fact that shared arrangements offer **companionship** and can overcome loneliness, as well as provide **safety** in numbers. Socially, group homes can offer a **peer, care-giving support system** of mutual benefit. It can help maintain **independence** through interdependence, as well as provide a viable **alternative to institutionalisation**. Of course, group homes may not fulfill all the above ideals but their objective is to allow for the opportunities of support and self-help to develop.

With the refurbishment and up-grading of housing in inner city neighbourhoods, displacement of low-income and at-risk populations is quite prevalent. The formation of group homes or shared households may be particularly helpful as a strategy to aid these groups stay in their neighbourhood of long residence.

The Group Homes State Policy (SEPP N^o9) allows for the establishment of group homes in ordinary residential environments as an alternative to an institutional environment.

Integration means being part of the general community, housed in small scale, community based housing which is undifferentiated from other

housing in the area unlike accommodation services providing large, often segregated institutional settings.

For each kind of group, autonomy and independent living will require re-thinking the standard house or apartment. Group homes can be designed and constructed to meet the special needs of the elderly, single parents, women, single people and groups with disabilities. This may also mean integrating with support services, part-time employment, day care, child care etc, either spatially integrated into the building or neighbourhood setting, but not produced in such a way as to make residents feel that they are unusual or abnormal for needing them.

THE GROUP HOMES MANUAL

This Manual aims to identify useful strategies that may facilitate in the process of integration into residential communities. This is in recognition of the public hostility that exists towards groups that are seen to differ from the nuclear family, or the perceived 'norm'. Whether rural or urban, neighbours skepticism is largely the result of unfamiliarity with the idea of group homes and the people who choose to live there, as well as their concern and fear for what might happen to their neighbourhood, ie. a belief that property values will decline, or higher densities will over-use facilities etc.

Much of the present research and literature indicates quite clearly that if there is anything which people can consider deviant, then the chance of integration is much worse. Group homes and group home residents are considered unconventional and sometimes deviant, by people who are ill informed. For this reason integration is a challenge that requires skills, insight and perseverance.

The following chapters provide hints and advice on a number of issues concerning the establishment of group homes. These include items on:

CHAPTER 1 - The Selection of an Appropriate Site: locational factors; appearance and design factors on neighbourhood impact; negotiations with real estate agents; what planning considerations; what should a site/property analysis consist of; maintenance considerations.



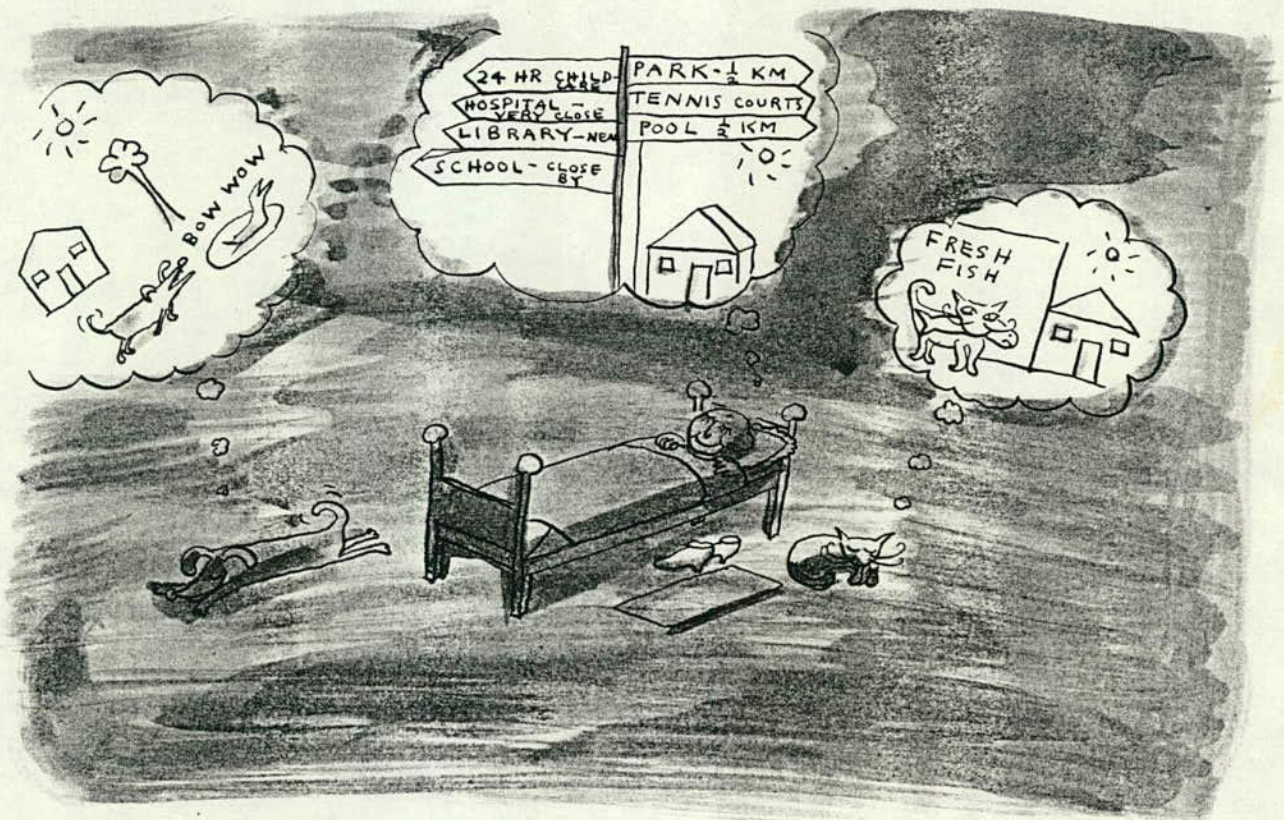
CHAPTER 2 - Information on Planning Policies, Councils and the D.A. Process: A summary of State Environmental Planning Policy N^o9 on Group Homes, What does it say? How does it work? When is a Development Application required? What happens to a Development Application? What criteria do Councils use for granting or refusing consent? What kinds of complaints do they get? Who are the key decision makers? When and how should one negotiate? What strategies for dealing with bureaucracies? When, how and who does one lobby to put the case for Special Purpose Group Housing?

CHAPTER 3 - Public Relations and the Art of Dealing with Neighbours: When, and how to inform local neighbours of a group home proposal; a high profile versus a low profile approach; how to use the local media/publicity; procedures for planning and conducting a public meeting; setting up an open day; information on networking; ways of getting local support and residents on side; ways of pacifying neighbours during troubled times.

CHAPTER 4 - Community Education Strategies: identifying targets; strategies for a community education campaign through the media; factors in effective communication; the role of the Community Educator.
Appendix 1: Hints on how to handle the media.

Appendix 2: Kits, manuals, films, videos and available resources

Appendix 3: House Recording Form developed by the CSIRO, Division of Building Research, Highbury, Victoria.



CHAPTER 2:**INFORMATION ON PLANNING, POLICIES, COUNCILS AND THE D.A. PROCESS.****2.1 CHECKING ON PLANNING AND ZONING REGULATIONS**

Town planning regulations govern both the use of the land and the nature of buildings on it. In reviewing an application for the establishment of a group home or residential care facility, councils and the Department of Environment and Planning take the following into consideration:

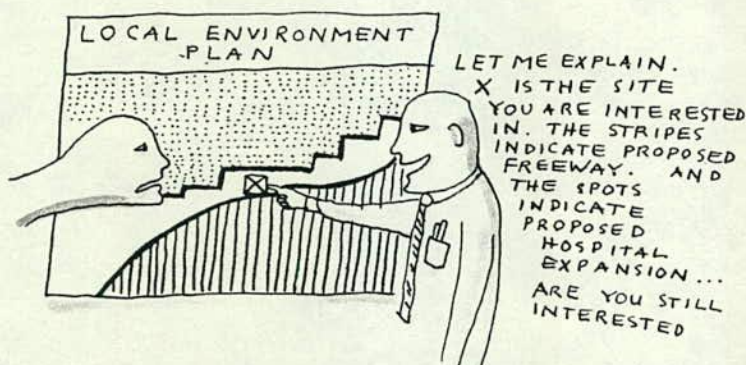
- the physical character of the building and its relationship to other buildings in the area;
- the existing zoning and whether the proposal is compatible;
- the type of proposed development and whether any environmental factors (noise, pollution, traffic generation), social and economic factors of a development are likely to have any detrimental impact on the locality (for example, changes in the nature and location of employment, or changes in the structure and size of the population).

When choosing a site, an important factor to take into account is the zoning category of the local council. A council's general planning provisions may stop or influence the building, so it is worth consulting the zoning regulations first. Through Local Environmental Plans and Development Control Plans, councils are able to influence land use and regulate the nature of development that is permissible within a particular area. By "zoning", councils are able to earmark land-use for specific purposes (eg residential, commercial, mixed use, special purpose - schools, hospitals, road use, open space, etc).

The zoning gives an indication of permissible uses. So, it is very important to check the zoning and even ask a planner to show you the Local Environmental Plan for the area, or a master map showing current zonings, so that you can get a clear indication of surrounding uses. The house may lie in a proposed freeway zone or be surrounded by freeway zones! For this reason it is useful to find out the overall planning proposals.

The council is the local "consent authority", or decision-making body for development control and it may have a number of restrictions for any one

area. These might include - **density controls** that limit the type or the size of the dwelling; **height restrictions** - controlling the maximum height or the maximum number of stories; minimum standards for **off-street car-parking**; **special design criteria**; **historical conservation controls**; and other factors that could affect a site or property (eg. adequate entrance and exit from that development; manoeuvring and parking of vehicles; the amount of traffic likely to be generated; existing and likely future amenity of the neighbourhood; the public interest).



It is very important to check the current and proposed zoning with your local council.

Your group can find out about the planning criteria from the planners within your local council, or you can let an experienced architect or planner research the limitations and negotiate on your behalf, before submitting for a Development Application.

2.2 WHEN IS DEVELOPMENT CONSENT FOR A GROUP HOME REQUIRED AND WHAT DO YOU HAVE TO DO TO GET IT?

The aim of SEPP N^o9 is to facilitate the establishment of group homes in which disabled or other socially disadvantaged persons may lead as normal a life as possible by living, permanently or temporarily, as a household in an ordinary residential environment instead of an institutional environment.

SEPP N^o9 requires the residents of a group home to live as a single household thereby differentiating between group homes and boarding houses, hostels, institutions and hospitals.

This policy states that a **"permanent group home"** means a dwelling -

- a) used to provide a household environment for persons who are disabled or otherwise socially disadvantaged, whether those persons are related or not;
- b) a single household, occupied by persons as in a) above, either with or without paid or unpaid supervision or care and either with or without payment for board and lodging being required;

Furthermore a **"transitional group home"** means a dwelling -

- c) used to provide temporary accommodation, for the purpose of relief or rehabilitation, for disabled persons or socially disadvantaged persons whether those persons are related or not; and with or without paid or unpaid supervision or care.

Socially disadvantaged persons include -

- i) Persons disadvantaged for reasons of alcohol or other drug dependence, extreme poverty, psychological disorder, delinquency or other disadvantages; and
- ii) Persons who, for reasons of domestic violence or upheaval, require protection.

A group home may be a dwelling-house or a dwelling within a residential flat building.

SEPP N^o9 allows group homes either with or without development consent in all zones in which residential dwellings are permissible.

Development consent for group homes is required for:-

- a) any permanent group home where -
 - (i) there are more than 5 bedrooms; or
 - (ii) where the number of residents is more than twice the number of bedrooms.
- b) any transitional group home.

So, all transitional group homes, and all permanent group homes with more than five bedrooms, or more than twice the number of residents per bedroom (including resident staff), require development consent from the consent authority.

2.3 WHERE DEVELOPMENT CONSENT IS NOT REQUIRED

Under SEPP N^o9 the Department of Housing is not required to obtain development approval for a **transitional group home or permanent group home** of 5 or less bedrooms; subject to there being not more than twice the number of residents as there are bedrooms. This also applies where the Department of Housing is acting jointly with an organisation.

Otherwise, the building of a dwelling, the use of an existing dwelling, or the internal alterations of an existing dwelling, for a permanent group home:-

- a) of 5 or less bedrooms; and
- b) with not more than twice the number of residents as bedrooms (including resident staff, if any);

does not require development consent.

In most residential zones, no development consent is required to build, or carry out alterations or extensions of, an ordinary dwelling house. In some zones, however, consent is required and in this instance you might find that such consent is required for the dwelling house (of 5 bedrooms or less, etc.) but not for its use as a permanent group home.

A permanent group home that under the SEPP N^o9 policy does not require development approval, should be treated in the same way as any other dwelling house. That is, it would only require development approval where a dwelling house required approval. In the case of a house which requires modification, that is, if the house you are buying needs alterations for its use as a group home, then 'building approval' may be required from the local council, through the lodging of plans for approval. Re-cycling or new construction may require both development approval and building approval. Under SEPP N^o9, if development consent is required, it cannot be refused or have any conditions attached to it solely on the grounds that the dwelling is a group home.

In the event of your group home requiring Development Approval or Building Approval, it would be to your advantage to obtain the assistance of someone well versed in planning procedures and who is able to communicate appropriate plans.

Thus, one way of avoiding delays and complications is to choose a house that does not require any prior development or building consent from the council.



2.4 HOW IS A GROUP HOME APPLICATION PROCESSED WITH THE LOCAL COUNCIL?

Where the Department of Housing, or any other Government body, hold title to the development, they are likely to want to take full responsibility for obtaining all necessary approvals. Where this is the case, the group is generally not involved in the application process. Your contact person in the Department will advise you if and to what extent your assistance is required. He or she is also the best person to contact for advice on the progress of applications and they in turn can maintain liaison with the council.

The Department of Housing have a number of project teams responsible for land and housing development. There are also specialist support groups including an expert in the development approval process. Development applications are handled by either one of these, depending on the circumstances.

If your organisation is to submit the development application, the following notes may be helpful to you.

When a Development Application is lodged, most councils check:

- that the plans have been adequately prepared;
- that necessary supporting information is included;
- that the application fee is paid.

Council may at this stage ask for additional information in order to make its assessment of the application. Many councils advertise development applications through the local newspapers, or by sending letters to owners and/or occupants of nearby properties to the site of the proposal. Any comments or objections are included in the officers' report which is prepared to go to council. Council then considers the report and any objections.

SEPP N^o9 specifically states that a council may not refuse an application or impose a condition on the development consent, only because the dwelling is a group home. Council can only refuse or attach conditions where it would do the same for an application for an ordinary dwelling.

The time taken between lodging an application and the decision varies. However, the regulations which set out the process of applications, state

that after 40 days the application is "deemed" to have been refused and an appeal can be lodged to the Land and Environment Court, if the applicant feels that council is unreasonably delaying its decisions. First, you may wish to arrange a meeting with the senior town planner where you could try to obtain a timetable for the processing of the application. In the event of council delaying or refusing your application, or attaching unreasonable conditions to the development consent, it is possible to appeal to the Land and Environment Court. In the case of a delay, however, the council may proceed to make a decision after the



Councils sometimes fear that residents may come back at them if there are complaints

40 days has expired and even after an appeal has been lodged.

It is highly advisable to **obtain the assistance of a lawyer or planner** experienced in dealing with matters in the Land and Environment Court before you lodge an appeal.

Group Homes requiring development consent from councils, have not been strongly favoured by councils. A number of schemes have had difficulty getting off the ground due to local residents objecting and councils evidently supporting their objections. This has led some people to the view that, "local government is confused - it has little incentive for acting on its own initiative - **want control...** fear that if there *are* complaints, neighbours will come back at council."¹

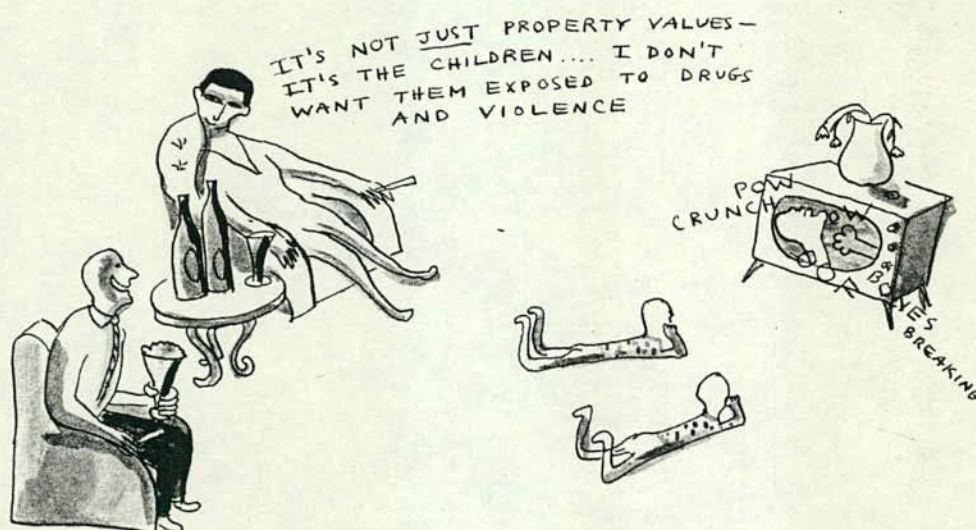
It was also indicated that,

"public involvement in the planning process has **not** been helpful to, or shown concern for, the needs of special groups. In general, however, public participation has been viewed as a progressive step in planning... Most people would agree the public should be informed and have the right to express their views on issues which could alter the amenity of their environment. Public reaction (however), often appears self-interested and intolerant when it is not well-informed. Organisations and agencies desirous of establishing group homes may frankly have to do some P.R. work in the present climate of opinion."²

2.5 COMMON FEARS AMONGST LOCAL RESIDENTS

The following list provides an indication of the kinds of fears and complaints expressed by neighbours :

- Lack of knowledge about particular disabilities;
- Fear of anti-social behaviour - fears related to problems of security - such as theft, violence, harm to children etc.; as well as a concern for bizarre behaviour or noise;
- Fears that property values will diminish;
- Concerns for a deterioration in the quality of their lives;



- Lack of trust in service providers to maintain adequate standards and services;
- Concern for increased noise and traffic.
- Residents also fear the 'institutionalizing' of a neighbourhood, with a concentration of group homes (which is also contrary to the objective of establishing them in a normal residential environment).

Common fears amongst local residents

2.6 NEGOTIATING WITH LOCAL COUNCILS

A small number of strong-willed and very vocal people can jeopardise the establishment of a group home, where development consent is required. Thus whilst every situation may be different, the following strategies are suggested for organisations dealing directly with local councils.

- Do try and negotiate with key decision-makers. Where possible, it is valuable to seek to get influential staff and politicians on side. This may mean consultations - going and speaking to them, providing video documents or inviting them to come and visit the group. One approach is to seek "advice and expertise" from local planners, prior to site selection. **Involve people in the bureaucracy as early as possible** - before you have finalised your ideas, if they consider they have contributed to a proposal they are more likely to push for it in the bureaucracy. Find out special requirements, forms needed, number of copies etc. Check exactly what information is needed to make a decision - and include only relevant information.
- Where a proposal is to be exhibited, it is worthwhile seeking to get **local support on side**, either through resident networks or through community support networks. (Chapter 3 will provide further strategies for getting local residents and the press on side.)
- The Development Application itself should contain accurate and sufficiently detailed information, as well as providing a contact person of

someone who can skillfully discuss and negotiate on matters, as well as be contacted quickly by phone.

- The council will seek **assurances of adequate supervision and management** (to help allay fears of disturbance to nearby neighbours).

- Indications that the design has considered **physical buffers**, through landscaping or other means, may favour the proposal.

- **Prior consultation with architects and planners**



You may wish to speak to your proposal at a council committee - or choose a good spokesperson

of the council, explaining the rationale of the design proposal, may be helpful in getting relevant people on side (see strategies below).

- Once a proposal has been evaluated by relevant staff, it then goes to the appropriate committee that deals with planning matters. The recommendations of that committee are then dealt with in the council. It is therefore valuable to **nominate an articulate representative** who is able to speak convincingly about the project at a committee level.
- Through prior arrangement with the committee clerks, you should be able to find out the exact date that your proposal is being dealt with on the committee papers (agenda items for the committee). Once you know the date, you should be able to notify the committee clerk that you wish to speak to the proposal, as well as show relevant slides and videos. Make

sure that the speaker is able to respond to technical design issues as well. If you know of supportive neighbours, they may also wish to speak to the proposal. People's direct experiences with the group tend to bear greater influence than hearsay. The process for establishing group homes may require a few 'consciousness raising' exercises.

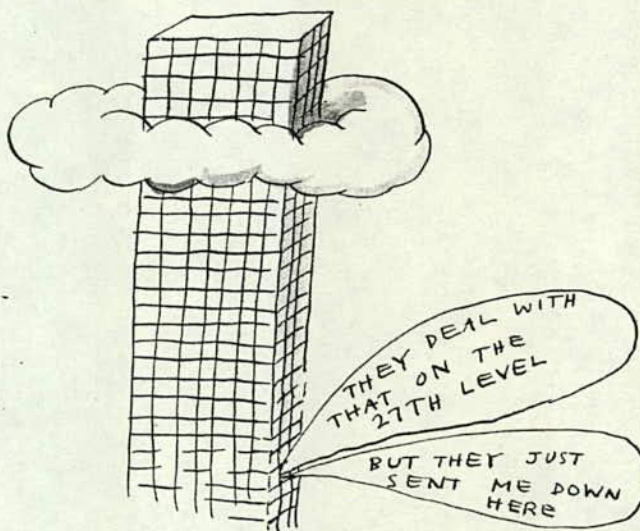
- **Get to know your local members, councillors and other local opinion and decision-makers.** Although, it is usually advisable to use direct political pressure only as a last resort, without going over the heads of bureaucrats.

- **Decide whether you want to lobby key staff and politicians: be specific in your issues; plan your approach and be well organised; know who is responsible for what in the bureaucracy; use both a direct approach (e.g. meetings) and an indirect approach (e.g. letters, petitions if necessary); use several approaches and be persistent!** Avoid confrontation - people will be more responsive when you respect and tolerate their differences.

- **When dealing with bureaucracy** remember bureaucrats are information brokers - and so you need information to deal with them. If each bureaucrat is a specific cog in the wheel, you will need the right information for their level - otherwise you will be shuffled - usually not upwards. Understanding the internal mechanics of the bureaucracy is a major tool in getting past its slow and inward-looking nature.³

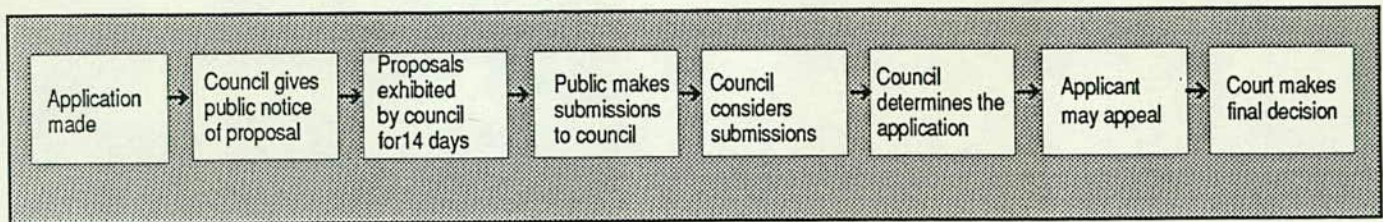
- **An important point to remember is that you can influence bureaucrats.** When you are speaking to them, it is important to give some background about who your organisation is and how the proposal came about, but you also need to explain as clearly as you can exactly what you want from them. Also, it is very important to **put your proposal in writing**. Otherwise, it is very difficult for bureaucracies to process your requests unless they can be formally dealt with. If you are persistent with your request, often a way can be found to make it happen. Be friendly but firm and remember not all bureaucrats are bureaucratic!⁴

When dealing with bureaucrats you will need to know the right information for their level.



If you fail to gain consent for your Development Application, you can always **appeal through the Land and Environment Court**, which leaves the court to make the final decision. Whilst it is not a requirement of the court that any person making an appeal be legally qualified, one's chances

of succeeding in the court would be slim without expert legal advice, or the assistance of a planning advocate experienced in the court. The process is summarized below:⁵



FOOTNOTES

- 1 Barbara Adams *Notes for a Workshop Presentation*
- 2 Barbara Adams *Community Reaction and Public Relations on Group Homes.*
- 3 Howard Reed, David Cameron & Deree Spinks *Stepping Stones - A Management Training Manual for Community Groups.* 1985:100
- 4 NCOSS *The Community Action Book.* 1986 P.40-42
- 5 *Guidelines for Local Government, The 1979 Environment & Planning and Assessment Act.* 2nd Edition

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The Community Action Handbook by N.C.O.S.S.
The Plain English Handbook for Starting Community Organisations L.C.S.A., 1984. p8.
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likely need no DA DoH

DoH. programme to provide a variety of housing forms in his LGAs to meet on-going housing demand & need.

They fully funded by State & Fed. Min of H. under LG-CHP as "common equity housing coop".

The primary aim of the funding is to expand the long term housing opportunities for the people in the area by dev a non-profit rental housing coop as a form of democratic, common equity coop. owned housing.

Dev by DoH, the head lease to project org being "his Independently Living Youth Service Inc." The sub lease to future members.

On incorp, the head lease will be transferred to the Coop with subsequent increase in equity occurring

1.2 18-25 yr olds + children capable of independent living not a crises centre nor refuge & not for short term acc.

Consultation with Independent Youth Housing Coop Consultative Committee

3.2.1 Ownership. Not to be staged - dwellings to be built in the short term. The management committee will train & assist coop members & select members. (to) endorse the proposed DA

Enc A Govt Conditions for the ^{steps} of project

1. his Indep Living Youth Service Inc
ie legal deed between head & housing Coop & a Coop.



Your reference

Our reference

L94/94/03922/01
C92/05532

The General Manager
Lismore Council
P.O Box 23A
Lismore NSW 2480

DEPARTMENT OF HOUSING

23-31 Moore Street, Liverpool

PO Box 486, Liverpool NSW 2170

DX 5064 Liverpool

Telephone (02) 821 6111

Fax (02) 821 6900



Dear Sir

**DEPARTMENT OF HOUSING PROJECT NO. 16290
LOT 24 D.P 777743 (357) STONEY CHUTE ROAD
DEVELOPMENT APPLICATION UNDER THE ENVIRONMENTAL
PLANNING AND ASSESSMENT ACT, 1979 AS AMENDED
JOB NO. CHP 16290/001/01**

Under the provisions of Section 77 of the Environmental Planning and Assessment Act, 1979 as amended, application is hereby made for development approval to the multiple occupancy of the abovementioned rural land, by the erection of five dwellings with associated infrastructure.

The Department of Housing's Development Application submission which is enclosed, comprises the following:

- * a completed development application form.
- * a Statement of Environmental Effects dated May 1994 and prepared by E. Buivids-Architect and Balanced Systems Planning Consultants.
- * three copies of plans in three sheets illustrating the proposed development and indicating in general form the types of dwellings which are intended to be erected.
- * a cheque in the sum of \$ 100.00 being the prescribed fee for the lodgement of a development application by a Crown Authority.

Also enclosed with the development application, is a copy of a Certificate dated 27th May 1994, issued by the Far North Coast County Council, indicating that there are no outstanding notices in respect to the subject property under the Noxious Weeds Act, 1993.

The Department of Housing will arrange to forward to Council, under separate cover when received, letters from the electricity and telecommunication authorities, confirming the availability of electricity and telephone services to the land. The property owner's consent will also be forwarded to the Council under separate cover (please note that under Section 77(2A), a copy of this development application has been served on the land owner).

The Department of Housing will also arrange to forward to Council, under separate cover when received, documentation from the relevant authority, that no part of the subject property, more particularly the north-western corner is now required for road widening purposes.

The Department of Housing entered into a contract to purchase the subject property on 11th May 1994. The subject land is being purchase to enable the development, in association with a community based organisation, of a multiple occupancy development of five dwellings, which are to provide long-term accommodation for people in the 18-25 year age group and their children. The project forms an important part of the Department of Housing's program to provide a variety of housing forms in the Lismore local government area to meet on-going housing demand and need.

The site was closely examined by the Department of Housing before a contract was entered into, and is considered to be suitably locate, and satisfactory in size and nature for the multiple occupancy development which is proposed. The land is situated approximately four kilometres west of the township of Nimbin, which places the land in a rural setting, but within reach of shopping and other facilities.

The project at Nimbin has been approved for full funding by the State and Federal Ministers for Housing as part of the (Local Government and) Community Housing Program - the main source of public funding for common equity housing co-operatives. For the information of Council, and in support of the development application, information is enclosed, setting out, inter alia, the guidelines for this type of project. (Enclosure A).

The primary aim of this funding program is to expand the long-term housing opportunities for the people of New South Wales, by developing a non-profit rental housing co-operative sector as a form of democratic, common equity (co-operatively) owned housing.

In respect to the project at Nimbin, the Department of Housing will initially develop the project. The project will then be the subject of a head lease to the project auspice organisation, which in this case will be the Lismore Independently Living Youth Service Inc. An outline of the responsibilities of auspicings groups is enclosed with the application for the information of Council (Enclosure B).

The auspicings group will then enter into sub-leases with future members of the Co-operative which is to be incorporated. On incorporation, the Head Lease will transfer to the Co-operative, with subsequent increase in equity occurring.

For the information of Council, enclosed with the development application is a copy of the usual Deed entered into between the New South Wales Land and Housing Corporation and a Co-operative in respect to a community housing project such as proposed at Nimbin. The Department of Housing would submit that the terms of the Deed ensure the proper continuance and operation of the co-operative housing project (Enclosure C).

In conclusion, the Department of Housing would submit that the project at Nimbin complies with the aims and objectives of State Environmental Planning Policy No.15 - Multiple Occupancy of Rural Land, by affording the opportunity for a number of families to use rural land as their principle place of residence in an environmentally sound and sensitive manner.

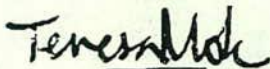
As you are aware, under Section 91A of the Environmental Planning and Assessment Act, 1979 as amended, conditions may only be imposed on a consent relating to a development application by a Crown Authority where the prior agreement of the applicant or the Minister for Planning has been given.

If your Council considers that conditions of consent are necessary, it would be appreciated if a copy of the draft conditions would be forwarded for the Department of Housing's consideration at the earliest date.

Should any further information be required in respect to the development application, this may be obtained by telephoning the undersigned on (02) 821 608 during normal office hours.

Your Council's early and favourable consideration of the development application now made would be greatly appreciated.

