

PROPERTY BOUNDARY

EXISTING BUILDINGS

EXISTING WALKING TRACK TO BE UPGRADED

EXIGTING ROADS

=== PROPOSED DRIVEWAYS

PROPOSED COMPUNAL [3] SHEDS

PROPOSED HOUSE SITES.

10,000 GALLON TANK TO BE AVAILABLE FOR PIRE FIGHTING AND TO INCOPORATE AREA FOR FIRE TRUCK ACCESS AND TURNING

SKETCH ONLY - SUBJECT TO SURVEY

SPRING - TO BE PIPED ABOVE ROAD INTO SETTLING TANK

PROPOSED CULLY REGENGRATION

SCREEN PLANTING TO BE INITIATED ON SOUTHERN ASPECTS OF ALL HOUSE SITES TO MODERNE WHOS

Illustration 4 As

AMENDED 13.12.94

Scale: 10 20 m Job No.: 94-106. Date: 25 - 10 - 93 **Balanced Systems**

PO Box 36, Bangalow, 2479 066-895301 Ph/fax

Planning Consultants

North

Drawn by: Chris Barnett BiArch, PO Box 154 Mullumbimby 2482 VILLAGE CLUSTER



PROPERTY BOUNDARY

EXISTING BUILDINGS

- EXISTING WALKING TRACK TO BE UPGRADED

EXISTING ROADS

=== PROPOSED DRIVEWAYS

PROPOSED COMMUNAL SHEDS

PROPOSED HOUSE SITES

10.000 GALLON TANK TO BE AVAILABLE FOR PIRE FIGHTING AND TO INCOPORATE AREA

FOR FIRE TRUCK ACCESS AND TURNING

SKETCH ONLY - SUBJECT TO SURVEY

SPRING - TO BE PIPED ABOVE ROAD INTO SETTLING TANK

PROPOSED CULLY REGIENGRATION

SCREEN PLANTING TO BE INITIATED ON SOUTHERN ASPECTS OF ALL HOUSE SITES TO MODERATE WINDS

Illustration 4 As AMENDED 13-12-94 (With forest overlay).

Balanced Systems Planning Consultants

PO Box 36, Bangalow, 2479 066-895301 Ph/fax

Job No.: 94-106

Drawn by: Chris Barnett Barch.

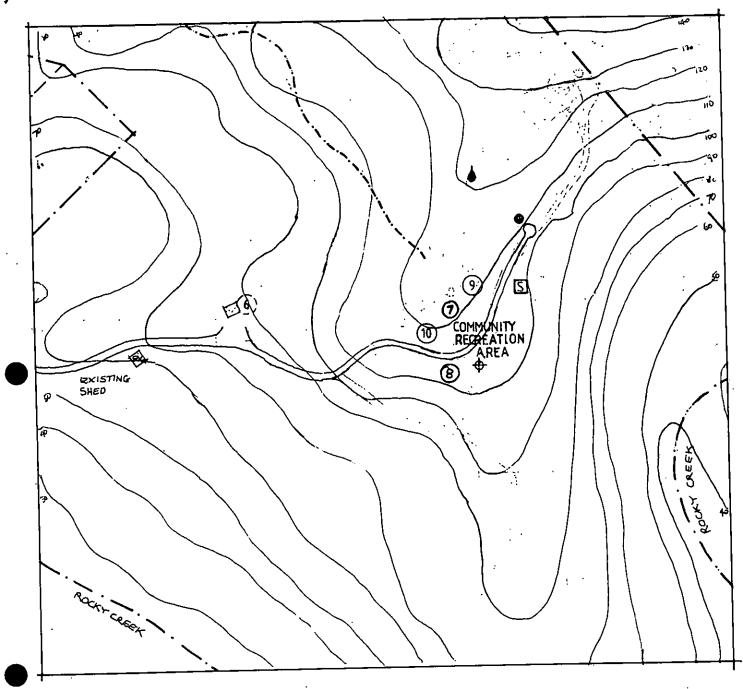
Mullumbimby 2482

PO Box 154

Date: 25 - 10 - 93

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VILLAGE CLUSTER 97



 $\prod(6)$

PROPERTY BOUNDARY

EXISTING APPROVED DWELLING TO BECOME SHARE 6

--- EXIGTING VALIGNG TRACK TO BE UPGRADED

EXISTING ROAD CONCRETE
TRACKS TO BE EXTENDED FROM
THE CHANNON ROAD TO BXISTING
PUELLING

PROPOSED DRIVEWAY

7 PROPOSED HOUSE SITES

10,000 GALLON TANK TO BE AVAILABLE FOR FIRE FIGHING AND TO INCORPORATE AREA FOR FIRE TIZUCK ACLESS AND TURNING SKETCH ONLY - SUBJECT TO SURVEY

BPRING WITH STORAGE BODY,

SCREEN PLANTING TO BE INITIATED OFFICERY SITES

PROPOSED COMMUNAL SHED

. EXSTING SHRINE STAUGURE

Illustration 5 As CAMENDED 13.12.94

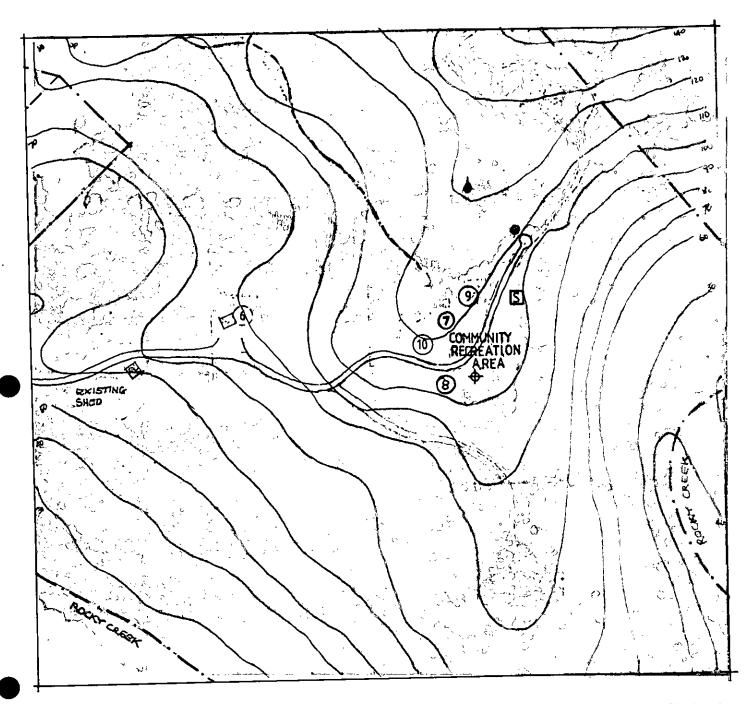
Balanced Systems
Planning Consultants

PO Box 36, Bangalow, 2479 Ph/tax 066-895301 Job No.: 94-106

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Drawn by: Chris Barnett B Arch-PO Box 154 Muliumbimby 2482 Date: 25-10-93 Scale:

FOREST CLUSTER 97A



- PROPERTY BOUNDARY

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TRACKS TO BE EXTENDED FROM
THE CHANNON ROAD TO EXISTING
PUELLING

=== PROPOSED DRIVEWAY

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SCREEN PLANTING TO BE INITIATED GETWEEN SITES

T PROPOSED COMMUNAL SHED

DENSTING SHRINE STANSTURE

Illustration 5 As AMENDED 13.12.94 (With forest overlay).

Balanced Systems
Planning Consultants

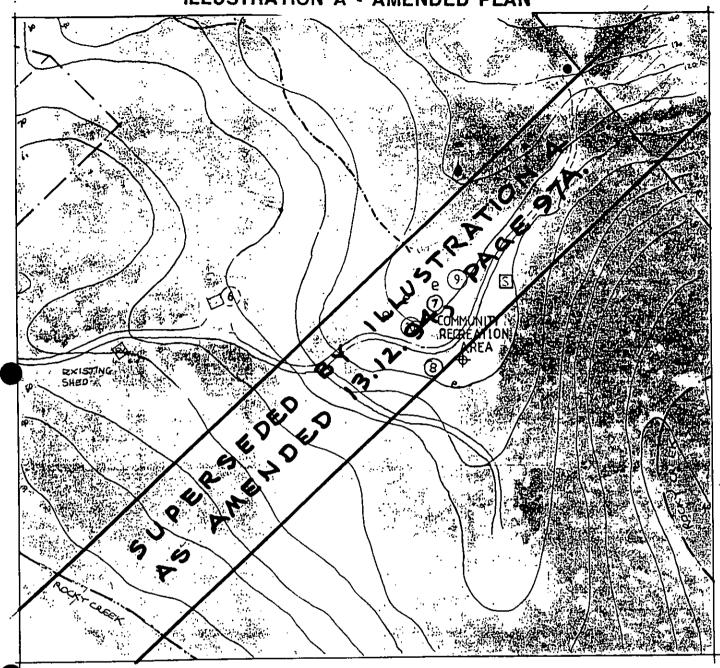
PO Box 36, Bangalow, 2479 Ph/fax 066-895301 Job No.: 94-106

Drawn by: Chris Barnett B Arch. PO Box 154 Mullumbimby 2482 Date: 25-10-93 | Scale: 10 20m 40

FOREST CLUSTER 97A



ILLUSTRATION A - AMENDED PLAN



LEGEND

PROPERTY BOUNDARY

EXISTING APPROVED DWELLING TO BECOME SHARE 6

EXIGTING VALIVING TRACK TO BE UPGRADED

EXISTING ROAD CONCRETE TRACKS TO BE EXTENDED FROM THE CHANNON ROAD TO EXISTING PUELLING

PROPOSED DRIVEWAY

PROPOSED HOUSE SITES

PROPOSED AREAS SUITABLE FOR APPROVED SEPTIC EFFLUENT DISPOSAL

10,000 GALLON TANK TO BE AVAILABLE FOR FIRE FICHING AND TO INCORPORATE AREA FOR FIRE TRUCK ACCESS AND TURNING

SKETCH ONLY - SUBJECT TO SURVEY

SPRING WITH STORAGE BODY.

SCREEN PLANTING TO BE INITIATED BETWEEN SITES

PROPOSED COMMUNAL SHED

A EXISTING SHRINE STANCTURE

Illustration 5

Balanced Systems Planning Consultants

PO Box 36, Bangalow, 2479 066-895301 Ph/lax

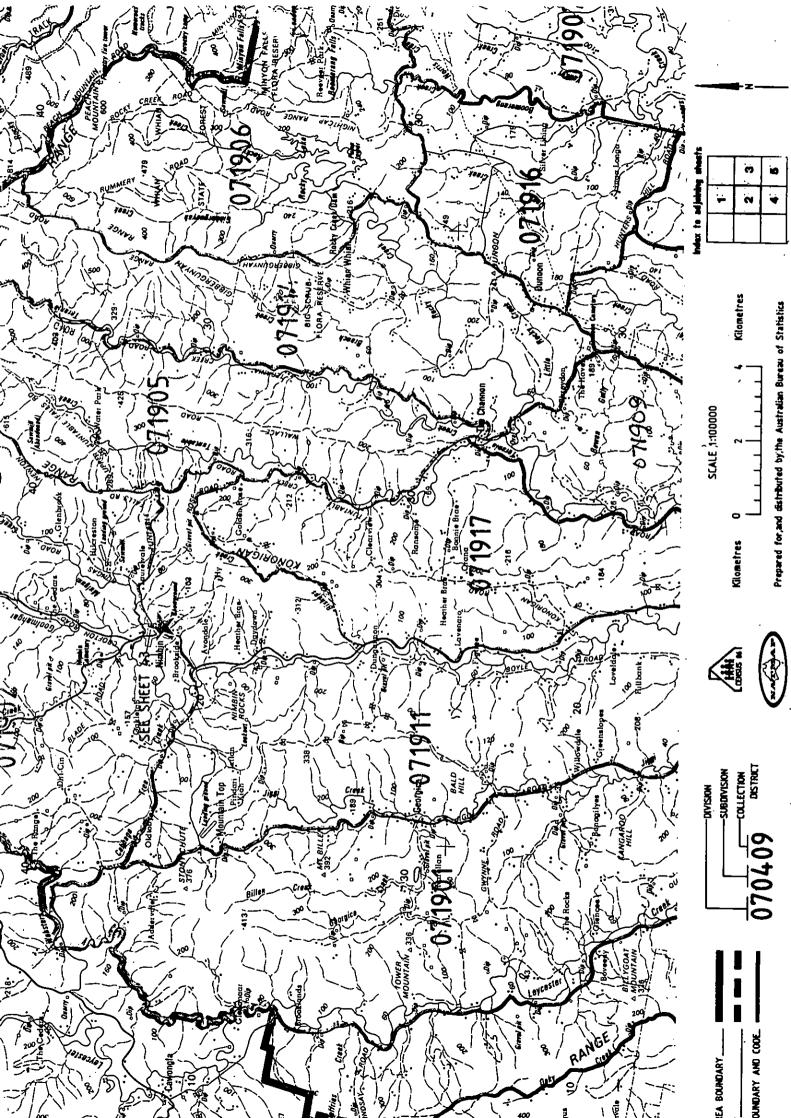
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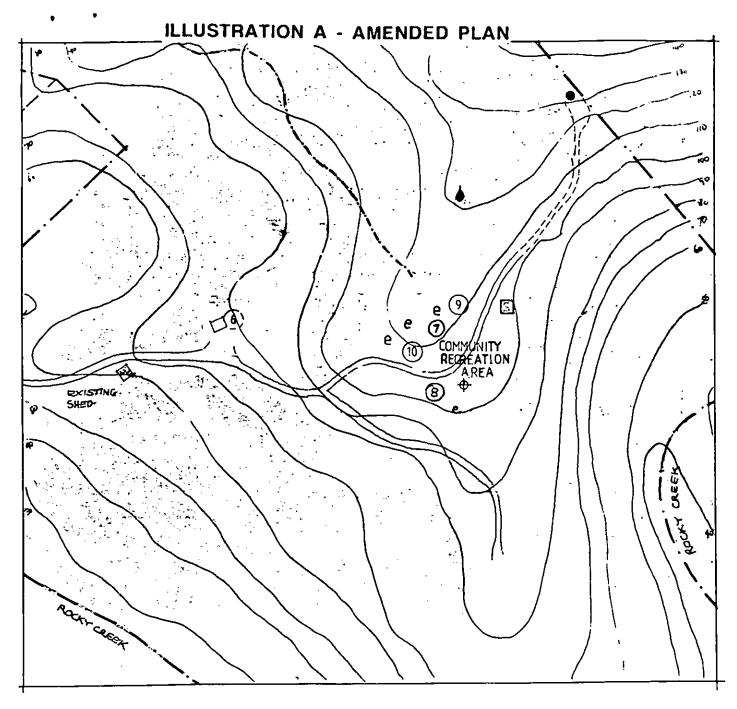
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<u>LEGEND</u>

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EXISTING ROAD CONCRETE TRACKS TO BE EXTENDED FROM THE CHANNON RUAD TO GRISTING PURELLING

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- OF EXISTING SHRINE SLAUGURE

Illustration 5

Balanced Systems Planning Consultants

Ph/fax

PO Box 36, Bangalow, 2479 266-895301

Job No: 94-105

Drawn by Chris Barnett PC Box 154 Mullumormby / 32

FOREST CLUSTER

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File

ANSON v LISMORE CITY COUNCIL, (DA 93/691) No. 10239 of 1994

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91

A' SECTION

DIVISIONAL MANAGER-PLANNING SERVICES' REPORT

SUBJECT/FILE NO.:

DEVELOPMENT APPLICATION NO. 93/691 - FOR THE ESTABLISHMENT OF A MULTIPLE OCCUPANCY OF RURAL LANDS COMPRISING TEN (10) DWELLING SITES AND ASSOCIATED INFRASTRUCTURE (DA93/691)

PREPARED BY:

Development Control Planner, Mr Malcolm Scott

REASON:

Objections received which warrant consideration by Council.