Yours sincerely



M. Lyle 3/6/94
Acting Development Manager

DEVELOPMENT APPLICATION and STATEMENT OF ENVIRONMENTAL EFFECTS

to:

LISMORE CITY COUNCIL

proposed development:

**5 dwelling multiple occupancy
with associated infrastructure**

for proposed:

Lilyseed Youth Housing Co-operative

site:

Lot 24 DP 777743

**357 Stoney Shute Road
Nimbin**

application prepared
on behalf of:

Department of Housing

prepared by:

**E Buivids - Architect
&
Balanced Systems Planning Consultants**

correspondence to:

PO Box 36 Bangalow 2479

066 - 895301 (phone & fax)

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1. Introduction

1.1 purpose and structure of this report

This report constitutes an application seeking planning consent for a **multiple occupancy consisting of five dwelling units and associated infrastructure** at 357 Stoney Chute Road, west of Nimbin.

The applicant is the N.S.W. Department of Housing.

The structure of this report comprises the following format:

Section 1 - Introduction - introduces the report and states the circumstances of the case.

Section 2- The Site and Locality - describes the site's characteristics and the context of the site within its locality.

Section 3- The Proposed Development - provides the development objectives and describes the proposed development.

Section 4 - Environmental Planning Assessment - forms the statement of environmental impacts accompanying this development application. This statement is structured in the context of the heads of consideration contained within the applicable planning provisions relating to this form of development.

1.2 circumstances of the case

The 24.68 ha. property, described as Lot 24 DP 777743, is located at 357 Stoney Chute Road, some four kilometres west of Nimbin, as depicted within Illustration 2.

The purpose of this application is to obtain consent to develop a multiple occupancy development of five dwellings and associated infrastructure in accordance with the relevant planning objectives and provisions.

The applicant is the N.S.W. Department of Housing.

The need for housing in the region and Nimbin in particular is well documented. The concept for the Lilyseed Youth Housing Cooperative has been developed in conjunction with a community based committee to provide long term secure housing for 18 to 25 year old people (and their children) capable of independent living. The proposed development is not a crisis centre nor a refuge and not for short term accommodation.

The project is to be located in the rural area in order to maintain a rural lifestyle for the tenant core who are to be young local people who have grown up in the locality. The project will provide training to achieve tenant self-management in the administration, legal and financial obligations of the common equity co-operative.

The site was selected for the project following an assessment of potential sites utilising adopted site selection criteria.

In rural planning terms, this application for a five dwelling multiple occupancy and associated infrastructure with accompanying land and resource management provides a good 'enduse' for this site. The site is physically capable and locationally suitable for the proposed housing cooperative.

In preparing this application, consultation has occurred with the Lilyseed Youth Housing Cooperative Consultative Committee and Lismore Council's planning officers and with the Soil Conservation Service.

This application demonstrates the application is consistent with applicable planning provisions.

The enabling planning instrument is State Environmental Planning Policy No. 15 - Multiple Occupancy of Rural Land. The site is within the General Rural 1(a) zone and hence multiple occupancy is a permissible use of the site subject to the consent of Council.

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Draft Amendment No. 4 of the Lismore Local Environmental Plan 1992 seeks to permit rural residential development in the immediate locality of the subject site. The future amenity of the locality is likely to be characterised by increased residential uses and, in this context, the proposed cooperative would be consistent with this emerging settlement pattern.

The likely impact of the proposed Rural Housing Cooperative on the site, locality and infrastructure is considered to be, on balance, positive if measured against council's adopted planning objectives. The impact of additional rural settlement is likely to be minimal as the development will only create marginal impact on the local road system and other community infrastructure. No significant adverse conflicting landuses or visual impact are likely from the proposed development as demonstrated within this report.

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2. The site and locality

2.1 The region

The Far North Coast of NSW is experiencing an average annual increase in residential population of 3.1 % (North Coast Population and Development Monitor No.15), thus making it the fastest growing region in NSW with more than double the State average growth rate (Draft North Coast Urban Planning Strategy 1993). The region is expected to increase its share of the state's population from 6.5% in 1986 to between 9 and 11 per cent by 2021, largely as a result of migration (D.N.C.U.P.S.1993). Illustration 1 depicts the location of the site in its regional setting.

2.2 The locality

At June 1993, Lismore City LGA was estimated to have a resident population of 44,416 and an average annual growth of 2.8 %. Council advises the Nimbin District growth rate is 3.4%.

Illustration 2 - provides a graphical context of the site within it's immediate locality.

The 24.68 ha. property, described as Lot 24 DP 777743, is situated at 357 Stoney Chute Road, some 4 kms west of Nimbin as depicted in Illustration 2.

The primary land uses of the locality consist of a mixture of rural settlement and agriculture. The rural settlement is located on a mix of allotment sizes with multiple occupancies being a common settlement form in the Nimbin district. The dominant agricultural use is grazing with other agricultural activities dispersed over the locality.

The land to the west of the site is partly utilised for organic vegetable growing and small scale dog breeding. Elevated land to the south of the site is being used for banana growing.

The locality is well serviced by regional facilities at Lismore and village and district facilities in Nimbin.

2.3 The site

The site is generally irregular in shape as depicted in illustration No 3. A brief summary of site characteristics are as follows:

Access - The site fronts Stoney Chute Road which provides access to the nearby village of the Nimbin and the greater Lismore

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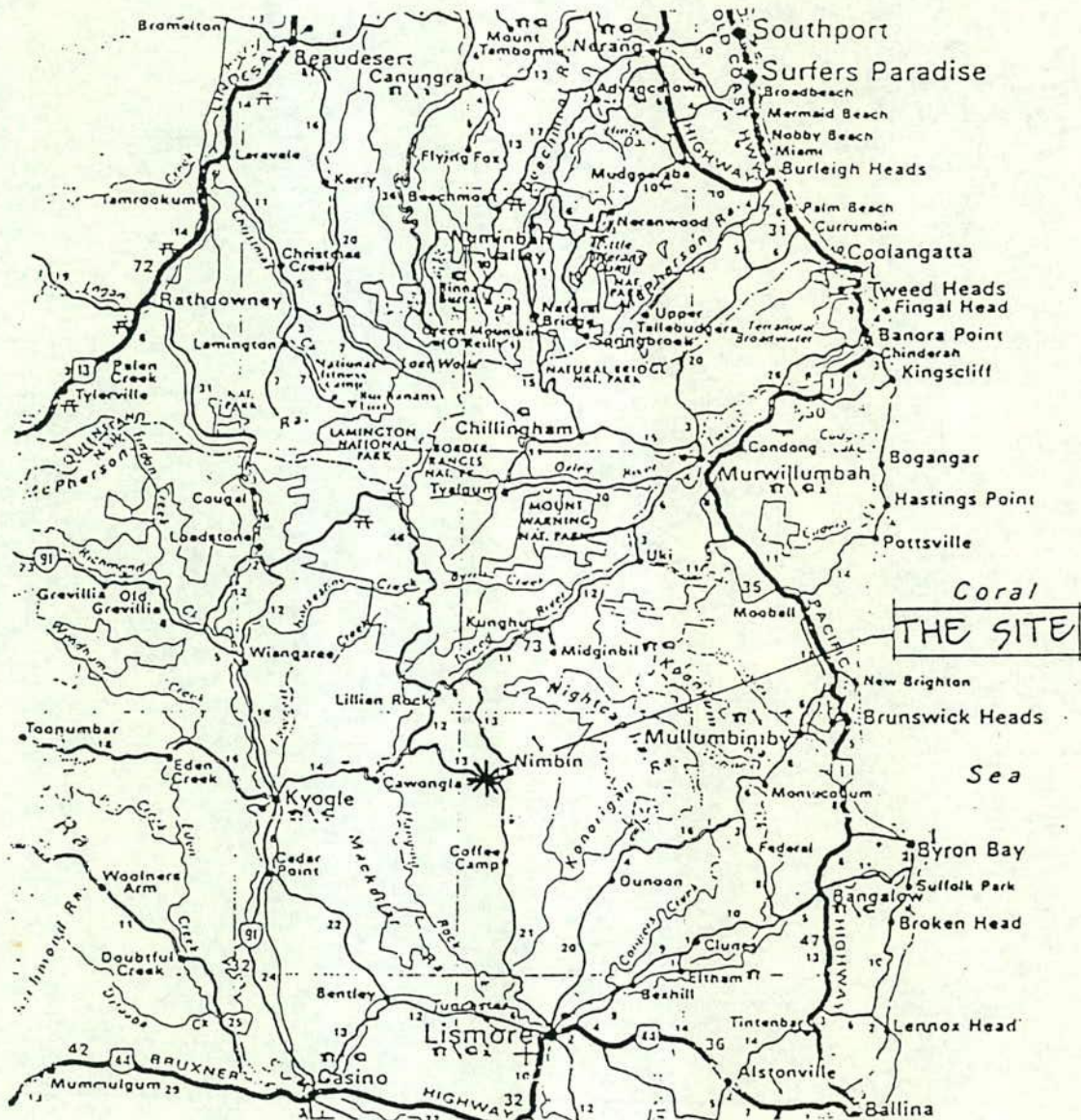


Illustration 1 - Regional Context

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 Applicant: Department of Housing
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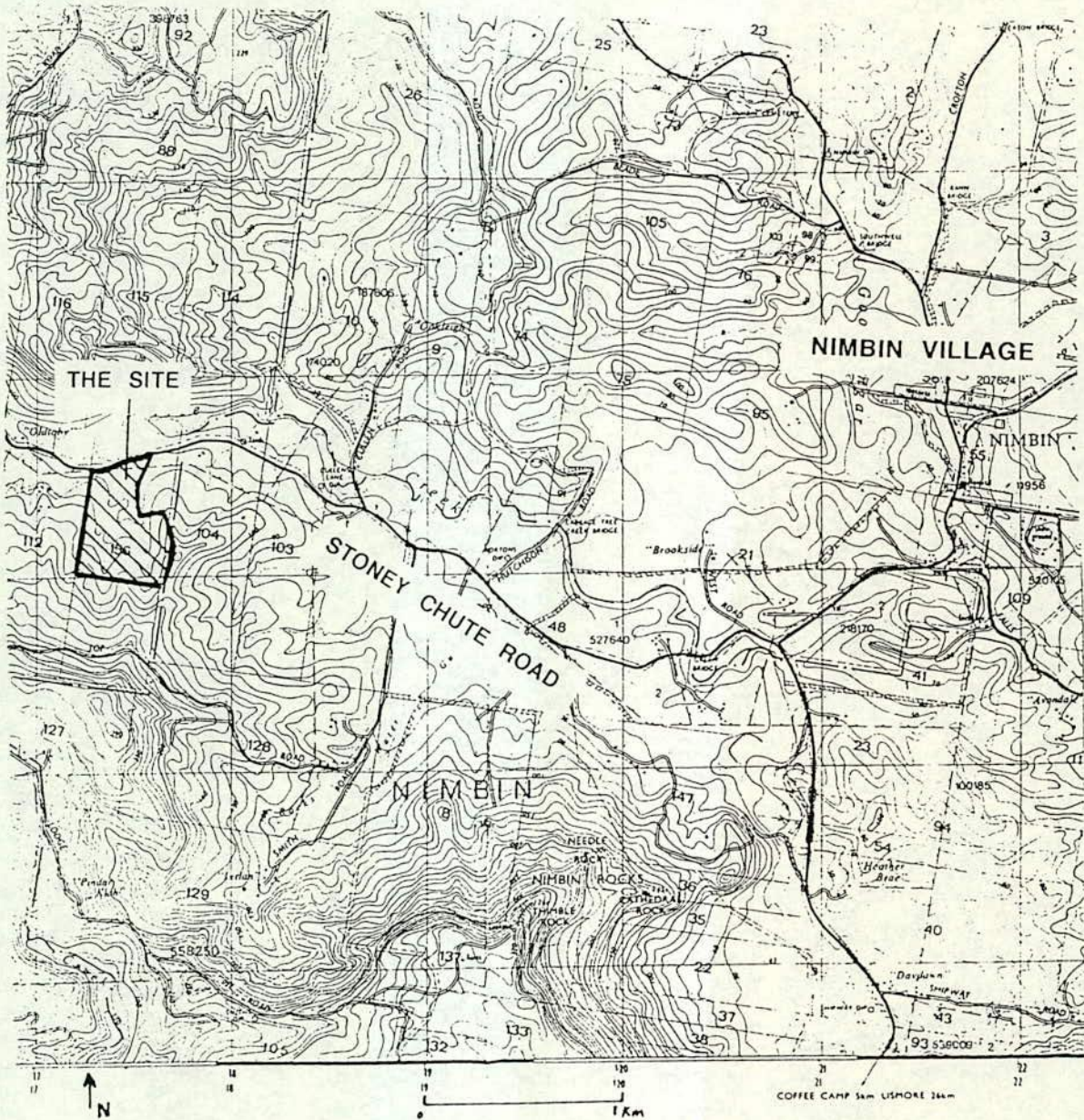


Illustration 2 - Immediate Locality

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region. Stoney Chute Road is a gravel road connecting Nimbin and localities to the west including Kyogle. The entry/exit location for the site has adequate sight distances in the context of traffic conditions in the locality.

Access to the village crosses Goolmangar Creek which is generally flood free other than in infrequent periods of heavy and sustained rainfall. Consultation with Lismore City Council and the State Emergency Services Controller suggests the bridge was cut by floods some 3 or 4 times in the past 15 years and any flooding of the bridge is only for a short duration of some 6 to 8 hours. In this context it is reasonable to conclude any infrequent flooding would not adversely impact the proposed development as such occasional short term flooding is a typical aspect of rural living.

Biophysical characteristics - As depicted on Illustration 3 - Site Plan, the site generally consists of a mixture of slopes with gentle slopes in the location of the proposed building precinct. The site enjoys a desirable northern aspect with some protection from south and west wind conditions due to the topography.

A large dam exists on the north east boundary of the site which is shared with the adjoining neighbour. The subject land has unlimited use of the dam while the adjoining owner is limited to domestic use.

Other potential dam sites are available on the site.

The elevation of the site varies from 70 m AHD along Stoney Chute Road to 130 m AHD at the southern boundary.

Flora and fauna systems on the open areas of the site are typical of an ex-grazing property.

Existing Use - Existing use of the property is for grazing. Some cultivation is understood to have been undertaken on the lower slopes some time ago.

Land capability - The land capability of the site as identified by the Soil Conservation Service's assessment criteria is Class 4 while the Department of Agriculture's agricultural suitability assessment identified the site within Class 4 which is suitable for grazing but not commercial scale cultivation.

A site inspection confirms these assessments of the site. A small area in the north east of the site can be assigned within the site design for more intensive agricultural purposes such as vegetable and herb gardens and orchards.

Appendix B of this report provides a specialist assessment of the

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geotechnical characteristics of the proposed building precinct. The report finds the site is suitable for the proposed buildings.

Natural Hazards - The north west portion of the site, with easy access to the local road system, as identified in Illustration No. 4, is considered suitable for the proposed dwelling cluster. The steeper areas in the southern portion of the site are not considered desirable for buildings.

The bush fire hazard potential of the portion of the site proposed for dwellings is classified as low. The site design and future landscaping will ensure the low hazard is maintained.

Services - Telephone and electricity services are available to the property. Consultation has occurred with both Telecom and Northern Rivers Electricity to ascertain any upgrading of services for the proposed development.

Site Assessment - The site is considered capable and suitable for a small multiple occupancy development. The additional human and financial resources resulting from the proposed development is likely to enable sound long term management of the site in addition to providing rural living opportunities to the future occupiers of the development.

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3 The Proposed Development

3.1 Development Objectives

The aims and objectives of the proposed development are:

- * enable the available State and Federal level housing funds to be utilised locally to satisfy established housing needs
- * provide rural housing opportunities consistent with State and Local planning objectives and provisions
- * occupy the site in a manner consistent with the aims and objectives of SEPP 15 and relevant council provisions
- * design a development which is compatible with the likely future amenity of the locality and minimise any potential landuse conflicts
- * develop the agricultural, soil and habitat resources of the property in a sustainable manner
- * develop and maximise on-site water resources and their efficient utilisation
- * minimise the potential of natural hazards such as bushfire.
- * resolve a suitable and compatible 'enduse' and management for the land
- * locate buildings and infrastructure so as to avoid any potential environmental hazard or significant adverse impact
- * provide adequate site runoff and wastewater management to minimise adverse impacts on downstream catchments
- * allow land management and environmental repair to be undertaken by the addition of financial and human resources and skills.
- * set in place and implement management strategies for the:
 - road and building maintenance;
 - bushfire mitigation;
 - water resource enhancement and conservation of water use ;
 - flora and fauna habitat enhancement;
 - administration and decision making processes.

3.2 The Proposed Development

This application seeks planning consent for a five dwelling multiple occupancy and associated infrastructure on the site, in a single cluster as depicted in the accompanying illustrations.

The development comprises the following as depicted within the accompanying illustrations:

- * five dwellings
- * a community building for the purpose of meeting space,

aa

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- office and laundry
- * use of the existing shed as a community shed
- * associated road and drainage
- * onsite water collection, storage and distribution system including a high level tank reserved for fire fighting purposes
- * onsite waste water treatment and disposal
- * electricity and telephone services
- * landscaping in conjunction with the proposed dwellings and works
- * accompanying management plans for the site relating to land and habitat management, water use, bushfire hazard management and associated matters.

Five dwellings are proposed with the following configurations;

- three 2 bedroom dwellings
- one 3 bedroom dwelling
- one 4 bedroom dwelling for singles

It is anticipated approximately 8 adults and 5 children would reside on the site.

Illustration No. 5 depicts a typical dwelling proposed for the site. The construction technique and materials of the dwellings are proposed as follows:

- Post and beam Construction
- Colourbond Roofing
- Mudbrick walls
- Timber floors

The timeline for construction of the dwellings is one year.

The proposed future ownership and community management structure is as indicated in the attached letter from the Department of Housing.

4. Environmental Planning assessment

4.1 Planning Context

The planning instruments applicable to this development application for multiple occupancy development are addressed within this section of the report.

State Environmental Planning Policy 15 - Multiple Occupancy of Rural Land, as amended, (SEPP 15) provides that multiple occupancy is a permissible use in rural zones subject to council consent. SEPP 15 was amended by Amendment No 1 on the 7 November 1990 (NSW Government Gazette No 152). The policy specifies certain objectives and development standards which are addressed in this report.

Another applicable planning instrument is Lismore Local Environmental Plan 1992. Pursuant to this Lismore LEP, the current zoning of the site is Rural 1(a). The plan also contains certain provisions which are addressed in this report.

Also Draft Amendment No 4 of the Lismore LEP seeks to permit rural residential in the immediate locality of the site.

The other planning instruments applicable to this development application for multiple occupancy on the site are the relevant Development Control Plans.

Development Control Plan No 20 - Multiple Occupancy of Rural Lands was recently adopted by Lismore City Council. The consistency of this application with this DCP is addressed in Section 4.4 of this report.

Development Control Plan No 27 - Buffer Areas is also applicable and its provisions are addressed in Section 4.4 of this report.

4.2 State Environmental Planning Policy No. 15

The following section assesses the consistency of the proposed development with the provisions of SEPP 15.

Clause 2. Aims, objectives

The aims objectives, policies and strategies of this Policy are -

- a) to encourage a community based and environmentally sensitive approach to rural settlement;
- b) to enable -
 - i) people to collectively own a single allotment of land and use it as their principal place of residence;
 - ii) the erection of multiple dwellings on the allotment and the sharing of facilities and resources to collectively manage the allotment; and
 - iii) the pooling of resources, particularly where low incomes are involved, to economically develop a wide range of communal rural living opportunities, including the construction of low cost buildings; and
- c) to facilitate development, preferably in a clustered style -
 - i) in a manner which both protects the environment and does not create a demand for the unreasonable or uneconomic provision of public amenities or public services by the State or Commonwealth governments, a council or other public authorities;
 - ii) in a manner which does not involve subdivision, strata title or any other form of separate land title, and in a manner which does not involve separate legal rights to parts of the land through other means such as agreements, dealings, company shares, trusts or time-sharing arrangements; and
 - iii) to create opportunities for an increase in the rural population in areas which are suffering or are likely to suffer from a decline in services due to rural population loss.

This report demonstrates the proposed development will be consistent with these objectives.

Clause 7 (1)

- (a) land comprises a single allotment

Consistent - A single property namely Lot 24 DP 777743

- (b) minimum area of 10 ha.

Consistent - The property has an area of 24.68ha.

- (c) building height less than 8 m.

All buildings will comply - refer to Illustration No.5.

- (d) prime crop and pasture less than 25% of the site

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Consistent - no prime crop and pasture land is within the subject site.

(e) no dwelling on prime crop and pasture land

Consistent - no prime crop and pasture land is within the subject site.

(f) no tourist accommodation (Amended Nov. 1990 to permit tourist accommodation)

Consistent - no tourist accommodation is proposed.

(g) less than 80% of site has slopes in excess of 18 degrees

Consistent - refer to Illustration No. 3.

(h) consistent with aims & objectives of policy

Consistent - the development will be consistent with the policy as demonstrated within this report.

Clause 8 (1)

(a) means proposed for establishing land ownership, dwelling occupancy rights and environmental and community management

A housing cooperative will be established to manage the site. Occupants of the dwellings will be members of the cooperative. Refer to Section 3.2 of this report.

(b) areas proposed for the erection of dwellings

The site design locates dwellings in a cluster in the north west corner of the site on the gentle slopes with easy access to the public road system.

All proposed house sites are located so to avoid areas of any potential significant hazard. Each of the house sites is considered suitable for the siting of a dwelling and will have adequate access, suitable slopes and area for wastewater management.

Each of the house sites is proposed in cleared areas which results in no loss of native vegetation or habitat areas.

In terms of bushfire hazard, assessment of these proposed dwelling sites identifies that the sites do not present significant adverse hazard especially when bush fire hazard management practices such as ground fuel reduction and buffer zones are implemented.

(c) & (d) areas proposed for community use & the need for any community use

Other than the home improvement areas around dwellings, the remainder of the site will be managed as common land. Two community buildings are proposed, the existing shed and meeting place/office/ laundry building.

Management of the infrastructure such as the non-potable water system is to be undertaken by the cooperative as a whole.

(e) the availability and standard of public road access

The site enjoys good access to the local road system as described within this report.

Sight distances at the entry/exit point are considered satisfactory in the context of the driving conditions due to terrain and road alignment.

(f) the availability of water supply

The site enjoys good quality dam water potential in existing and potential dams which are proposed to be utilised in addition to rainwater collection from building roofs.

(g) the availability of telephone and electricity if required

Both available

(h) the availability of community facilities and services

The locality is well serviced with a broad range of local level services located in Nimbin village while town and regional facilities are conveniently located at Lismore.

(i) provision of waste disposal

Composting on site plus tipping for other material is proposed. Grey water will be in accordance with the specialist report contained in the Appendix C this report. Sewerage disposal will be by means of composting toilets.

(j) impact on vegetation systems

No significant longterm adverse impacts on the site's existing vegetation systems are likely as the proposed development is to be located in cleared areas. Necessary bush fire hazard reduction will be undertaken where required. Overall, the vegetation systems within the site will be enhanced by the proposed development

which includes additional plantings.

(k) susceptibility to hazards

The siting of the proposed development, especially dwelling sites, avoids areas of susceptibility to major hazards such as slip or mass movement as agreed by the Soil Conservation Service.

The cooperative proposes to nominate a Fire Protection Overseer for the property to liaise with the local Bush Fire Brigade. Alarms, fire fighting equipment and water reserves will be available for fire fighting purposes to all house sites. Ground fuel reduction will be carried out around house sites.

(l) visual impact

The development is unlikely to create any significant adverse effect on the scenic and landscape quality of the locality. The location of all dwelling sites, which are to be screened with landscaping, will be sympathetic to the landscape quality of the locality.

The portion of the site nominated for the building precinct is visually unobtrusive from public viewing points such as public roads.

(m) impact on present and future uses

The impact of the proposed development on present uses is not likely to be adverse as adequate distances are available to separate existing landuses. In terms of future uses, the locality is likely to experience an increasing settlement pattern due to the planning amendment which will permit small rural lots in the locality..

The use of a small part of this site for multiple occupancy dwellings is considered a good land use for this site as it will provide the necessary skills and resources to provide sound management to the remainder of the site.

(n) impact on extractive deposits

No significant extractive resources are known on the site or in the immediate locality.

(o) impact on quality of water resources

No significant adverse impact is likely to occur from the proposed development. Potential impacts such as effluent disposal will be undertaken in accordance with the recommendations of the specialist report contained within Appendix C. Dwellings and their disposal areas are setback from the gully as depicted on

Illustration No. 4.

Use of an increasing proportion of the site for forest purposes will contribute to enhanced water resources in a catchment management context.

As described within this report, the water supply is intended to be sourced from rainwater collection and use of onsite dams.

(p) aboriginal claims and relics

No known claims or relics exist.

(q) future residential uses

The development is likely to be compatible with any future rural settlement occurring in the locality. The site or locality is not identified for any future urban uses but is likely to be utilised for small rural holdings.

(r) impact on village

The development is unlikely to create any negative impact on the nearby village of Nimbin.

Clause 9 Density of Development

Consistent - Pursuant to the provisions of this clause, 8 dwellings can be erected on this 24.68 ha property. This application seeks consent for five dwellings.

4.3 Lismore Local Environmental Plan 1992

This section assesses the consistency of the application in relation to the provisions of Lismore Local Environmental Plan 1992. Relevant provisions of the plan relating to this application are as follows

Clause 2 - Aims & objectives

The proposed development of a five house multiple occupancy on this site is considered consistent with the aims and objectives of the LEP. The development is likely to positively contribute to achieving plan objectives especially those relating to housing and the natural environment.

Clause 9 - Zone objectives

The site is located in the Rural 1 (a) Zone. The objectives of the zone applicable to this application state:

- (a) to encourage and permit a range of uses creating a pattern of settlement at a scale and character that maintains or enhances the natural, economic, cultural, social and scenic amenity of the rural environment of the City of Lismore;
- (b) to encourage and permit a pattern of settlement which maintains the rural character.
- (c) to ensure development only occurs on land which is suitable for and economically capable of that development and so as not to create conflicting uses;

This application demonstrates that the proposal is consistent with these zone objectives.

Clause 17

This clause applies to development which is proposed to be located on or near any ridgeline visible from any public road. This development does not involve development on exposed elevated ridgelines or involve any buildings breaking the horizon.

The proposed dwelling cluster is visually unobtrusive from public viewing points and as such will not create any adverse visual impact.

4.3 Lismore Development Control Plans

4.3.1 Lismore Development Control Plan No 20.- Multiple Occupancy of Rural Lands

Lismore Development Control Plan No 20.- Multiple Occupancy of

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selection process, train and assist cooperative members and assist the functioning of the cooperative endorse the proposed development.

3.3 density and settlement pattern

The density of the proposed development complies with applicable provisions as addressed in this report.

The dwellings of the proposed development are located in a single cluster as depicted in the accompanying illustrations.

3.4 Access

The site fronts Stoney Chute Road. The proposed single short access road does not exceed a grade of 20%. The road will be constructed and drained to provide all weather access and to minimise soil erosion.

Vehicle access will be provided to individual dwelling sites.

3.5 Building

3.5.4 No building shall be erected on top or prominent ridge lines, land liable to flooding, seepage, slip or mass movement, or on prime crop and pasture land.

The proposed building cluster is clear of any of the above constraints.

3.5.5 No building shall exceed 8 metres in height measure vertically from mean natural ground level to the highest point.

Buildings will comply with this height limit.

3.5.6 Building setbacks from boundaries should recognise the adjoining land uses and if required buffer areas shall be provided.

The proposed building cluster is setback from the neighbouring property closest to the cluster in accordance with DCP No. 27 - Buffer Areas. Consistent with this DCP a vegetation screen will be planted along this boundary.

3.5.7 Buildings should be clustered in one or more areas rather than dispersed across the holding to save costs and to give better protection in the event of a fire and to encourage the community objectives of multiple occupancies.

Consistent - one cluster is proposed.

3.6 Water supply

The proposed water system from the proposed development

comprises each dwelling having a minimum of 22,500 litres of roofwater collection storage. This supply will be supplemented by a reticulated system pumped from the existing dam or other future dams which will be stored in tanks located to provide gravity water to the dwellings and associated gardens. A reserved portion of this storage will be dedicated for fire fighting purposes with approved fixtures.

The development does not rely on creek and river supply for domestic use.

3.6.1 water supply to each dwelling

As detailed each dwelling will be provided with a dual water supply for potable and non-potable water.

3.6.2 water supply quantity

Each kitchen will be provided with a piped water supply.

3.6.4 water supply for fire fighting purposes

Appropriate reserved supplies of water for fire fighting purposes will be maintained in the high level tank as depicted on Illustration No 4.

3.7 Effluent Disposal

3.7.1 Effluent Disposal System

Appendix C provides a specialist report proposing an effluent disposal system for grey water management. Composting toilets will be utilised for human waste.

3.7.2 Buffer area from watercourses

Illustration 4 identifies the disposal areas are outside the specified buffers from watercourses.

3.7.4 Kitchen sullage

All kitchen sullage shall pass through an approved grease trap.

4.4 S90(1) Assessment

This section assesses the consistency of the application in relation to the provisions of Section 90 (1) of the Environmental Planning And Assessment Act 1979, as amended.

SECTION 90 (1)

(a) the provisions of -

- (i) any environmental planning instrument;
- (ii) any draft environmental planning instrument that is or has been placed on exhibition pursuant to section 47(b) or 66(1)(b);
- (iii) any draft State environmental planning policy which has been submitted to the Minister in accordance with section 37 and details of which have been notified to the consent authority; and
- (iv) any development control plan in force under section 72, applying to the land to which the development application relates;

State Environmental Planning Policy 15 - Multiple Occupancy of Rural Land, as amended, is the applicable enabling planning instrument relating to this application. Section 4.2 of this report appraises this application in the light of provisions of this policy. The proposal is particularly consistent with this enabling policy.

Lismore Local Environmental Plan 1992, also applies to the land. Pursuant to this LEP, the current zoning of the site is Rural 1(a) where multiple occupancy is a permissible use with council consent. Section 4.3 of this report addresses the consistency of this application with this plan. Again, as demonstrated within this report, the proposed development is consistent with the objectives and provisions of this plan.

Draft Amendment No 4 to the Lismore LEP proposes to permit small rural lots in the locality. The proposed development would not cause conflict with such future development in the locality. The proposed development is consistent with the intended future amenity of the locality which will be characterised by an increased settlement pattern.

DCP No 20 - Multiple Occupancy of Rural Land applies to this application. Also DCP No. 27 - Buffer Areas applies. Section 4.4 of this report demonstrates the consistency of this application with these recently introduced plans.

(a1) the provisions of -

- (i) any conservation agreement entered into under the National parks and Wildlife Act 1974 and applying to the whole or part of the land to which the development application relates; and
- (ii) any plan of management adopted under that Act for the conservation area to which the agreement relates:

Not applicable

(b) the impact of that development on the environment and where harm to the environment is likely to be caused, any means that may be employed to protect the environment or to mitigate that harm;

The likely impact of the proposed development is considered, on balance, to be positive. The intending community, with the proposed support mechanisms, can provide the necessary resources and commitment to improve and provide sound management to the property.

The use of the site for five dwellings is unlikely to create any significant adverse impact and any which was to be created would be amply compensated by the substantial increase in physical, economic and social resources introduced to the site and locality.

This report demonstrates the proposed development will not create significant adverse impacts on the site's soil and water systems.

Flora and fauna resources are most likely to be enhanced as a result of this proposal which includes environmental repair and plantings on the larger portions of degraded land of the site. The development does not involve the removal of native flora and fauna systems.

(c) the effect of that development on the landscape or scenic quality of the locality;

This report demonstrates that the cluster area, where dwellings and associated infrastructure will be located, is not visually exposed to the extent that any significant adverse visual impact would result. The built form of the proposal, ie dwellings and associated infrastructure are typical elements within the locality especially as the locality is proposed by council to experience increased rural settlement.

(c1) the effect of that development on any wilderness area (within the meaning of the Wilderness Act 1987) in the locality;

Not Applicable

aa

(c2) whether there is likely to be a significant effect on the environment of protected fauna;

No significant adverse impacts on the environment of protected fauna is likely as the portion of the site to be occupied by the development is clear of native vegetation. Refer to section 4.5 of this report which addresses this matter.

This application provides for repair and management of the larger southern sections of the locality which is likely to result in increasing the habitat values of the site.

(d) the social effect and the economic effect of that development in the locality;

The development is likely to contribute in a positive manner to the social and economic wellbeing of the locality. In addition to the economic stimulus to the locality resulting from the proposal, the housing co-operative is designed to provide long term housing to assist to relieve the demonstrated housing needs in the Nimbin district.

The development will assist to achieve council and government objectives relating to housing and environmental management which in turn are likely to result in positive social and economic impacts.

(e) the character, location, siting, bulk, scale, shape, size, height, density, design, or external appearance of that development;

The development is considered to be satisfactory in terms of all of the above.

The density proposed is 5 dwellings. The area of the site would permit a maximum of eight dwellings. The siting of the proposed dwelling cluster avoids the steeper and less accessible portions of the site. The external appearance will not be out of character with the locality which is proposed to be utilised for rural residential development.

The location of the proposed development is considered particularly suitable as village facilities are in a convenient proximity.

f) the size and shape of the land to which that development relates, the siting of any building or works thereon and the area to be occupied by that development;

The spatial layout of the development is considered satisfactory in regard to the bio-physical characteristics of the site and locality. The dwelling cluster is located with a suitable aspect, the most

appropriate slopes, and the most preferred portions in relation to servicing, access, bush fire hazard, amenity and environmental impact.

(g) whether the land to which the development application relates is unsuitable for that development by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, slip or bushfire or to any other risk;

The portion of the site proposed for the dwelling cluster is free of the listed constraints. Siting and design considerations have responded to any potential hazard in a manner so as to mitigate such potential hazards.

The proposed concept design has responded to any bushfire hazard and has planned the development so as to minimise such potential hazards. Appendix D provides a bushfire management plan.

(h) the relationship of that development to development on adjoining land or on any other land in the locality;

No significant adverse impacts are likely to be experienced. The proposed development is sited to minimise any potential conflicts. Section 4.3.2 identifies the proposal is consistent with the requirements of DCP 27 - Buffer Areas.

(i) whether the proposed means of entrance to and exit from that development and the land to which that development application relates are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles within that development or on that land;

Access to the site is by means of Stoney Chute Road. Sight distances are satisfactory in the context of the road alignment and typical travelling speeds. Adequate areas for parking and manoeuvring will be available.

The internal road is to be upgraded as described within this report.

(j) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect of that traffic on the movement of traffic on that road system;

The amount of traffic generated by the proposed development, a multiple occupancy of five dwellings, is unlikely to create a significant impact on local traffic volumes or cause the traffic volumes to be in excess of the capacity of the road system.

(k) whether public transport services are necessary and, if so, whether they are available and adequate for that development;

Stoney Chute Road is served by a number of bus services.

(l) whether utility services are available and adequate for that development;

The proposed development has telephone and electricity services available and provision of water and effluent disposal is to be provided on site. Rainwater sourced from building roofs will be stored at each house site. Each house site will have access to an on-site water reticulation system, sourced from the on site dam.

(m) whether adequate provision has been made for the landscaping of the land to which that development application relates and whether any trees or other vegetation on the land should be preserved;

The development does not entail any destruction of areas of native vegetation. Additional plantings along boundaries and within strategic locations to screen buildings and increase the habitat value of the site will be carried out.

(m1) whether that development is likely to cause soil erosion;

No adverse erosion is expected from the location of the proposed dwellings. The guidelines of the Soil Conservation Service will be followed.

(n) any representations made by a public authority in relation to that development application, or to the development of the area, and the rights and powers of that public authority;

No significant adverse impacts on matters within the jurisdiction of public authorities are likely.

(o) the existing and likely future amenity of the neighbourhood;

The proposed development is considered consistent with the existing and future amenity of the locality. The locality is currently characterised by rural settlement on a range of lot sizes.

The future amenity of the locality is likely to be characterised by an increased settlement pattern as rural residential development is proposed in the immediate locality.

(p) any submission made under section 87;

Not applicable.

(p1) without limiting the generality of paragraph (a), any matter specified in an environmental planning instrument as a matter to be taken into consideration or to which the consent authority shall

otherwise have regard in determining the development application;

Refer to section 4.2 which assesses the proposal in the context of the requirements of SEPP 15.- Multiple Occupancy of Rural Lands.

Also, refer to section 4.3 which assesses the proposal in the context of Lismore Local Environmental Plan 1992, as amended.

(q) the circumstances of the case;

The proposed development, a multiple occupancy of five dwellings, is considered consistent with the aims, objectives and provisions of SEPP 15 - Multiple Occupancy of Rural Lands and relevant provisions of Lismore Local Environmental Plan 1992. Refer to Section 1.2 of this report.

(r) the public interest; and

The development is considered to be in the public interest on a range of matters varying from the social aspects of enabling affordable housing to positive land management. The provision of housing opportunities is consistent with the aims and objectives of State Environmental Planning Policy 15. The development is consistent with applicable objectives of the general rural zone applying to the site.

(s) any other prescribed matter.

(i) Disabled Access

(ii) Coastal Policy

Not Applicable

4.5 S.4A Considerations - Environmental Planning and Assessment Act 1979

The Endangered Fauna (Interim Protection) Act 1991 came into effect on 17 December 1991, and made changes to the National Parks and Wildlife Act 1974 and the Environmental Planning and Assessment Act 1979 requiring:

- provision and consideration of information on the effects of activities on protected and endangered fauna and their habitats; and
- the means to be employed to protect fauna or habitat from harm.

A Fauna Impact Statement (FIS) is required to be prepared where a development or activity is likely to significantly affect the environment of endangered fauna.

This proposed development itself carefully minimises impact on flora and fauna habitats as described within this report. An aim of the proposed development is to increase the fauna and flora qualities of the site.

The development of the proposed dwellings and associated infrastructure is proposed in cleared areas thus not involving the destruction of any habitat.

In this context, it is reasonable to conclude that the proposed development is unlikely to create significant adverse impacts on the habitat of endangered fauna. This conclusion is based on the following assessment.

(a) the extent of modification or removal of habitat, in relation to the same habitat type in the locality;

The overall development entails nil or minimal removal of habitat as all housesites are proposed in areas clear of native vegetation.

(b) the sensitivity of the species of fauna to removal or modification of its habitat;

No habitat loss is proposed.

(c) the time required to regenerate critical habitat, namely, the whole of any part of the habitat which is essential for the of that species of fauna;

No habitat loss is proposed.

(d) the effect on the ability of the fauna population to recover, including interactions between the subject land and adjacent

habitat that may influence the population beyond the area proposed for development or activities;

No habitat loss is proposed. The forested part of the site which forms part of a larger riparian corridor will not be effected by the proposed development.

(e) any proposal to ameliorate the impact;

The proposal sets aside large forest areas of the site for the purposes of conservation and habitat purposes. The proposal comprises the addition of native vegetation.

(f) whether the land is currently being assessed for wilderness by the Director of National Parks and Wildlife under the Wilderness Act 1987;

No

(g) any adverse impact on the survival of that species of protected fauna or of populations of that fauna;

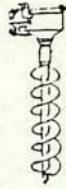
No adverse impacts on protected fauna anticipated.

Appendix B

Specialist report by Soil Pacific addressing geotechnical matters

Proposed Development: Lilyseed Youth Housing Cooperative - 5 dwelling multiple occupancy
Applicant: Department of Housing
Site: Lot 24 DP 777743
Location: 357 Stoney Chute Road, Nimbin

May 1994



18.2.94

General Manager
Lismore City Council
P.O. Box 23A
LISMORE 2480.

SP 623 ; Geotechnical investigation of proposed housesites Lilyseed Youth Housing
Co operation Lot 24 DP 777743 357 Stoney Chute Road, Nimbin.

INTRODUCTION;

This report presents the results of the foundation investigation of the proposed housesites at the above address.

The location of the test sites are shown on the site plan.

INVESTIGATION PROCEDURE;

The field work for the investigation consisted of detailed testing of site per housesite with a Dynamic Cone Penetrometer. The bearing capacity of these sites are presented as In-situ kPa.

One investigation hole was augered per housesite, to various depths.

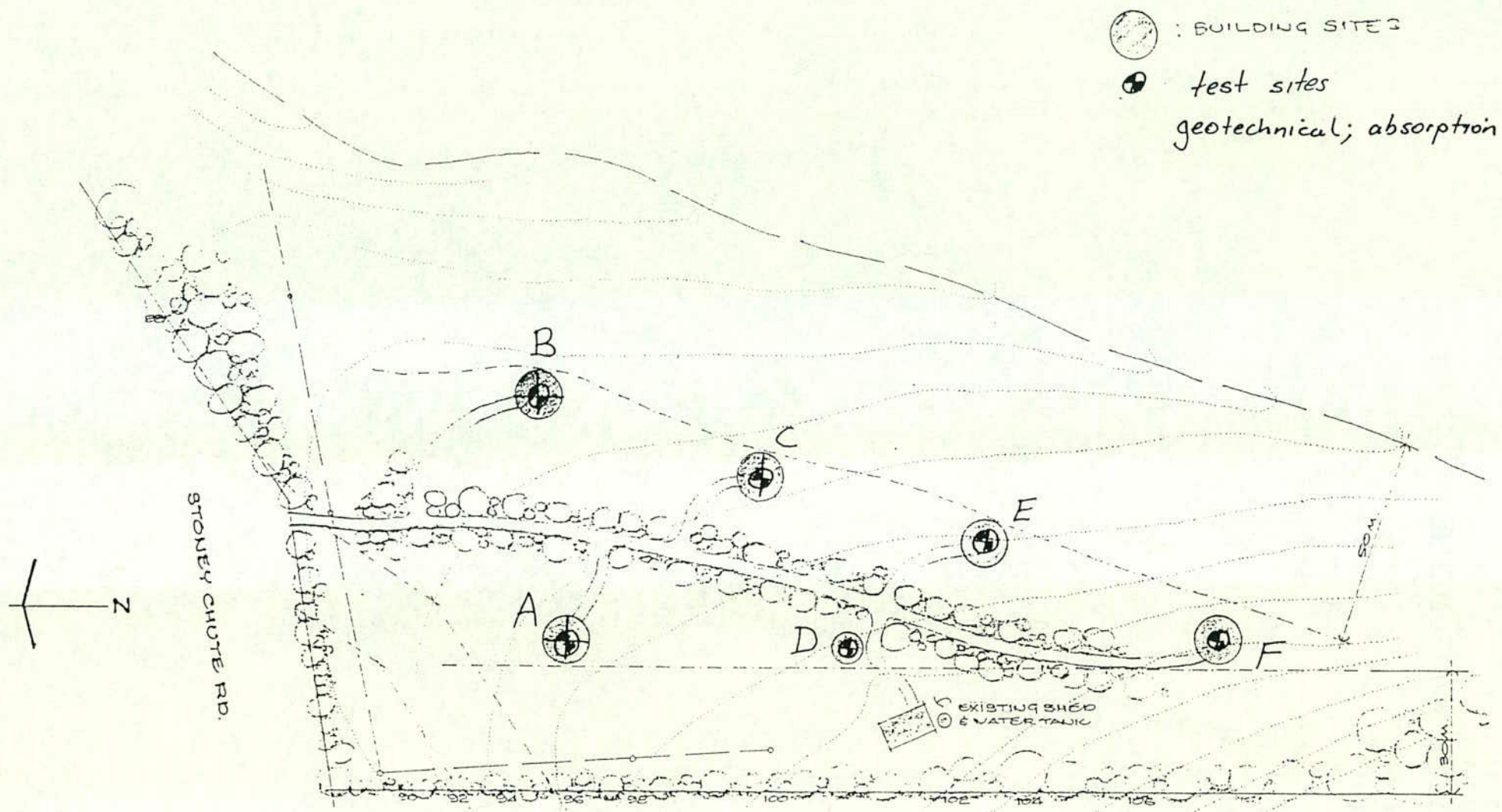
The investigation was carried out by John Lyons, manager of Soil Pacific, in accordance with A.S. 1726-1981 SAA Site Investigation Code.

RESULTS OF INVESTIGATION;

The site slopes gently to moderately towards the north east. The area is currently maintained as native pasture with isolated tall trees and shrubs.

The investigation revealed relatively consistent subsurface conditions across the site - firm to stiff dark grey to light brown silty clays. The site is assessed stable and is not subjected to subsidence.

The site is classified MODERATELY REACTIVE for the purpose of foundation design.



DYNAMIC CONE PENETROMETER:

SITE A:

Depth;	No. of Blows;	In-situ kPa;
0-150	2	14
150-300	2	14
300-450	4	83
450-600	4	83
600-750	5	97
750-900	7	131
900-1050	7	131
1050-1200	7	131
1200-1350	8	138
1350-1500	8	138

SITE B;

0-150	2	14
150-300	2	14
300-450	3	55
450-600	4	83
600-750	5	97
750-900	6	124
900-1050	9	148
1050-1200	9	148
1200-1350	10	152
1350-1500	10	152

SITE C;

0-150	2	14
150-300	4	83
300-450	4	83
450-600	5	97
600-750	5	97
750-900	5	97
900-1050	5	97
1050-1200	8	138
1200-1350	8	138
1350-1500	10	152

SITE D;		
0-150	2	14
150-300	2	14
300-450	3	55
450-600	4	83
600-750	4	83
750-900	4	83
900-1050	5	97
1050-1200	5	97
1200-1350	6	124
1350-1500	6	124

SITE E;		
0-150	2	14
150-300	2	14
300-450	2	14
450-600	3	55
600-750	3	55
750-900	4	83
900-1050	5	97
1050-1200	5	97
1200-1350	6	124
1350-1500	6	124

SITE F;		
0-150	2	14
150-300	2	14
300-450	5	97
450-600	5	97
600-750	6	124
750-900	6	124
900-1050	6	124
1050-1200	6	124
1200-1350	7	131
1350-1500	7	131

Correlation by A.J. Scala.

INVESTIGATION SCHEDULE;

SITE A; Depth; 0-1100	Description; Firm to stiff dark grey to light brown silty clay	Class; CL/M	Remarks Moist
SITE B; 0-1100	Firm to stiff dark grey to light brown silty clay	CL/M	Moist
SITE C; 0-1100	Firm to stiff dark grey to light brown silty clay	CL/M	Moist
SITE D; 0-1100	Firm to stiff dark grey to light brown silty clay	CL/M	Moist
SITE E; 0-1100	Firm to stiff dark grey to light brown silty clay	CL/M	Moist
SITE F 0-1100	Firm to stiff dark grey to light brown silty clay	CL/M	Moist
REFERENCE;	CL - inorganic clays of low to medium plasticity M - moderately reactive		

The classification of the soil types as per the Unified Classification Table as well as Australian Standard 2870.1 - 1988 and 2870.2 - 1990, are on the attached investigation schedule.

SUMMARY:

- * Site slopes gently to moderately towards the north east
- * Maintained as native pasture
- * Relatively consistent subsurface conditions across the site - see investigation schedule
- * Site assessed stable and are not subjected to subsidence
- * Site classified MODERATELY REACTIVE.

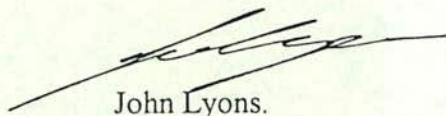
RECOMMENDATION:

Cutting ; Unretained batter slopes should not exceed 1V:2H. Dish type drains should be placed above and below the cuttings. Batter slopes should be stabilised with vegetation to prevent erosion.

Fill ; Prior to the placement of fill, the vegetation should be removed . The material should be placed in conservative layers and compacted to a satisfactory standard.

Building - the location of the proposed buildings are compatible with the site

Drainage - Roofwaters and or tank overflows should be directed away from the building. Drainage should be maintained at all times, including the construction period.



John Lyons.

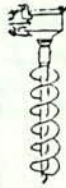
M.A.G.S.

Appendix C

Specialist report by Soil Pacific addressing
effluent disposal matters

Proposed Development: Lilyseed Youth Housing Cooperative - 5 dwelling multiple occupancy
Applicant: Department of Housing
Site: Lot 24 DP 777743
Location: 357 Stoney Chute Road, Nimbin

May 1994



10.5.94

General Manager
Lismore City Council
P.O. Box 23A
LISMORE 2480

SP723; SUBJECT; Absorption rates for waste water disposal - proposed Lilyseed Youth Housing Co operative, Lot 24 DP 777743 357 Stoney Chute Road, Nimbin.

1.0 INTRODUCTION;

1.1 Significance of this Report;

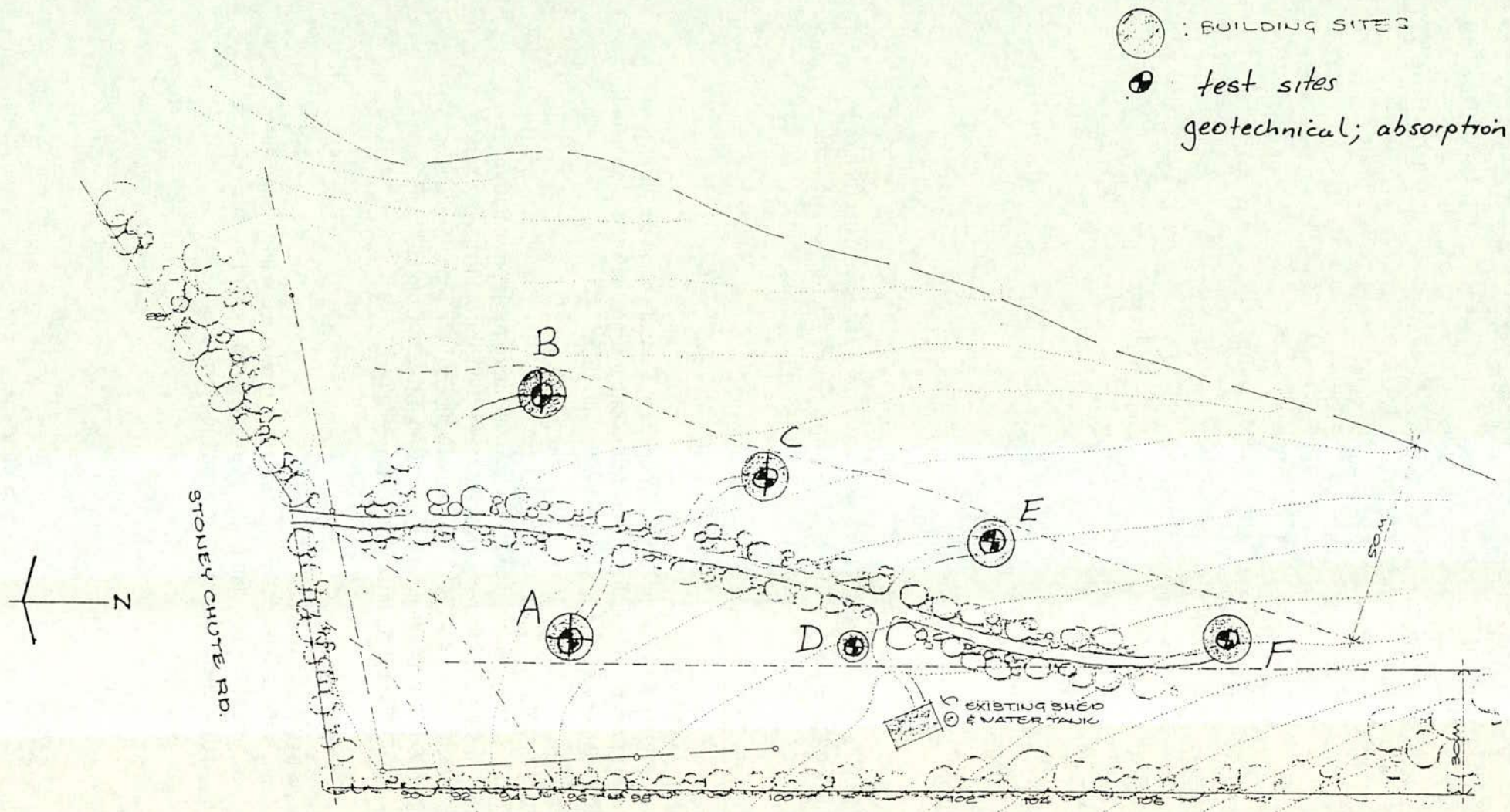
This report was requested by Balanced System Planning Consultant on behalf of their client. This report presents the results of absorption rate testing and site assessment in relation to additional waste water disposal via septic filtration.

1.2 Sources of Information;

The material for this study was obtained from field testing of the representative areas of the proposed subdivision. Reference material was obtained from the 'Water and Sewerage Act 1981'; A.S. 1547-1973 'Disposal of Effluent from Small Septic Tanks'; Draft AS 92008 'Disposal of Sullage and Septic Tank Effluent from Domestic Premises'; and 'Soils, Their Properties and Management'.

1.3 Scope of this Report;

This report examines the proposed development areas in relation to additional waste water disposal via septic filtration, and makes recommendations for the efficient management of septic systems to ensure optimum long term use.



PLAN - BUILDING PRECINCT.

• denotes test sites

2.0 METHOD:

The soil survey was designed to enable the inspection and testing of all the terrain features found within the proposed development area.

The field work consisted of sinking two 150mm diameter auger holes per lot to a depth of 600mm. A filter layer of well graded sand was placed at the bottom to a depth of 50mm. The holes were filled with water to a minimum level of 300mm, this being maintained for a period to represent conditions during the operation of septic tank installation. The in-situ permeability testing was then carried out. The minimum specified absorption rate is a fall of 25mm in a time period of 30 minutes.

The areas of testing included detailed sampling and recording of the soil profile, using soil augers to retrieve samples. The samples were classified using both civil engineering and soil conservation classifications.

The geotechnical investigation was carried out in accordance with AS 1726-1983 SAA Site Investigation Code.

3.0 SOIL ABSORPTION CHARACTERISTICS;

Absorption, on the downward entry of water into soil, is an important process in the hydrological cycle and an important influence on the suitability of the land for waste water disposal via septic infiltration.

The infiltration process is driven by capillarity and gravitational forces. Capillary forces dominate during the early stages (sorptivity) and gravitational forces during the latter stages of an infiltration event (hydraulic conductivity).

Soil permeability is the more general term used to describe the rate at which water moves through a soil profile. Typical values that can be expected are given in the attached table, but these may vary considerably according to minor changes in soil texture, structure, stability and management.

The infiltration, drainage and water holding capacity properties of soil are determined by the pore distribution and, therefore, reflect the interaction between texture and structure. Water holding capacity also involves soil depth.

4.0 LANDFORM:

The proposed development area consists of gentle to moderate side slopes which are maintained as native pasture. An existing gravel road formation crosses the site.

5.0 GEOLOGY:

A general description of the geology of the study area is taken from the Tweed Heads 1:250,000 Geology Map

The geology characteristics of the study area consist of Cainozoic Tertiary Lamington Volcanics.

6.0 SOILS:

The soil characteristics of the study area are the result of the interaction of the underlying geology, climate, landform, aspect and previous existing vegetation types.

One soil type was noted in the survey area which was firm to stiff leached weathered clay. The soil depth generally decreased with increase in slope.

The undulating and rolling hills of yellow soils are associated with acidic to intermediate parent materials.

7.0 CLASSIFICATION:

Northcote Coding:

<u>Soil Group:</u>	<u>Coding:</u>	<u>Notes:</u>
Leached and strongly weathered clays	Gn2.2, Gn2.3 Gn3.4, Gn2.5 Gn2.6, Gn2.7	Typically deep soils developed from siliceous parent materials

Unified Soil Classification System:

<u>Soil Group:</u>	<u>Group Symbol:</u>	<u>Typical Names:</u>	<u>Notes:</u>
Leached and strongly weathered clays	CL	Inorganic clay of low to medium plasticity	*Medium to high dry strength *Nil to very slow dilatancy *Medium toughness

8.0 SOIL PERMEABILITY:

SITE A:

<u>Description;</u>	<u>Depth;</u>	<u>Absorption Rate/30mins;</u>
Firm to stiff dark grey to light brown silty clay	0-600	180mm

SITE B:

Firm to stiff dark grey to light brown silty clay	0-600	180mm
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SITE C:

Firm to stiff dark grey to light brown silty clay	0-600	180mm
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SITE D:

Firm to stiff dark grey to light brown silty clay	0-600	60mm
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SITE E:

Firm to stiff dark grey to light brown silty clay	0-600	180mm
---	-------	-------

SITE F:

Firm to stiff dark grey to light brown silty clay	0-600	65mm
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Note; For the purposes of calculation the mean of both sites is taken as the absorption rate.

Absorption rate/30mins = 140mm

The permeability P of the site is obtained from the equation $P = \frac{5.5}{t}$ where t = minutes for 25mm from 250mm water depth.

Therefore $P = \frac{5.5}{5.4}$

P = 1.02 metres per day

9.0 SIZING OF DISPOSAL AREA:

The LTAR (Long Term Acceptance Rate) L/M²/d for permeability 1.02 metres per day is 52 litres per square metre per day. The quantity of effluent to be disposed of is 50 litres per person per day X 5 = 900 litres per day.

Therefore, the wetted area A required for disposal is ;

$$A = \frac{900L}{52L/M^2/d}$$

$$= 17.3m^2$$

For a trench of width 600mm and depth 600mm, the length is calculated as follows;

$$L = \frac{17.3}{0.6 + (2 \times 0.25)}$$

$$= 16 \text{ metres}$$

Recommended minimum allowable length = 20 metres

10.0 RECOMMENDED MANAGEMENT PRACTICE:

LOCATION;

A disposal area shall be sited in an area receiving good sunlight and exposure to prevailing breezes. Wherever possible, a disposal area shall be sited away from general access and play areas.

SETBACK DISTANCES;

The following minimum horizontal setback distances from the perimeter of the disposal area shall be ;

- a) 2m from building or property boundary at a higher elevation
- b) 4m from a building or property boundary at a lower elevation
- c) 2m between adjacent walls of adjoining disposal areas or trenches; and
- d) 6m from a swimming pool for spray irrigation

PROTECTION OF WATER SUPPLIES;

The disposal area shall be an adequate distance (greater than 50metres) from canals, dams, watercourses, and any underground source of water supply.

SULLAGE TREATMENT TANK:

Where sullage is not combined with toilet wastes and treated in an all-waste septic tank, it is preferred that settlement solids, fats, oils and greases shall be removed before disposal, by passing them through a sullage treatment tank of not less than 1500L capacity.

INTERCEPTOR TRAP;

If the treatment of all sullage is not to be undertaken, the kitchen waste component of the sullage shall pass through a grease interceptor trap of 100L minimum capacity. The trap shall be designed to collect floating greases, fats and settlement food particles. The trap shall be situated immediately adjacent to the kitchen.

Because of its relatively small capacity, it is necessary to regularly remove the collected solids and safely dispose of them. Failure to clean the trap regularly will result in the early clogging of the soil on the disposal area.

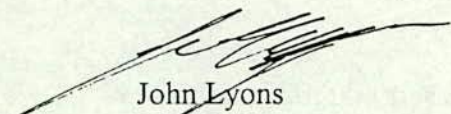
Surface runoff should be diverted from the area of the septic absorption trench. This area should not be available for vehicular traffic.

Provision should be made for the future extension of the disposal system if in the event of future provision of dual occupancy or if it should fail to perform satisfactorily.

12.0 SUMMARY:

The study area revealed stiff leached weathered clays which exhibited permeability and texture characteristics to ensure efficient septic absorption, being well in excess of 50 metres from the nearest watercourse, which therefore provides sufficient area for absorption of nutrients and sodium loads with satisfactory biomass permeability.

An area for the proposed housesite has been marked on the attached site plan to give the optimum conditions for the use of septic installation.



John Lyons
M.A.G.S.