OBJECTIVE:

Council determination of application.

CONTENT Information:

1 PRECIS

<u>Applicant</u>

Mark Anson, C/- PO Box 36, Bangalow. Development Application and Statement of Environmental Effects prepared by Balanced Systems Planning Consultants, PO Box 36, Bangalow.

Zoning

Lismore Local Environmental Plan 1992, zone 1(a) General Rural zone.

Location

Lot 23 DP 773782, 336 The Channon Road, The Channon, Lismore

Proposal

A multiple occupancy of rural lands comprising the establishment of ten (10) dwelling sites and associated infrastructure.

Key Issues

Objection by some residents in locality.

2 <u>DESCRIPTION OF PROPERTY</u> (See Appendix 1)

The land has an area of 33.23 hectares with frontages to The Channon Road and Standing Street. The land is within the ridge system east of The Channon village descending to Rocky Creek, east of The Channon Road.

The elevation varies from 30 metres AHD along Rocky Creek to 130 metres AHD on the north-eastern boundary. Slope analysis at 1:25000 indicates that approximately 13% of the land has a slope in excess of 30% gradient, 22% of the land has a gradient of 20-30% and the remainder 65% of the land has a gradient of 10-20%.

This is page of the Business Paper comprising portion of minutes of a Meeting of the Lismore City Council held on February 1, 1994.

GENERAL MANAGER

OBJECTIVE

To develop in all students a knowledge, an understanding and appreciation of Aboriginal and Torres Strait Islander cultures and their heritage.

OUTCOMES

- * Aboriginal content and Torres StraitIslander content are incorporated into relevant policies, programs and practices.
- * Aboriginal students and Torres Strait Islander students have a knowledge, understanding and appreciation of their culture and heritage.
- * Aboriginal studies and Torres Strait Islander studies and content are developed for all Key Learning Areas.

Approximately 80% of the land has a vegetation cover comprising wet and dry sclerophyll forests and woodlands located primarily on the foot slopes and steeper ridge systems. Cleared pastured areas occur central to the property and in the north-western sector of the property. The Department of Conservation and Land Management indicate that soil type is ye is we podsolic with basalt material in places. The cleared areas generally occur on the basaltic soil was.

The Department of Conservation and Land Management suggested the main resical limitations occurring on the property are slope gradient, shallow rocky soils, wet spring sas a dendible soils. Land capability of the site, as identified by the Department of Conservation and Land Management, is Classes six and seven, ie lands not suited for cultivation and of steer slopes and shallow soils. The Department of Agriculture's agricultural suitability map, identifies the site within Class 4 lands suitable for grazing but not cultivation.

3 DESCRIPTION OF THE PROPOSAL (See Appendices 2 - 5)

The development application seeks development consent for a multiple occupancy comprising ten (10) dwellings and associated infrastructure. The proposal identifies two clusters, a village cluster with access via Standing Street (See Appendix 4), and a forest cluster with access via The Channon Road (See Appendix 5) four dwelling sites are located outside but relatively close to the two clusters.

The development generally comprises the following:

Nine additional dwellings (a dwelling and access has been previously approved by Council); community facilities; associated roads and drainage; on site water collection, storage and distribution; walking paths to connect the clusters; electricity and telephone services; bush fire hazard management; and landscaping in conjunction with the proposed dwellings and works.

The village cluster is to be accessed via an existing up-graded internal road from Standing Street. The cluster is located within the cleared north-east section of the property. One dwelling site is located at the access point onto Standing Street, the other four dwelling sites are located within 140 metres of each other, approximately 2.5 kilometres south-east of the access point onto Standing Street. The applicant has advised that each of the ten (10) dwellings will have a 22,500 litre tank for potable water sourced from rain water collection and non potable water will be sourced from two identified springs, each adjoining a cluster. Water from each of the springs will be pumped to a 22,500 litre holding tank which will feed the dwellings of each cluster. The applicant has further indicated that the spring servicing the village cluster currently maintains a flow rate of some 200 litres per hour.

The forest cluster consists of five dwelling sites accessed via an existing internal road with access from The Channon Road at Rocky Creek Bridge. This cluster is of a more dispersed nature and comprises of the existing dwelling, two dwelling sites approximately 130 metres to the east of the existing dwelling in the cleared area adjoining an existing shrine structure, one dwelling site approximately 1.5 kilometres to the north-east approximately 30 metres from the north-eastern boundary and one dwelling site approximately 1.4 kilometres to the south of the cleared area. The source of non-potable water for this cluster is an identified spring, at which it is proposed to re-establish a dam with a storage capacity of 200,000 litres. It is proposed to provide a walking trail between the two principle clusters.

4 SUBMISSIONS FROM THE PUBLIC

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This is page	of the Business Paper comprising portionneil held on February 1, 1994.	on of minutes of a Meeting of the
Lismore City Co	uncil held on February 1, 1994.	
GENERAL	MANAGER	MAYOR

1994 NSWCHS Swimming Championships North Coast Region Bus Timetable

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=	Chatswood Station Central Central for billeting schools: North Sydney Girls, David Balgowlah Boys, Maretimo Mackellar Girls, Campbell F	Chatswo Central Central North S Balgowl	Chatswo Central Central North S	Chatswo Central	Chatswo Central	Chatswo		McDonalds Waitara	R Kew	Q Port Macquarie old RSL Club, Short Street	M Urunga Country Link Stop	L Coffs Harbour Bus Zone-Moonee Street	I South (G Lismore City Hall Bounty Street	F Alstonville Bus Zone	E Ballina Court House	Lennox Head Primary School	D Byron Bay Bus Zone	C Mullumbimby Turnaround Mullum. Road	A Tweed River High	Pickup points	March 22/23	Tuesday/Wednesday
	Central for billeting schools: North Sydney Girls, David Street, Crows Nest (UBD Map 216 B8) Balgowlah Boys, Maretimo Street, Balgowlah (UBD Map 197 F9) Mackellar Girls, Campbell Pde & Quirk Rd, Manly Vale (UBD Map 197 M3)	1.30 pm D Map 216 B8) Map 197 F9)	1.30 pm D Map 216 B8)	1.30 pm		7.30 am	6.45 am	6.30 am	1.15 am	1.00 am 23/3/94	11.00 pm	10.40 pm	9.10 pm	7.10 pm	6.45 pm	6.30 pm	6.15 pm	5.50 pm	5.30 pm	4.30 pm		Times	Forward
March 22/23 March 22/23 Pickup points Times Pickup points Times A.30 pm Mullumbimby Turnaround Mullum. Road Byron Bay Bus Zone Lennox Head Primary School Ballina Court House Alstonville Bus Zone Lismore City Hall Bounty Street Coffs Harbour Bus Zone-Moonee Street Urunga Country Link Stop Port Macquarie old RSL Club, Short Street Cotts! Cotts! Forward Times Time			_ 	_	m	F ,	<u>ه</u>	_	г С	S	۵ ۳	D T		_		7	۲۵.		7	۲۵	_		
n n 23/3/94 M G	Mullumbimby Turnaround Mullum, Road 5			Lennox Head Primary School 4	Ballina Court House 4	Alstonville Bus Zone 4	Bounty Street			Link Stop	old RSL Club, Short St.			McDonalds, Raymond Terrace (meal break) 7.00 pm							Vickup points	March 26/27 T	
March 26/27 Pickup points Saturday only North Sydney Pool Saturday only North Sydney Pool McDonalds, Raymond Terrace (meal break) M CP Port Macquarie old RSL Club, Short St. M Urunga Country Link Stop L Coffs Harbour Bus Zone-Moonee Street I South Grafton Mobil (meal break) G Lismore City Hall Bounty Street	V.10 g.11.	あい0 p m	5.00 am	4.40 am	4.30 am	4.20 am	4.00 am	2.00 am	1.00 am	12.45 am 27/3/94	10.45 pm	10.15 pm		7.00 pm		Departure after carnival	4.00pm (approx.)		Load Luggage into coach	8.00 am		Times	Return

Return Managers to

Kirribilli Village Apartments

98 Alfred Street, Milsons Point Telephone: 02 923 1822

Mobile phone on Kirklands Coach 018 661 783

Mobile phone of North Coast Managers at North Sydney Pool 015 257 945

The proposal was advertised in accordance with requirements established under State Environmental Planning Policy No. 15, with public notices placed in Council's Newsletter in the Northern Star of November 24, 1993, and immediate adjoining owners notified in writing, advising of an exhibition period of four (4) weeks to December 20, 1993.

The following notes summarise submissions received objecting to the proposed development.

Submission 1 - June & Alan Carwardin, The Channon Road, Via Lismore Expressing opposition to the proposal on the following grounds:

- a) Inadequate water for ten sites and additional tourist accommodation, suggesting the two springs are not of good quality and would be lucky to support two households, this would necessitate pumping from the creek with the most suitable pump site being less than 200 metres from their house.
- b) Inadequate fire hazard control via lack of on-site water, steep access road and surrounding bush.
- c) That the development will disturb native fauna in the wildlife corridor following Rocky Creek to Whian Whian State Forest. Indicates that this development is to be a Krishna Ashram development and raises objection to the numbers of people that will impact on the area. Fears loss of privacy and de-valuation of surrounding properties.

Submission 2 - Mrs Muntelwit, The Channon Road, The Channon Objecting to the development on the following grounds:

- a) Lack of notification of development.
- b) Springs not adequate for proposal, spring on northern boundary not in the subject land.
- c) Land is subject to slippage.
- d) Location roads not practical.
- e) Impact on development on existing rural peace.
- f) Concern of run-off into livestock watering dam.

Submissions 3 - Judy Maher, 348 The Channon Road, The Channon Objecting to the proposal on the following grounds:

- a) Run-off of stormwater and effluent onto own property.
- b) Access from Standing Street impossible due to slope and puggy soil and access road via The Channon Road very steep.
- c) Five dwellings in village cluster will lead to significant increase of traffic along Standing Street.
- d) Springs inadequate to supply water.
- e) Impact on natural forest and that the existing forest is one of the few eucalypt stands in The Channon area.
- f) The proposed development in conjunction with the existing temple will generate a large influx of people each weekend and will increase traffic noise and effluent to be disposed of.

Submission 4 - Alan Coates and Andrea Simpson, Standing Street, The Channon Objecting to the proposal on the following grounds:

				
This is page Lismore City Co	of the Business Paper ouncil held on February 1, 1	comprising portion of	f minutes of a Meeting	of the
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North Coast Region Bus Timetable 1994 NSWCHS Swimming Championships **Coded Pickup Points**

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Mackellar Girls, Campbell Pde & Quirk Rd, Manly Vale (UBD Map 197 M3) Killarney Heights, Starkey Street, Killarney Heights (UBD Map 176 F14)	Balgowlah Boys, Maretimo Street, Balgowlah (UBD Map 197 F9)	North Sydney Girls, David Street, Crows Nest (UBD Map 216 B8)	Central for billeting schools:	Central	Chatswood Station	McDonalds Waitara	Kew	Port Macquarie old RSL Club, Short Street	Urunga Country Link Stop	Coffs Harbour Bus Zone-Moonee Street	South Grafton Mobil Service Station (meal break)	Lismore City Hall Bounty Street	Alstonville Bus Zone	Ballina Court House	Lennox Head Primary School	Byron Bay Bus Zone	Mullumbimby Turnaround Mullum. Road	Tweed River High	Pickup points	March 22/23	Tuesday/Wednesday
Vale (UBD Map 197 M3) is (UBD Map 176 F14)	Map 197 F9)	D Map 216 B8)	1.30 pm	7.30 am	6.45 am	6.30 ат	1.15 am	1.00 am 23/3/94	11.00 pm	10.40 pm	9.10 pm	7.10 pm	6.45 pm	6.30 pm	6.15 pm	5.50 pm	5.30 pm	4.30 pm		Times	Forward
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Mullumbimby Turnaround Mullum. Road Tweed River High	Byron Bay Bus Zone	Lennox Head Primary School	Ballina Court House	Alstonville Bus Zone	Lismore City Hall Bounty Street	South Grafton Mobil (meal break)	Coffs Harbour Bus Zone-Moonee Street	Urunga Country Link Stop	Port Macquarie old RSL Club, Short St.	Kew		McDonalds, Raymond Terrace (meal break) 7.00 pm		North Sydney Pool	Saturday only		North Sydney Pool	Saturday only	Pickup points	March 26/27	Saturday/Sunday
5.20 a.m. 6.30 a.m.	5.00 am	4.40 am	4.30 am	4.20 am	4.00 am	2.00 am	1.00 am	12.45 am 27/3/94	10.45 pm	10.15 pm) 7.00 pm		Departure after carnival	4.00pm (approx.)		Load Luggage into coach	8.00 am		Times	Return

Return Managers to
Kirribilli Village Apartments
98 Alfred Street, Milsons Point

Mobile phone on Kirklands Coach 018 661 783

Mobile phone of North Coast Managers at North Sydney Pool 015 257 945

- Aprintion of the state of the s
- a) Density of the proposed development, and that the land not capable of supporting ten households (50 people). Sites are steep and unstable, soil is subject to land slip and in places tunnel erosion, one of the clusters is on ridge and will be visible from The Channon Road.
- b) Concern regarding the nature of the development (a religious community) may create a regular influx of guests and water and sewerage facilities etc will be inadequate.

c) Adverse impact on quality of life in terms of noise and chanting.

d) Bushfire hazards, land was the source of two bushfires whilst owned by the previous owner. The country is steep and dry, storms from the south-west breaking branches out of the tops of Brushbox and Flooded Gum provide forest fuel.

e) Water supply for fire fighting inadequate. An increased occupancy rate on the land will increase the risk of fire.