Appendix D

Bushfire Management Plan

*****OO*****

Proposed Development: Lilyseed Youth Housing Cooperative - 5 dwelling multiple occupancy

Applicant: Department of Housing

Site: Lot 24 DP 777743

Location: 357 Stoney Chute Road, Nimbin

May 1994

Lilyseed Youth Housing Cooperative

Bushfire Management Plan

Objectives

- protect the lives of people
- prevent fire damage to property both within the property and locality
- adopt a fire management plan which seeks to minimise the occurrence of fire and in the event of a fire mitigates the impact of the fire
- maintain a participative liaison with the local bush fire brigade
- comply with council bush fire mitigation requirements

Site Design Criteria

- locate house sites in areas less prone to likely fire activity
- locate roads to allow easy evacuation of the site
- provide adequate areas for fire fighting vehicles to access and turn
- design the water system in the context of fire fighting needs
- consider the placement of fire hose connection points along the access road

Building Design Criteria

Consider the use of the following building design features:

- use of fire resistant materials
- adopt a building design which does not induce turbulence and does not trap burning particles
- use of firestop paint
- use of sprinklers
- use of metal fly wire over windows and doors
- sealing openings to prevent entry of sparks

Landscaping Criteria

Consider the use of the following landscaping features:

- implementation and regular maintenance of bushfire radiation zones including removal of ground fuel and lower dead tree limbs.
- use of fire resistant plant species
- use of inground irrigation systems

Organisational matters

- participation and liaison with local Bushfire Brigade
- agreed plan of management with local Bushfire Brigade
- agreed bushfire action plan with local Bushfire Brigade
- appointment of Fire Liaison Person

Proposed Development: Lilyseed Youth Housing Cooperative - 5 dwelling multiple occupancy

Applicant: Department of Housing

Site: Lot 24 DP 777743

Location: 357 Stoney Chute Road, Nimbin

May 1994

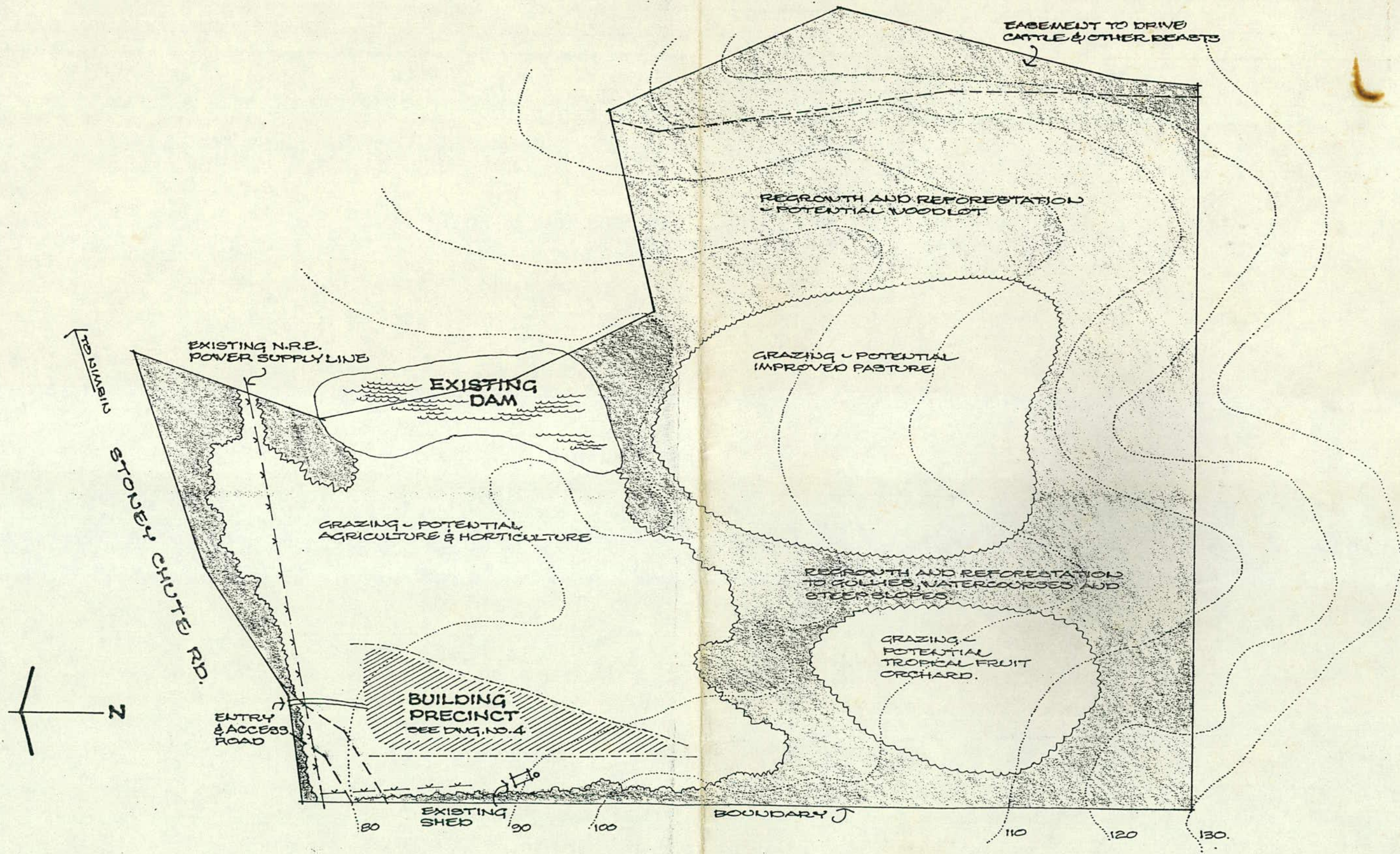
- availability of fire control team which is trained and adequately equipped

Fire Equipment

- portable pressure pump
- firefighting equipment such as a knapsack and Macleod tools
- use of appropriate pipe connection fittings

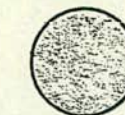
Proposed Development: Lilyseed Youth Housing Cooperative - 5 dwelling multiple occupancy
Applicant: Department of Housing
Site: Lot 24 DP 777743
Location: 357 Stoney Chute Road, Nimbin

May 1994



SITE PLAN
SCALE 1:2500.

LEGEND:



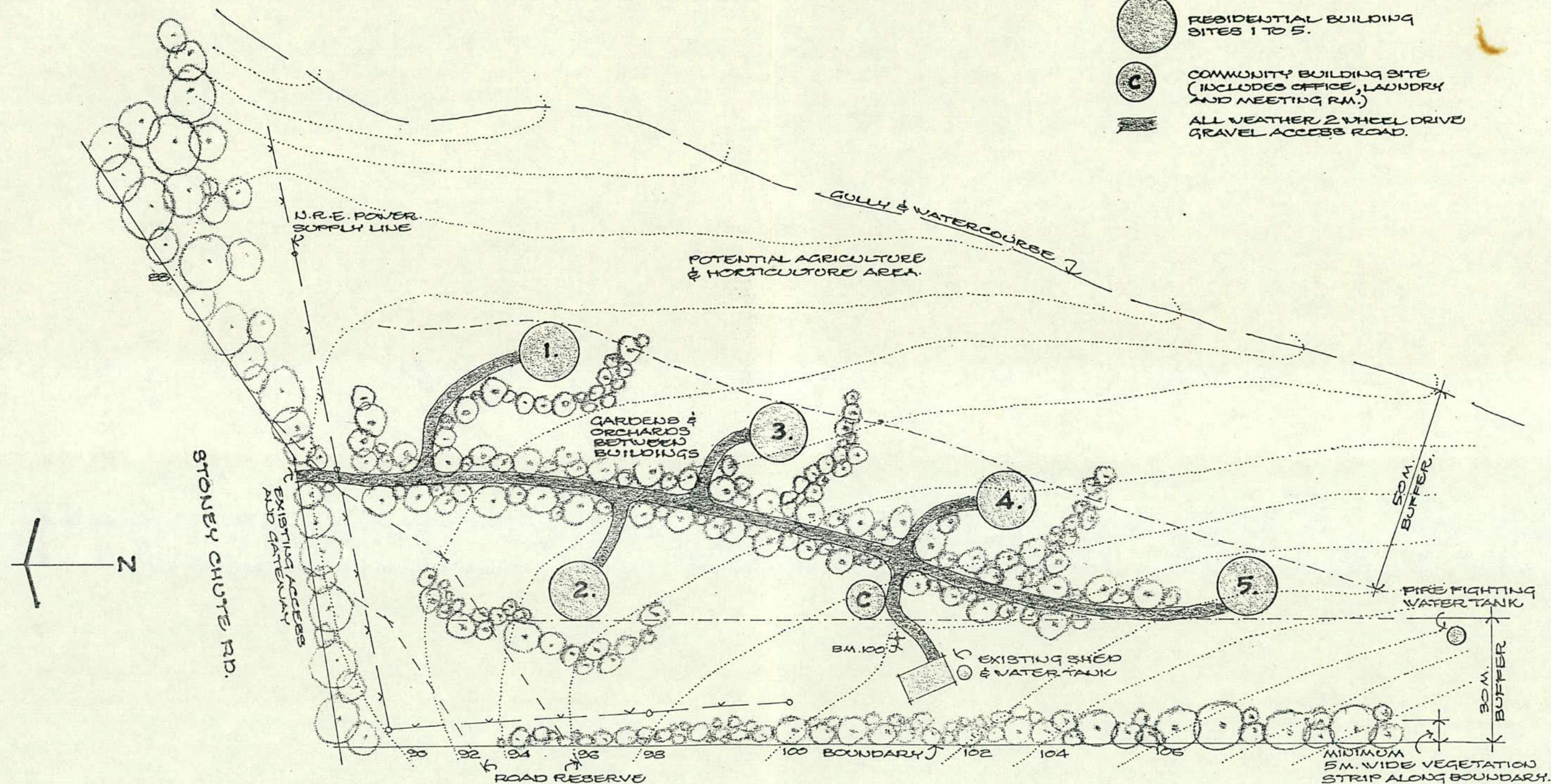
RESIDENTIAL BUILDING
SITES 1 TO 5.



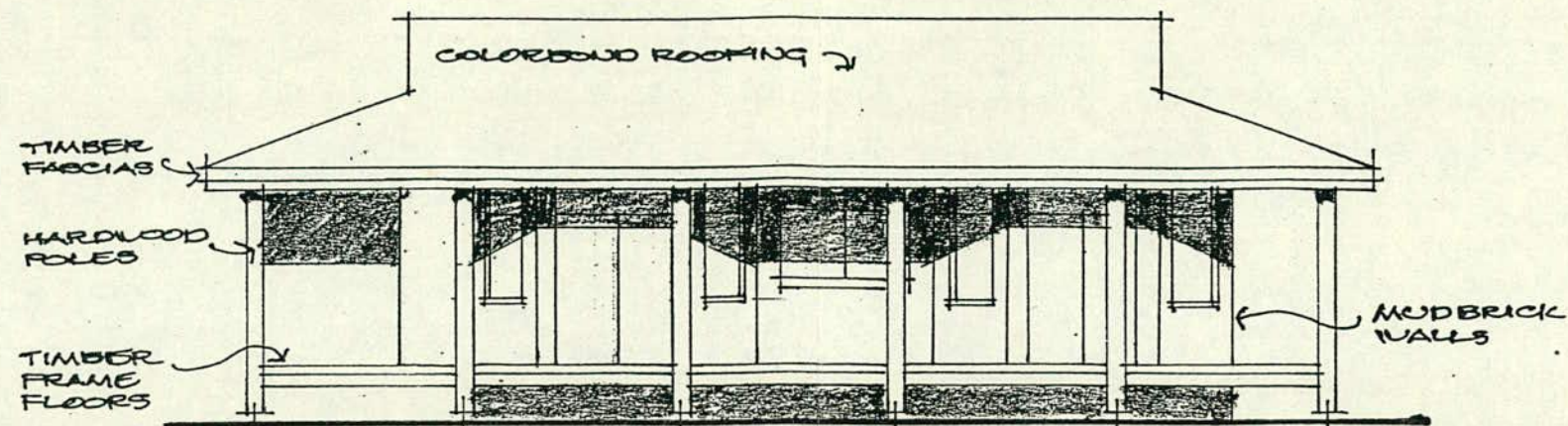
COMMUNITY BUILDING SITE
(INCLUDES OFFICE, LAUNDRY
AND MEETING RM.)



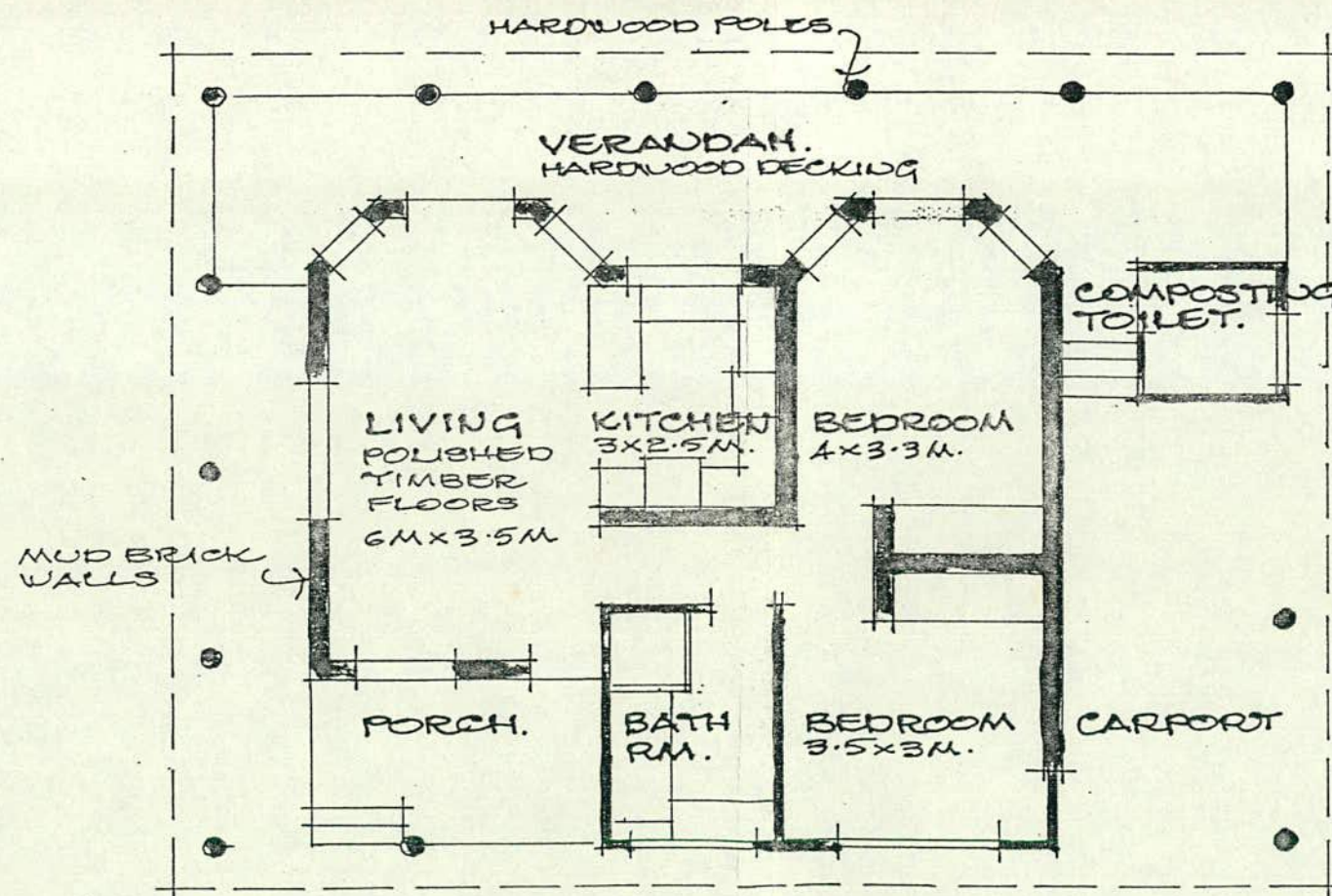
ALL WEATHER 2 WHEEL DRIVE
GRAVEL ACCESS ROAD.



PLAN - BUILDING PRECINCT.
SCALE 1:1000.



N-E ELEVATION.



PLAN - INDICATIVE OF TYPICAL
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RENTAL HOUSING CO-OPERATIVE PROGRAM
GUIDELINES

The Local Government and Community Housing Program (LGACHP) is the main source of public funding for rental housing co-operatives. Funds for this program are provided by the Federal Government through the Commonwealth State Housing Agreement and are administered in NSW by the Department of Housing. These guidelines should be read in conjunction with State and Federal guidelines for LGACHP.

These program guidelines consist of Funding Guidelines for applicant groups and Management Guidelines for co-operatives administering housing funded under this Program.

PRIMARY AIM OF PROGRAM

To expand long term housing opportunities in NSW by developing a non-profit rental housing co-operative sector as a form of democratic, common equity (co-operatively owned) rental housing.

Provision of housing under this program seeks to complement public housing, without its residents being restricted entirely to persons currently eligible for public housing, but with subsidies directed to those in need.

The program aims to encourage effective forms of tenant self-managed housing on co-operative principles.

OBJECTIVES

- * To satisfy co-operative housing consumers by:
 - providing affordable rents;
 - providing security of tenure;
 - providing acceptable housing standards;
 - providing efficient maintenance; and
 - controlling management decisions enlisting professional expertise where required.
- * To maximise the effective use of public funds and private finance for co-operative housing development.
- * To access affordable non-government finance for co-ops.
- * To develop a diverse range of co-op housing appropriate to members needs.
- * To expand housing stock available to low income earners, through co-operative housing initiatives.
- * To achieve tenant self management of housing whilst maintaining full accountability for the use of public funds.

- * To establish co-ordinating organisations to resource new co-operative groups, educate and train members, implement policy, co-ordinate and represent the sector.
- * To ensure that the program provides assistance to persons with special needs which limit their access to appropriate housing. This consideration would include non-English speaking people, special age groups, and people suffering racially or culturally based disadvantages.

FUNDING GUIDELINES

F1 FUNDING

Under the LGACHP, funds are provided by the Commonwealth Government to purchase, construct, and renovate dwellings for use by non-profit community organisations, Councils and rental housing co-operatives. These guidelines apply to rental housing co-operatives as defined in these guidelines. Separate guidelines apply to other community and council housing projects.

LGACHP funds may also be used for non-capital purposes associated with the development of the program but only with the agreement of the New South Wales Minister for Housing and the Commonwealth Minister for Community Services and Health. Funds are not available for recurrent costs to provide subsidies to projects or tenants. Nor are they available for providing accommodation support services for tenants.

The Commonwealth makes allocations of tied funds annually to the program in NSW. All funds for the program must be committed to individual projects by the State, prior to the end of financial year. However, funds which have not been expended by June 30th of each year are carried forward into the next financial year. Commitment of funds may include approval of projects and contingency funds.

The funding of co-operative projects typically combine a mix of LGACHP funds and a loan raised by the co-operative. Groups may also draw on other resources such as Council and/or community contributions.

F2 APPLICANT CONTRIBUTIONS

In general, participating co-operative organisations (not individuals) will be required to initially provide a minimum of 20% of estimated project costs as a contribution to the cost of their housing either through loans or sponsor contributions. A project's estimated cost is considered to be the cost confirmed in the Department's technical assessment report and presented to the State Advisory Committee when funding submissions are recommended.

Groups are required to maximise their loans within the limits imposed by income based rents after making adequate provisions for all operating costs.

The initial 20% contribution requirement may on occasion be subject to variation. When a co-operative believes that exceptional circumstances apply, a written application should be forwarded to the Department's Regional Manager.

Co-operatives will, over time, repay 85% of the total project cost, which is to be regarded as an interest free loan.

F3 PROCEDURES FOR APPLICATION

Generally the LGACHP State Advisory Committee will call for applications which meet the priorities set out in the State Plan for the next funding round/financial year. Groups wishing to apply for funding should contact the Community Programs section of the Department of Housing's Regional offices, to express their interest in the program and request information on application procedures.

Development or seeding grants may be available to groups judged to have successfully completed Stage 1 Assessment. This money is made available to help cover development and resourcing costs.

Groups which have successfully fulfilled the requirements of the assessment process will have their submissions referred to the LGACHP State Advisory Committee for consideration and recommendation for approval to the State Minister and endorsement of the Federal Minister at the next funding round.

F4 CRITERIA FOR THE ASSESSMENT OF SUBMISSIONS

In the first instance, approval for funding will be based on evidence that a specific group of prospective tenants is viable as a co-operative organisation and has the long term capacity to take on the financial administration and management of its housing.

Submissions from the applicant groups will be evaluated on the following criteria:

- i) Membership composition complies with these program guidelines relating to income levels, assets and eligibility for public housing.
- ii) Evidence of housing need on the part of prospective members and/or planned target group, and evidence of housing need in the proposed locality.
- iii) Plans for housing acquisition or construction to be appropriate to members' needs and requirements which are capable of being substantially achieved within 6 months of funding approval.

- iv) The financial contribution to their housing costs being maximised through the loan arrangement. Generally 20% is the minimum level of contribution. Contributions of cash or in kind (eg. sweat equity) should be considered when contribution levels are determined.
- v) Evidence of existing or planned legal, financial, and property management structures which will be effective and appropriate to the group.
- vi) Effective management practices based on open, democratic decision making processes with a commitment to co-operative principles and member education.

Demonstration by the co-operatives that their chosen management structure is consistent with their chosen form of incorporation and the above management principles.
- vii) Project plans that are technically and financially feasible and have a budget with a realistic time frame Clause F4[iii]). The project needs to demonstrate a cost effective use of funds.
- viii) Commitment to addressing the housing needs of disadvantaged persons.
- ix) Progress in incorporation.

In assessing submissions, account will be taken of the geographic location of proposed developments, to ensure that as far as possible funds are available to applicants across the State.

F5 THE SIZE OF CO-OPS

An average co-op size is around 12 households but this may vary from a minimum of 5 to a maximum of 30 households. Each co-op must have a minimum of five (under the Associations Act) or seven individual adult members (under the Co-operation Act) for incorporation purposes.

A maximum starting size of 30 households normally applies. Applications from larger groups will be considered on their merits. Funding to expand beyond this limit may be applied for at a later stage.

F6 HOUSING STANDARDS

The co-op project should have regard to basic standards recommended by the Department of Housing and should represent an approach to design which is appropriate to the particular needs of its residents.

In general the total project budget should be comparable to the cost of providing the Departmental mainstream housing in the same locality and for similar household complements.

F7 INCORPORATION

Co-ops are generally required to become incorporated bodies before receiving funding. The main form of incorporation is as a Co-operative under the Co-operation Act (1923) as amended.

Unincorporated co-ops starting up or operating under the auspices of an incorporated organisation may apply to the Department for an exemption from the requirement for separate incorporation. Such a request would need to demonstrate that the structure of the parent organisation allows for adequate financial autonomy and self-management by the co-op.

Co-ops will need to demonstrate that their rules of incorporation are appropriate to their management structures and their development plans.

F8 DEVELOPMENT GRANTS

Co-operatives applying under the Program may be eligible to receive development grants to assist in incorporation costs and the development of their project. Groups seeking a development grant should submit a request to the Department indicating proposed expenditure after completing the Stage 1 assessment operated by a resourcing and training organisation accredited by the Department.

Requests for development grants are generally considered when applications are called for under the Program. The development grant will be included within the final overall project cost if the co-operative successfully obtains full funding.

F9 LGACHP STATE ADVISORY COMMITTEE

The LGACHP State Advisory Committee, comprises representatives from Local Government, co-operatives, community organisations, the Commonwealth Department of Community Services and Health and the New South Wales Department of Housing and is responsible for advising on policy and priorities under the Program. The State Advisory Committee is required to make funding recommendations on individual projects and to recommend priorities for inclusion in the annual Commonwealth/State plan for LGACHP. The State Advisory Committee is also empowered to consider and approve variations to funding to previously approved projects where there is no change to the nature or intent of the original project.

Following receipt of advice from the LGACHP State Advisory Committee, the New South Wales Minister for Housing and the Commonwealth Minister of Community Services and Health approve the State Plan for the next funding round. The State Plan provides priorities for Program expenditure and policy development.

The LGACHP State Advisory Committee recommends individual projects to the State Minister for approval and endorsement by the Commonwealth Minister.

F10 DEPARTMENT OF HOUSING RESPONSIBILITIES:

Each year advertisements, are placed in the major metropolitan and regional papers which call for applications from community organisations, co-operatives and local councils, requesting funding under this program.

Applicant organisations submit applications to the Department's Regional Managers who may assist the organisation in the development of their submission.

Each application is assessed taking into consideration the established housing need, the merit of the application and the priorities indicated in the LGACHP State Plan for the year.

Technical Evaluation

The Department will:

- (i) assess feasibility and perform technical and cost effective evaluations of the proposed project.
- (ii) offer advice and comments of a technical nature, particularly with reference to the design, construction, property acquisition process and costings.

The Department will check and summarise submissions and provide a statewide perspective for the LGACHP State Advisory Committee.

Following the LGACHP State Advisory Committee recommendations, the Department prepares a submission outlining the recommended program to the New South Wales Minister for Housing for approval. The State Minister then refers a program of approved projects to the Commonwealth Minister for Community Services and Health for endorsement.

The Commonwealth Minister advises the State Minister of his/her endorsement for the funding of the program. The State Minister advises successful organisations in writing. Unsuccessful organisations will be advised by the Department.

Successful applicants having received notification from the State Minister of conditional approval, are given a budget framework within which to achieve their project. The Department's regional staff responsible for the program will liaise with the organisation and co-ordinate the project's development.

F11 BUDGET

The State is not required to match Commonwealth funds but is required to meet the cost of administration for the program.

The Department of Housing is responsible for the management of the LGACHP budget. Where there is any anticipated cost overrun the Department will:

- consider the allocation of contingency money to meet the cost overrun, or
- refer the project to the LGACHP State Advisory Committee and request allocation of additional funds.

The LGACHP State Advisory Committee is required to recommend cost overruns that exceed 20% of funding to both State and Federal Ministers for approval.

MANAGEMENT GUIDELINES

M1 MANAGEMENT RESPONSIBILITIES OF CO-OPS

Co-ops will be responsible for the following tasks of on-going self management:

- housing allocation and member selection;
- rent collection and property maintenance
- maintaining finance systems, including bookkeeping, budgeting, and preparation of accounts;
- tenancy matters including rent arrears and disputes.
- member education and training; and
- providing financial and management reports to the Department and to the Department of Business and Consumer Affairs.

M2 PERSONS ELIGIBLE FOR HOUSING

Membership of a co-op will normally be restricted to tenants and prospective tenants of the co-op, who are willing to accept the responsibilities of membership.

People in public housing and on public housing waiting lists should have the opportunity to apply for co-op housing if they wish.

Selection of members/tenants and allocation of properties is the responsibility of the co-operative. The co-operative must ensure that selection of tenants is fair, equitable, open to the public and is consistent with these guidelines and the co-op's nominated target group.

The following eligibility requirements apply:

Incomes

The proportion of the co-operative's membership who meet the Department's income eligibility requirements should reflect the proportion of LGACHP funds used in a particular project, with at least 65% of the initial membership of each co-op meeting income eligibility requirements for public housing, when the co-operative takes up occupation of the premises. If initial members' incomes improve following funding approval and prior to occupation by the co-operative, exceptions to this condition will be considered on their merits.

Assets

Financial assets are taken into consideration when determining an applicant's income eligibility. Such monies are considered to be earning interest income at a rate that applies to the Department's income eligibility determinations.

People owning, and with access to, residential property or other substantial assets will not normally be considered eligible for co-op housing.

Exceptions will need to be determined on a case by case basis, but the principles of the program that public funds are to be directed to rental housing without private gain shall be maintained.

Exceptions might include the following circumstances:

1. Parents who are in the process of separating or divorcing where assets or house ownership are the subject of protracted legal proceedings, or owners of residential property where the owner has no legal access to it for his/her own use.
- 2 Individual applicants who contribute financial assets to a LGACHP co-operative project.

This provision is expressly directed to assist aged and disabled persons and single parent divorcees on low incomes who have received a special one-off payment (e.g. divorce settlement, workers compensation or insurance payout).

This exclusion is provisional upon the following criteria being met:

- a) such persons must demonstrate a housing need and inability to obtain an appropriate form of home ownership;
- b) the contribution takes the form of a concessional loan or a special refundable payment approved by the Department. Any return on these funds shall not exceed the rate of inflation and shall accrue and not be withdrawn during the term of the tenancy.

In such circumstances, the contribution would not be considered as generating assessable income for the tenant for rent calculation purposes.

Members shall be required to provide details of household income, assets and potential assets at initial application and also prior to occupation.

M3 ALLOCATION OF VACANCIES:

The co-operative will ensure the property is occupied to its full potential and capacity.

When taking in new tenant members the co-operative shall ensure that if, there are more than 35% of the existing tenants earning a gross income above the current Department of Housing Income criteria, the co-operative shall fill subsequent vacancies with tenants who are eligible for public housing, to endeavour to maintain the 65% of tenants eligible for public housing.

If the co-operative cannot meet its financial obligations under this funding condition, it should apply to the Department for a variation of this condition of the program guidelines.

M4 TENANT RENTS

Co-op tenants shall pay rent and loan contributions for housing services at 27% of gross household income up to a ceiling set at market rent. Gross income is the income earned from salary and wages before any deductions (i.e. tax, medical levies, superannuation and includes assessable income from all other sources such as interest, superannuation received and rental assistance allowances).

Rent is calculated according to the gross income of the household in the following way:

- . 27% of the gross weekly income of the tenant and spouse (if applicable) except Family Allowance Supplement (F.A.S.).
- . 27% of the gross weekly income of those other household members aged 25 years and over (except F.A.S.).
- . 10% of the gross weekly income of household family members aged 18 to 24 years. No rent is payable for household family members under 18.

Single Person Households

- . 27% of gross weekly income of single person households 16 to 24 years.

A household is defined as a person or group of related persons who occupy one dwelling unit, or part therefore, under one tenancy agreement.

Any new statutory payments payable to tenants should be treated as general household income, unless indicated in writing by the Department.

Family Allowance Supplement (F.A.S.)

Family Allowance Supplement is paid to people on low incomes with children and is not assessed in the same way as other income. The allowance is assessed in addition to other income at the rate of:

- . 15% for tenant and spouse
- . 15% for other household members aged 25 years and over
- . 10% for other household members 18 to 24 years

Family Allowance (previously known as Child Endowment) is not included as income.

Other Household Members

The income of other household members who are under 18 years is not included for rent calculation purposes.

The income of students under 25 years is not assessable if they receive Austudy paid at the living at home rate.

Rent Incentives

When the co-operative has repaid 25% of the initial amount owing under the second mortgage, the members may have their rent setting formula reduced to 26% of gross household income, up to the ceiling of market rent. Similarly when the co-operative has repaid 50% of the initial amount owing under the second mortgage, the members may have their rent setting formula reduced to 25% of gross household income up to the ceiling of market rent. These rental arrangements are subject to the co-operative being able to meet their full financial obligations. If these obligations can not be maintained, the co-operative shall defer implementation of these rent reductions.

The co-operative shall carry out regular 6 monthly reviews of tenants' incomes to verify incomes and adjust rents according to the rent formula as set out in these guidelines. If the co-operative is aware of any fraudulent activity in relation to the declaration of income the co-operative shall take all necessary and appropriate action to ensure compliance with these guidelines.

For income verification, nominees of the co-operative must sight an income statement from the Department of Social Security and/or an income statement from the tenant's employer(s) and other income sources. Unless details of income are provided, a full market rent will be charged.

Special Levy

If the co-operative is unable to meet its financial obligations under these guidelines, the co-operative may charge as an interim measure an additional levy on all tenants, proportional to their tenants income if the decision to do so is unanimous by the tenants. Any levy above 3% of tenant's income will require the Department's written permission.

M5 RESIDENTS' TENANCY RIGHTS IN CO-OPERATIVES

Co-operatives funded under LGACHP are intended to provide long term, secure housing for those members willing to abide by the terms of their tenancy agreement. Tenancy agreements should be designed to offer security of tenure appropriate to the form of housing provided. Co-ops must demonstrate clear and effective procedures to deal with disputes.

Co-ops will use an approved agreement under the Residential Tenancies Act. Any special conditions to tenancy agreements are to be consistent with these guidelines and the Act.

M6 REPORTING

A copy of the co-operative's Annual Report and audited financial statements are required to be sent to the Department within three months of the Annual General Meeting. These statements shall comply with the format prescribed by the Department. These reports shall include a statutory declaration from the co-operative stating that the co-operative has verified tenants' rents in accordance with these guidelines. The co-operative will provide to the Department, proof of income verification on request. The co-operative is also required to provide proof of continuing insurance cover for building and public liability.

In addition, in accordance with Federal program requirements, co-ops are to provide each year the following information:

- a profile of the co-operative tenants, their respective households and their corresponding housing allocation;
- Annual Report and an income and expenditure statement for the co-operative. The Annual Report shall describe member involvement in the running of the co-operative;
- financial resources attracted from outside the LGACHP funding to the project; and
- any changes to the co-operative's incorporation status or rules.

M7 CO-OP PROPERTIES

Title

Generally title shall be held by the co-op. The loan provider (mortgagee) will hold a first mortgage over the property. LGACHP funds will be secured by the Department with a second mortgage, as a repayable interest free loan. Fifteen percent of the project's final cost shall be a non-repayable grant ensuring the project's ongoing compliance with the program guidelines. At any point in time a co-operative's net equity is equivalent to the project's current value minus the outstanding amounts owing under the first and second mortgages.

A Deed of Agreement shall specify the details of title arrangements. It shall also include clauses regulating the possible sale of the property.

Other title arrangements may be negotiated with the Department based on the contributors involved and the project's special merit.

Loan Default/Breaches of Agreement

A serious and continued breach of the Guidelines and, or the Deed of Agreement will enable the Department of Housing after following the required procedure laid down in the Deed, to demand immediate payment of the grant/second mortgage and thus the winding up of the project. The following will constitute such a breach:

- a) a default (other than by the Department) in the performance of any agreement or condition contained in the Deed;

- b) any loan default by the Co-operative in the performance of any agreement or condition contained in the first mortgage entered into by the Co-operative;
- c) any loan default by the Co-operative in the performance of any agreement or condition contained in the second mortgage entered into with the Department;
- d) the Co-operative receives a written notice from the Department advising that it is in breach of one of the guidelines contained in the Local Government and Community Housing Program or these guidelines herein, that such breach or breaches be rectified by a certain date and the Co-operative, without reasonable excuse, fails to comply with that direction;
- e) If the Co-operative ceases to be registered as a common equity rental co-operative under the Co-operatives Act of New South Wales, or other applicable Acts.

Repayment of Subsidies

A co-operative shall repay LGACHP interest free loan funds as and when co-operative surpluses arise, by increasing their co-operative's loan/equity contribution during the life of the project. As members' incomes improve, the co-operative is required to increase its equity by progressively repaying the original LGACHP loan funds.

Repaid LGACHP funds are returned to the program for funding further co-operative projects. This mechanism enables members to continue enjoying security of tenure, whilst maintaining the amount of housing available for those in housing need.

As LGACHP funding is provided at a discount, co-op projects will need to continue addressing those eligible for public housing over the life of the accommodation

Following repayment of second mortgage

When the Department's second mortgage is repaid in full, the co-operative may alter income based rents (being a set percentage of members gross incomes) to any percentage that is consistent with maintaining sound financial management of the co-operative.

The requirement to limit administration expenses to a maximum 6 percent of rent income is removed.

The co-operative can elect to allocate surpluses to additional residential accommodation for the co-operative or other rental co-operatives, provided the Department is satisfied that a deed of agreement binds these properties to the same management terms and conditions, as apply to the existing co-operative properties at the time. Surplus funds may be invested with an approved investment organisation (as per MG15) until sufficient funds are accumulated for this purpose.

M 8 RESERVE FUND FOR LOAN REPAYMENTS

The co-operative shall establish and maintain a reserve provision of sufficient monies to meet four months of the co-operative's loan repayments, due under the first mortgage. Under a contractual agreement, these funds shall be vested with an organisation approved by the Department, on behalf of the co-operative. These monies may only be used to meet outstanding loan repayments upon written request from the first mortgagee to remedy arrears.

If the co-operative fails to fully meet any payments or conditions contained in the first mortgage, the co-operative shall notify the Department and the contracted organisation within 48 hours of this occurrence.

The contracted organisation shall also notify the Department in writing within 7 days of the mortgagee's request to meet a shortfall in repayments. Interest earned on this reserve fund is to be invested according to the investment guidelines, applying to co-operatives (Clause MG 16) and it shall accrue equally to the co-operative and to the contracted organisation for performing this service.

Initial Headlease

To facilitate the accumulation of the loan reserve (equivalent to four months loan repayments) and therefore to demonstrate the co-operative's ongoing financial viability, the co-operative shall initially headlease the funded premises from the Department, once the property is in lettable condition. This headlease shall be at a nominal rental of one dollar per month, for a period of up to four months. If the co-operative has more than one property the lease terms should allow the co-operative to establish a four months loan repayment reserve for the properties. A period of up to twenty four months applies for auspiced youth projects addressing youth homelessness. This arrangement for youth projects is to facilitate the transition to full co-operative management and enable the project to demonstrate a stable income base which is capable of supporting a loan. During this period all associated recurrent expenditure is to be borne by the co-operative.

M 9 TRANSFER OF TITLE TO THE CO-OPERATIVE

At the end of the term of the headlease, subject to satisfactory financial performance by the co-operative (evidenced in a financial statement and the establishment of the loan reserve fund), the Department and the co-operative shall enter into a deed of agreement. At this time the Department shall effect transfer of the property's title encumbered by the Department's second mortgage to the co-operative, upon receipt of the private finance raised by the co-operative.

M10 STANDARDS OF ACCOMMODATION

The co-operative shall at all times keep in good and fit state of habitation and tenantable condition all properties and grounds belonging to such accommodation.

M11 OPERATING COSTS

Operating costs are to be met in full out of rental income.

Rent payments will be held by co-ops to pay for loan repayments and all operating costs of the housing project. Co-operative's operating costs are considered to include:

Council rates, water rates, vacancies and arrears, legal costs incurred while meeting the co-operative's obligations under the guidelines (eg. the cost of eviction proceedings and debt recovery), insurances, housing related management/administration costs and day to day repairs and maintenance. It is also necessary for a co-op to establish a funding provision for long term cyclical property maintenance.

Expenditure of rental income outside these nominated areas will require the Department's written approval.

Tenant Responsibilities

Co-operative tenants shall be responsible for electricity, gas and excess water costs associated with the premises to which they have a right to occupy, and any other charges set out in the additional terms of the agreement, which are payable under the Residential Tenancies Act, 1981. Co-operatives should therefore endeavour to separately meter individual units of accommodation.

M12 INSURANCE EXPENSES:

The co-operative shall effect and pay all premiums for appropriate insurances to cover at all times:

- i) Building Insurance;
- ii) Public Liability for owner and occupiers risk;
- iii) Fidelity Guarantee;
- iv) Voluntary Workers Accident;
- v) Common Contents belonging to the co-operative; and
- vi) If and when workers are employed, Workers Compensation cover for paid employees.

Building Insurance:

The Co-operative shall maintain building insurance cover for the full current replacement value of the property.

Public Liability:

Public Liability cover must be adequate and shall cover an amount not less than \$5,000,000, adjusted for cost price index (CPI) adjustments every three years.

M13 MAINTENANCE EXPENDITURE

Repairs and Maintenance:

The Co-operative shall set aside adequate funds for repairs and cyclical maintenance. Repairs are to be carried out by licensed or appropriately qualified persons. The co-operative shall obtain more than one quotation for all repairs in excess of \$1,000.

Cyclical Maintenance:

A co-operative shall endeavour to set aside sufficient monies to cover long term building maintenance requirements. Provisions of funds set aside for this purpose are to be separately recorded in a cyclical maintenance account. A minimum amount equivalent to 1% of the current replacement cost of the building, shall be set aside each year to provide for this purpose, unless otherwise agreed by the Department.

M14 ADMINISTRATION EXPENDITURE:

The co-operative may set aside rental revenue to cover administrative overheads each year up to a maximum of 6 per cent of the annual rental income of the co-operative. Permissible administrative costs are specified in section M18.

M15 INVESTMENT OF FUNDS

The co-operative shall deposit its funds accruing from rental income with either:

- (i) a bank entitled to carry on the business of banking under Commonwealth or State law.
- (ii) a Building Society specified in schedule 2 of the Permanent Building Societies Act 1967.
- (iii) the Australian Association of Co-operatives.
- (iv) Other financial institutions approved by the Department in writing.

Interest earned on cyclical maintenance funds are to be accounted for separately as a provision for maintenance. These funds are only to be expended for this purpose, unless otherwise agreed in writing by the Department.

Interest earned on the co-operative's rental income shall be applied to co-operative rental housing purposes in accordance with the objectives of these guidelines.

M16 SURPLUSES

Rental income must in the first instance be used to meet operating costs, as previously noted. In addition, the co-operative is permitted to retain operating funds up to an amount equivalent to 20% of the previous year's rental income. However, any surpluses of revenue over expenditure (and allowable expenditure provisions) are to be used for either:

- a) accelerating the repayment of the private finance owing under the co-op's 1st mortgage; or
- b) raising additional private finance by increasing the amount owing under the co-op's first mortgage. Funds so raised must be used to repay to the Department, monies owing under the co-op's second mortgage; or
- c) making direct payment to the Department to repay monies owing under the co-op's second mortgage.

While funds are owing under the first and/or the second mortgages, the co-operative must effect one of the above options, unless otherwise agreed. Surpluses may also be re-allocated upon recommendation of the LGACHP State Advisory Committee to the State Minister for other permissible uses. Other permissible uses of surpluses may include:

- (i) retention by the co-operative for expansion of the housing, in accordance with the program guidelines. This would include: raising additional finance for the acquisition of additional dwellings for the expansion of co-operative; and alterations and additions to the co-operative's existing dwellings that require planning and/or building approval.
- (ii) allocation to other co-operative projects.

Surpluses shall be calculated annually based on information contained within the annual financial returns, of the Co-operative's Annual Report. The annual surplus as defined in these guidelines shall be separately identified in the Profit and Loss Statement. The co-operative is responsible for ensuring the audited statements are prepared in accordance with these guidelines, with surpluses identified separately in the co-operative's accounts.

Surpluses shall be defined as excess revenue over allowable expenditure as identified in the previous financial year's accounts.

After excluding operating and maintenance provisions the previous year's surplus funds over \$100 (or evidence of payment to the mortgagee) must be forwarded with the co-operative's Annual Report to the Department's regional office. The Report and evidence of surplus payments are required by the Department within 3 months of the Co-operative's Annual General Meeting. The Department shall reduce the amount owing by the Co-operative under the second mortgage, by such monies forwarded by the Co-operative.

M17 DISPOSAL OF PROPERTIES

Co-op properties may be sold and new properties purchased provided that:

- a) the sale complies with the Deed of Agreement and provides a more appropriate matching of residents' housing needs, than the existing accommodation;
- b) the housing stock sold is replaced by substitute housing providing an equivalent amount of similar standard housing for members;
- c) any surplus capital generated from such sales is returned to the co-operative program.

Wind-up of a Co-operative

Should a co-op be dissolved or the project winds up, the co-operative's property would be disposed of in the following sequential process:

- i) properties would be transferred in the first instance to another common equity housing co-operative or to a non-profit rental housing association, or similar non-profit organisation. All tenants wishing to remain would become tenants of the new organisation, provided they have met their obligations under the previous tenancy agreement.

In the case of a joint venture, the other contributing community organisation would have an option to manage the properties, provided there was an agreement to manage the project under the rental housing co-operative program guidelines.

- ii) In the event that there is no suitable organisation willing to take over the management of the accommodation (including its liabilities), tenants of the funded project shall be given first preference to purchase their dwelling at market value or replacement cost.
- iii) the Department shall have the second option to purchase the dwelling at market value or replacement cost.
- iv) Where none of the above occurs, properties shall be sold on the private market and contributions thus realised shall be returned to the contributors. Tenants eligible for public housing may be rehoused by the Department. Creditors are to be repaid including any loan repayments made by the Department on behalf of the co-operative and any surplus returned to the co-operative program. The co-operative's residual equity is to be distributed to another housing organisation referred to in M17 (i) to create housing opportunities in accordance with these guidelines.

M18 DEFINITIONS

Co-operative (or co-op):-

Under the requirements of the New South Wales program, a co-operative is defined as an incorporated rental housing group, self managed by tenant members in accordance with the international principles of co-operation. The membership of a co-operative is normally restricted to tenants and prospective tenants of a co-operative.

Where a co-operative wishes to include in its membership persons who are not prospective tenants, for the purpose of bringing expertise and special skills, it is required that they do not take up office bearing or management positions, unless special management needs are demonstrated and approved at the time of funding.

Department:-

New South Wales Department of Housing

Minister:-

New South Wales Minister for Housing.

Market Rent:

The market rent for a household's accommodation shall be equal to the market rent in the same locality for similar accommodation dwelling of comparable size and condition. If there is no comparable accommodation in the project's locality, a determination on market rent should be referred to the Department's regional office for advice.

Administration:

The administrative overheads are costs incurred on behalf of the co-operative (and not individuals) and may include office, telephone and lighting, purchase of equipment and stationery, book keeping, auditing, building inspections, education and training in housing management and other costs involved in the administration of the co-operative's housing.

DEPARTMENT OF HOUSING APPLICATION FOR HOUSING
ASSISTANCE THROUGH LOCAL GOVERNMENT AND COMMUNITY
HOUSING PROGRAM (LGACHP)

The accompanying application is used for rental co-operative projects administered through the Community Housing Programs of the Department. Specialised assistance in co-operative development and training is available from:

The Association to Resource Co-operative Housing
Room 27A
94 Oxford Street
SYDNEY 2000 Phone (02) 361 6834
Fax (02) 361 6394

Private loans can be accessed through the Association to Resource Co-operative Housing Ltd. (A.R.C.H.). A.R.C.H. provides information on application procedures, training courses and Co-op Assessment requirements under the program.

A.R.C.H. will provide information and access to a two stage training and development course. The course is run in conjunction with an assessment process which seeks to ensure groups fulfil the requirements of the program guidelines.

Each application will be assessed by the Regional staff to ensure that guidelines of the program are complied with prior to any offer of accommodation. Further information may be requested to enable a detailed assessment.

All applications for assistance will be acknowledged and applicants kept informed of the status of their application. If you do not receive any communication from the Department within one (1) month of date of lodging this form, you should contact the Team Leader Programs in the Regional Office.

Applications should be forwarded to the Regional Manager at one of the offices listed below:

Regional Manager
Western Metropolitan Regional Office
PO Box 164
PARRAMATTA NSW 2150

Contact: Team Leader, Programs (Ph 891-8152)

Regional Manager
Department of Housing
Central and Eastern Metropolitan
Regional Office
725-731 George Street
SYDNEY NSW 2000

Contact: Team Leader, Programs (Ph 282-7454)

OUTLINE OF RESPONSIBILITIES OF AUSPICING GROUPS

An auspicings body can be set up for some special needs co-ops, to administer and be responsible where the tenants need ongoing training and support.

What are responsibilities of auspicings groups?

- * To assist the formation and development of the co-op. To assist the members in the production of an economic and technically feasible solution to their housing needs
- * To ensure that the co-op is run by the members according to the international principles of co-operation.
- * To train the members in meeting procedures which allow for an active participation in decision making, and equal member voting rights. To update and revise this training at regular intervals.
- * To make provision for the education of the co-op, its members and officers, in the principles and techniques of co-operation, both economic and democratic.
- * To ensure that participation in the co-op is voluntary and without restrictions of any social, political, racial or religious discrimination, to all persons who can make use of its services and are willing to accept the responsibilities of membership.
- * To ensure that the members understand that the facilities of the co-op are to be distributed in such a manner as to avoid one member gaining at the expense of others.
- * The auspicings body must provide a clear, documented disputes procedure so that any dispute can be resolved by a fair, uniform and known process to ensure that the resolution of the dispute is not in itself subject to dispute.

At the time of assessment of the auspicings body, ARCH will request a copy of the body's disputes guidelines, meetings procedures and economic management plan for the co-op.

* The responsibilities of the auspicing group should be incorporated into its management committee policy, and written into job descriptions for incoming workers.

*To take primary responsibility for resourcing and training the co-op to be efficiently self-managing.

* To assess the groups requirements for technical and professional services and organise appropriate expertise where required.

* To ensure that a co-op is adequately trained to undergo ongoing accountability requirements eg book-keeping practises, rental arrears systems, tenant selection criteria, sinking funds, depositing of loan mortgage reserves and assurance of mortgage repayments.

*To access and distribute to the co-op kits and other required material provided by ARCH and other bodies.

* To liaise with all members of the co-op in order to properly determine the needs and requirements of the members and assess in which areas, if any, the co-op requires resourcing.

*To provide workshops at least two times a year for co-op members on issues to be determined through consultation between the co-op and the auspicing body.

COPY - current
date as at 6/2/91
500.

THIS DEED made the _____ day of _____, 199
BETWEEN NEW SOUTH WALES LAND AND HOUSING CORPORATION ("The Corporation") of
the first part AND _____
(_____) ("The Co-operative") of the second part.

WHEREAS:-

1. PURSUANT to the Local Government and Community and Housing Programme ("the LGCHP"), the Commonwealth Government provides funds to the New South Wales Government for the purpose of developing co-operative housing accommodation.
2. THE Corporation thereafter allocates such funding pursuant to the provisions of the Commonwealth/State Housing Agreement and in accordance with Commonwealth and State (L.G.C.H.P) Housing Guidelines ("The Guidelines").
3. THE funds are managed and allocated to Housing Co-operatives by the Corporation in accordance with The Guidelines a copy of which is annexed hereto and marked "Schedule One".
4. THE Corporation shall purchase certain land, in respect of this project fully described in Schedule Two hereto ("The Property") for construction of or, where improvements are already erected thereon, to effect the purchase of housing stock for allocation to Co-operatives.
5. PURSUANT to its powers as a Registered Common Equity Rental Housing Co-operative, the Co-operative shall purchase such property from the Corporation as agreed for the particular project. The source of funding for such purchase shall be as follows:-
 - (a) An advance ("The Advance") by a certain lender ("First Mortgagee") secured by a First Registered Mortgage over the Property;
 - (b) A grant of (\$ _____) ("the Grant") to the Co-operative by The Corporation pursuant to the LGCHP Guidelines that being fifteen (15%) percent of the overall LGCHP funding allocation. The Grant shall be non-repayable for so long as the Co-operative complies with this Deed

- (c) A further advance, (being the remaining eighty five (85%) percent of the funding allocation) shall be made by the Corporation in the form of an Interest Free Loan to be secured by a Second Registered Mortgage over the Property ("the Loan") repayable to the Corporation in the event of the Co-operative being in possession of surplus funds (as defined herein).

6. IN consideration of the receipt of the said sum of
(\$), the Co-operative has agreed to enter into this Deed.

NOW THIS DEED WITNESSETH:-

In consideration of the sum of (\$)
being paid to the Co-operative by the Corporation and subject to the terms contained herein, the Co-operative agrees with the Corporation as follows:-

- 1) a) That the Co-operative will conduct from the Property a Common Equity Rental Housing Co-operative Project ("the Project") in accordance with the said Guidelines further set out in Schedule One and as otherwise provided herein.
- b) The Property shall not be encumbered, sold, transferred, assigned or otherwise disposed of, or dealt with by the Co-operative except to the extent of the First and Second Registered Mortgages referred to herein and otherwise in accordance with the provisions of this Deed;
- c) (i) Following the discharge of the First Mortgage, the Co-operative will not encumber, sell, transfer, assign or attempt to encumber, sell, transfer or assign any acquired interest in the Property.
- (ii) The provisions of sub-clause (i) above shall also apply to rents or payouts of funds, excepting for reasonable operating expenses and necessary repairs, without the Co-operative first having obtained the written consent of the Corporation to such sale or transfer;

- d) That the Co-operative will not add to, reconstruct, or demolish any part of the Property without the prior written consent of the Corporation and in such event only in accordance with plans and specifications approved by the Corporation in writing, except where required by law. If, after a period of ninety (90) days from the date of any request in writing as required by law, no response is received by the Co-operative from the Corporation then the necessary consent shall be deemed to have been given.
- e) That the Co-operative will not engage in any other business or activity, including the operation of any other common equity rental housing co-operative rental project, or incur any liability or obligation not in connection with the Project, except with the prior written consent of the Corporation;
- f) That the Co-operative will not permit or encourage the use of the Property for any purpose other than for Common Equity Rental Housing and purposes incidental thereto, except with the written consent of the Corporation;
- g) That the Co-operative will not incur any liability in excess of \$10,000.00 (indexed from the date hereto by increases in the CPI index or any replacement index) whether direct or contingent, without the prior written consent of the Corporation;
- h) That the Co-operative shall insure and keep insured all improvements on the Property pursuant to a building insurance policy which:-
 - (i) Is issued by a reputable, responsible and solvent Insurer approved by the Corporation;
 - (ii) In respect of the insurance policy, is in such a sum as is equal to the full reinstatement value of the improvements on the Property;

- (iii) Is endorsed with the details of the First Mortgagee's and the Corporation's interests secured by the First and Second Registered Mortgages as provided herein.
 - (iv) Insures against risks including loss by storm and tempest, act of God, lightning, earthquake, fire, explosion, aircraft, riots, malicious acts and other risks normally insured against in the circumstances of the Property, its improvements and its location; and
 - (v) Contains an agreement by the Insurer not to cancel the policy without giving the Corporation (as mortgagee) prior notice of such intention.
- j) That the Co-operative will at all times ensure that the Property is kept adequately maintained, in good repair and condition in accordance with the reasonable standards of the Corporation, and the Co-operative will report promptly to the Corporation, details of any structural defect or damage which becomes apparent to the Co-operative; and shall attend promptly whether through the appropriate insurance channels or otherwise to rectify or repair such defect or damage.
- k) The Co-operative shall furnish the Corporation and, as and where provided for in the mortgage documents, the First Registered Mortgagee with audited financial statements for the Property for the twelve (12) months ending on 30th June in each year during such period as this Deed remains binding but not later than 31st October in each year, and shall on request supply such further information relative to the Property as the Corporation may from time to time require and otherwise in accordance with the Guidelines at Schedule 1 hereto.
- l) In the event that, at the end of a particular financial year the Co-operative is left with a surplus (on ordinary accounting principles), it will, unless otherwise agreed upon between the Parties, apply that surplus in accordance with the provisions of Schedule Two of this Deed.

- m) In the event that the Co-operative is served with a Notice of Default such Notice being any Notice whatsoever ("The Notice of Default") of failure to meet repayments due and owing to the First Mortgagee it shall notify the Corporation of receipt of such Notice of Default in writing within forty-eight (48) hours at the Corporation's address specified in Schedule Three.
- 2) The Co-operative shall maintain at all times following execution of this Deed sufficient moneys ("The Reserve Provision") to enable it to have immediate access to an amount equivalent to the total of four (4) monthly loan repayments payable by the Co-operative pursuant to the First Registered Mortgage referred to herein this being a requirement of the Guidelines annexed at Schedule One hereto. The Reserve Provision shall _____ be _____ lodged with _____
or such other Co-operative Housing Association as is agreed between the Parties ("The Association") and approved in writing by the Corporation. Annexed hereto and marked "Schedule 4" is the Agreement between the Co-operative and the Association facilitating such lodgement.
- 3) In the event that the Co-operative is unable to meet repayment commitments arising under the first and second registered Mortgages referred to herein and so render itself liable to commit a Fundamental Default Event then the Co-operative shall immediately notify the Association to Resource Co-operative Housing ("A.R.C.H.") or such other Association ("The Association") with which it from time to time maintains the Reserve Provision referred to in clause 2 herein. A.R.C.H. or the Association as the case may be shall then pay on behalf of the Co-operative the loan repayments out of the Reserve Provision. If after the Reserve Provision is exhausted, the Co-operative remains unable to meet its repayment commitments arising under the First and Second Registered Mortgages and commits a Fundamental Default Event then the Corporation shall be entitled to take such action as it deems appropriate in its absolute discretion pursuant to clauses 3 and 5 hereof.

- 4) The Loan (and each and every part) or so much as remains unpaid shall become repayable and each Second Registered Mortgage shall become enforceable at the option of the Corporation in its absolute discretion one (1) month from the date of any failure by the Co-operative to meet repayment commitments arising under the First and Second Registered Mortgages referred to herein ("Fundamental Default Event") or six (6) months from the date of the happening of any one or more of the following events ("Default Events") as provided for in Clause 3:4
- (a) If there is a default in the performance by the Co-operative of any essential term, covenant, agreement or condition contained in or implied by this Deed, the Guidelines and the Schedules annexed thereto.
 - (b) If there is any default by the Co-operative in the performance of any term, covenant, agreement or condition contained in or implied by the second mortgage entered into with the Corporation;
 - (c) If the Co-operative receives a written notice from the Corporation advising it that it is in breach of one of the guidelines contained in Schedules 1 or 2 and containing a direction that such breach or breaches be rectified within a reasonable period and the Co-operative, without reasonable excuse having been notified to the Corporation in writing, fails to comply with that direction;
 - (d) If the Co-operative ceases to be registered as a common equity rental co-operative under the Co-operatives Act of New South Wales;
 - (e) If Notice of Default is served by the First Mortgagee on the Co-operative;
 - (f) If the Co-operative unreasonably ceases to pay its debts;
 - (g) If the Co-operative creates or purports to create any charge over the Property without the written consent of the Corporation first having been obtained;

- 5) Upon the happening of a Fundamental Default Event (and subject to any contrary provision in this Deed) the Corporation shall serve a Notice on the Co-operative demanding rectification of the breach within one (1) month of the date of service of the Notice. Upon the happening of a Default Event (and subject to any contrary provision in this Deed) the Corporation shall serve a Notice on the Co-operative requiring rectification of the breach within six (6) months of the date of service of the Notice. Where the Co-operative fails to rectify the breach within one (1) month in the case of a Fundamental Default Event or within six (6) months of a Default Event then the Corporation may, in its absolute discretion, do all or any one or more of the following:
- (a) Require immediate repayment of both the Grant and the Loan and, thereafter, proceed to do all necessary things necessary to wind up the Co-operative in accordance with the Provisions of the Guidelines annexed hereto at schedule 1.
 - (b) Exercise all the powers provided to it under the Second Registered Mortgage;
 - (c) Do or cause to be done all other acts and things without limitation as the Corporation considers expedient for the protection or enforcement of the Grant and the Loan or the recovery thereof;
 - (d) All money outlaid and all costs and expenses incurred by the Corporation in exercising any right or power pursuant to Clause 2 shall be repayable by the Co-operative forthwith upon demand and until repaid shall be added to and shall form part of the Loan;
 - (e) The Corporation may at its sole and unfettered discretion at any time pay on behalf of the Co-operative any principal or interest due under any mortgage, debt, obligation or judgement and thereafter recover such sums from the Co-operative. Any moneys so paid shall be construed as a debt owing by the Co-operative and shall be added to and be part of moneys outstanding under the Loan and shall be recoverable in the same way.

(f) The Corporation may appoint a non-profit Co-operative Association as its agent to administer the Co-operative in the place of the Board of the Co-operative in which case the powers of the Corporation in this Deed may be exercised by the Appointed Association on behalf of the Corporation.

- 6) The Corporation shall be responsible for payment of installments due under the First Registered Mortgage where the Co-operative has failed to make repayments and thereafter failed to comply with a Notice issued pursuant to the provisions of Clause 3 above and notwithstanding any other action the Corporation may take under the provisions of that clause.
- 7) On discharge of the First and Second Registered Mortgages the Co-operative shall be obliged to and shall remain bound by the terms hereof and the Guidelines contained in Schedule One hereto. Any breach of the terms or provisions included in the Deed and/or the Guidelines shall entitle the Corporation to demand immediate repayment of the Grant and to take such other action as it may deem appropriate within the provisions of Clause 3 hereof.
- 8) For the purposes of this Agreement, a Notice of Default as referred to in Clause 1(m) hereof shall be further defined as any Notice whatsoever served upon the Co-operative by the First or the Second Mortgagee's being a Notice of Failure to meet repayments due under the terms of the First Mortgage or the Second Mortgage whether pursuant to the terms of any mortgage documents executed by the Parties or the terms of this Agreement including but not limited to Clause 5(c) hereof. A Notice of Default for the purposes of this Agreement shall not include a Statutory Notice pursuant to Section 57(2)(b) of the Building Society Act.
- 9) In the event that the Co-operative is in default and the Corporation and/or the First Mortgagee are obliged to take action either under the terms of this Agreement or pursuant to the provisions of the mortgage documents to sell the Property then the Co-operative agrees that any balance of moneys held after discharge of the First Mortgage and re-payment of the Advance and discharge of the Second Mortgage and re-fund to the Corporation of the Grant and the Loan shall be handed over to the Corporation for reallocation in accordance with the Guidelines.

SCHEDULE ONE

GUIDELINES

(COMMONWEALTH/STATE HOUSING GUIDELINES)

ANNEXED

SCHEDULE TWO

EXPENDITURE OF SURPLUS

ANNEXED

1. Any surpluses of revenue over expenditure shall be reported to the Corporation and expended in accordance with the terms and conditions herein. Revenue is defined in Clause 2. Expenditure that is allowed under "The Guidelines" is defined in Clause 3.
2. Revenue is defined as all income from the following sources: tenants' rents; interest received as a result of the deposit of rents; debtor income; and income raised by the Co-operative from the use of the Co-operative's common facilities.

Donations, subscriptions and other funding raising income and expenditure shall be excluded from the calculation of a surplus.

3. Allowable expenditure items as provided for in the New South Wales State Guidelines marked "Schedule One" as listed below:
 - (a) Council rates
 - (b) Water rates
 - (c) Insurance
 - (d) Legal expenses
 - (e) Rent arrears and bad debts written off
 - (f) Administration
 - (g) Maintenance and maintenance provisions
 - (h) First mortgage repayments to the mortgagee under the Deed of Agreement herewith
 - (i) Operating funds for future financial commitments.

4. Surpluses are defined as excess revenue over allowable expenditure for the previous financial year's accounts.

Details of the surplus funds shall be identified separately in the Co-operative's accounts, in accordance with an accrual accounting system.

5. Surpluses shall be calculated annually based on the accounts contained in the Profit and Loss Statement of the Co-operative's Annual Report. The previous year's surplus funds in excess of one hundred dollars, or evidence of payment to the mortgagee, must be forwarded with the Co-operative's Annual Report to the Corporation. The Annual Report and evidence of surplus payments are required within three (3) months of the Co-operative's Annual General Meeting.

The Corporation shall reduce the amount owing by the Co-operative under the second mortgage, by such moneys forwarded to it by the Co-operative. Failure to so transfer identified surpluses shall be considered by the Corporation, as a breach of the Agreement.

Surpluses must be used for the following purposes:

- a) Make additional repayments of the private finance owing under the Co-operative's first mortgage; or
- b) Raise additional private finance by increasing the amount owing under the Co-operative's first mortgage. Funds so raised must be used to repay to the Corporation moneys owing under the Co-operative's second mortgage; or
- c) Make direct payment to the Corporation to repay moneys owing under the Co-operative's second mortgage; or
- d) Other permissible uses agreed to by the LGACHP Advisory Committee or its successor.

Such uses of surpluses may include:

(i) Retention by the Co-operative for expansion of housing facilities in accordance with the Program Guidelines marked "Schedule One" here to. This includes raising additional finance for the acquisition of further dwellings and additions to the Co-operative's existing housing stock.

(ii) Allocation to other co-operative projects.

6. Requests to the LGACHP Committee for expenditure of surpluses for purposes noted in Clause 4 (d) (i) and (ii) shall be made within three (3) months of the end of the financial year.