- f) Suggests that springs that are proposed to be utilised are inadequate in terms of water volume and will not adequately provide for ten households and fifty odd people. Lack of water for fire fighting reservoir. Spring proposed for the village cluster originates on own land and seeps through to applicants land. Expresses concern that spring is not on applicants land and that use of this spring will limit subdivision potential of own land and locating a house on the western side of own land.
- g) Restriction of existing farming practices. Own land is currently used as a custard apple and macadamia orchard (six hectare), and grazing of remaining eight hectares. Expresses concern that possible restrictions on the use of machinery, tractors, slashers, spray, pumps etc or other orcharding and current farming practices may occur as result of development.

Submission 5 - K & E Johnston, 213 The Channon Road, Via Lismore Objecting to the proposal on the following grounds:

a) The land is not suitable for multiple occupancy due to predominance of sand stone in the area and this would result in sewerage seeping into Rocky Creek.

b) Lack of water for bush fire hazards.

c) There are already two houses on the land not approved by Council.

d) The spring that is mentioned in the application is only there in wet weather and has been dry for the last fourteen months.

Submission 6 - Mr G Muntelwit, 30 Caswell Street, Gailes QLD Objecting to the development on the following grounds:

- a) Land does not border the village as stated in the application and that multiple occupancy use of the land will have a further adverse effect of full use of mothers land.
- b) Water on the lot is not sufficient for what is proposed and the development would need to pump from Rocky Creek or use Council water main.

c) Visual impact of buildings will have an adverse effect on the existing rural landscape. It is not suitable for ten families to make a living on.

d) Access via Standing Street inadequate as it would have to cross a very wet area.

e) Waste water management from village cluster may be a problem in normal seasons as the area is continually wet and could create a problem for those living below.

f) Additional families would have to create a greater fire risk.

g) Questions the percentage of area with less than 18° slope.

Submission 7 - LW & CA Amor, 210 The Channon Road, The Channon

Advising that their land overlooks the proposed development and expresses the following concerns:

This is page	of the Busines	s Paper compi	rising portion of	f minutes of a	Meeting of the
Lismore City Cor	of the Busines uncil held on Febru	ary 1, 1994.	•		
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GENERAL I	MANAGER	_		MAŸ	OR

1994 NSWCHS Swimming Championships North Coast Region Bus Timetable Coded Pickup Points

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Mackellar Girls, Campbell Pde & Quirk Rd, Manly Vale (UBD Map 197 M3) Killarney Heights, Starkey Street, Killarney Heights (UBD Map 176 F14)	North Sydney Girls, David Street, Crows Nest (UBD Map 216 B8) Baloowlah Boys, Maretimo Street, Baloowlah (UBD Map 197 F9)	Central for billeting schools:	Central	Chatswood Station	McDonalds Waitara	Kew	Port Macquarie old RSL Club, Short Street	Urunga Country Link Stop	Coffs Harbour Bus Zone-Moonee Street	South Grafton Mobil Service Station (meal break) 9.10 pm	Lismore City Hall Bounty Street	Alstonville Bus Zone	Ballina Court House	Lennox Head Primary School	Byron Bay Bus Zone	Mullumbimby Turnaround Mullum. Road	Tweed River High	Pickup points	March 22/23	Tuesday/Wednesday
/ale (UBD Map 197 M3) s (UBD Map 176 F14)) Map 216 B8) Map 197 F9)	1.30 pm	7.30 am	6.45 am	6.30 am	1.15 am	1.00 am 23/3/94	11.00 pm	10.40 pm	9.10 pm	7.10 pm	6.45 pm	6.30 pm	.6.15 pm	5.50 pm	5.30 pm	4.30 pm		Times	Forward
C Mullumbimby Turnaround Mullum. Road A Tweed River High	Lennox Head Primary School D. Byron Bay Rus Zone	E Ballina Court House	F Alstonville Bus Zone	G Lismore City Hall Bounty Street	I South Grafton Mobil (meal break)	L Coffs Harbour Bus Zone-Moonee Street	M Urunga Country Link Stop	Q Port Macquarie old RSL Club, Short St.	R Kew		McDonalds, Raymond Terrace (meal break) 7.00 pm		North Sydney Pool	Saturday only		North Sydney Pool	Saturday only	Pickup points	March 26/27	Saturday/Sunday
5.20 a.m. 6.30 a.m.	4.40 am	4.30 am	4.20 am	4.00 am	2.00 am	1.00 am	12.45 am 27/3/94	10.45 pm	10.15 pm		k) 7.00 pm		Departure after carnival	4.00pm (approx.)		Load Luggage into coach	8.00 am		Times	Return

Return Managers to

Kirribilli Village Apartments 98 Alfred Street, Milsons Point

DIVISIONAL MANAGER-PLANNING SERVICES' REPORT

a) Possible conflicts between residential uses of the land and adjoining rural uses. Concerned about complaints regarding noise, smell and sprays.

b) Water supply - springs record not good, queries the impact of an additional ten dwellings and the amount of water capable to be stored and the impact on the spring and Rocky Creek.

c) Land could not support ten dwellings and adequately provide sufficient clearing to comply with bushfire hazard management.

d) Queries adequacy of land to dispose of effluent that ten dwellings will generate. Risk of contamination of Rocky Creek.

5 RESPONSE TO SUBMISSIONS FROM THE PUBLIC

The following have been determined as the key issues raised in the submissions. Where appropriate those issues are considered in this section and/or reference made to relevant sections of this report.

(1) Availability and Adequacy of Water Supplies

The applicant was requested to provide additional information of the provide additional informati

The applicant was requested to provide additional information, and detail on water management proposals. The following information was provided:

"WATER MANAGEMENT PLAN

Objectives:

- enhance, conserve and manage the site's water resources;

- minimise extraction of water from Rocky Creek by utilising rainwater and water from on-site springs;

utilise rainwater for potable water;

utilise spring sourced water for non-potable water uses;

- maintain adequate dedicated water reserves for bushfire fighting purposes.

Water Sources

Potable Water:

Each of the ten dwellings to have a 22,500 litre tank for potable water sourced from rainwater collecting from building roofs.

Non-Potable Water:

Non-potable water will be sourced from the two identified springs each adjoining one of the dwelling clusters. Water from each of the springs will be pumped to a 22,500 litre water tank at each cluster which will feed the dwellings of each cluster.

The spring servicing the village cluster now supplies, in this time of low water flow after seasons of minimum rain, some 200 litres per hour which is equivalent to 4800 litres per day.

The spring adjoining the forest cluster needs to be dug out before an estimate of water supply can be undertaken. A pond will be re-established in this location with a storage capacity of some 200,000 litres.

This is page of the Business Paper-comprising portion of minutes of a Meeting of the Lismore City Council held on February 1, 1994.

GENERAL MANAGER

777 11S (880) 42S 71S (880)	Phone: Fex:	101 Molesworth Street Liemore NSW 2480 (PO Box 422)
SOME THE PROPERTY OF THE SOUTH THE S		PORTAL CONTRACTOR OF THE STATE
	ORANDUM	MEM

TO: Principals/Occupational Health and Safety Workplace Committees

FROM: John Kelly, Administrative Officer, Programs, Planning and

Development

DATE: 18 March 1994

SOBJECT: 1994 TRAINING FOR MEMBERS OF OCCUPATIONAL HEALTH AND

KECION SCHOOFS

Subject to demand the above training courses will again be provided throughout the

Region in 1994.

These four (4) day OH&S courses will be run over a two week period, and are designed to satisfy the legislation requirements for the training of OH&S Workplace

designed to satisfy the legislation requirements for the training of Orige workplace.

Committee members.

The courses will be conducted by accredited Workcover Authority trainers and participants who complete the course will be awarded an appropriate Workcover Authority certificate.

Participation at these courses will also satisfy school requirements for expenditure of staff development funds in priority area 8, Occupational Health and Safety.

Courses will commence at 9.00am and conclude at 4.00pm daily.

<u>Costs</u>

The school will be required to cover the cost of two days relief (per applicant) plus a registration fee of \$100 (this will cover costs of meals and course materials). Regional Office will pay for the remaining two days relief.

In order to assess the demand and then prepare a suitable course timetable would you your school and then forward it to this Office.

John Kelly

Lor A Scott

Assistant Director General

of Education

Additionally, the owner of the land advised at the time of site inspection that the spring to service the village cluster, supplied water to a nursery he had formally operated within the lands and to his knowledge has not run dry. Some objectors indicated the land is continually wet and hence unsuitable for effluent disposal which contradicts other objectors who maintain the springs are not effective during dry seasons.

The Engineering Services Division have advised that presently reticulated water is not available to the land, and that if an application is made it would be subject to a feasibility assessment, payment of appropriate headworks levies and requirements for point of service.

In relation to the spring source not being within the subject lands, the current owner was aware of this situation. Council to the knowledge of the Planning Services Division, has not been involved or advised of any disputes between the adjoining owners regarding access to the supply or the location of existing boundary fences. As the current situation has existed for some considerable time as evidenced by existing fence line and usage patterns, the land would benefit from use of this water resource. Clarification of this matter is established as a requirement of development consent.

The capacity of, and proposed means of water storage supply is considered to be adequate for the proposed development. It is also feasible to connect to "town water" if any problems arise.

(2) Internal Access

Concern was expressed by a number of objectors that adequate access would not be able to be provided to the four dwelling sites in the proposed village cluster. At present, a recently dozed (4WD trafficable only) track exists to this cluster. With appropriate engineering/geotechnical input regarding final design, pavement, drainage sediment and erosion control etc, adequate 2WD access can be provided to the village cluster.

Similarly in relation to access to the forest cluster with appropriate design and construction, suitable access can be provided to those dwelling sites. Currently, Council's staff have no difficulty in accessing the existing house site. It is noted that the current concrete vehicle access strips will either have to be widened or replaced, a passing bay provided and appropriate sediment and erosion controls installed, prior to Council considering any further Building Applications on the land, should this application be approved.

Clustering of Development/Impact on Existing Orchard to North

The re-positioning of dwelling sites numbers 7 and 8 will strengthen the forest cluster. This will also reduce environmental impacts in providing accesses to these sites and make fire prevention and management practices more feasible.

The re-positioning of house site number 7 addresses concerns expressed by the adjoining orchardist. The forest cluster is physically separated and below the orchard by some 300+ metres horizontal and 40+ metres vertical distance.

Visual Impact

The proposed clustering reduces the visual impact of the proposed development to two principle areas on the land. Both these cleared areas are visible from sections of Pinchin Road and The Channon Road (near Currie Road). The dwelling cluster areas are below the ridgeline and are to an extent disguised or enveloped by the existing forest canopy.

This is page of the Business Paper comprising portion of minutes of a Meeting of the Lismore City Council held on February 1, 1994.

GENERAL MANAGER

TRAINING COURSE OCCUPATIONAL HEALTH AND SAFETY WORKPLACE COMMITTEE MEMBERS

₱<u>661</u>

APPLICATION FORM

Department of School Education North Coast Region	2	•	·
Level 2 Department of School Education	•	•	
John Kelly			•
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(Fax No. (066) 217 254

FIZMOKE 5480 BOX 455 The application indicates that tree planting for purposes of landscaping and wind attenuation will occur to the south of each dwelling site. No detail is submitted with the application regarding these works. Such works, which usually occur with residential development, will in time further reduce visual impacts of the development. The application does not indicate the removal of any existing trees, the developments overall impact on the existing landscape and scenic qualities will be of a relatively minor nature and will take a form compatible with the existing rural and village landscape character. Conditions of consent address building heights, external colours and finishes and ensure some degree of "environmental harmony".

(5) Effluent Disposal

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William Sec

All dwelling sites are located clear of any recognisable water courses and sufficient area is provided at each dwelling site for effective waste water management. Council's Environmental Health and Building Services Division, the Department of Health and Department of Water Resources have not raised concerns in relation to on-site effluent disposal.

Detailed means of effluent disposal is to be provided with subsequent building applications and a condition of consent established which satisfactorily addresses effluent management. Clustering of dwellings should provide considerable scope for common effluent disposal initiatives.

(6) Bushfire Hazard

Council's Fire Control Officer has not expressed concern regarding bushfire hazard or risk prevention subject to compliance with a number of appropriate conditions of development consent. The land has a "bushfire history", however not since it has been owned by the current owner. This suggest a "fire awareness" of this person who is a founding member of the proposed community.

(7) Future Use of the Land

A number of submissions were concerned about the increased use of the land as a place of religious meeting and/or worship. The development application is for a residential multiple occupancy to be developed by people with a religious commonality. Should the owners of the land wish to develop a "place of public worship", further development consent of Council is required. Council will be aware that such a use is not prohibited in the zone and that places of worship are often located in rural areas and villages.

6 SUBMISSIONS FROM PUBLIC BODIES

The following Government Departments were advised of the application, supplied with copy of the application, and were requested to provide comment on matters as may concern the respective body.

Department of Water Resources, Grafton

The Department has no problem with the intent of the proposal. Supporting documentation is brief on detail as to how things will be done and that the spring source of supplementary water supply is required to be licensed under Part 5 of the Water Act.

NSW National Parks and Wildlife Service, Alstonville

Indicated that the proposal will not have a significant impact on the environment of protected (including endangered) fauna. The Service advises that it has contacted the Ngulingah Local Aboriginal Lands Council and awaits their comments.