In the event that the LGACHP Committee refuses the Co-operative's request to expend surpluses as provided in Clause 4 (d), surpluses shall be expended in accordance with the other approved purposes specified at Clause 4.

SCHEDULE THREE

499

ADDRESS FOR SERVICE OF NOTICES

1. THE CORPORATION: MANAGER, LEGAL SERVICES
 LEVEL 7
 DEPARTMENT OF HOUSING
 23-31 Moore Street
 LIVERPOOL NSW 2170

 PH: 821 6111

2. THE CO-OPERATIVE:

WHEREAS

1. A.R.C.H. is an association created for the purpose of facilitating promoting and administering Co-operative Housing in the State of New South Wales.
2. The Co-operative is an incorporated housing co-operative which has entered into an agreement with the New South Wales Land and Housing Corporation ("The Corporation") whereby the Corporation is to provide funding to facilitate the creation of co-operative rental housing;
3. The Co-operative is eligible for funding under the Commonwealth State Housing Agreement and also from the Corporation pursuant to the L.G.C.H.P. Housing Guidelines.
4. Funding has been approved for the Co-operative under the Commonwealth and State L.G.C.H.P. Housing Guidelines ("The Guidelines").
5. The Co-operative has also negotiated a loan with ("The Society") to be secured by a First Registered Mortgage ("The Mortgage") over the Property to be purchased and allocated to the Co-operative by the Corporation.
6. It is a term of the Deed between the Corporation and the Co-operative ("The Deed") that the Co-operative shall maintain a Loan Reserve Fund ("The Reserve") in which will be retained at all times during the term of the Deed between the Corporation and the Co-operative the equivalent of four (4) months loan repayments payable under the Mortgage to the Society. The Reserve will be lodged with and invested by A.R.C.H.

7. This Agreement shall form an annexure to the Deed.

NOW THIS AGREEMENT WITNESSESS THAT:-

1. The Co-operative shall maintain at all times the Reserve and where the Reserve or any part of that reserve is expended during the course of the Agreement then the Co-operative shall replace such expended funds so as to re-establish the full Loan Reserve Fund.
2. A.R.C.H. shall retain the Reserve and shall be empowered to;
 - (i) invest such funds on behalf of the Co-operative in accordance with the provisions of the New South Wales Co-operative Guidelines;
 - (ii) where it receives a Notice of Default or is otherwise notified or becomes aware of a default on the part of the Co-operative to meet repayments under the Mortgage in favour of the Society, A.R.C.H. shall be empowered and is hereby authorised by the Co-operative to make such loan repayments from the Reserve Fund as are required to satisfy the requirements of the Society. A.R.C.H. shall continue to make such payments out of the Reserve until the Co-operative is able to meet its repayment commitments or until such time as the Reserve has been expended.
 - (iii) The Co-operative shall pay to A.R.C.H. in consideration for its maintaining the Reserve an annual fee equivalent to fifty (50%) percent of the interest earned from investment of the Reserve for each financial year. This fee shall be paid within one (1) month of the 30th June of each year during the term of this Agreement;
 - (iv) A.R.C.H. shall pay to the Co-operative within one (1) month of the 30th June of each year any moneys held in excess of the four (4) months loan repayment amount as a result of the accrual of interest on the account after deduction of its fee pursuant to sub-clause (iii) hereof.

3. The Parties shall remain bound by the terms of this Agreement until such time as the Mortgage to the Society has been fully discharged by the Co-operative.
4. The Co-operative shall furnish A.R.C.H. with such details of the account number and repayment procedures required pursuant to any account opened by the Co-operative for the purpose of investing and retaining the Reserve at the direction of A.R.C.H. The Co-operative shall provide such details, directions and approvals and sign all authorities as are necessary for A.R.C.H. to access the account for the purpose of making payments in the event of a failure by the Co-operative to meet its commitments under the Mortgage.
5. In the event of a default by the Co-operative to meet its loan repayments to the Mortgagee, the Co-operative shall provide A.R.C.H. with such authority as is necessary for A.R.C.H. to obtain financial statements from the Mortgagee for the purpose of ascertaining the position of the Co-operative in relation to its failure to meet its repayments to the Mortgagee.
6. The Co-operative hereby authorises A.R.C.H. to notify the Corporation of:-
 - (i) A default event as defined in the Deed between the Co-operative and the Corporation dated ;
 - (ii) A fundamental default event as defined in the said Deed;
 - (iii) The current account balance of reserve funds available in the Reserve.

A.R.C.H. is authorised to notify the Corporation within fourteen (14) days of any default of the Co-operative to meet its commitments under the Mortgage. A.R.C.H. is also hereby authorised to notify the Corporation within seven (7) days in the event of the Reserve being expended where payments have been made pursuant to the provisions of clause 2(ii) hereof.

7. The Co-operative and A.R.C.H. hereby both agree that the terms of this Agreement shall not be altered or varied either by mutual agreement or otherwise without prior written consent of the Corporation.

IN WITNESS whereof the Parties hereto have executed this Agreement the day and year first above written.

THE COMMON SEAL OF THE ASSOCIATION)
TO RESOURCE CO-OPERATIVE HOUSING LTD)
(A.R.C.H.) was hereunto affixed by)
authority of the Directors in the)
presence of:)

THE COMMON SEAL OF)
)
)
was hereunto affixed by authority)
of the Directors in the presence of:)

SCHEDULE FIVE

This Deed of Agreement is made for the purpose of providing the nominated housing accommodation listed in the schedule below at the respective properties' addresses identified:-

ACCOMMODATION

ADDRESS

1.

2.

3.

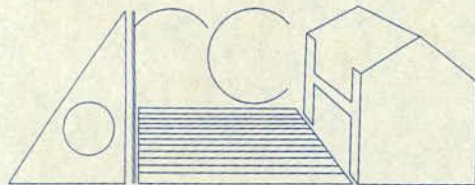
4.

3 August,

Dear Peter,

Please find attached
DOH file on Lily seed -
please use with discretion as it was sent
by Cops DOH office. Thanks
Laine

With Compliments



ASSOCIATION TO RESOURCE
CO-OPERATIVE HOUSING

ROOM 27A 94 OXFORD ST DARLINGHURST 2010
TELEPHONE: (02) 361 6834 FAX: (02) 361 6395



THE UNIVERSITY OF SYDNEY
DEPARTMENT OF ARCHITECTURE
N.S.W. 2006 AUSTRALIA

94-6207
894-213

Mr. Alan Spruce,
Chairperson,
Association to Resource Co-operative Housing,
94 Oxford Street,
DARLINGHURST. N.S.W. 2010

July 7, 1994

Attention: Ms. Pam Goodwin
Education and Resource Unit

Dear Mr. Spruce,

Lilyseed Housing Co-operative
Multiple Occupancy Application

Thank you for providing details of the Lilyseed Housing Co-operative's Development Application presently being considered by Lismore City Council. I am now pleased to provide my technical opinion as to compliance with State Environmental Planning Policy No.15, Multiple Occupancy of Rural Land, incorporating Amendment No.1, contained in the Department of Planning Circular No. B11, dated December 19, 1990. I understand that Multiple Occupancy policy is currently under review, but no determinations have been made.

I was involved in the original drafting of this policy as a consultant to the N.S.W. Department of Planning and I have inspected many 'multiple occupancies' since. I also convened a technical panel which produced a Multiple Occupancy Manual for limited circulation.

It is my view that the Lilyseed Housing Co-operative Development Application complies with the intent of the policy and in particular to the central issues contained in 'Matters for Council to consider'.

"3(1) A Council shall not consent to an application made in pursuance of Clause 7 unless it has taken into consideration such of the following matters as are of relevance to the development the subject of that application.

(a) The means proposed for establishing land ownership, dwelling occupancy rights, environmental and community management will ensure the aims and objectives of this policy are met."

1. **Establishing Land Ownership and Dwelling Occupancy Rights**
Even though the Community Housing Program, administered by the N.S.W. Department of Housing, is providing funds to purchase the land and construct dwellings, the Minister has determined that the

housing co-operative must have equity in the project by taking out a loan contribution repayable from rents. This is consistent with mortgage arrangements that many aspiring home owners take out. Default in rent repayments has the same consequence as default in mortgage repayments. One essential similarity is that individual equity can not be redeemed in this application nor in any multiple occupancy as subdivision of shares is not allowable. The principle of common equity prevails in both the Community Housing Programs and Multiple Occupancy Policy. I therefore conclude that a form of common land ownership is established for the residents which enshrines rights to dwelling occupancy subject to repayment of loans.

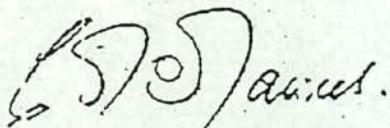
2. *Establishing Environmental and Community Management*
Access to established environmental management practices within the region is available from the sponsors and is evident from the design of the housing and services. The architect and his association with sustainable development practice is well known and will be applied to this development.

In addition, access to State sponsored support from the Association to Resource Co-operative Housing (ARCH) is guaranteed through funding arrangements to ensure management training for members and back-up for management practice during the formative years.

I therefore conclude that access and support to management practices are included in this application and guaranteed by State support and involvement.

I understand this information is to be made available to Council to assist with determination of this application and to the Hon. Robert Webster MP, Minister responsible for Planning and Housing.

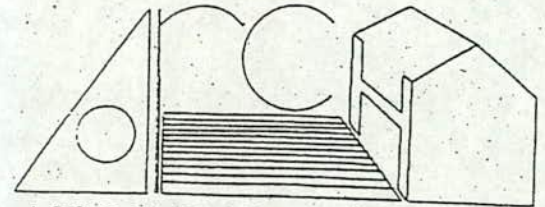
Yours sincerely,



Colin James, A.M.

Senior Lecturer

ASTC (Arch), M.Arch.(Hav), DipT&CP (Syd), AIRAIA, RAPl



ASSOCIATION TO RESOURCE
CO-OPERATIVE HOUSING

ROOM 27A 94 OXFORD ST DARLINGHURST 2010
TELEPHONE: (02) 361 6834 FAX: (02) 361 6395

Mr P T Muldoon
General Manager
Lismore City Council
Administration Centre
43 Oliver Avenue
Goonellabah NSW 2480

94-6207
894-213

8th July 1994

Dear Sir,

Re: Lilyseed Housing Co-operative Development
Application.

Please see the attached letter which provides further information to our letter dated 7th July, 1994 in support of the above Development Application.

ARCH sought professional opinion on whether this application complied with State Environmental Planning Policy/no.15, which relates to Multiple Occupancy of Rural Land, and the attached letter indicates that it does. We therefore request that you consider the information contained in the attached letter when making a determination of the Development Application.

Yours faithfully,

Rod Haslam
Technical Worker/Architect
ARCH

07/7/94

CONFIDENTIAL

TO: THE DEPARTMENT OF HOUSING
REGIONAL DIRECTOR
COFFS HARBOUR
ANNETTE GALLARD.

26TH JULY 1994.

RE: LILYSEED YOUTH HOUSING CO-OPERATIVE

Dear Ms. Gallard,

The LILYSEED management committee write to you to express their concerns regarding the LILYSEED youth housing project and in response to your letter dated 21st July 1994.

The LILYSEED management committee as the client group to the Department, the auspice body The Lismore Independant Living Youth Service and its umbrella group The Rural & Town Youth Service are deeply distressed at the abrupt disregard of protocol regarding the Dept's withdrawal on Tuesday 19th July of Development Application NO: 94/213 lodged with the Lismore City Council.

While addressing Council on the said Tuesday evening, during public access, we were informed of the withdrawal of the D/A by the Mayor who was apparently notified during the course of the day. No attempt to contact the committee or the auspice body regarding the withdrawal was made. We are concerned that the Dept. failed to consult with this committee to discuss their concerns about the opposition in order to allow us an opportunity to address these concerns.

We express our complete amazement at the failure of the Dept. to communicate with our project manager, particularly given the extensive recommendations contained in Commissioner Rogers report, Commissioner Mant's report and the Ombudsman's report of 01/1993 on LG & CHP.

At no time were we made aware of the Dept's concerns and in fact in a press statement of 13th July the North Coast Area Manager of the Dept. Mr P. Webber states that " He is not aware of any decision by the Dept. to withdraw its development application."

The LILYSEED committee strongly object to the inference that the project was withdrawn on the grounds of opposition to the proposal. Our proposal satisfied the criteria for the program in that it responded to specific housing needs, which have been neglected in the past and to innovative housing ideas as set out in the program. Is our proposal subject to wide community acceptance?, no other project is requested to meet this.

We make the following points:

1) D/A submissions to Council were overwhelmingly in support of the project, 36 for 19 against.

2) Opposition to the nature of the project was by a vocal minority lobby group, whose main objection was to do with their active stance on Multiple Occupancy Legislation.

We point out that this lobby group have two current government avenues in which to lobby for changes regarding MO legislation. One with the Dept. of Planning in its current review of SEPP 15 and through their own councils current planning and review procedures, both of which this lobby group have made submissions to.

We further add that there is no Moritorium placed on MO development during the current SEPP 15 review. Regardless, this project would not be exempt from any changes.

3) The petition, first generated by the lobby group of 150 signatures was surpassed by our own counter petition of 261 signatures.

4) Other forms of concerns raised regarding road use, proximity to town services etc were unsubstantiated and already dismissed by the Dept. in its own D/A and should have been allowed to be addressed by the Council's planning dept.

5) We have been advised that the Council's planning dept found no technical reason to object to the project.

6) The LILYSEED committee spent some two years in consultation with both members of the Nimbin community and with youth, housing and community services and organisations in Nimbin and Lismore. We recieved written support from these services during all CHP application stages and in writing for the D/A.

7) The LILYSEED committee attended numerous seminars and workshops by the Association to Resource Co-operative Housing and attended the Dept's seminars, particularly in relation to the CHP strategic plan.

8) In consultation with the appointed architect/consultants and ourselves the project was assessed by ARCH and the Dept. on all technical and legal aspects during the application stages. Assessed as number 1 priority at all CHP regional consultations. Assessed and approved by the Dept, the SAC and finally the Federal and State Housing Ministers.

We find it reprehensible that these issues have been allowed to place this project in jeopardy particularly as no consultation with the committee took place before a decision of withdrawal occurred.

We appreciate that you are aware of the urgency of the needs of homeless youth and young families in Nimbin and that you are prepared to enter into a process of full and open consultation.

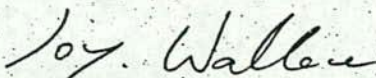
The LILYSEED committee feels it is open to all options in a rural setting eg rural

residential, community titles and MO's or some other creative option the Dept. can come up with. We do not favour a village option because of the problems associated with town living and that it would not suit the tenant target group or the philosophy of the proposal.

We note in your letter that the status of the funding for the project is unchanged and seek reassurance that this project approved as a Multiple Occupancy will still be able to proceed in this manner. As we understand, the status of funding can only be altered with approval of a SAC recommendation. Further we ask what effect does the decision of withdrawal and the costs associated with it, have on our funding.

We look forward to hearing from you in the immediate future to further discuss the LILYSEED Youth Housing Co-op project.

Yours sincerely,


Ms. Joy Wallace
Co-ordinator.

contact: ph: 066 891024 Thursday's
fax: 066 891492

PETITION.....PETITION.....PETITION.....PETITION.....

WE THE UNDERSIGNED WISH TO EXPRESS OUR SUPPORT FOR THE LILYSEED LONG TERM HOUSING CO-OPERATIVE DEVELOPMENT PROPOSED BY THE DEPARTMENT OF HOUSING TO BE LOCATED IN 357 STONEY CHUTE ROAD NIMBIN & URGE LISMORE CITY COUNCIL TO APPROVE THE APPLICATION WITHOUT DELAY.

- There is no conflicting land use.
- The location of the site is totally appropriate to the intended use.
- The application complies with SEPP 15 for Multiple Occupancy.
- There will be effective and appropriate management of the project.

PRINT NAME	ADDRESS	SIGNATURE
JO BLACKBURN	11 Basil Rd	J. Blackburn
Steve Tripp	Lot 1 Stoney Chute Rd	Steve Tripp
MARGARET KELLY	"NIMBNGEE" Lillian Rock	M. Kelly
Jan Levy	Robb Rd Lillian Rock	J. Levy
N. MITCHELL	194 Gungah Rd Nimbin	N. Mitchell
H. CHARLTON	31 Cullen St Nimbin	H. Charlton
M. YOUNG	Tunttable Falls Community via Nimbin	M. Young
A.W. WALLACE	HATHRAINGTON RD, WADEVILLE	A.W. Wallace
KAREN HENRY	TUNTABLE FALLS CO-OP	Karen Henry
SONJA MARIA CERNE	TUNTABLE FALLS CO-OP	S. Cerne
Sabina Brady	Websters Creek, Nimbin	S. Brady
NINA SPILLING	BULEKNOS ROAD	Nina Spilling
JOHN RIDUEY	"PINPUNA"	J. Riduey
Liz Toblin	Choronia Valley, Nimb	L. Toblin
JERRY BRADLEY	CP TUNTABLE FALLS RD NIMBIN	J. Bradley
GARY MARSH	" " "	G. Marsh
SHIRLEY STRACHAN	CHANNEL 9 MELBOURNE	S. Strachan
RAEY DANSON - TANNOCK	BILLIE NOBB RD	R. Danson
WENDY OSBORN-CATLOW	NIMBIN	W. Osborn-Catlow
STEPHEN SORREUSEN	Bilen	S. Sorreusen

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Fighting Fit is now FIT FOR ALL & to celebrate we are making our biggest offer ever!

We have so many more facilities & activities to offer than anybody else, it's incredible - Just look at this...

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- Slide Reebok and Aussie Step Classes.
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- The longest opening hours - open 7 days with aerobics every day.
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LISMORE FLOOD LEVEE SCHEME

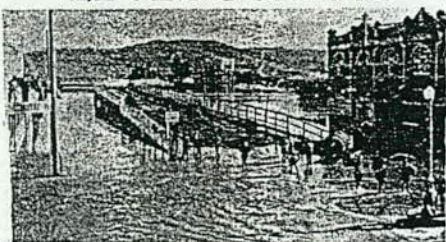


Photo courtesy: Richmond River Historical Society

Richmond River County Council is about to present the Environmental Impact Statement to the people of Lismore and district and this is an opportunity for everyone to learn more about the proposed levee protection scheme for Lismore. The EIS will be on exhibition at various locations commencing Saturday the 23rd July until the 31st August 1994. Further information may be obtained by contacting the Council at its offices in the Rous County Council building, 56 Carrington Street Lismore or by telephoning 21 8314.

The venues for accessing information on the EIS thereafter, will be as follows:

Thur 28, Fri 29 & Sat 30 July	Lismore Central Shopping Centre
Thur 4, Fri 5, Sat 6 & Sun 7 Aug	Lismore Shopping Square
Tues 9 and Wed 10 Aug	Lismore Council Chambers, Oliver Avenue Coonellabah
Mon 15 & Tues 16 August	Public information nights at venues to be announced.

During the whole of this period until the 31st August copies of the EIS will be available for perusal and / or sale (\$25.00) at: Richmond River County Council offices, Lismore City Council Chambers, and Lismore Public Library.

For further information please telephone 21 8314

Paul G. O'Sullivan
General Manager
Richmond River County Council

DA on M0 withdrawn

The NSW Department of Housing withdrew its Development Application for the 5-dwelling 'Lilyseed' Multiple Occupancy at Nimbin on the day of Lismore City Council's last meeting (July 19). This allowed Mayor John Crowther to withdraw a notice of motion in which he had advocated asking the Minister of Housing to "consider the suitability or otherwise" of the proposed site and other options.

Cr Crowther and other councillors had been lobbied strongly by both opponents and supporters of the \$786,000 settlement project for homeless youth.

He suggested that the present, in-town Nimbin school buildings might one day be used.

Prior to the withdrawal, Council had received support for the project from Lilyseed's committee - "This a vital community project (which) ... complies with all the applicable planning laws" - and Lismore-based youth worker Jazz Rosewell who addressed the meeting: "That site is clearly the most appropriate one that came to light", she said.

When the Mayor advised of the withdrawal, an angered Cr Carson asked him to declare "why, and to what extent" he had influenced the decision.

A subsequent letter to Council from the Department's Regional Director, Annette Gallard, acknowledged that the DA had "generated a great deal of debate" about its appropriateness, adding: "The housing needs of youth in Nimbin are well documented ... it is now prudent to examine a wider range of housing options".

She said Housing intended to conduct "full and open consultations" with the Lismore Independently-Living Youth Service Inc to determine "what other housing options might satisfy its needs".

The project, or a subsequent one, would be funded under the Federal Community Housing Program which is administered by NSW Housing.

The North Coast Area Manager of Housing, Phil Webber, told *The Echo* that the Nimbin's community's "broad concern" had been documented to Council in letters - "along with some favourable comment, too".

"There is no threat to the funding", he said. "We're doing our best for Lilyseed and the community".

Housing Minister Garry West's office told *The Echo* that it was the Department which withdrew the DA.

On behalf of Lilyseed, Joy Wallace said Housing had been in touch and a meeting is likely to be held soon.

She added: "We are open to any rural housing complexes, but we don't want to buy places in town".

Girard's Hill going heritage



A group of Girard's Hill residents with one of the historical houses which they, and now Lismore City Council, consider worthy of being protected by a Conservation area.

A study of the Girard's Hill precinct on the fringe of Lismore's business district showed that 90 of the 400 houses were of Heritage value, and in line with this, plus a resident-organised poll, Council decided last week to declare the precinct a Conservation Area.

This would necessitate obtaining Council approval for renovation work on homes, with the likelihood of refusal if the outcome seemed likely to clash with a building's historical integrity.

Councillors' unanimous endorsement of a concept which has long been popular elsewhere was catalysed by an application to build two 2-storey, modern-style dual occupancies at 10 Elton Street in Girard's Hill. Some local residents objected to the plan.

Council deferred the matter on June 21, pending a 'conflict resolution' meeting between developers and objectors. Mediator Carol Perry reported that the major issues were "not negotiable" for reasons including different views on "an attractive development" and the fact that the applicants, who live elsewhere, insist on their legal rights.

Since then, objecting residents have collected 250 names supporting a petition which noted their pride in the area's character and full support for Heritage Conservation.

Importantly, as it turned out,

they also located a 1982 precedent - apparently unknown to Council - where Maitland City won an appeal in the Land & Environment Court by a developer seeking to build townhouses.

In the Judge's view, they would have had a "likely adverse effect" on the "nature and character" of the area.

In Councillors' view, this over-rode the planning department's earlier advice that they could not oppose a DA seemingly allowable under the Lismore LEP.

Representing the developers, Geoff Russo said he was "wearing very thin" on the matter: "I can't see how Council can refuse. It's not a Conservation Area, and as far as I'm concerned that's the end of that. If it goes to the L & E Court, I don't care".

The Elton Street proposal was deferred and will be reassessed in the light of the Conservation proposal.

Petition organiser Beryl Ritter, who spoke at public access last week, said she was delighted by the outcome to date.

Peter Brown from leading Lismore real estate agent Wal Murray First National told *The Echo* that a Conservation Area would "certainly do no harm to house prices in Girard's Hill which is a history of the Lismore area, once people started to build out of flood".

The
Lismore ECHO ARTROOM

**Business Cards,
Newsletters,
Brochures.**

Phone
222 888

left wondering why
r community can be
and keep what does

week at Casino Pri-
our tent and cleared
10 stock yard panels
our site for later col-
were loaned to our
asino.

we found the panels
had been removed by

e paid for information
return or the persons
a could send a cheque
their cost.

MARGARET LANE
(Secretary)
ROBERT JOHNSTON
(President)
Lismore

t service

993 my elderly parents
a car accident that re-
th of my father and in-
her that required an ex-
stay.

ems at a later date re-
that added to a loss of
d a necessity for her to
in a rural area.

herapy, a post-operative
help her regain her inde-
ne a problem due to the
stance and my own per-
ents that placed limita-
availability and time to ful-
ant medical requirements.
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Alstonville Community
ce.

service that is operated
tary drivers who donate
use of their car to those
tions such as mine.
must be commended for
care and excellent driving
ated throughout the use of

as my mother demonstrat-
ing with any of the driv-
n mind her injuries were
ie result of a car accident.
point of view-the service
me to continue with my
knowing that all drivers

to forego my own interests. Carers do
require freedom and this service under-
stands and fulfils those needs.

I hope through this letter the people
of Alstonville are now aware of a high-
ly commendable service that is available
when unfortunate circumstances may re-
quire them to need transportation of this
kind.

For me it has more than fulfilled my
expectations and I would like to thank
Ken Potts for the excellent organisation,
and all those drivers who have been in-
volved throughout the past five months.

I hope the service continues to grow
through the support of the Alstonville
community.

CAROL WELLS
Alstonville

Sabotage?

WOULDN'T it be absolutely repre-
hensible if a newspaper decided to sabo-
tage a four-year community effort to as-
sist homeless youth merely to produce a
sensational headline?

And wouldn't it be even more sinister
if a newspaper quoted anonymous oppo-
nents and made inappropriate compari-
sons in an apparent attempt to create
controversy and divide the community?

Given that The Northern Star would
never stoop to these unethical levels I
can only assume that the front page sto-
ry on the Lilyseed Co-operative (NS 2/7)
was the result of journalistic laziness and
editorial ineptitude.

MARK EWING
Caniaba

Light of love

A BIG shadow gets cast by people
who claim to stand close to the light.
The only bad feeling I noticed in Lis-
more at the Lantern Parade was around
a small group of Christians singing
hymns.

Goodwill was everywhere else and
around them, an eddy of disturbance.
The cause wasn't the hymns so much as
what was behind them in the hearts of
the singers.

I thank Jeanne Silk (NS 2/7) for
acknowledging the skill in the making of
the lanterns. I invite her to also notice
the beauty of the parents and children

heaven for themselves by making hell
for the rest of us.

I reckon that the light of love that
binds us as a community is as ephemeral
as one of those lanterns. I reckon it
needs to be rebuilt regularly with lots of
blessings, care and nurture by everyone,
everywhere and from all kinds of faith.

That's why I worked hard to create
the Lantern Festival.

It was lovely because its poetry was
lovely. Carrying our light on the longest
night, we were building a community
based on tangible experiences of beauty,
goodwill and peacefulness.

So, Jeanne Silk, I invite you to bring
your light to the Lantern Parade next
year. And if you can't do that at least
do not cast your shadow on us.

The night is dark enough.

GRAEME DUNSTAN
Director

Lismore Lantern Festival

Liberal peril

THE decision to impose Mr Downer,
as leader, on the parliamentary Liberal
Party, by those mysterious powers that
motivate the party, is fraught with politi-
cal peril for Australia.

This nation cannot afford yet another
major political error, arising from the
tainted advice coming from elements
within the moribund parliamentary Liber-
al Party.

It has consistently made poor leader-
ship decisions, even poorer appreciations
of the Australian political situation and
shown a scintillating inability to match
the ALP political performance.

Beyond a period with Westpac, has
Mr Downer's experience been only with
the public service?

It is important that the Liberal Party
(and the National Party) together with
the grey eminence who blindly backed
his bid for leadership, have a damag-
ing control emergency replacement for M
Downer.

Such as Bronwyn Bishop, whos
maiden speech in the Reps, was a inte-
lectual classic in Australian parliament-
ry history.

KEVIN HENDSTOCK
Mooloolah

M3



PARLIAMENT OF AUSTRALIA
HOUSE OF REPRESENTATIVES

HARRY WOODS, M.H.R.
FEDERAL MEMBER FOR PAGE

82 PRINCE STREET
GRAFTON, N.S.W. 2460
TEL. (066) 42 6356
FAX. (066) 42 7869

Address all correspondence to—
P.O. BOX 882, GRAFTON, N.S.W. 2460
STAR COURT ARCADE
SHOP 14/126 MOLESWORTH ST
LISMORE, N.S.W. 2480
TEL. (008) 81 8012 TOLL FREE



1 July 1994

HW-AFL 93/09323

The General Manager
Lismore City
Post Box 23A
LISMORE NSW 2480

FAX 066 250400

LISMORE CITY COUNCIL
RECEIVED
my
A
-6 JUL 1994
FILE NO
094/213
LETTER NO
94-6064

HOUSE PAR R to PS
File is out with
Delete as required & return to records
ACTION COMPLETE / N.A.R. or
RE-EXAMINATION

Dear Sir

DEVELOPMENT PROPOSAL - GROUP HOUSING PROJECT

I refer to a development application lodged by the NSW Department of Housing for approval to construct a group housing project at 357 Stoney Chute Road, Nimbin.

In past the instigators of proposal, the Lilyseed Youth Housing Co-Op, have received my support in their efforts to obtain project funding under the Commonwealth/State Local Government & Community Housing Program. As such I have no hesitation in again reiterating my support for the project.

I trust that Council will favourably consider the Department's application.

Yours sincerely

HARRY WOODS M.H.R.
FEDERAL MEMBER FOR PAGE

R
A
T
Y
S

MJ
RURAL AND TOWN YOUTH SERVICE INC.

P O Box 1005, Lismore N.S.W. 2480 Telephone (066) 225 143 Facsimile (066) 224 202

24 June 1994

Town Planning
Lismore City Council
P O Box 23A
LISMORE N.S.W. 2480

LISMORE CITY COUNCIL
RECEIVED
- 1 JUL 1994
FILE NO
94/94 - 213 (33)
LETTER No.
945988
ALLOC
PS

Dear Sir/Madam

LILYSEED plan to PS
Field work
Lilyseed plan for the site
ATTENTION: TOWN PLANNING
REGISTRATION
Signed _____ Date 2

I wish to write in support of Development Application No 94/193 Multiple Occupancy Stony Chute Road Nimbin.

This application is to provide secure Multiple Occupancy style dwellings for young adults aged between 18 and 25 years. The need for an innovative housing project of this kind in the Nimbin area has long been urgent. Nimbin has a unique culture and many of the young people who have grown up in the area have the skills and motivation to develop a self sustaining, environmentally positive, alternative lifestyle. There are a high number of local young people in Nimbin who are forced to leave the area because they can not find affordable secure housing. This often means separation from their families and community.

A project such as the one LILYSEED plan for the site would enable these young people to create a community in a supported environment and to gain experience in establishing an independent housing model. This will give young people a sense of belonging and achievement and allow them to offer peer support to other young people of Nimbin.

As Co-ordinator of the Rural and Town Youth Service, (the body who will be auspicing the project), I can confirm the project will be managed professionally. The Committee currently manage 5 funded youth projects under their umbrella.

This is an opportunity for Lismore City Council to assist local young people to become empowered and help themselves. Thank you for your time and consideration.

Yours sincerely

J. Rosewell

Jazz Rosewell
Co-ordinator
Rural and Town Youth Service

MS

Not to Stranger R.

LEAMING CITY COUNCIL	
RECEIVED	
6 JUL 1994	
FILE NO.	
D 94/213	
LETTER NO.	
94-6068	PS

Stoney Creek

2480

Phone 891387

LOOSE PAPER to	PS
File is out with	
Delete as required & return to me for	
ACTION COMPLETE/NA or	
RESUBMISSION	
Signed	

Sir

I would like to add my support to the Youth Housing at Stoney Creek Rd, because there is a need for this type of housing.

Yours faithfully

T. R. Joslin
T.R.

TR & GT

LOOSE PAPER to PS
 File is out with _____
 Delete as required & return to records
 SECTION COMPLETE / N.A.R. or
 RESUBMIT ON _____
 Signed _____ Date _____

MS

P.O. Box 211
 Nimbin 2480
 July 1st 94

LISMORE CITY COUNCIL
 RECEIVED
 6 JUL 1994
 FILE NO.
 D 94/213
 LETTER NO.
 94-6062
 ALLOC.
 PS.

General Manager
 Lismore City Council

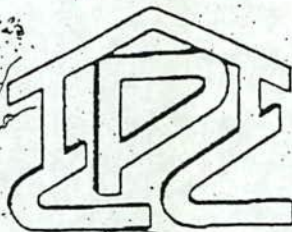
Dear Sir,

I would like to support
 the application by the Department
 of Housing for a multiple occupancy
 at Lot 24, 357 Stoney Chute Rd
 Nimbin.

As a resident of an MO for
 nearly 21 years and as a
 mother of 3 teenagers born and
 bred on the co-op, I believe
 that the proposed MO offers a
 brilliant start for young people
 both socially and environmentally

Yours faithfully

Susan Bingham
 (Mrs)



MS
PAN-COMMUNITY
COUNCIL
P.O. BOX 102,
NIMBIN 2480

at register

11 JULY 1994

GENERAL MANAGER
LISMORE CITY COUNCIL
LISMORE 2480

DEAR SIR,

LILYSEED LONG TERM HOUSING
CO-OPERATIVE IN NIMBIN

(LOT 24 DP 777143 (357) STONEY
CHUTE ROAD)

AFTER YEARS OF EFFORT, AND
CONSEQUENT SUPPORT OF BOTH THE STATE AND
FEDERAL GOVERNMENTS, THIS PROPOSAL WHICH IS
THE FIRST OF ITS KIND IN AUSTRALIA HAS NOW
BEEN PRESENTED TO YOUR COUNCIL. THE PAN-
COMMUNITY COUNCIL STRONGLY SUPPORTS
THIS PROPOSAL AND WE WILL WORK TO MAKING
THIS PROPOSAL A SUCCESS AND AN INTEGRAL
PART OF THE NIMBIN DEVELOPMENT AND
PROGRESS.

YOURS SINCERELY,

Mike Shegog

CO-ORDINATOR -

P.O. Box 81

NIMBIN 2480.

A 94/93

Y SEED PROJECT

Lismore City Council

I am writing to congratulate you for being brave & bold enough to be part of a great initiative in forming the Lillyseed Project.

And I hope that other Councils will be inspired by your example and initiate similar pilot projects, to help the young people of today. So that they may have an opportunity to enjoy (what we take for granted) a roof over their heads, a place for their young families to be together in a safe warm environment

Most Sincerely

N. Kingswell

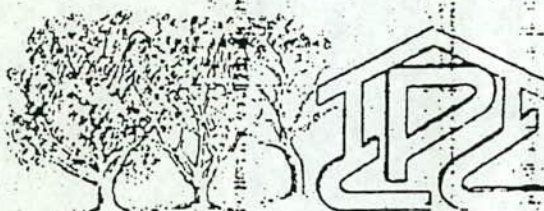
18 Thorburn St.
Nimbin 2480.
7.7.94.

Dear Lismore City Council,

RE: D/A No 94/93

I am a ratepayer & resident
of Nimbin and fully support
the LILYSEED YOUTH HOUSING
CO-OPERATIVE development
application before council.

Yours Sincerely
Judith Kent



PAN-COMMUNITY
COUNCIL
P.O. BOX 102,
NIMBIN 2480

11 July 1994

The General Manager
Lismore City Council
Oliver Avenue
Goonellabah

Dear Sir

RE: DEVELOPMENT APPLICATION FOR PROPOSED MULTIPLE OCCUPANCY AT
357 STONEY CHUTE ROAD, NIMBIN

Our organisation wishes to express its support for the above
project.

Yours faithfully

Philly

P P Hamilton
for the Committee

NIMBIN SCHOOL OF ARTS

INCORPORATED

(EST 1903)

MS

49 Cullen St, Nimbin, NSW 2480

LOOSE PAGE	PS	Telephone & Fax: (066) 891492
File in our with		577
Delete as required & return to sender's ACTION COMPLETE / N.A.S. or RESUBMIT ON		
Signed		Date

Paul Muldoon (Gen. Mgr.)
Lismore City Council

LISMORE CITY COUNCIL RECEIVED	
12 JUL 1994	
FILE No. 0940213	
LETTER No. 94-62PS	PS

Re: Lilyseed Housing Co-operative

Dear Paul,

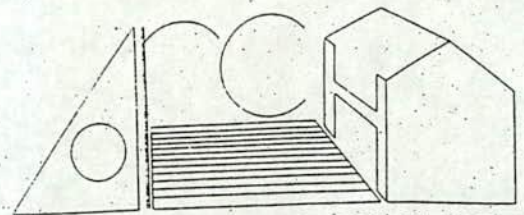
This proposal is going to provide firstly secure Housing for young people, which is urgently needed as some have children already. It will also because of its management requirements provide them with the skills to operate a Rural Co-operative. This unique opportunity must not be squandered, hence this organization which is also committed to increasing options available to our youth, wholeheartedly supports the application and wish it a hearty + prosperous future.

Yours Sincerely

Robert Green

ROBERT GREEN (SEC.)

LISMORE CITY COUNCIL RECEIVED	
11 JUL 1994	
094/0213	
LETTER NO	PS



ASSOCIATION TO RESOURCE
CO-OPERATIVE HOUSING

ROOM 27A 94 OXFORD ST DARLINGHURST 2010
TELEPHONE: (02) 361 6834 FAX: (02) 361 6395

Mr P T Muldoon
General Manager
Lismore City Council
Administration Centre
Oliver Avenue
Goonellabah NSW 2480

6th July, 1994

94-6146

Dear Sir,

Re: Proposed Lilyseed Housing Co-operative.
Letter in support of Development Application
under Environmental Planning and Assessment
Act 1979, as amended.
Lot 24, DP777743, (357) Stoney Chute Road, Nimbin
via Lismore.
Job No. 16290/001/01

The co-operative housing program is Federally funded and
implemented by State governments around Australia.

Though still in an early stage of development in NSW, the co-
operative housing program is growing vigorously. There are some 20
co-operatives completed and fully operational in NSW, comprising all
manner of groups: aged, migrant, disabled, youth, and many other
groups who wish to manage their own housing. Another 35 groups
are in the process of development, and are expected to be completed
and housed by 1996.

All housing Co-operatives operate in accordance with the
Commonwealth Government's funding guidelines, and the NSW
Community Housing Program operational guidelines, which are clear
and specific. In addition, all projects are accountable to the
Department of Housing, and are required to operate on co-operative
housing principles.

75/14 94P - 94-6146

Letter support GA

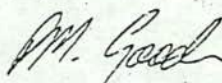
Lilyseed Housing Co-op

11/0 - Stoney Chute Rd

The relevant fact is that the Multiple Occupancy legislation is aimed at local groups of people who wish to live in separate dwellings on the one block. Lilyseed Co-operative is precisely this and therefore fits the original guidelines of Multiple Occupancy legislation.

ARCH strongly supports the proposal for the Lilyseed housing Co-operative. I believe we should not underestimate the abilities, energy and competency of young adults, and should support hard work and creative initiatives offered to set up worthwhile projects.

Yours faithfully,

A handwritten signature in dark ink, appearing to read "Rod Haslam", with a long horizontal flourish extending to the right.

per.
Rod Haslam
Technical Worker
ARCH

MS

LISMORE CITY COUNCIL RECEIVED	
- 1 JUL 1994	
FILE No. D94/213	
LETTER No. 945981	ALLOC. PS

Lismore City Council
P.O. Box 23A,
Lismore, 2480.

Nimbin Neighbourhood Centre.
51 Cullen Street,
Nimbin, 2480

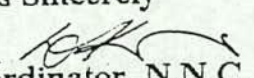
LOOSE PAP. R to	PS
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Deletion required & return to	
ACTION COM. Ltr. to A. or	
RESUBMIT ON	
Signed	

The Nimbin Neighbourhood Centre has for years been concerned with the enormous housing problems that arise for the young people of the local area.

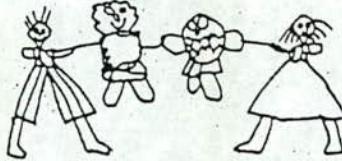
The Lilyseed project is designed not only to house these young people, but to teach them a new range of skills needed to be involved in the organisation and sustainability of a Co-operative, being committed to the legal and financial aspects of the same and the use and maintenance of environmentally designed dwellings.

This organisation is in full support of the Lilyseed project and wishes to see it implemented as soon as possible.

yours Sincerely

 24/6/94
Co-ordinator, N.N.C.

MS



LISMORE CITY COUNCIL RECEIVED	
- 6 JUL 1994	
FILE NO. D 94/213	
LETTER NO. 94-6076	ALLOC. PS

Lismore Family Support
Service Inc.

46 Uralba Street, PO Box 236, Lismore 2480. Telephone (066) 21 2489

Lismore City Council
Oliver Avenue
Goonellabah 2480

LOOSE PAPER to	PS
File is out with	
Delete as required & return to records.	
ACTION COMPLETE / N.A.R. or	
RESUBMISSION	
Signed	

Dear Sir/Madam,

The Lismore Family Support Service fully support the Development Application lodged by Lilyseed to the Department of Housing to establish 5 dwellings at Stoney Chute Road Nimbin.

The application to establish long term secure housing for people of this age group and their children is a creative and timely initiative which we urge you to support.

Yours Sincerely,

Gai Longmuir
Gai Longmuir
Co-ordinator
1/7/94

LISMORE CITY COUNCIL RECEIVED	
- 1 JUL 1994	
FILE NO.	
① D 94 / 213	
LETTER NO.	ALLOC.
945978	PS

A blank, lined envelope with a handwritten 'PS' in the top right corner. The envelope is tilted slightly to the right. It has a dashed line for the flap and several horizontal lines for writing. The 'PS' is written in a cursive, handwritten style. There is some faint, illegible text on the left side, possibly a return address, and some faint markings on the right side, possibly a recipient address. The envelope is otherwise empty.

The Nimbin Community School has for years been concerned with the needs of young people of the local region.

The Lilyseed project is a positive step in the direction of housing these young people, and is designed to teach them the skills needed to be involved in the establishment and sustainability and of the Co-operative Housing Scheme being devised to support the tenant core who will be committed to the legal and financial aspects of the Co-operative and the use and maintenance of environmentally designed dwellings.

As a Co-operative organisation ourselves, we can see the benefits of these and other skills to the community at large, and would like to see this project finalised as soon as practical.

yours Sincerely

Star case 24-6-94

Director, Nimbin Community School Co-operative.

MS

LISMORE CITY COUNCIL RECEIVED	
- 1 JUL 1994	
FILE NO D94/213	(24)
LETTER NO 945973	PS

Lismore City Council
P.O. Box 23A,
Lismore, 2480

Pan Community Council
P.O. Box 102,
Nimbin, 2480.

PS	
RE-UNITED	
Signed	_____

Pan Community Council is an organisation concerned with the development and sustainability of Multiple Occupancies in the Tweed, Kyogle and Lismore Shires. The obvious housing problems that arise for the young people of these local areas is immeasurable.

The Lilyseed project is in line with the Alternative Lifestyles practiced by Multiple Occupancy dwellers and therefore is a most appropriate proposal, designed not only to house these young people, but to teach them a new range of skills needed to be involved in the organisation and sustainability of the Co-operative, being committed to the legal and financial aspects of the same and the use and maintenance of environmentally designed dwellings.

This organisation is in full support of the Lilyseed project and wishes to see it implemented as soon as possible.

yours Sincerely

Judy Lancaster 24-6-94

Judy Lancaster, Secretary.

POSTAGE TO PS
 RETURNED TO
 ADDRESSEE
 L1000

MS
 MOUNTAIN TOP
 NINBIN

N.S.W 2480

28/6/94.

General Manager
 Lismore City Council
 Box 23A
 LISMORE.

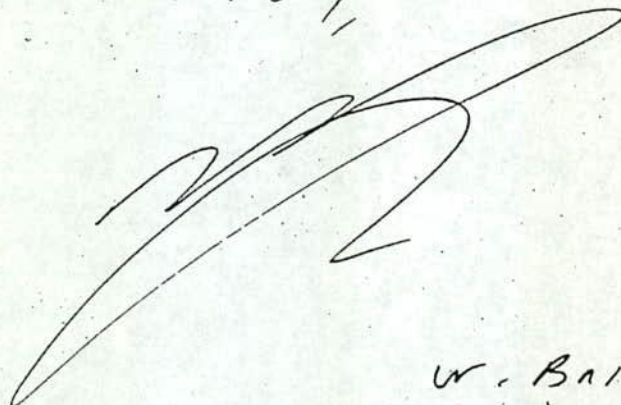
LISMORE CITY COUNCIL
 RECEIVED
 29 JUN 1994
 FILE No.
 2/94-213 (17)
 LETTER No.
 (A) 945886
 ALLOC.
 PS
 NR

Dear Sirs,

WITH REFERENCE TO THE DEVELOPMENT
 APPLICATION FOR THE PROPOSED LILY^{seed} SEES YOUTH
 HOUSING PROJECT, AS A NEIGHBOUR I WOULD LIKE
 TO EXPRESS COMPLETE SUPPORT FOR THE PROJECT.

LOCALLY THERE IS A LACK OF SUITABLE
 ACCOMMODATION FOR YOUNG PEOPLE AND THIS PROJECT
 COULD START TO ADDRESS THIS NEED.

Sincerely,



W. BRIAN ALEXANDER
 PH 89-1473.

20/213

Phone (066) 89 1355
Fax (066) 89 1035



MS

71 - 81 Cullen Street,
Nimbin, 2480.

Nimbin Central School

14th June, 1994

LOOSE PAGE to	PS
File is out with	
Letter to	
ATTENTION	
RESUBMIT ON	
Signed	TO WHOM IT MAY CONCERN

LISMORE CITY COUNCIL RECEIVED	
- 1 JUL 1994	
FILE NO.	25
LETTER NO.	945980
ALLOC.	PS

I write in support of the concept of the Lillyseed Youth Housing Project.

Homelessness can be identified as an increasing problem for the youth of Nimbin. While there is a real need to address the causes of the problem, particularly family crisis, there is also a need to cater for those who are affected by the end result. Rental accommodation is both expensive and in short supply in Nimbin and any attempt to provide additional housing must be supported.

Since the introduction of "Pathways" to education, and the possibility of part time enrolment in senior studies, Nimbin Central School is in the position to support the Lillyseed project by continuing to cater for the educational needs of students requiring accommodation. The school could also provide opportunities for others to re-enter education if they so desire.

I wish you well with the project.

Yours sincerely,

Alex Benham
Principal

at registry

"PINPUNA"

Stoney Chute 2480

8 July 1994

General Manager
Lismore City Council
Goonellabah 2480

Dear General Manager and others who may be concerned,

I am writing in support of the proposed Housing Department Multiple Occupancy on Stoney Chute Road. I have been living in an M.O. for thirteen years and am very happy. I thoroughly recommend it as a way of life.

What a marvellous opportunity for those young people who will be living there, and what a shame there are not more positive initiatives like this from the State Government.

Yours sincerely

Tony Gibson

MS.

"Pinpuna",

Stoney Chute, 2480

25 . 06 . 94

Nick Juradovic,
Chief Planner,
Lismore City Council,
Oliver Avenue,
Goonellabah 2480

LISMORE CITY COUNCIL RECEIVED	
28 JUN 1994	
FILE NO. <i>D 94/213</i>	
LETTER TO <i>WMS</i>	ALLOC. <i>PS</i>
945842	

LOOSE PAP. R to <i>PS</i>
File is out with _____
Is let. as req. & return to records.
ACTION C. FILE/NAR, or
RESUBMIT ON _____
Signed _____ Date _____

Dear Nick,

Re: Development Application
Lot 24, 357 Stoney Chute Road

I am writing in support of the above Development. It is heartening to see some attempt being made by the Government to tackle the issue of youth housing. Even though the proposed project will only accommodate a fraction of those in need, success of the pilot project may well lead to other similar projects around here and elsewhere. What better place than Nimbin to initiate this scheme. Nimbin is home to many innovative projects and enterprises, and the community is enriched by their successes.

Regarding the site plans, I am concerned that it is perhaps not a reflection of the Housing Department's wisdom to cluster the houses so closely. It neither looks attractive nor does it afford to the occupants much personal space, which is one of the bonuses of rural living.

I support Multiple Occupancy as a very sensible style of development in this day and age. Philosophically, I believe that if people do not begin to re-learn what it is to share, much of the joy of living will vanish from people's lives and the social and physical environment would deteriorate as a result.

I am aware that local developers are opposed to any form of positive and community-orientated changes around Nimbin which do not involve their own development plans. This opposition clearly indicates developer self-interest and I would be appalled if Council were to pander to such an anti-social attitude.

Yours sincerely,

Nine

LISMORE CITY COUNCIL
RECEIVED

30 JUN 1994

FILE NO.
D 94/213

LETTER NO. 945927	ALLOC. <i>PS</i>
-----------------------------	---------------------

(20)
The General Manager,
Lismore City Council

Dear Mr. Muldoon,

MS

c/- Community Health Centre,
Cullen Street,
Nimbin 2480
27 June 1994

DATE	<i>PS</i>
FILE NO.	
Delete as required by the following ACTION COMMITTEE for RESUBMISSION	
Signed on behalf of the Nimbin	

I wish to express support
Older Women's Forum, for the proposed Multiple Occupancy housing
development at Lot 24, 357 Stoney Chute Road, Nimbin.

Nimbin's population has been steadily increasing in the last 20 years. As elsewhere in the Lismore district, there is a high percentage of unemployment and poverty and little availability of low rental accommodation. Yet there is no government housing for youth, young families or the elderly.

We appreciate the action of the NSW Department of Housing in applying for your permission for the use of this land for multiple occupancy with five dwellings and associated infrastructure.

The project has been developed by a community organisation in a professional manner with the aid of Mr. Dennis Burke, representing the Department of Housing and we are confident that it will be implemented and administered in accordance with the guidelines of the Department.

We urge Council's endorsement of this application.

Yours sincerely,

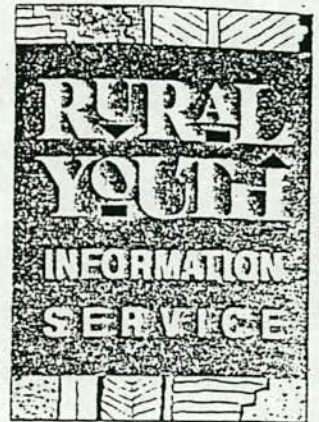
W Mitchell

Winifred Mitchell

Secretary.

MS

LISMORE CITY COUNCIL RECEIVED	
-6 JUL 1994	
FILE NO. D 94 / 213	
LETTER NO. 94-6061	ALLOC. PS



TO WHOM IT MAY CONCERN:

29 . 6 . 94 .

I am writing to support the recently submitted DEVELOPMENT APPLICATION for the Multiple Occupancy Housing Co-Operative planned for STONEY CHUTE RD. NIMBIN.

As the RURAL YOUTH INFORMATION SERVICE officer in Nimbin I am only too aware of the urgent need for LONG TERM HOMELESS ACCOMMODATION within the Nimbin area.

Many local young people, for instance, have grown up in the area and are now at the stage of needing their own independent living space away from their parents.

It is considered very important that this initiative go ahead to ensure that the young are offered an equal opportunity to reach their full potential.

I therefore urge the Mayor and Councillors in this, the INTERNATIONAL YEAR OF THE FAMILY to approve this application for shelter for the homeless and hence strengthen the family base.

yours sincerely

GAP 11
GREGORY 'BINNA' POWNALL
RURAL YOUTH INFORMATION SERVICE, NIMBIN

LOOSE PAPER to	PS
File is out with	
Delete as required or return to person	
ACTION COORDINATOR N.A.C. or	
RESUBMIT ON	
Signed	Date

MS

NORTH COAST COMMUNITY HOUSING COMPANY LIMITED

A.C.N. 002 685 761

(A New South Wales Govt. Community Tenancy Scheme)

First Floor,
71 Molesworth St.,
(Cnr. Club Lane)
P.O. Box 145,
Lismore 2480.

Telephone (066) 21 8644



Town Planner
Lismore City Council
Attention Malcolm Scott
P.O. Box 23A
LISMORE, 2480

LISMORE CITY COUNCIL RECEIVED	
17 JUN 1994	
FILE NO 094/213	
LETTER NO 945574	ALLOC. PS

002

Dear Malcolm,

Re: Development application for 357 Stoney Gully Road,
Nimbin.

I am writing in support of the application for development of the above address for the L.I.L.Y.S.E.E.O. project through the Department of Housing development application.

As you are aware affordable accommodation on the Far North Coast is scarce, and to an even greater extent in the Nimbin region. This development application, if successful will mean increased rebated properties which will be of great benefit to the region.

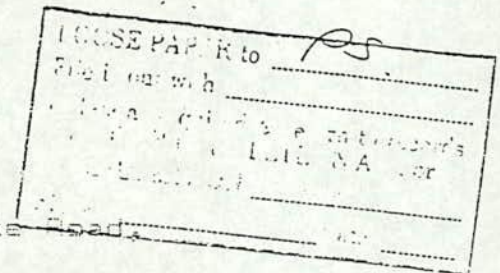
After having held discussions on numerous occasions with various Council officials regarding the serious nature of homelessness on the Far North Coast, and the conditions in which some people were living in Nimbin, I feel sure Council will support this application.

The development application is for a Multiple Occupancy comprising of 4 x 1; 3 x 2 and 1 x 3 bedroom units. It is a fresh and innovative plan which is environmentally sound with a pleasant look and is well supported in the Nimbin area. This alternate style of housing is becoming more popular and has advantages lacking in the conventional type of housing.

We trust the application will meet with a favourable response from your office. If you require more information please do not hesitate to contact us.

Yours faithfully

Anne Harrison
Housing Officer
16th June, 1994.



MS

L
I
L
Y
S

LISMORE INDEPENDENTLY LIVING YOUTH SERVICE

PO Box 1005, Lismore NSW 2480 Telephone (066) 214 418 Fax (066) 214 207

LISMORE CITY COUNCIL

RECEIVED

- 1 JUL 1994

FILE NO

D 94/213

LETTER NO

945986 | PS

LOOSE PAGE to PS

File in box B

Lismore City Council
Lismore NSW 2480
Phone (066) 214 418
Fax (066) 214 207

Received on

Date

30 June 1994

Dear Mr Muldoon

RE: DPT7743 LOT 24, 357 STONEY CHUTE ROAD NIMBIN

Please accept this letter as support for the above mentioned project.

Our service has been active in the organisation of the project known as Lilyseed, and see it has a potential for employment and skills development in young people in the Nimbin area as well as an opportunity for housing development.

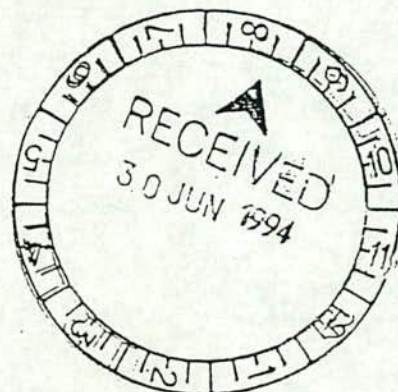
We feel the project is culturally appropriate for the area and may well become a national example of environmentally sound, culturally appropriate, skills development housing for young people.

Yours sincerely

A. Zast

Chairperson for Management Committee

On behalf of
Lismore Independently Living
Youth Service



MS

LISMORE CITY COUNCIL RECEIVED	
- 1 JUL 1994	
FILE NO. 9/94 - 213	
LETTER NO. 945989	ALLOC. PS

LISMORE YOUTH REFUGE INC.
PO BOX 5036 EAST LISMORE 2480
TELEPHONE: (066) 21 7535

29 June 1994

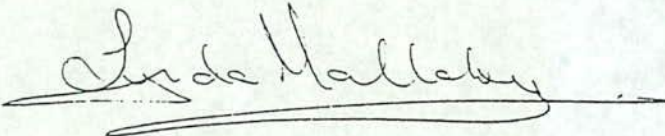
LOOSE PAPER to	PS
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on	
date	

Dear Sir/Madam,

Re: Lot 24, D.P. 777743

Being a youth crisis accomodation service we are keenly aware of the many disadvantages faced by young people needing long term accomodation in this area. Therefore, we would like to take this opportunity to express our support of the Development Application submitted to Council by the Department of Housing in Liverpool, N.S.W., on behalf of Lilyseed, a youth housing project.

Yours sincerely



Lynda Mallaby

On behalf of workers and
Management Committee L.Y.R.

MS

LISMORE CITY COUNCIL RECEIVED	
23 JUN 1994	
D 94/213	
LETTER NO	PS
945702	

Carol de Launey
Lot 2 Mountain Top Rd
NIMBIN 2480

005
General Manager
Lismore City Council
PO Box 23A
LISMORE 2480

15 June 1994	
LOOSE PAPERS to	PS
File with	
Date of receipt of letter	
ACTION IN L.C.C. / N.A.	
RESOLUTION	
Signed	Date

Lot 24, 357 Stony Chute Rd, Nimbin
DP 777743

Dear Mr Muldoon

Please accept this letter of support for the development proposal for Lot 24, 357 Stony Chute Rd, Nimbin. As a close resident I welcome the development. I consider the proposal to be in keeping with Australia's social and resource management strategies for the future.

Yours Faithfully

[Handwritten signature]

MS

STONEY CHUTE VOLUNTEER BUSHFIRE BRIGADE,

PS

HOUSE NO.	
STREET	
LOCALITY	
POST OFFICE	
RESIDENT ON	
Signed	Date

C/- PINPUNA
ZOUCH ROAD
STONEY CHUTE 2480

20th June, 1994

LISMORE CITY COUNCIL RECEIVED	
27 JUN 1994	
FILE NO. 0/94-213	
LETTER NO. 945701	ALLOC. PS

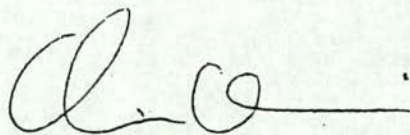
The General Manager,
Lismore City Council,
P.O. Box 23A,
LISMORE 2480

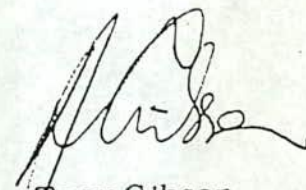
Dear Sir,

We are writing concerning a development proposal for Lot 24, 357 Stoney Chute Road, Stoney Chute. We wish to advise that we have read the development application and have no objections to the proposed development. In fact we consider it will be of benefit to the community of Nimbin.

We are pleased to see a bushfire management plan included with the application and will be more than happy to assist the community in developing a fire protection and fire management strategy. We would particularly encourage the appointment of a fire liaison person to assist us in this process. We also hope that members of the development will become active members of our local brigade. We currently have two multiple occupancies within our brigade district and they are both very active in the local brigade.

Yours sincerely,


Clive Owen
SCVBFB Captain


Tony Gibson
SCVBFB Senior Deputy Captain



MS
Northern Rivers Fellowship
Incorporated

Mail: POB 207, Lismore NSW 2480
Office: 13 McKenzie St, Lismore
Phone: (066) 220 309

nrf

16 June 1994

General Manager
Lismore City Council
PO Box 23A
LISMORE 2480

cc

LISMORE CITY COUNCIL RECEIVED	
23 JUN 1994	
File No D 94 / 213	
LETTER NO 945704	REC FS

FS

DATE	23 JUN 1994
FILE NO	D 94 / 213
LETTER NO	945704
REC	FS

Re: DP 777743
Lot 24, 357 Stony Chute Rd, Nimbin

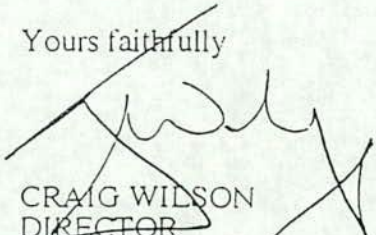
Dear Mr Muldoon

Please accept this letter as registration of this organisation's full support for the above development proposal by NSW Department of Housing and Lilyseed Youth Housing.

As a fellow community housing organisation working for disadvantaged people in the Lismore district, NRF consider the proposal to be highly commendable in its innovation and conceptual design. We have no doubt that the project will be extremely well-managed and that it will address a serious social need in Nimbin.

NRF wish the project every success and we trust Council will grant approval for the proposed development.

Yours faithfully


CRAIG WILSON
DIRECTOR

MS

LISMORE CITY COUNCIL RECEIVED	
29 JUN 1994	
FILE NO. D 94 / 213	
LETTER NO. A 945882	ALLOC. PS

Pinpuna,
Zouch Road,
Stoney Chute 2480

28th June, 1994

The General Manager,
Lismore City Council,
P.O. Box 23A,
Lismore 2480

COSE PAPER to	PS
is out with	
Inter-organizational return to records	
TRANSMISSION/NA 3, or	
E-Submission	
Date	


Dear Sir,

Re: Development Application Lot 24, Stoney Chute Rd.

We are writing to register our support for the multiple occupancy development as submitted to you by the Dept. of Housing. We have read the development application and believe the proposal offers a wonderful opportunity for young people from Nimbin to obtain secure, long-term housing whilst experiencing the benefits and challenges of community living. We are familiar with the land in question and consider it to be a good site for development of such a project, particularly as there are several other multiple occupancy communities in the general vicinity - ourselves, Avalon and Glen Bin.

We hope you will consider the development application in a favourable light and we wish the project every success.

Yours sincerely,



Kim McCormick
Secretary

Mr Hampton
Planning Services

LISMORE CITY COUNCIL RECEIVED	
23 JUN 1994	
FILE NO. D 94/213	
LETTER NO. 945703	ALLOC. PS

MS Samuel Des-Chantal
"Urabugah"
Lot 22 Stoney Chute Road
Nimbin NSW 2480

☎ (066) 89 1051
20-6-94

(006)
Dear Mr Hampton,

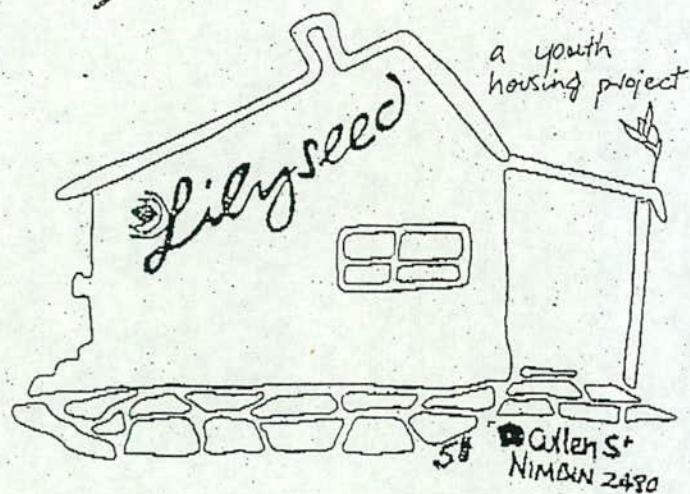
Regarding the Development Application no 94/213
for 357 Stoney Chute Rd Nimbin.