This is page of the Business Paper comprising portion of minutes of a Meeting of the Lismore City Council held on February 1, 1994.

GENERAL MANAGER

OCCIDATIONAL HEALTH AND SAFETY WORKPLACE COMMITTEE MEMBERS

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APPLICATION FORM

LISMORE 2480		
North Coast Region PO Box 422		
Morth Coast Region	•	
Department of School Education		
Level 2		
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(Fax No. (066) 217 254

North Coast Public Health Unit, Lismore

Indicating that it generally has no objection to the proposal. Suggesting that Council might consider the following points.

That Council receive detail of waste water disposal, especially having regard to the topography, soil type, absorption capabilities and location of disposal areas in relation to siting of houses and access points.

The Unit also suggested the applicant should provide details on the provision of water for domestic and potable purposes and, if appropriate, the protection of those water sources from contaminants.

The unit also drew Council's attention to comments made in relation to the discussion paper on multiple occupancy, as they effect human health and the environment in which people will reside.

Department of Conservation and Land Management, Soil Conservation Service, Casino Noting that the Service reviewed the proposal and carried out a site inspection of December 10, 1993. The Service advises that the property contains slopes in the range of 20-50% and greater and that the area comprises land capability Classes 6 and 7 with small pockets of Class 4 on ridges. The main soil type is yellow podsolic with higher slopes containing basaltic soils. The main physical limitations occurring on the property were identified as slope gradient, shallow rocky soils, wet spring areas and erodible soils. The Service noted that mass movement was not evident but may be present, and that tunnel erosion was evident on the north-east section of the property. The Service identified the following environmental concerns.

1. The effect existing and proposed internal access tracks will have on the environment.

In respect of the access from The Channon Road the Service noted that it is generally located on a ridge with a gradient of 20-30%. The existing road is of poor construction and erosion is occurring along it. The proposed extension of the road to dwelling site no. 7 will require extensive earth works in sections, and that cement stripping along the whole track will not be sufficient for erosion and drainage control. The Service further commented that the proposed settlement in this area is not in a clustered nature in the spirit of SEPP No. 15, but of a dispersed nature, eg dwelling sites 7 and 8.

In respect of the access via Standing Street, the Service commented that the existing track is of a poor standard, generally located on a side slope, on duplex soil, prone to tunnel erosion, and that sections of the track are severely effected by a spring area and lack of road drainage may lead to erosion. Sections of the existing and proposed track across small water courses which may be permanently wet due to ground water, slumping and erosion is occurring on sections of the capped batter, sections of the proposed track to dwelling sites 1 and 2 will cross slopes up to 30% which involve extensive cut and fill operations and suggests relocation is desirable.

The Service generally comments that both tracks have significant environmental problems which have not been addressed at the planning stage, and that it may be necessary to require Engineering/Geotechnical input to establish and design stable tracks including erosion and sediment control measures. Advises that if the development is approved, Council should consider not approving dwelling construction until they are satisfied that the proposed tracks are of satisfactory standards in respect of both stability and drainage.

This is page of the Bus	iness Paper comprising portion of minutes of a Meeting of the bruary 1, 1994.
Lismore City Council held on Fe	:bruary-1, 1994.
GENERAL MANAGER	MAYOR

777 112 (860) 422 712 (860)	Phone:	101 Molesworth Street Lismore NSW 2480 (PO Box 422)
	HOOF EDI	DEPARTMENT OF SCHOOL

Principals/Occupational Health and Safety Workplace Committees :OT

John Kelly, Administrative Officer, Programs, Planning, Training and

FROM:

DATE:

Development

18 March 1994

SAFETY (OH&S) WORKPLACE COMMITTEES - NORTH COAST 1994 TRAINING FOR MEMBERS OF OCCUPATIONAL HEALTH AND

REGION SCHOOLS SUBJECT:

Region in 1994. Subject to demand the above training courses will again be provided throughout the

Committee members. designed to satisfy the legislation requirements for the training of OH&S Workplace These four (4) day OH&S courses will be run over a two week period, and are

Authority certificate. participants who complete the course will be awarded an appropriate Workcover The courses will be conducted by accredited Workcover Authority trainers and

of staff development funds in priority area 8, Occupational Health and Safety. Participation at these courses will also satisfy school requirements for expenditure

Courses will commence at 9.00am and conclude at 4.00pm daily.

Costs

Regional Office will pay for the remaining two days relief. registration fee of \$100 (this will cover costs of meals and course materials). The school will be required to cover the cost of two days relief (per applicant) plus a

your school and then forward it to this Office. please arrange for the attached form to be completed in respect of applicants from In order to assess the demand and then prepare a suitable course timetable would you

2. The suitability of the soils for conventional septic disposal.

That sections of the property contain shallow rocky soils particularly on some side slopes and ridges which may not be conducive to conventional effluent disposal. It is suggested that the proponents should have all dwelling sites investigated by approved soil testing methods for their septic disposal.

3. Dwelling Sites

That Council should be satisfied that all dwelling sites should be located in stable area.

4. Water Supply

That the proponents have not adequately addressed the water supply requirements of the development and expresses concern as to adequacy of the springs during drought periods.

5. Erosion and Sediment Control

That if the development is approved, Council should ensure proponents prepare and implement appropriate erosion, sediment and rehabilitation measures during the development phase.

6. Legislative Requirements

That the property contains protected lands in respect of Section 21 of the Soil Conservation Act, two categories of protected land occur on the property:

a) lands mapped in excess of 18°; and

b) land in or within 20 metres of the bank or bed of Rocky Creek.

The Service advised that authority from the Department is required prior to tree injury/destruction.

7. Crown Lands nood nearly

That the land contains Crown land and that the development application should have been provided to the Service for owners consent. The Service noted that it was unclear if the Crown road has involved unauthorised construction of the existing access in the reserve, and requested that Council include the following as a condition of consent on the application:

"That no construction of residences or any other structures be permitted in the vicinity of the existing road reserve until such time as either -

a) an identification survey of the road reserve has been carried out by a registered surveyor; or

b) an application to purchase the subject road reserve has been considered by the Crown Land Service arm of the Department."

NSW Agriculture, Wollongbar

Noting that the application does not clearly delineate the extent of prime crop and pasture land but that it appears from aerial photographs that the amount of land is quite limited. Also that there is no analysis of the compatibility with the neighbouring horticultural land to the north.

Suggests that if Council is able to satisfy itself that these matters comply with SEPP No. 15, there appears no major agricultural implications of the proposed development.

there appears no major agricultural implications

Tower Bulk Policy

This is page of the Business Paper comprising portion of minutes of a Meeting of the Lismore City Council held on February 1, 1994.

GENERAL MANAGER





Department of School Education

NORTH COAST REGION

101 Molesworth Street Lismore N.S.W. P.O. Box 422

Lismore 2480

BW:KS

Our reference:

BW080

Your reference:

Phone: (066) 21 1701

Fax: (066) 22 2972 Barry Wheeler (066) 211794

22 March 1994

Dear Warwick

Mr Warwick Morrow

Congratulations on completing the Certificate of School Management conducted by the University of New South Wales.

The results for your cohort have been submitted to the University and I expect to receive Certificates and transcripts in the near future.

As soon as your Certificate and transcript is received, I will forward it to you.

Yours sincerely

Barry Wheeler
Manager, Corporate Services

7 SUBMISSIONS FROM COUNCIL DEPARTMENTS

Council's Engineering Division and Environmental Health and Building Services Division have commented on the proposal and have raised no objections subject to the imposition of a number of relevant conditions of consent.

8 ASSESSMENT UNDER SECTION 90 OF THE EP & A ACT

90(1)(a)(i)

The provision of any Environmental Planning Instruments (E.P.I.)

The land is zoned General Rural 1(a) under Lismore Local Environmental Plan 1992. The development is permissible in the zone by the enabling provisions of cl. 7 of SEPP No. 15. The proposed development is consistent with the applicable objectives of the zone.

The development is subject to the provisions of cl. 17 of the LEP. This clause relates to development on ridgelines on rural areas and requires that Council consider the following issues as they relate to the visual amenity of the rural areas and the community interest:

Height and location of any building; Reflectivity of materials; Stability of the land; Bushfire hazard; Landscaping provisions; and Viability of the land.

Council is not in a position to assess height and external finishes of future buildings. Concern has been expressed in relation to internal access and erosion and sediment control as relates to the stability of the land. The land is mapped as being within a medium and high bushfire risk area. No detailed landscaping proposals are provided, although the maps indicate screen planting to be initiated on the southern aspects of all house sites to moderate winds and reforestation of the area subject to tunnel erosion. The design and appropriate conditions of consent satisfactory addresses the above issues.

In relation to cl. 33 of the LEP, requiring Council to consider the compatibility of proposed development with specified land uses in that locality, which may cause conflict with the proposed development. In relation to this clause, dwelling site no. 7 is located approximately 400 metres from an existing orchard to the north. Potential sources of conflict which may arise would relate to dust, possible pesticide and weedicide application, noise from machinery associated with the management of the orchard. The re-positioning of that house site will physically separate and mitigate potential for such conflicts.

The application is subject to the provisions of State Environmental Planning Policy No. 15 - Multiple Occupancy of Lands (see Section 9).

90(1)(a)(ii)

Any draft E.P.I. that is or has been placed on exhibition

The recently exhibited amending draft Local Environmental Plan has no effect in respect of this proposal.

This is page Lismore City Council	of the Business Paper complete on February 1, 1994.	prising portion of minut	es of a Meeting of the

GENERAL MANAGER

OBJECTIVE

To involve Aboriginal communities and Torres Strait Islander communities in the design, delivery and review of all education provision for their children, or which relate to Aboriginal and Torres Strait Islander issues.

OUTCOMES

- * Aboriginal parents and Torres Strait Islander parents and their communities are involved in educational decision-making.
- * Schools are aware of and react to the needs and aspirations of Aboriginal students and Torres Strait Islander students and their communities.
- * Aboriginal parents and Torres Strait Islander parents are involved in School Councils.
- * Aboriginal and Torres Strait Islander parents and their communities contribute to the delivery of education for their children.
- * Aboriginal people and Torres Strait Islander people are employed in all capacities within the education system.
- * Aboriginal parents and Torres Strait Islander parents and their communities contribute to the delivery of education services for their children

Net a elevatur.

Although the application was received by Council prior to the exhibition of the Draft Development Control Plan No. 20 - Multiple Occupancy of Rural Land, it is considered appropriate that this application be assessed in accordance with requirements of that draft plan. The proposal is generally consistent with requirements of the Draft DCP. In relation to the density of the land, and Council's stated position to require clustering where the proposed density is in accordance with the density provisions of SEPP No. 15, the development is generally consistent. The DCP would permit 7 dwelling sites on dispersed basis.

In this respect proposed dwelling sites no. 7 and 8 are considered to be of an overally dispersed nature relative to the principle forest cluster area. The relocation of proposed sites 7 and 8 to be contiguous to the main forest cluster will obviate concerns expressed by an adjoining owner regarding the proximity of residential development to an existing orchard. This would also minimise the extent of roadworks within the development, particularly to site 7 where the Department of Conservation and Land Management had expressed some concern regarding access. The relocation of the sites would also have some considerable advantage in regard of bushfire protection, provision of water supplies and water management.

90(1)(a)(iii)

Any draft State Policy N/A

90(1)(a)(iv)

Any Development Control Plan N/A

90(1)(a1)(i)

Conservation Agreements N/A

90(1)(a1)(ii)

Any Plan of Management N/A

90(i)(b)

The impact of the Development on the Environment Concern has been expressed by the Department of Conservation and Land Management in relation to the provision of access to both clusters. The Department, however, indicated that these problems are summountable provided appropriate engineering and geotechnical input is provided in the establishment and design of the access. Adjoining landholders have expressed some concern regarding the capability of the land to satisfactorily accept waste water effluent generated by the proposal. The proposed development, by virtue of clustering is considered to be low scale and the environmental impact would be of a minor nature, contained in discrete management areas. The Departments of Water Resources and Health, and Council's Environmental Health and Building Services Division have raised no-concern regarding the disposal of waste water effluent. The proposed clusters are clear of any water courses and well separated from adjoining boundaries and existing residential development.

90(1)(c)

Effect on the Landscape

The completed forest cluster will be visible from The Channon Road in the vicinity of Currie Road. As a consequence of the topography of the site, dwellings will not be visually prominent upon the horizon, as dwellings will appear to nestle within the tree canopy height when viewed from the public road. The proposed screen planting will further screen views into the site in the medium term.

This is page of the Business Paper comprising portion of minutes of a Meeting of the Lismore City Council held on February 1, 1994.

GENERAL MANAGER

MAYOR

13 P 13



Four major Objectives

- * To develop and implement appropriate teaching and learning strategies for Aboriginal students and Torres Strait Islander students.
- * Aboriginal communities and Torres Strait
 Islander communities are consulted in the
 design, delivery and review, and participate in
 all aspects of the education provisions for their
 children, or which relate to Aboriginal and
 Torres Strait Islander issues
- * To achieve high levels of participation in all stages of education for Aboriginal students and Torres Strait Islander students.
- * To develop in all students a knowledge, an understanding and appreciation of Aboriginal and Torres Strait Islander societies, their cultures and heritage.

The proposed village cluster will be evident from sections of Pinchin Road when travelling in an easterly direction to The Channon. This will appear as a somewhat natural extension to existing development in and around the village of The Channon.

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90(1)(c1)

Effect on Wilderness Area N/A

90(1)(c2)

Effect on Environment of Endangered Fauna

The National Parks and Wildlife Service have not raised any concern in relation to the effect on endangered fauna. Existing forested areas are to be retained together with some reforestation.

90(1)(d)

The Social Effect and the Economic Effect of that Development in the Locality No significant adverse social and economic impacts are perceived in relation to this development. It is considered that the development will have an overall positive impact in the local government area and locality via increased building and development activities. There will be an increased demand on services and resources in the locality, the proximity of the proposed development to The Channon village minimises any requirement that services additional to those that already existing will be required. In summary the development will have an overall positive social and economic benefit to the local government area, and contribute to the social and cultural diversity in the region and strengthen the viability of The Channon village.

90(1)(e)

External appearance, design etc.