I wish to advise you that I am in favour
of this project and wish them well in
the future.

However, with such an influx of people I feel
that the Stoney Chute Road will have to be
greatly improved.

File out with
Indexing and filing to records
ADMINISTRATIVE SERVICES
SECTION

Yours Faithfully
S. Des-Chantal



MS

LISMORE CITY COUNCIL RECEIVED	
12 JUL 1994	
FILE NO. 940213	ALLOC PS
LETTER NO. 94-6282	

LOOSE PAP. R to	PS
File is out with	
Delete as required & return to records	
ACTION COMPLETE, N.A.H. or	
RE-USE ONLY	
Signed	Date

Lismore City Council
PO Box 23A
Lismore 2480.

11 JULY 1994

Dear Sir,

RE: D/A no; 94/193 STONEY CHUTE ROAD NIMBIN

The members of the LILYSEED Committee would like to take this opportunity to express our support of the Development Application submitted to Council by The Department of Housing.

This project was funded under the 1993/1994 Community Housing Program gaining approval from the Federal Minister for Housing Mr Brian Howe, the State Minister for Housing Mr Robert Webster and by the Minister's State Advisory Committee on housing.

The need for youth housing in the area of Nimbin is well documented. This project will provide long term secure housing and will offer the tenants as a rental co-operative the skills and knowledge necessary to manage their co-operative professionally and successfully as well as enabling some long term small business opportunities in the form of rural permaculture/arts and crafts.

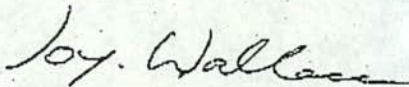
Members of the LILYSEED Committee have had various training workshops with the Department of Housing and with the Association to Resource Co-operative Housing over the past 18 months and it should be stressed that co-operatives under the Community Housing Program have continual access to management and technical advice.

The LILYSEED Committee has worked on this housing submission for over 18 months and we believe this Commonwealth funded project, approved by Mr Webster and Mr Howe is too important to be delayed.

Please find attached a letter from Colin James of The University of Sydney which confirms that the proposal complies with SEPP 15.

We urge Council to approve this vital project.

Yours sincerely,



Joy Wallace
Co-ordinator.

MS

Craig Wilson
Lot 2 Mountain Top Rd
NIMBIN 2480

LISMORE CITY COUNCIL RECEIVED	
23 JUN 1994	
FILE NO. 094/213	
LETTER NO. 945700	ALDO. PS

PS	
RESUBMIT ON	
Signed	Date

General Manager
Lismore City Council
PO Box 23A
LISMORE 2480

15 June 1994

Re: DP 777743
Lot 24, 357 Stoney Chute Rd, Nimbin

Dear Mr Muldoon

As a near neighbour of Lot 24, 357 Stoney Chute Rd, Nimbin, I should like to register my full support for the proposed development of a multiple occupancy for disadvantaged young adults by NSW Department of Housing.

I believe that the project offers very considerable benefits for the Nimbin community and I can not foresee any real problems for neighbouring residents.

As such, I wish the project every success and I trust Council will grant approval for the proposed development.

Yours faithfully

CRAIG WILSON

Hon. A. T. Muldoon
General Manager
Lismore City Council
P.O. Box 23 A
Lismore 2480

MS

Co-ordination Co-operative
L.T.D.
CMB Tuntable Falls
via Nimbin 2480

LISMORE CITY COUNCIL	
RECEIVED	
M4 (A) - 6 JUL 1994	
FILE NO. D 94/213	
LETTER NO. 94-6081	ALLOC. PS

30th June 1994

LOOSE PAPER to	PS
File is out with	
Delete as required & return to records ACTION COMPLETE / N/A or RESUBMIT ON	
Signed	Date

Dear Sir, I am writing to voice my support and the support of our community for the proposed M.O. Development at Lot 24 D.P. 777743, 357 Stoney Chute Road, Nimbin. (Department of Housing.)

I have lived on our M.O. Co-operative for 16 years. I am more convinced than ever that this form of development can provide much needed opportunities for the community.

Speculation and greed have forced rents and values way beyond the means of a large cross section of the community; particularly youth. I hope that this development is the first of many such projects.

We would see the consent of this project as indicative of a council that is there for its people.

Please feel free to contact me on 891424 if
you would like to discuss any aspect of this.

Y
Yours sincerely,



TONY BELTON

(Secretary, Tuntale Falls
Co-ordination Co-operative L.T.D.)

MS

LISMORE CITY COUNCIL RECEIVED	
- 1 JUL 1994	
File No. 094/213 (32)	
LETTER NO. 945987	ALLOO. PS

LOOSE PAPER to	PS
File is out with	
Delete as required or return to records.	
ACTION COMPLETE - N/A or	
RESUBMIT ON	
Signed	Date

Lismore City Council
POBox 23A
Lismore 2480

RE: The Development Proposal for Lot 24,
357 Stony Chute Rd. Nimbin.

I wish to state my strong support of the proposal.

The 24 months over '92, '93 I worked in the position of the Rural Youth Information Service Officer, providing skills training, educational support and counselling to youth from 12 - 25 yrs. The position proved to be an in depth study and connection with the community's youth, both local and transient.

Nimbin and it's Districts have a large youth population with over one-third of the population aged under 19 yrs. There is also a third of the population aged between 20 - 39 yrs, "which is a significant factor in the future planning of services and facilities. Ref: The Nimbin and Districts Services and Facilities Plan compiled by LCC, June, '93.

The infrastructure of the rural village is not equipped to adequately account for the proportion of this sector. No housing, either private or public, that is suitable for this age group whether they are those of our employable locals or those of our many visitors. Poor transport and poor road conditions for pedestrians. Limited servicing due to scarce resources and finance; (ie. a youth club poorly serviced by 2nd hand furniture represents the only facility available specifically for youth needs.) However this youth population of 18 - 25 yrs is near a third of the total population. I repeat myself to emphasise the reality. A large sector of future adults disadvantaged by their lack of support and taught by their experience of their disadvantage and lack of support.

The proposal that 1. provides housing and 2. teaches principles of living with others and relating meaningfully, is potentially a hugely resourceful exercise towards supporting these youth adequately.

I urge you to allow and to support the passage of the proposal.

Yours Faithfully,


Kristine Uebergang.

DR. DAVID HELLIWELL
M.B., B.S. (LONDON)
ACN 002 601 238
GENERAL PRACTITIONER

DR. KINGSLEY PEARSON
M.B., B.S. (N.S.W.), DIP. R.A.C.O.G., F.R.A.C.G.P.
ACN 002 941 166
GENERAL PRACTITIONER

LISMORE CITY COUNCIL
RECEIVED
- 1 JUL 1994
FILE NO.
D 94/213
ALLOC.
P5
LETTER NO.
945977

MS

39 CULLEN ST.
NIMBIN, 2480
PH. (066) 89 1410
AH. (066) 89 1410

21 June 1994

The General Manager,
Lismore City Council,
P.O. Box 23 A,
LISMORE NSW 2480

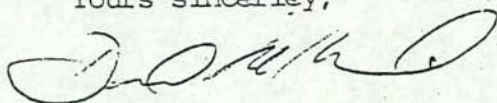
Dear Sir/Madam,

This is a letter of support for the Development Application submitted by the Department of Housing to Lismore City Council.

I have worked in Nimbin in General Practice for the past 12 years and see homelessness of youth as being an ongoing acute problem in our community. We lack longterm secure housing for the target age group, 18 to 25 years and rental properties in the area have always been in short supply and at a premium. Many of our community's children live under very difficult circumstances due to the high level of unemployment in the area. They do not have the resources to rent for themselves and certainly do not have the resources to buy a house. Many children have been raised on multiple occupancies where there may no longer be the land available to settle. These factors have led to an acute on chronic crisis for accommodation in this age group and I believe that the project that Lilyseed is working on is an admirable attempt to address this crisis.

I am therefore more than happy to lend my support to this.

Yours sincerely,



Dr. D.A. Helliwell

DR. DAVID HELLIWELL

M.B., B.S. (LONDON)
ACN 002 501 238
GENERAL PRACTITIONER

DR. KINGSLEY PEARSON

M.B., B.S. (N.S.W.), Dip. R.A.C.O.G., F.R.A.C.G.P.
ACN 002 941 166
GENERAL PRACTITIONER

24 June 1994

Mr. J. Crowther,
Mayor,
Lismore City Council
P.O. Box 23A,
LISMORE NSW 2480

MS

LISMORE CITY COUNCIL RECEIVED	
- 0 JUL 1994	
FILE NO. D 94 213	
LETTER NO. 94-6048	ALLOC. PS

39 CULLEN ST.
NIMBIN, 2480
PH. (066) 89 1410
AH. (066) 89 1410

LOOSE PAPER to	PS
File in out with	
Delete as required & return to records.	
AFTER IN COMPLETE / N.A.R. or	
RESUBMIT ON	
Signed	Date

RE: DEVELOPMENT APPLICATION D/A 94/193 MULTIPLE OCCUPANCY STONEY CHUTE ROAD NIMBIN

Dear Sir,

I am writing to you to lend my support to the application made by the Lismore Independent Living Youth Services and the Department of Housing to establish a multiple occupancy at Stoney Chute Road, Nimbin for long term secure housing for 18 to 25 year old people and their children. I feel this is a very worthwhile project and it should be supported as there is no doubt that issues related to youth, their longterm accommodation, and their independent living skills are both of paramount importance in this area. Unfortunately as a result of societal changes, many young people find themselves on the streets and this is certainly apparent in the Nimbin area and a development such as has been suggested in this application would help to alleviate the long term accommodation for these young people and their young families and I feel would go a long way towards elevating their self esteem and confidence in managing their own affairs which would once again help to alleviate longterm health and social problems that occur in this particular homeless age group.

Once again, I fully support this application and hope that this letter may be of assistance in your deliberations on this matter.

Yours sincerely,



Dr. K. Pearson

R
A
T
Y
S

MS
~~RURAL AND~~ TOWN YOUTH SERVICE INC.

P O Box 1005, Lismore N.S.W. 2480 Telephone (066) 223 143 Facsimile (066) 224 202

LISMORE CITY COUNCIL

RECEIVED

MS
A - 0 JUL 1994

FILE No.

D 94-213

LETTER No.

ALLOC.

94-6082 PS

16 June 1994

To the Mayor and Councillors of the City of Lismore

LOOSE PAPER to PS

File is cut with

Delete as required & return to records
ACTION USE LEFT HAND or
RESUBMIT ON

Signed

I am writing this letter in support of the recent development application for a Multiple Occupancy Housing Co-operative planned for Stoney Chute Road, Nimbin.

As a youth worker in the area and as a resident of Nimbin, I am in full favour of such a project. There is a very obvious problem in the area with youth homelessness and this type of project represents the kind of creative response needed to address the problem. The idea of creating an environmentally sensitive Multiple Occupancy is entirely culturally appropriate with the surrounds. I believe that most Nimbin residents are sympathetic to the plight of homeless young people and are pleased to be able to support an innovative answer.

Please ensure that the application is granted.

Sincerely yours



James Alexander
Registered Psychologist
Youth Resource Worker

Our reference: MRB:je
Your reference:



MS

Wollongbar
Agricultural
Institute

NSW Agriculture

General Manager/Town Clerk
Lismore City Council
P.O. Box 23A
LISMORE NSW 2480

Wollongbar
Agricultural Institute
Bruxner Highway
WOLLONGBAR NSW 2477

Telephone (066) 24 0200
Facsimile (066) 28 1744
Telex AA 66344 NCAI

1 July 1994

LISMORE CITY COUNCIL RECEIVED -6 JUL 1994	
FILE NO D/94-213	
LETTER NO 94-6077	ALLOC. PS

Dear Sir

RE: LOT 24 DP 77743, 357 STONEY CHUTE ROAD, NIMBIN - MULTIPLE
OCCUPANCY

The Department raises no objections to the proposal as it would appear that the land does not comprise prime crop and pasture land.

Yours faithfully,

M. R. BELLERT
Agricultural Environment Officer

LOOSE PAPER to PS	
File is out with	
Delete as required & return to	
ACTION COMPLETE NA or	
RESUBMIT ON	
Signed	Date

Our Ref: 909
Your Ref: MS/94/213

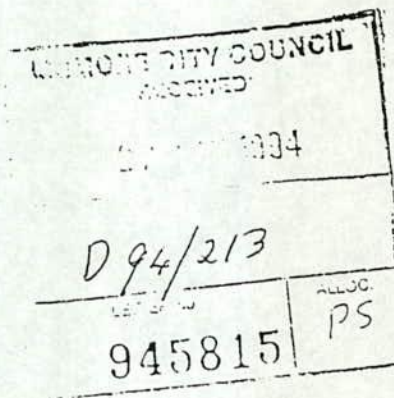
23 June 1994

General Manager
The Council of the City of Lismore
P O Box 23A
LISMORE NSW 2480

Attention: Malcolm Scott

Dear Sir,

Re: Development Application Multiple Occupancy, Lot 24 DP 777743,
357 Stoney Chute Road - Department of Housing, Project No. 16290



Cnr Walker and
Canterbury Sts
PO Box 376
Casino NSW 2470
Phone (066) 62 4477
Fax (066) 62 1954

The Department has reviewed this development and a site inspection was previously made with Council and consultants.

We consider the land in the vicinity of the buildings and internal road contains no major constraints and is capable of supporting this proposed development. Due to the cluster type and small number of dwellings proposed, the development will have minimum impact on the immediate and downstream catchment.

Appropriate erosion and sediment control measures should be applied during the construction phase, keeping in mind that internal road development on multiple occupancies is by far the greatest contributor to soil erosion and sedimentation.

Furthermore, adequate erosion and rehabilitation measures should also be applied to sites on the property identified and used for mud brick construction for the proposed dwellings.

Any queries in regard to the above comments, please contact the undersigned on 624477.

Yours faithfully,

M. Stanton-Cook
M. Stanton-Cook
District Soil Conservationist,
CASINO
for J.A. Butcher
REGIONAL DIRECTOR



MS

New South Wales Government




General Manager
Lismore City Council
PO Box 23A
Lismore NSW 2480

LISMORE CITY COUNCIL RECEIVED	
11 JUL 1994	
FILE NO. 8/94 0213	
LETTER NO. 94-6209	FILE NO. PS

Telex: 166966
Facsimile: (066) 43 1161
Telephone: (066) 42 7799
Ext:
Contact Name:
Our Reference:

Attention: Mr Scott
Your Ref: MS/94/213

Dear Sir

Re: Development Application Multiple Occupancy Lot 24 DP 777743, Stoney Chute Road, Nimbin

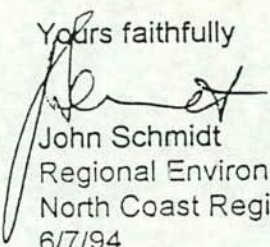
Water Supply

The proponent should provide some estimates of available storage from dams and rain water tanks to demonstrate adequacy of supply for the intended useage.

General

All other concerns of this Department appear to be adequately dealt with.

Yours faithfully


John Schmidt
Regional Environmental Officer
North Coast Region
6/7/94

John Schmidt to	PS
File it out with	
6028306	
ACTION COMPLETED N.A. or	
RESUBMIT ON	
Signed	Date

18/9/14
Louis Burke.

Doft do not introduce voting applicants for Coops. ^{membership}
This is at the discretion of Liverpool Management Committee (LMC) in accord with Doft guidelines.
LMC could (at any time) get members (v those with agreement) could be ~~go~~ interviewed ~~to~~ ^{to} campaign publicly.

- ① Doft have sent letter to Council saying withdrawal of DA for Story Chute Rd. Grounds: 1 = wide community concern of "appropriateness" of this site. 2 = Consultation & discussion of other sites. ③
They are looking at other sites now. He was in Netherland last week - re this. Has seen sites Rural Res sites.

They app. that any site is still going to attract community opposition.

Liverpool has made submission to ^{State} Government, lobbied Council Doft & prob a letter ALP.

- ② Funds retained on basis for finding alternative site. (This may be their way out!)

State Advisory Committee = SAC

Minister can now finally rule on DA under ~~S.91~~ S.91 (NB Apparently no appeal rights?)

Dennis is sending me Attachments to DA

Doft aware of history of Wodeville where there were actual political members in residence. This is Council's argument to say a house cannot be value of having actual people - i.e. the personal touch.

22.7.94

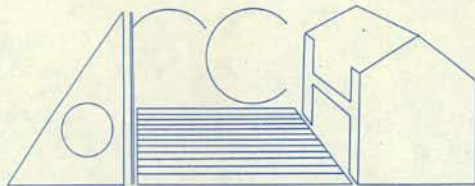
Dear Peter,

Here is a section
of the Dept. ~ possibly
not very helpful but
there none-the-less.

Thankyou for all
your info. Great!

~ Larine

With Compliments



ASSOCIATION TO RESOURCE
CO-OPERATIVE HOUSING

ROOM 27A 94 OXFORD ST DARLINGHURST 2010
TELEPHONE: (02) 361 6834 FAX: (02) 361 6395

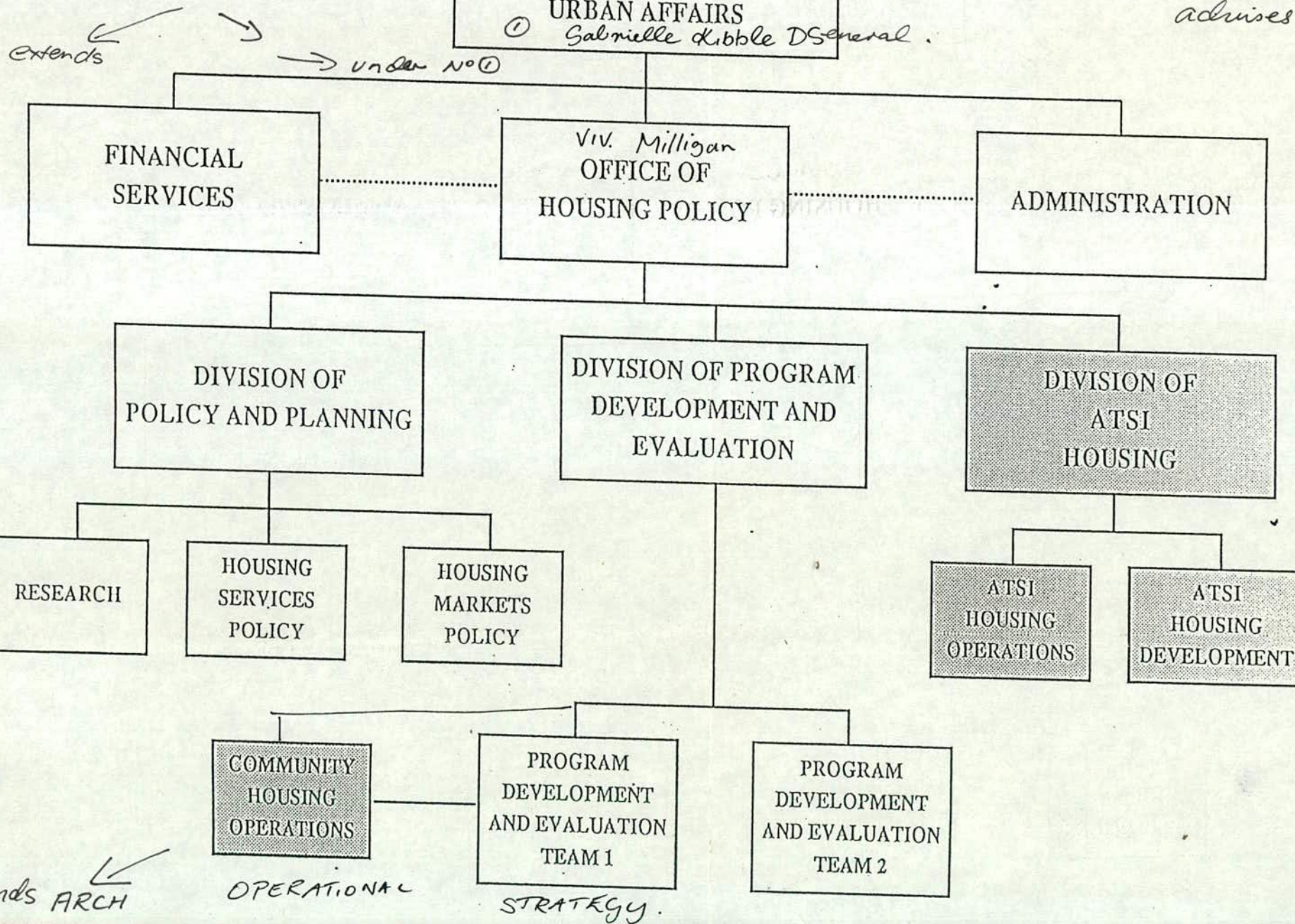
Sue Moxham
Advisor — MINISTER

Peter ~ this is the
Community Housing
incl. to MOTH

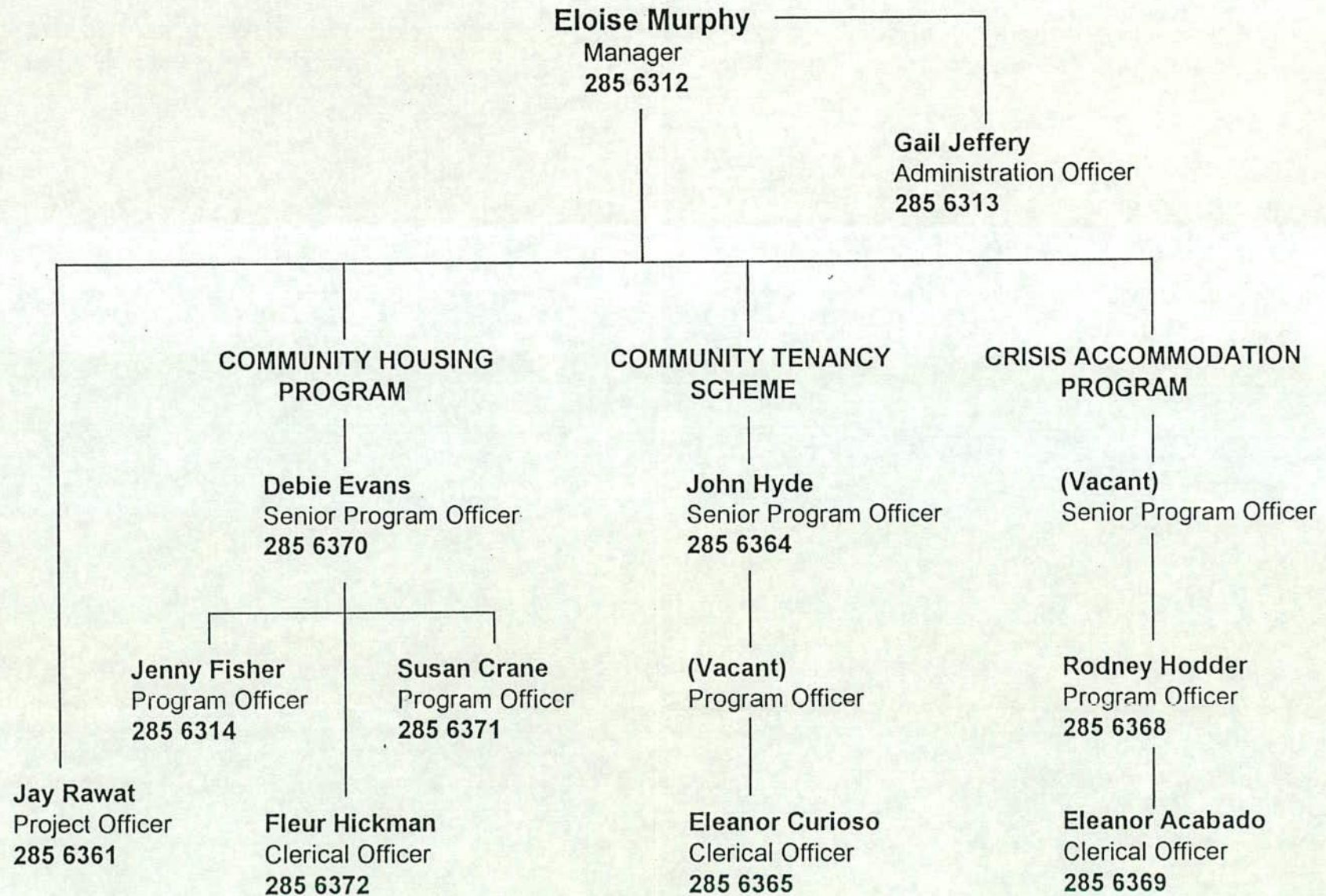
② Andrew Capé Wood
Director

MINISTRY OF HOUSING,
PLANNING AND
URBAN AFFAIRS
① Gabrielle Kibble DGeneral.

SAC — ACCIT or this
advises on CHD.



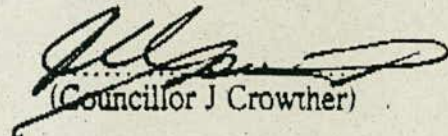
COMMUNITY HOUSING OPERATIONS TEAM



NOTICE OF MOTION

I hereby give notice of my intention to move at the next meeting of Council the following Motion:

- 1 Prior to Council considering DA 94/213, M.O. Rural Land - Stoney Chute Road, the Minister for Department of Housing be requested to consider the suitability or otherwise of the proposed site and other options that may be available.
- 2 Consideration of the DA by Council be deferred to August 16, 1994, to enable this consultation to take place and any amendments incorporated in the Application.


(Councillor J Crowther)

July 12, 1994

COMMENTS:

The Minister be advised that there are ample opportunities available in existing M.O.'s surrounding Nimbin and elsewhere that have vacancies which could be used for the proposed purpose, provided the same level of support was afforded them as proposed for the development under question. There is both considerable community opposition to the development and considerable support - the upshot of which will continue to divide the community now and in the future.

The Minister continue to recognise that there is a need for youth support of the nature identified in the whole of the Lismore City Council area and that Nimbin should not be treated in isolation. Therefore, the Minister may consider providing funding to establish youth support services at Lismore as well as in the Village of Nimbin.

At Nimbin the opportunity will arise in the proposed acquisition by Council of the present Nimbin School buildings, part of which could be used for the proposed purpose. At Lismore, where the needs are of much greater magnitude, the Minister may consider similar support to the initiatives already being acted upon by, for example, the Merriwa establishment and others proposed which recognise the problems of homeless youth in our community.

The Minister should be made aware of the many problems of isolation, accessibility, lack of public transport, access to emergency services and public disquiet that surrounds the application at it stands. It should be noted that Council is very much aware of the needs of homeless youth and the need to provide assistance to them. This proposal, however, is not seen as the way to deal with the problems.

GENERAL MANAGER'S COMMENTS

A reasonable time needs to be provided so that effective discussion can be held. The Motion provides this whilst enabling the Department to proceed in the matter it chooses.

NOTICE OF MOTION

I hereby give notice of my intention to move at the next meeting of Council

Prior to Council considering DA 9-2313, Minister for Land - 50
Minister for Department of Housing be considered to consider
otherwise of the proposed site and other options may be available.

Consideration of the DA by Council be deferred to August 15, 1994, to enable this
consultation to take place and any amendments incorporated in the Application.

[Signature]
Councillor J. Crowther

July 12, 1994

COMMENT

The Minister be advised that there are ample opportunities available in existing M.O.'s
surrounding Nimbin and elsewhere that have vacancies which could be used for the
proposed purpose, provided the same level of support is afforded them as proposed for the
development under question. There is both considerable community opposition to the
development and considerable support - the impact of which will continue to be felt in the
community now and in the future.

The Minister continue to recognise that there is a need for youth support of the nature
mentioned in the whole of the Lismore City Council area and that Nimbin should not be
treated in isolation. Therefore, the Minister may consider providing funding to establish
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Lismore, where the needs are of much greater magnitude, the Minister may consider similar
support to the initiatives already being acted upon by, for example, the Merriwa
establishment and others proposed which recognise the problems of homeless youth in our
community.

The Minister should be made aware of the many problems of isolation, accessibility, lack of
public transport, access to emergency services and public disorder that surrounds the
application as it stands. It should be noted that Council is very much aware of the needs of
homeless youth and the need to provide assistance to them. This proposal, however, is not
seen as the way to deal with the problems.

GENERAL MANAGER'S COMMENTS

A reasonable time needs to be provided so that effective discussion can be held. The
Motion provides this whilst enabling the Department to proceed in the matter if chosen.

This is page 10 of the Minutes of the Ordinary Meeting of Lismore City Council held on
July 19, 1994.

GENERAL MANAGER

MAYOR

Gabriel re ABC interview on withdrawal of
Lilyfield DA 20/1/15

- lack of community consultation
- extent of public objections.
- inadequacy of site.
- Should listen to public & come up with a
revised proposal.
- she said she made the decision
- the grant is not withdrawn

In reply - 'said she was not saying scored'.

five Mocharn said grant not withdrawn.

14.7.94 Malcolm - re DofH DO Lilyred

D Inspecting (with other council officers) re alleged
pugging today.

Ann Stewart - ^{engaged as} mediator, ^{he took her to date} on Monday.

She has a brief to mediate ^{re policy} between the
DofH, council, objectors & supporters.

Rec to Coffs H Br that they be involved. ^{as public parties} Her
advice it is up to Syd and they have not
yet committed themselves - re tentative.

Ann has been briefed by Malcolm Nick,
has copy of DA, objectors and supporters &
independent of Council will contact all.

She will "caucus" with the parties individually
then ^{held a private} conference with representatives of the parties.

By 25 July. She reckons she can do it.

(Details of Crowthor proposed letter to next meeting)

Targetting to get report to Council meeting of Aug 1992.

Copy of DCP sent to all is defective & no correct conditions
incl. This done in Malcolm's absence. it a stuff up.

Requested him to send "botched" + "good" copy.

Then further goes why inspectors should not

Di is an LHIES (=local chert group)
They are already lobbying Council level. As they
are major funders, their aid is needed.

Harry Woods ^{MP} has been lobbying with a strong letter
of support. Di etc are meeting with him on
9 Aug (when he returns from Canada) in Numbin
& will be putting to him to have Brian Home
pressure W. Carter to proceed & not back
out. 7

Di is preparing covering letter to all LCC members
that they have no grounds to refuse or support
Crowth's motion.