Detailed information on the nine additional dwellings is not indicated in the application, sites are only identified. Building consent is required prior to the erection of buildings on multiple occupancy developments and is, at that time, subject to specific building assessment and compliance with relevant development conditions. General conditions are normally set down in the development consent specifying requirements in SEPP No. 15 providing for appropriate development control. Building applications are also advertised for public comment. This process recognises that multiple occupancies take a period of time to develop.

Dwellings are sited to avoid steeper portions of the site, conditions consistent with requirements of SEPP No. 15 will ensure issues such as height, bulk, scale, external appearance and design of future development will be consistent with the standard of the existing residential development in the locality. The proposed clustering location of dwellings is considered to be consistent with the pattern of settlement evident within the village of The Channon and a natural extension of the village ambience.

See also PII, 13

This is page of the Business Paper comprising portion of minutes of a Meeting of the Lismore City Council held on February 1, 1994.

GENERAL MANAGER

ABORIGINAL EDUCATION POLICY



FOREWORD

The Department of School Education is committed to providing an education which encourages all students to strive for excellence and to fulfil their potential.

Educational outcomes will be maximised by providing all students equality of opportunity. To achieve this, an educational environment needs to be established th is inclusive. Furthermore, the specific and general needs of all students need to addressed providing a relevant and appropriate curriculum.

This policy emphasises the Department's commitment to providing for the particular needs of Aboriginal and Torres Strait Islander students and to the needs of non-Aboriginal and Torres Strait Islander students.

The Aboriginal Education Policy is relevant for implementation in all NSW schools regardless of there being Aboriginal and/or Torres Strait Islander students enrolled at any particular school. This policy is relevant to all students in NSW schools regardles of their cultural background.

The means by which this policy is implemented is greatly dependent on the mutual cooperation of Aboriginal communities and Torres Strait Islander communities, and schools. Community participation is an essential prerequisite for the successful development of this policy.

The Department has consulted widely with Aboriginal and Torres Strait Islander communities and organisations in the development of this policy and its support documents. This partnership needs to continue in the fulfillment of our goals as expressed in this policy based on mutual respect and understanding.

90(1)(f)

90(1)(g)

Size of Parcels, siting of buildings

invok

see also ; 11

The size of the land meets minimum requirements established under SEPR No. 15 and is held in one title. Siting of the dwellings is in two clusters the relocation of sites 7 and 8 further reinforces the preferred clustered form of development and whilst also avoiding problems previously raised in this report.

Clustering also physically facilitates the spirit of co-operation which, it is submitted, is one of the key elements of a successful communal development, expressed in the objectives of SEPP No. 15.

Hazards, flooding, slip, erosion etc.

The land is within a medium and high bushfire risk area, Council's Fire Control Officer has expressed no concern in relation to proposed dwelling sites, and has recommended that appropriate conditions of development consent in regards fire protection are imposed. The land is not subject to flooding. The land has been identified as being susceptible to tunnel erosion, the proposed development seeks the revegetation of the gully system in which tunnel erosion has occurred. No dwelling sites appear subject to obvious natural hazards.

90(1)(h) Relationship to other land in the locality

No significant adverse impacts are likely to be experienced. It is noted that concern has been expressed by the owner of the orchard to the north. The proposed relocation of the dwelling site on that northern boundary will mitigate concerns expressed by that land owner.

The property to the east of the site is separated from the clusters in terms of distance, elevation and vegetation. Land to the south of the proposed village cluster comprises two concessional lots each being two hectares in area. No adverse impact is anticipated in respect of uses within those lots. The land adjoins an existing grazing enterprise to the north-west. Currently this land is in a somewhat degraded state and appears not to be utilised to its maximum potential for either grazing or horticultural uses. Again the proposed clustering of the development is well clear of common boundaries and should not adversely impact on the use of adjoining lands.

90(1)(i) Access parking and loading

Access to the site is by means of The Channon Road and Standing Street. Council's Engineering Services Division have not expressed concern regarding access to the site, subject to the applicant undertaking necessary works particularly in the Standing Street Reserve.

Concern has been expressed in relation to the location and design details supplied by the applicants for internal road systems. The Department of Conservation and Land Management has suggested that engineering/geotechnical input be required to establish and design a stable track including erosion and sediment control measures. This suggestion has been expressed as a condition of consent.

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GENERAL MANAGER

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- * Aboriginal content and Torres StraitIslander content are incorporated into relevant policies, programs and practices.
- * Aboriginal students and Torres Strait Islander students have a knowledge, understanding and appreciation of their culture and heritage.
- * Aboriginal studies and Torres Strait Islander studies and content are developed for all Key Learning Areas.

The existing access to the house on the land is trafficable to a two wheel drive standard, although will require considerable upgrading as additional traffic is generated onto that internal road system. Internal access via Standing Street is at the moment trafficable by four wheel drive, a two wheel drive standard road should be able to be provided to all dwelling sites.

90(1)(j) Traffic generated, the road system

It is considered unlikely that the development will generate traffic in-excess of the capacity of the road system of the locality. Additional impact on the road system will occur as a consequence of the development probably in the order of four vehicle movements/day/dwelling given the proximity to the village. The Engineering Services Division, in accordance with anticipated traffic generation from similar developments have recommended Section 94 Levies towards rural and village road improvement.

90(1)(k) Public transport

The proposed development is within walking distance of The Channon village where a limited public transport service to Lismore is available.

90(1)(l) Utility Services

Telephone and electricity services are available to the land, however, capacity and location of supply is not shown. The additional information provided by the applicant indicates provision of an adequate water supply and it appears that domestic waste waters can satisfactorily be disposed of on-site. The provision of an underground low voltage demand management system is considered preferable if reticulated power is sought.

90(1)(m) Landscaping Trees

The development does not required the removal of any significant vegetated area. Additional landscaping is indicated, although no detail is provided. Landscaping details can be supplied with building applications.

90(1)(m1) Likely to Cause Soil Erosion

No erosion is expected from the location and development of the proposed future dwellings subject to normal protection measures. The application has indicated that guidelines of the Soil Conservation Service will be followed and this is reinforced by appropriate conditions of development consent. It is noted that the essential elements of road infrastructure are already in place and should be readily upgradable to a satisfactory standard, minimising the likelihood of future soil erosion.

90(1)(n) Representation by Public Authorities

See Section 6 - Submissions from Public Bodies.

90(1)(0) The amenity of the neighbourhood, now and in the future

The existing settlement pattern of the locality is characterised by the existence of concessional lots and smaller rural residential holdings. Several submissions raised issues of amenity and of particular concern was the use of the land as an Ashram. The application does not include the development of any special religious facility and such a proposal would be subject to a separate

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LISMUKE CITY COUNCIL - MEETING HELD FEBRUARY 1, 1994

DIVISIONAL MANAGER-PLANNING SERVICES' REPORT

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development application to ensure appropriate-environmental and development controls. It is considered that the proposed clustering of the dwellings, well separated from adjoining boundaries. will minimise-impact on the privacy of residents within the locality of the development site.

90(1)(p) Submissions under Section 87 of the Act See Section 4, 5 and 6.

Any matter specified in an environment 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

See Section 9 - Assessment Under SEPP No. 15.

The circumstances of the case
The property has been owned by the founding member of the proposed multiple occupancy for some years. One dwelling, legally approved, has been constructed on the site and some of the proposed road infrastructure has been in place for some considerable time prior to ownership by the existing owner.

The public interest
The proposal has generated some interest, with seven written objections from people in the area and adjoining land owners received. It is considered that the intention of the application and the conditions of development consent address the relevant concerns as expressed in the submissions and that the proposed development will not have an adverse effect on the public interest. It is further noted that religious beliefs and practices are not relevant planning issues to be taken into consideration when considering the merits of a development proposal. Should a place of public worship be sought, the consent of Council is required prior to the establishment of such. Small religious facilities are frequently found in rural areas and villages.

90(1)(s) Other prescribed matters N/A

9 ASSESSMENT UNDER STATE ENVIRONMENTAL PLANNING POLICY NO. 15: MULTIPLE OCCUPANCY OF RURAL LAND

Clause 2 - Aims and Objectives:

90(1)(r)

- (a) Community based and environmentally sensitive rural settlement: The application states aims and objectives of the community are:
- to occupy the site in a manner consistent with the aims and objectives of SEPP No. 15;
 develop the agricultural and habitat resources of the property in a sustainable manner;

- develop and maximise on-site water resources;

- minimise the impact of natural hazards such as bushfire;

resolve a suitable and compatible end use and management for the land;

- assign the forested areas for conservation and habitat purposes;

- allow the forested area along Rocky Creek to continue to form part of a larger riparian corridor;
- location of building and infrastructure so as to avoid any potential environmental

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- * Aboriginal parents and Torres Strait Islander parents and their communities are involved in educational decision-making.
- * Schools are aware of and react to the needs and aspirations of Aboriginal students and Torres Strait Islander students and their communities.
- * Aboriginal parents and Torres Strait Islander parents are involved in School Councils.
- * Aboriginal and Torres Strait Islander parents and their communities contribute to the delivery of education for their children.
- * Aboriginal people and Torres Strait Islander people are employed in all capacities within the education system.
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hazard: provide adequate site run-off from waste water management to minimise adverse impact on down stream catchments: and all environmental repair to be undertaken by the addition of financial and human resources and skills.

- (b)(i) Collective ownership and principal place of residence: The land is in one title (Lot 23 DP 773782). The application indicates that the founding member of the intending community owns the property and that an internal management statement addressing issues such as dwelling occupancy rights, environmental and community management is in the process of formulation and will be completed following the gaining of development consent for the proposed development.
- (b)(ii) Erection of multiple dwellings and collective sharing of resources and management of the land: the application makes provision for community management via the stated internal management agreement.
- (b)(iii) Pooling of resources to economically develop a range of communal rural living opportunities, particularly for low income groups: this objective is very difficult for Council to realistically assess and that in the development of the proposed community it appears inevitable that some pooling of resources will occur. As previously indicated to Council the Policy does not restrict multiple occupancy to low income earners.
- (c)(i) Facilitate development, preferably in a clustered style which protects the environment and does not create a demand for unreasonable or uneconomic provision of public services and amenities: the development as proposed is primarily in the form of two clusters. The relocation of sites 7 and 8 to a more central location within the forest cluster will further strengthen the clustering of the development and minimise environmental impacts. Improving and reducing the length of the internal road system and the relocation of sites 7 and 8 to within the forest cluster provide a better form of bushfire management.
- (ii) Prohibition of subdivision and separate legal rights to parts of the land: from the information supplied to Council this proposal does not constitute a subdivision.
- (iii) Opportunities to create increase in rural populations which are suffering decline in services due to population loss: the area generally is not suffering from loss of services as a consequence of population decline. This objective does not have relevance in respect of this application. The policy does not prohibit multiple occupancy in areas not in decline, but rather indicates preference for this form of development in those areas

Clause 7 - Multiple Occupancy - SEPP 15 Requirements:

- 1(a) Land holding: Satisfactory. One holding, no subdivision is proposed or implied under the Conveyancing Act 1919, or Strata Titles Act 1973.
- 1(b) Land area: The land has an area 33.23 ha, the proposal meets the criteria.
- 1(c) <u>Height</u>: Information relating to this requirement is not usually sought by Council at the stage of seeking development consent for multiple occupancy and is addressed as a condition of development consent.
- 1(d) Not more than 25% prime crop and pasture land: Satisfactory. From information supplied by the applicant and on-site inspections, significantly less than 25% of the land is Class 3 Agricultural Land.

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- 1(e) <u>Dwelling location relative to prime crop and pasture land</u>: Satisfactory, no dwellings are located within prime agricultural land.
- 1(f) Other development (motel, hotel, caravan park, tourist accommodation): Residential and agricultural uses are proposed. Should a place of public worship, for persons additional to those living on the land be sought, the consent of Council is required prior to the establishment of such.
- 1(g) Slopes greater than 18 degrees on greater than 80% of land: Less than 80% of the site has slopes in excess of 18 degrees.
- 1(h) Aims and objectives: It is considered that the proposed development is not inconsistent with the relevant aims and objectives of the State Policy.

Clause 8 - Matters for Council to Consider:

- 1(a) Proposed land ownership, dwelling occupancy rights and community and environmental management: The proposed means of land ownership appears to be satisfactory.
- 1(b) Area proposed for buildings and clustering proposals: The development complies with the State Policies preference for a clustered settlement pattern, with relocation of sites 7 and 8.
- 1(c) Area for proposed community use: The proposed development is primarily for residential accommodation. Several cleared areas exist within the subject land and have been identified as communal garden areas. The application further indicates the management of infrastructure such as water systems and roads is to be undertaken by the community as a whole. An existing small shrine exists on the land (within the forest cluster) together with a small storage shed near the existing house. Two common sheds are proposed.
- 1(d) Need for proposed development for community use ancillary to the use of land: As above, community use of the land adjoining the shrine is indicated.
- 1(e) Availability and standard of public road access: Council's Engineering Services Division has not raised concerns regarding the availability and standard of public road access to the development, subject to provision of required road works.
- 1(f) Availability of water for domestic, agricultural and fire protection and impact on other users of supply: The application indicates a planned community developed water scheme proposing access to water from two springs identified within the property. The additional information supplied by the applicants' consultant indicates that each of the ten dwellings will have a 22,500 litre tank for potable water sourced from rainwater collection.

Two adjoining owners have raised concern that one of the identified springs is not within the subject land. The applicants' consultant has been contacted in this respect and has indicated that the existing owner was unaware of this situation. Council has no record of any disputes regarding the location of boundary fences, and is of the opinion that the land having utilised this source of water for some considerable time has a historical use to the spring water source. The water flow from the spring servicing the village cluster has been estimated as some 200 litres per hour, equivalent to 4,800 litres per day and that a dam of approximate storage capacity of some 200,000 litres will be re-established at the spring adjoining the forest cluster.

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GENERAL MANAGER

ABORIGINAL EDUCATION POLICY



FOREWORD

The Department of School Education is committed to providing an education which encourages all students to strive for excellence and to fulfil their potential.

Educational outcomes will be maximised by providing all students equality of opportunity. To achieve this, an educational environment needs to be established th is inclusive. Furthermore, the specific and general needs of all students need to addressed providing a relevant and appropriate curriculum.

This policy emphasises the Department's commitment to providing for the particular needs of Aboriginal and Torres Strait Islander students and to the needs of non-Aboriginal and Torres Strait Islander students.

The Aboriginal Education Policy is relevant for implementation in all NSW schools regardless of there being Aboriginal and/or Torres Strait Islander students enrolled at any particular school. This policy is relevant to all students in NSW schools regardles of their cultural background.

The means by which this policy is implemented is greatly dependent on the mutual conformation of Aboriginal communities and Torres Strait Islander communities, and schools. Community participation is an essential prerequisite for the successful development of this policy.

The Department has consulted widely with Aboriginal and Torres Strait Islander communities and organisations in the development of this policy and its support documents. This partnership needs to continue in the fulfillment of our goals as expressed in this policy based on mutual respect and understanding.

In relation to reticulated water supply. Council's Engineering Services Division has indicated that water is not presently available for this development, however, if an application to connect the lot to Council's water supply is made at a later date, then a supply would be conditional upon:

- 1) an assessment as to whether sufficient water supply is available;
- 2) payment of all headworks levies and inspection fees; and
- 3) one point of connection to be provided to serve the whole development.
- 1(g) refer to Section 90(1)(l), Page 14.
- 1(h) Availability of community services and facilities: Various community and general service facilities exist within The Channon village, eg store, school, pre-school, hotel, bushfire service etc. The land is within relative close proximity (20 minutes drive to Lismore where all services and facilities are located). A week day bus service runs between The Channon and Lismore.
- 1(i) Disposal of waste: The application indicates composting of organic garbage on site and tipping of other material and that grey water and sewerage disposal will be in accordance with accepted practices. The Department of Conservation and Land Management expressed some concern regarding the ability of soils to accept traditional septic, however no concerns have been expressed by either the Department of Water Resources or Health, and/or Council's Environmental Health and Building Services Division in relation to this matter. Effluent waste disposal in The Channon village area has not generated concern, this development is on significantly larger lot equivalents.
- 1(j) Impact on vegetation systems: There will be no significant impact upon the existing vegetation. The National Parks and Wildlife Service have indicated the proposal is unlikely to adversely impact on endangered fauna or flora. The application suggests that overall the vegetation systems within the site will be enhanced by the proposed development which includes additional plantings. In the use of the site for the proposed multiple occupancy, large forested areas will be conserved and continued to service an integral component of a larger riparian corridor to the north of the existing boundary with Rocky Creek.
- 1(k) Refer to Section 90(1)(g), Page 13.
- 1(1) Visual impact: The proposed development will have an impact on the existing village/rural landscape qualities of the locality. Views into the site can be obtained from public viewing points along The Channon Road in the vicinity of Currie Road and Pinchin Road to the west of The Channon village. Analysis of the likely visual impact indicates that most of the dwellings would not be visually exposed due to existing vegetation and will not break the horizon. Screen plantings will, in time, further obstruct or soften the visual impact of the completed development.
- 1(m) Effect on present and potential land use of adjoining and land in vicinity: The proposed development will have minimal impact on the present and future use of the lands in the vicinity. The relocation of dwelling site no. 7 contiguous with the forest cluster area will further minimise any potential for land use conflicts between what is primarily a residential use and the existing horticultural uses to the north and north-east of the subject land.
- 1(n) Extractive deposits: No quarries are located in the vicinity of the land and no proven extractive deposits have been identified in and around the proposed development areas.

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- l(o) Effect on quality of water resources: The proposal to retain all existing forested areas will contribute to enhanced water resources in a catchment management context. As previously indicated, the water supply that is intended to be utilised, is considered sufficient for the proposed development.
- l(p) Aboriginal claims, relics or sites: No sites of aboriginal significance are identified. National Parks and Wildlife Service indicated that contact has been made with Ngulingah Aboriginal Lands Council to clarify this matter. An appropriate consent condition has been included to cover this matter.
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- 1(q) Future urban or rural residential expansion: The land has not been identified as being required for future urban or rural-residential expansion, although in time The Channon village may be subject to Council's Rural-residential Release Strategy. This development, would possibly be of a lesser density than a traditional rural residential development, which is likely to be possible in part of the site if the Draft Rural Residential Policy proceeds.
- 1(r) Benefit to existing village centre: The development is unlikely to create any negative impacts on the nearby village of The Channon. The proposed development will make a positive contribution economically and socially on the surrounding village and the larger centre of Lismore.
- 2 Site Plan Information for developments in excess of 4 dwellings.
 Plans provided with the application are in the form of aerial photo enlargements of the site.
- 2(a) Environmental protection areas: Forest areas are shown and will be retained as part of this overall development. Several sections of the property contain protected lands as described in Section 21 of the Soil Conservation Act, from the Department of Conservation and Land Management is required prior to any tree injury or destruction within the lands.
- 2(b) <u>Hazard mapping</u>: No obvious land slip or erosion risk has been identified in proximity to the proposed dwelling sites. The area that has been subject to tunnel erosion has been identified as an area for forest regeneration. Bushfire hazard areas coincide with existing forested areas and are well clear of proposed dwelling sites with exception of sites 7 and 8 which are to be re-positioned if approved.
- 2(c) Prime Crop and Pasture Land: No prime crop and pasture land as defined in SEPP No. 15 occurs within the land.
- 2(d) Other Development: The primary focus of this application is for a residential use of the land, retention of existing forested area and small scale "home gardens".
- 2(e) Source and Capacity of Water. Electricity, Telephone and Waste Disposal: Source and capacity of water supply is identified and considered to be satisfactory. The application indicates that electricity and telephone is available, no information is provided regarding system capacity. In regard to grey water and sewerage disposal, the application indicates that this will be undertaken in accordance with accepted practices and that each house site has an adequate area for on-site waste water management.

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2(f) Access: The proposed access from a public road to the two principle dwelling clusters described. The Department of Conservation and Land Management raised concern in relation to the existing provision of access to the sites. It appears that these tracks have been in existence for some considerable time and that subject to satisfactory engineering/geotechnical input, will be able to provide access to a trafficable two wheel drive standard as is normally required by Council. The requirement to provide access to dwelling sites is strengthen via the appropriate conditions of development consent.

Clause 9 - Density of Development:

The applicants have maximised (ten sites), but not exceeded, the density of the site in 100 accordance with the requirements of SEPP No. 15. In relation to the total number of dwellings and the maximum number of persons that could possibly live on the land the current occupancy rates of dwellings in the local government area is approximately three people per dwelling house. It is possible that thirty to forty people may live on the land when the development is completed.

Clause 10 - Future Subdivision:

Future subdivision is prohibited by SEPP No. 15. The proposed clustered settlement pattern is not easily subdividable.

10 CONCLUSION

The proposed development complies with requirements of SEPP No. 15 and is consistent with Section 90 of the Environmental Planning and Assessment Act. It is noted that there has been some concern expressed by adjoining land owners. However it is felt that these concerns can be alleviated by the imposition of appropriate conditions of consent and the re-location of dwelling sites 7 and 8. It is considered unlikely that the development will cause environmental harm or adversely impact on existing adjoining land use practices and the existing village/rural amenity of the locality. Expressed concerns as to the future impact of the development are, upon assessment, not considered sufficient to be given determining weight as grounds for refusal.

Declaration:

'I hereby declare, in accordance with Section 46E 3(a) of the Local Government Act, that I do not have a pecuniary interest in the matter/s listed in this report.'

RECOMMENDATION (PLAN6)

- A That Council grant delegated authority to the Divisional Manager-Planning Services subject to the concurrence of the Development Control Unit, to approve variations of a minor nature and/or arithmetic nature to conditions of consent applied to this application except where a particular condition has been specifically identified as requiring Council consent if it is to be varied.
- B That Council, as the consent authority, grant development approval to Development Application No. 93/691 for the establishment of a multiple occupancy comprising ten (10) 1 dwelling sites and associated infrastructure.
- 1. All buildings be constructed, works carried out, or use of buildings or land, subject to any amendment or modification called for in the following conditions or any subsequent building permit, be in accordance with the details contained in the plan(s) and supporting documents submitted with the application, a copy of which are attached to this consent.

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GENERAL MANAGER MAYOR

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DIVISIONAL MANAGER-PLANNING SERVICES' REPORT

- 2. Payment of levies under Section 94 of the Environmental Planning and Assessment Act and Section 64 of the Local Government Act 1993 as a contribution towards the provision of public services or amenity identified in the attached schedule be paid at the rate(s) current at the date building approval is granted. The rates and amounts applying at the date of this notice, totalling \$29.889, are set out in the schedule for your information. Where the total contribution payable exceeds \$1,000 payment to Council must be by bank cheque or cash. Personal cheques are not acceptable. All contributions, bonds etc must be paid prior to release of the subdivision linen plan in the case of subdivision and prior to release of building approval for other development.
- 3. The applicant or the developer provide the following roadworks with associated stormwater drainage structures, designed and constructed in accordance with the Council's adopted road and drainage standards, at no cost to the Council, and also be responsible for the full cost of any maintenance of this work, considered necessary by the Council's Engineering Division, for a period of twelve months from the date of approval of the work: a 5.0 m wide formation with a gravel width of 5.0 m comprising a minimum of 150 mm of compacted gravel. from the end of the bitumen sealed pavement in Standing Street to the vehicular access point to the property. The Road reserve to be extended as a dedicated road reserve to cover this work. After satisfactory completion of all roads and drainage, a works-as-executed set of plans be submitted to the Council by a suitably qualified Engineer or Surveyor.
- 4. Full design plans of proposed works to satisfy condition(s) be submitted for approval by the Divisional Manager-Engineering Services prior to commencement of construction of any water, sewerage, drainage or roadworks.
- 5. Provision be made for vehicular accesses from the road pavement to the development by the construction of a pipe crossings, at no cost to the Council, in accordance with the Council's standards, details of which are obtainable from the Council's Engineering Division.
- 6. That all relevant provisions of State Environmental Planning Policy No. 15 Multiple Occupancy of Rural Lands be complied with at all times.
- 7. Subdivision of the land is prohibited and the land shall remain in one lot.
- 8. That the land be jointly owned by the adult occupiers of the land and used as their principal place of residence.
- 9. Effluent discharge from all buildings that are to be erected shall be disposed of in a manner approved by the Divisional Manager-Environmental Health and Building Services. Proposed effluent disposal systems shall be located a minimum 50 metres from any watercourse (including associated rural outbuildings).
- 10. Any use of the land or of a building, other than for forestry, agriculture, and residential on an approved site, shall be subject to separate development consent of Council.
- 11. No building or structure shall be erected or commenced to be erected unless building consent has been obtained from the Council (excluding water tanks and garden sheds less than 10m² in area).
- 12. That Council receive internal road designs and written certification to satisfy condition no. 13 from a qualified Engineer experienced in soils mechanics and road design that:

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GENERAL MANAGER

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- i) the vehicular access provided to all sites is stable and will not be affected by landslip or subsidence above or below the access, and that adequate drainage is provided, and
- that soil erosion stabilisation and sedimentation control measures as recommended by the Department of Land Conservation and Management are in place prior to the submission for, and release of building approval for any buildings to be used for habitable purposes.
- 13. That all weather 2 wheel drive vehicular access be constructed and maintained from the Council maintained all weather road access to the dwelling sites, at no cost to Council.
 - That a person qualified in soil hydraulics and waste water management prepare a report on each site regarding the adequacy of the soil and its capability to dispose of all septic effluent water from each dwelling, should that form of waste water disposal be proposed. A copy of the relevant site report to be submitted to Council with each building application prior to approval being given.
 - Excavation of slopes for roadworks and building sites are to be designed so that the minimum feasible excavation is achieved.
- 16. Reference to dwelling sites no. 7 and 8 is to be deleted from the approved plans. These dwelling sites are to be re-located in a position contiguous with dwelling sites no. 9 and 10 within the "forest cluster". An amended site plan is to be submitted for approval.
- 17. No tree of any species in areas mapped as "protected lands" be ringbarked, cut down, lopped, injured or damaged without the prior consent of the Department of Conservation and Land Management.
- 18. That no construction of residences or any other structures be permitted in the vicinity of the existing road reserve until such time as either
 - a) an identification survey of the road reserve has been carried out by a registered surveyor, or
 - b) an application to purchase the subject road reserve has been approved by the Crown Lands Service arm of the Department of Conservation and Land Management.
- 19. Any building application will not be released until a Certificate from a recognised practising Structural Engineer certifying that the design of the building has taken into account the soil or other geological foundation conditions relating to the site. Dwelling construction is to be commensurate/compatible with the topography of the respective sites.
- 20. That the buildings be clad with a non-reflective material and be of an earthy colour.
- 21. There be no objectionable noise at any time emitted from the development.
- 22. The land to be so used as not to interfere with the amenity of the area.

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The Aboriginal Education Policy is relevant for implementation in all NSW schools regardless of there being Aboriginal and/or Torres Strait Islander students enrolled at any particular school. This policy is relevant to all students in NSW schools regardles of their cultural background.

The means by which this policy is implemented is greatly dependent on the mutual cooperation of Aboriginal communities and Torres Strait Islander communities, and schools. Community participation is an essential prerequisite for the successful development of this policy.

The Department has consulted widely with Aboriginal and Torres Strait Islander communities and organisations in the development of this policy and its support documents. This partnership needs to continue in the fulfillment of our goals as expressed in this policy based on mutual respect and understanding.

- 23. Sediment control measures shall be put into place and be properly maintained to prevent soil erosion and the transport of sediment off the development site or into natural or made drainage lines or watercourses during rainfall and runoff. All disturbed areas shall be stabilised and be revegetated by turfing or an approved seeding method within 14 days of completion of earthworks in each part of the development. It is a requirement that the topsoil be preserved for use with the site revegetation. Details showing sediment control measures and revegetation works shall be submitted and be approved prior to any earthworks commencing.
- 24. Benching (i.e. cutting, filling or levelling) of the land to create building platforms does not form part of this approval and will only be considered in conjunction with a Building Application to build on the land.
- 25. No dwelling house or internal access bulk earthworks are to commence on-site, prior to the release of the building application and Council approved road design.
- 26. All dwellings to be erected must comply with Australian Standard #3959 with regard to construction materials and methods.
- 27. Water storage facilities be installed with adequate capacity and located to assist in the fire protection of the development.
- 28. A suitable fire alarm, capable of being heard from anywhere within the area enclosed by the perimeter fire break, be installed.
- 29. A suitable person be appointed as Fire Protection Overseer, to be responsible for fire protection, maintenance of equipment and liaison with the Local Bush Fire Brigade.
- 30. Control Burns are to be carried out and areas can be either burnt, ploughed, cleared or slashed on a five (5) year rotation basis, so as to reduce the internal fire hazard.
- 31. A perimeter fire break, measuring 20 m wide horizontal, cleared of all flammable forest litter and undergrowth and be placed on a contour avoiding existing forests, having a ground fuel load of not more than eight tonnes per hectare (slashed grass). The fire break to be to the satisfaction of the Council and will be maintained at all times and maybe subject to inspections by the Council.
- 32. A primary protection zone is to be established for a distance of not less than 20 m horizontal from any dwelling or any ancillary building and shall be kept clear of all combustible materials, other than grass, at all times and with a ground fuel load not exceeding three tonnes per hectare (maintained lawns) and not including the perimeter fire breaks. Existing trees and shrubs will be allowed in this area. New trees to be no higher than 3 m and no more than 10% canopy cover, but no trees will be allowed within 10 m of the main building (maintained lawns only).
- 33. The following fire fighting equipment to standards approved by the Bush Fire Council of NSW be provided and maintained at all times to the satisfaction of the Council's fire Control Officer:

This is page of the Business Paper comprising portion of minutes of a Meeting of the Lismore City Council held on February 1, 1994.

GENERAL MANAGER

MAYOR

To develop in all students a knowledge, an understanding and appreciation of Aboriginal and Torres Strait Islander cultures and their heritage.

- * Aboriginal content and Torres StraitIslander content are incorporated into relevant policies, programs and practices.
- * Aboriginal students and Torres Strait Islander students have a knowledge, understanding and appreciation of their culture and heritage.
- * Aboriginal studies and Torres Strait Islander studies and content are developed for all Key Learning Areas.

DIVISIONAL MANAGER-PLANNING SERVICES' REPORT

- a. a 8 h.p. fire fighting pump:
- b. six (6) knapsacks:
- c. 100 m of 20 mm fire protection hose: and
- d. two "Dial-a-jet" nozzles.
- 34. A turn around of 15 m be provided at the end of each access road that is not through road, allowing fire trucks to turn for fire fighting.
- 35. Internal Fire Breaks The internal road system to be used as a secondary fire keak and is to be cleared to a width of 10 m horizontally and cleared of all rubbish and having a ground fuel load of not more than eight tonnes per hectare (slashed grass). The fire break to be to the satisfaction of the Council and will be maintained at all times and will be subject to a yearly inspection by the Council.
- 36. Reticulated Water Supply Scheme A 38 mm ID reticulated fire fighting/water main to be installed, fitted with approved fittings and be to Council standards. The main to have a 600 mm cover and covered with metal dust for protection.
- 37. That the NSW National Parks and Wildlife Service be immediately advised in the event of the discovery of any aboriginal sites or relics as a consequence of the development.

38. Electricity if required, is to be underground. (Delete)

39. That survey and documentation verifying the location of the proposed spring source of water supply to the village cluster in relation to land boundaries be provided prior to commencement of any development works in that cluster. If this source of supply is not with the applicants land then alternate sources of water supply are to be proven to Councils satisfaction, eg The Channon reticulated supply, on site bores or spring.

- 40. No further dwelling sites are permitted on the land. The density of residential accommodation has reached the maximum permissible in accordance with Clause 9 of State Environmental Planning Policy No. 15 Multiple Occupancy of Rural Lands. No temporary dwellings to be erected without Council approval.
- 41. Water from Rocky Creek is only to be used for Agricultural purposes with the specific approval and licensing from the relevant licensing authority (Department of Water Resources). In the event that spring and roof water supply is inadequate for domestic and associated use this water supply shall be augmented by connecting to Council's reticulated water system.

NOTE 1: The Local Government Act provides that all buildings and alterations, including retaining walls, to be subject to the issue of a building permit from the Council. Issue of this consent in no way implies that the building(s) comply with all of the provisions of the Local Government Act and the Building Code of Australia. Application forms are available from the Health and Building Department for this purpose. Please note that no the building work or site works are to commence until a building permit has been issued.

of the Dusiness Diner comprising	portion of minutes of a Meeting of the
This is page of the Business Paper comprising Lismore City Council held on February 1, 1994.	portion of immutes of a resource of the
Lishiote City Council note on 1900-1901	
GENERAL MANAGER	MAYOR

p.	that resources to be used are appropriate:	4
q.	Developed strategies to allow for the community and the school to discuss issues and share ideas:	
r.	Involved the Aboriginal community in the implementation of Aboriginal perspectives:	***********
S.	Involved the Aboriginal community in the development of local teaching resources:	
t.	Increased the range of resources appropriate to incorporating Aboriginal perspectives:	•••••
u.	Recognised National Aborigines and Torres Strait Islanders' Week as part of the school's activities:	•••

Council requires the Council's Engineering Division to certify the satisfactory completion of all civil works prior to the release of a final subdivision survey plan with the Town Clerk's certification. This means that bonding arrangements for construction of civil works will not be accepted. The exception will be for maintenance of work periods and/or by whiten approval of Council.

NOTE 3: Your development application is shown to be in a high bush fire hazard area in accordance with Council's Bush Fire Hazard Maps and will be subject to fire conditions, upon development in accordance with Department of Planning Circular 74

NOTE 4: Your development application is shown to be adjoining high bush fire hazard area in accordance with Council's Bush Fire Hazard Maps and may be subject to fire conditions, upon development in accordance with the Department of Planning Circular 74.

NOTE 5: Your Section 94 Contribution will go to Dunoon Bush Fire Brigade, the sum being \$1350. Why not the Channon!

NOTE 6: Council in determining this development application has attached any necessary conditions to ensure that the development would have reasonable protection from bush fires. Council is in receipt of reliable information that the land is in a high bush fire hazard area.

where is it? check book.

(M R Scott) PLANNER

(J Hampton) DEVELOPMENT CONTROL MANAGER-DEVELOPMENT DIVISIONAL MANAGER-CONTROL

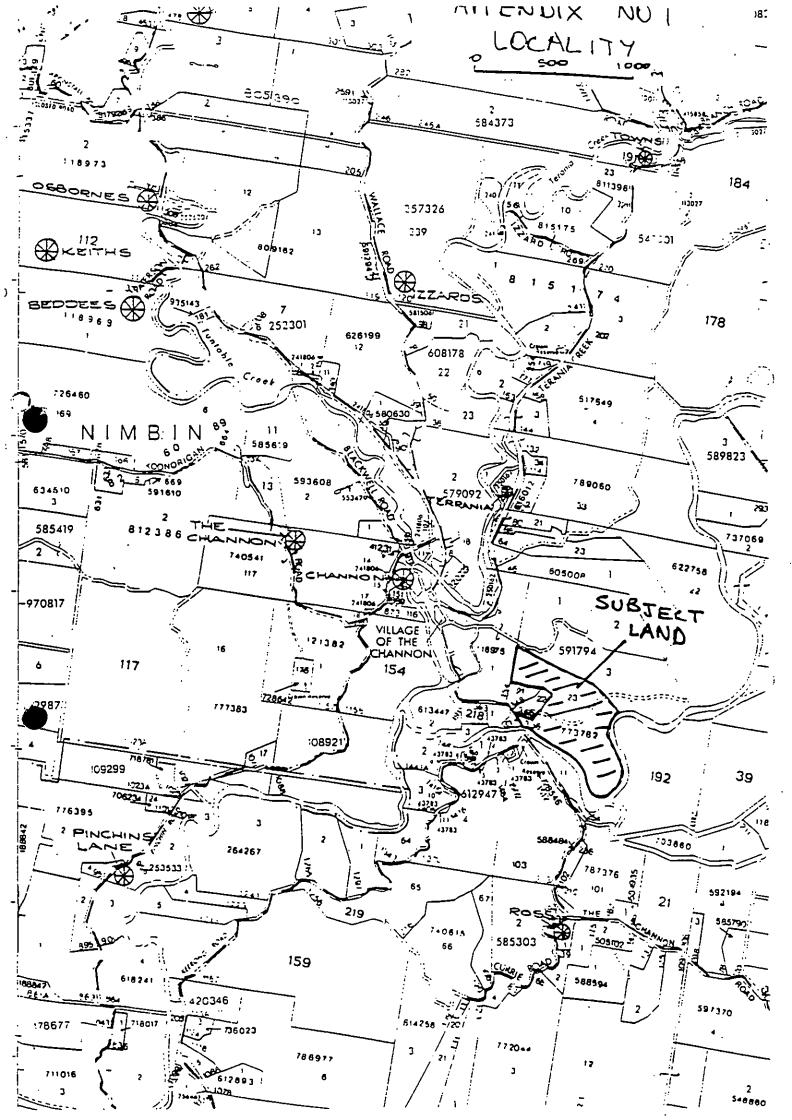
(N Juradowitch) PLANNING SERVICES

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of the Business Paper comprising portion of minutes of a Meeting of the This is page Lismore City Council held on February 1, 1994.

To involve Aboriginal communities and Torres Strait Islander communities in the design, delivery and review of all education provision for their children, or which relate to Aboriginal and Torres Strait Islander issues.

- * Aboriginal parents and Torres Strait Islander parents and their communities are involved in educational decision-making.
- * Schools are aware of and react to the needs and aspirations of Aboriginal students and Torres Strait Islander students and their communities.
- * Aboriginal parents and Torres Strait Islander parents are involved in School Councils.
- * Aboriginal and Torres Strait Islander parents and their communities contribute to the delivery of education for their children.
- * Aboriginal people and Torres Strait Islander people are employed in all capacities within the education system.
- * Aboriginal parents and Torres Strait Islander parents and their communities contribute to the delivery of education services for their children



DRAFT

Four major Objectives

- * To develop and implement appropriate teaching and learning strategies for Aboriginal students and Torres Strait Islander students.
- * Aboriginal communities and Torres Strait Islander communities are consulted in the design, delivery and review, and participate in all aspects of the education provisions for their children, or which relate to Aboriginal and Torres Strait Islander issues
- * To achieve high levels of participation in all stages of education for Aboriginal students and Torres Strait Islander students.
- * To develop in all students a knowledge, an understanding and appreciation of Aboriginal and Torres Strait Islander societies, their cultures and heritage.

THE COUNCIL OF THE CITY OF LISMORE OLIVER AVENUE, GOONELLABAII, LISMORE OFFICE USE ONLY DEVELOPMENT APPLICATION ENVIRONMENTAL PLANNING AND ASSESS Assessed Fee: 1100 **SECTION 77 (3)** \$1110.00 16 NOV 1593. The Town Clerk Receipt No.: P.O. Box 23A Property No.: :: FAX 25 0400 RECEIPT No: 4652. 15 0500 27 - 11 - 95 MARK ANSON I bereby apply for consent to CELTY OUT the development described below block letters please BANGALOW SIGNATURE OF ARRUGAND or person signing on behalf of Area Code: 016 Home: 895301 Business: 895301 MARK ANSON Address: C-PO Box 36 BANGALOW Postcode: 2479 Area Code: 066. Home: 895301 Business: 895301 treet/Road: THE CHANNON RD Suburb/Locality: THE CHANNON .. DP: 773.782 Area: 33.23 -motres /hectares ..Assessment N°:/___/ proposal for which development consent is sought (e.g. new building, subdivision): VELLING MULTIPLE OCCUPANCY

ASSOCIATED INFRASTRUCTURE

vacant): Ex (371A) 6 DWELLIAG

all existing development or other activity for which the land is presently used.

f building/land:

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MARK ANSON	*************	
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The Council of the City of Lismore

Council Chambers 49 Oliver Avenue, Goonellabah, N.S.W.

TELEPHONE (066) 25 0500 FACSIMILE (066) 25 0400 P.O. BOX 23A, LISMORE, 24BO

ALL COMMUNICATIONS TO GENERAL MANAGER

IN REPLY PLEASE QUOTE

MRS:MR: DA93/691



CONTAMF SCOTT-250500

...Planning Services

March 8, 1994

Mark Anson C/- PO Box 36 BANGALOW 2479

Dear Sir

RE: DEVELOPMENT APPLICATION NO. 93/691

Your application has been processed and determined taking into consideration relevant aspects.

Pursuant to Section 91 of the Environmental Planning and Assessment Act 1979, the Council has not approved the application for the reasons listed in the attached notification of determination of application.

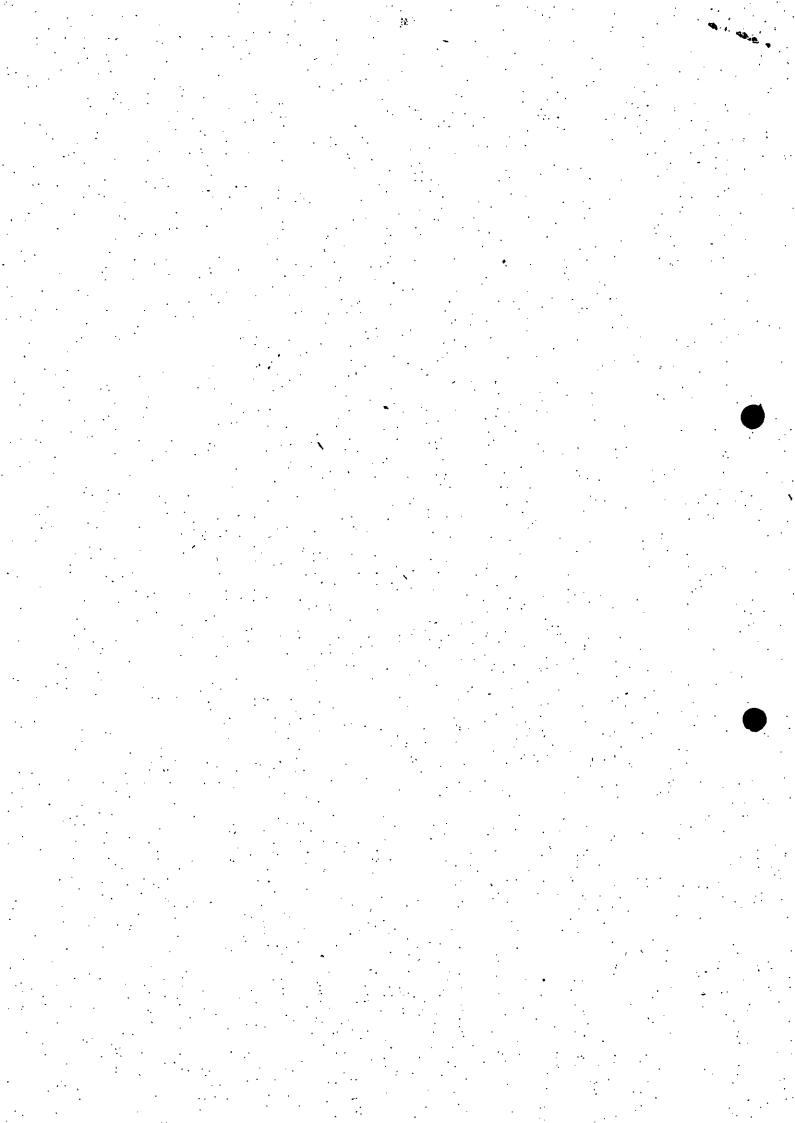
Should you need any further information, or wish to discuss the reasons of refusal, please contact the Planning Services Division.

Yours faithfully

P T Muldoon
GENERAL MANAGER

per:-

enc



The Council of the City of Lismore Council Chambers 43 Oliver Avenue, Goonellabah, N.S.W.

TELEPHONE (066) 25'0500 FACSIMILE (066) 25 0400 P.O. BOX 23A, LISMORE, 2480

ALL COMMUNICATIONS TO GENERAL MANAGER

IN REPLY PLEASE QUOTE

MRS:MR: DA93/691



CONTACM SCOTT-250500

... Planning Services

8th March, 1994

Environmental Planning and Assessment Act, 1979.

NOTICE TO APPLICANT OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application No. 93/691

To: Mark Anson C/- PO Box 36

BANGALOW 2479

Pursuant to Section 92 of the Environmental Planning and Assessment Act, notice is hereby given of the determination by the Council of your application received 16/11/93 for the following development relating to Lot 23 DP 773782, 336 The Channon Road, The Channon for:

a multiple occupancy consisting of ten (10) dwelling units and associated infrastructure.

The development application has been REFUSED.

The reasons for the refusal are:

- Insufficient information is available to assess the capability of land for building, construction of roads and for effluent disposal.
- 2 The proposed density of settlement constitutes an overdevelopment of the land, given the relatively small area of land not constrained by steep and forested land.
- 3 The land is unsuitable for the proposed development because of existing erosion problems.
- 4 The development will result in additional traffic on an existing inadequate road network and create further road safety hazards.
- 5 The proposal will have an adverse visual impact on the landscape of the locality.
- The development is out of character with nature of rural settlement in the area and will have adverse social impacts on The Channon village.
- 7 The proposed dwellings have inadequate setback to adjoining agricultural uses and create a potential for conflict with those agricultural uses.
- 8 Approval of the project is not in the public interest as evidenced by the extent of public objection.

DEPARTMENT OF PLANNING AREA ASSISTANCE SCHEMES APPLICATION FORM 1992/93

Please restrict information about your project to the application form. Only approved attachments will be accepted. See application check list. Computer formatted forms will not be accepted.

PROJECT NAME

VES/NO	(b) Do you want the project to be "picked up" after 2 years AAS funding?		
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	CONTACT ADDRESS ———————————————————————————————————	· b	.A.ēJ
	CONTACT PERSON	3.	3sn
<u></u>	ORGANISATION NAME	S.	OFFICE

9 Building sites could be adversely affected by soil instability and groundwater.

In accordance with the conditions of Section 93, this decision is effective from 8/3/94 unless an appeal is lodged in accordance with Section 97.

Your attention is drawn to extracts from the Act printed on the attached sheet.

Yours faithfully,

P T Muldoon GENERAL MANAGER

per:-

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DEVELOPMENT APPLICATION and STATEMENT OF ENVIRONMENTAL EFFECTS

to:

LISMORE CITY COUNCIL

proposed development:

10 dwelling multiple occupancy

site:

Lot 23 DP 773782

336 The Channon Road The Channon

application prepared on behalf of:

M. Anson

by:

Balanced Systems Planning Consultants

correspondence to:

PO Box 36 Bangalow 2479

phone & fax:

066 - 895301

November 1993

© 1993

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- 1.1 Purpose and structure of this report
- 1.2 Circumstances of the case

2. The site and locality

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- 2.2 The site

3. The proposed development

- 3.1 Development objectives
- 3.2 The proposed development
 - 3.2.1 The overall site
 - 3.2.2 The village cluster
 - 3.2.3 The forest cluster
- 3.3 Bushfire Management Plan

4. Environmental planning assessment

- 4.1 Planning context
- 4.2 State Environmental Planning Policy No.15
- 4.3 Lismore Local Environmental Plan 1992
- 4.4 S90(1) Assessment
- 4.5 S 4A Considerations

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A. Development application form

Illustrations

- 1. Regional context.
- 2. Locality map
- 3. Site plan
- 4. Village cluster
- 5. Forest cluster

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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 ten dwelling units and associated infrastructure.

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 33.23 ha. property, described as Lot 23 DP 773782, is located at 336 The Channon Road as depicted within Illustration 2. Access to the site is by The Channon Road and Standing Street, The Channon.

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

This application for a ten dwelling multiple occupancy and associated infrastructure provides a good 'enduse' and ongoing land and resource management for this large site on the eastern fringe of The Channon village.

The site, bordering Rocky Creek, contains clearings of land suitable for rural living with larger areas of regenerating forest. The forest along the creek forms part of a larger riparian corridor. Occupation of the land as proposed in this application provides opportunities for rural living and the financial and human resources to allow the agricultural and habitat management of the site consistent with government and council objectives.

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

Development Application: Multiple Occupancy Development November 1993

Site: Lot 23 DP 773782

NAME M/F APP. T/L SCH GRIFFIN PAUL M ✓ N F ✓ OR/F HEAGNEY MARIA F ✓ OR/F HIGGINBOTTOM GARY M ✓ COF HIGGINBOTTOM GARY M ✓ TOC COF HIGGINS JOHN M ✓ OR/F HIGGINS JOHN M ✓ OR/F KINDER SUSAN F ✓ OR/F KINDER SUSAN F ✓ OR/F KING PHILIP M ✓ OR/F KING PHILIP M ✓ OR/F KING PHILIP M ✓ OR/F KING PHILIP F ✓ TOC MAGNABOSCO SHARM F ✓ TOC MCCUE WENDY F ✓ TOC MCLEOD CLIF M ✓ TOC MICHADER M ✓ TOC MC GIRR MAGNARY F ✓ TOC <th>SCHOOL KORORO PS ORARA HS COFFS HARBOUR TOORMINA HS ORARA HS SAWTELL PS ORARA HS COFFS HARBOUR HS TOORMINA PS TOORMINA HS TOORMINA PS TOORMINA PS TOORMINA PS TOORMINA PS TOORMINA PS</th> <th>CLUSTER TOORMINA TOORMINA</th> <th># M-3YT</th> <th>M-4YT F-3YT</th> <th>F-4YT</th>	SCHOOL KORORO PS ORARA HS COFFS HARBOUR TOORMINA HS ORARA HS SAWTELL PS ORARA HS COFFS HARBOUR HS TOORMINA PS TOORMINA HS TOORMINA PS TOORMINA PS TOORMINA PS TOORMINA PS TOORMINA PS	CLUSTER TOORMINA	# M-3YT	M-4YT F-3YT	F-4YT
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M 1.0	TOORMINA HS	TOORMINA	7	-	
RA F /	CORAMBA PS	TOORMINA	7		, 1
PAUL ADRIAN M / ORA	ORARA HS	TOORMINA	7	1	
PITMAN KERRIE F ~ COF	COFFS HARBOUR HS	TOORMINA	. /	1	,
	TOORMINA PS	TOORMINA	7	1	
PORTER SUSAN F / ORA	ORARA HS	TOORMINA	7		
ν.	COFFS HARBOUR HS	TOORMINA	7	-	1.
A F	NANA GLEN PS	TOORMINA	7		-
EEN F		TOORMINA	7	-	
SCOBIE NEIL M / COF	COFFS HARBOUR HS	TOORMINA	7 1		

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.

The aims and objectives of the community are:

- occupy the site in a manner consistent with the aims and objectives of SEPP 15
- * develop the agricultural and habitat resources of the property in a sustainable manner.
- develop and maximise on site water resources.
- minimise the impact of natural hazards such as bushfire.
- * resolve a suitable and compatible 'enduse' and management for the land
- * assign the forested lands for conservation and habitat purposes
- * allow the forested area along Rocky Creek to continue to form part of a larger riparian corridor
- * 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 environmental repair to be undertaken by the addition of financial and human resources and skills.

The property has been owned by the founding member of the multiple occupancy for some years. A dwelling has been constructed on the site and some of the proposed infrastructure is in place such as the internal access road to the forest cluster.

The likely impact on the site is considered to be positive as it will provide additional resources towards management of the site. The impact on the locality and infrastructure 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 visual impact is likely from the proposed development as demonstrated within this report.

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Development Application: Multiple Occupancy Development November 1993

Site: Lot 23 DP 773782

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									,	
NAME	M/F	APP.	T/L SCHOOL	CLUSTER	#	M-3YT	M-4YT	F-3YT	F-4YT	<u>, </u>
WHITNEY MARIE	ш		KADINA HS	Rous	3				+	
WILKINSON JAMES	Σ		LISMORE HS	ROUS	3	7				
WILLIAMS PATRICIA	4	1.0	ALSTONVILLE HS	ROUS	3					k
WRIGHT DAVID	M	1.0	ALSTONVILLE PS	ROUS	3	-				1
ALLEN HALINA	<i>/</i>	\ \	TOORMINA HS	TOORMINA	7			+		
AUSTEN BETTYANNE	L	١	COFFS HARBOUR HS	TOORMINA	7				1	
BABBAGE RAY	Σ	١	COFFS HARBOUR PS	TOORMINA	7	-				
BALE JILL	ட	1.0	BOAMBEE PS	TOORMINA	7	Ì		1	. ,	
BAYLISS JESMA	ш	1.0	BAYLDON/CLUSTER POS	TOORMINA	7	İ			1	
BEAR JOHN	Σ	١	TOORMINA HS	TOORMINA	7		-			
BERRY ROBERT	Ψ	\		TOORMINA	7		•		1	
BRACKEN GEOFF	Σ	١	REPTON PS	TOORMINA	7		-			
BRAZIER J	Σ	\	COFFS HARBOUR HS	TOORMINA	7		1			
BROADHEAD ROD	Σ	1.0	COFFS HARBOUR HS	TOORMINA	7		1			
BULLEY RODNEY	Σ	1.0	COFFS HARBOUR HS	TOORMINA	7	1				
CHALONER SUSAN	ш	1.0	KORORO PS	TOORMINA	7	1			-	
CLEM GREG	Σ	١	NANA GLEN PS	TOORMINA	7		-		ė	
CROCKETT DAWN	ᄔ	1.0	COFFS HARBOUR HS	TOORMINA	7			**	1	
DAL-POZZO GEORGIA	ıL	\	COFFS HARBOUR HS	TOORMINA	7		1 4.		1	
DAVIDSON KERRIE	L	١	COFFS HARBOUR HS	TOORMINA	7				مجعلسوه	
DEAR GERALD	Σ	\	COFFS HARBOUR HS	TOORMINA	7	*= 	-	g	* 14	*
DIERICK ROBERT	Σ	1.0	TOORMINA HS	TOORMINA	7		1		•	
DODD DAVID	Σ	1.0	KORORO PS	TOORMINA	7		1			
DYBALL GRAEME	Σ	\	TOORMINA HS	TOORMINA	7	-				
ELKS ROBYN	L	1.0	COFFS HARBOUR HS	TOORMINA	7			المسايران	-	<u> </u>
FIRKINS LEANNE	ш	1.0	BAYLDON PS	TOORMINA	7				1	
GARDINER CHRIS	Σ	\	TOORMINA HS	TOORMINA	7		1	•		
GILLETT DIANE	ட	1.0	GLENREAGH PS CLUS POS	TOORMINA	7			1	,	1
GONINAN TONI	ш	1.0	TOORMINA HS	TOORMINA	7					
GOUGH LESLEY	և	1.0	TOORMINA HS	TOORMINA	7					ζ.
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2. The site and locality

2.1 The locality

The site is situated at 336 The Channon Road 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 including the nearby village. The dominant agricultural uses are grazing and horticulture.

066-895301

The locality is well serviced by regional facilities at Lismore and village facilities in The Channon

2.2 The site

The subject site with an area 33.23 ha is described as Lot 23 DP 773782.

The site is generally irregular in shape, following Rocky Creek along its eastern and southern boundaries and bordering two adjoining 2 hectare lots, Lots 21 and 22, on the western boundary as depicted in Illustration No 3.

Access - The site fronts The Channon Road which provides access to the nearby village of the The Channon and the greater Lismore region. Access to The Channon village is also provided from the north-west corner of the site via Standing Street.

Biophysical characteristics - As depicted on Illustration 3 - Site Plan, the site generally consists of a mixture of slopes throughout the forested and open areas. The majority of the site has a slope of less than 33 %, with much of the open land being suitable for house sites and onsite wastewater management.

The site's southern and eastern boundaries border Rocky Creek with large areas of forest cover, including pockets of rainforest.

The elevation varies from 30 m AHD along Rocky Creek to 130 m AHD on the north-eastern boundary.

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

Development Application: Multiple Occupancy Development

Site: Lot 23 DP 773782

Location: 336 The Channon Road, The Channon

November 1993

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NAME	M/F	APP.	T/L SCHOOL	CLUSTER	# M-3YT	M-4YT	F-3YT F-4YT	
MCKAY PAUL	Σ	1.0	LISMORE HIGH SCHOOL	ROUS	3	=	-	
MEARS PENELOPE	Ŀ	١	LISMORE HS	ROUS	3			
MORRIS STEPHEN	M	\	KADINA HS	ROUS	3 1	. ;	Company of the Company	:
MUSGRAVE JOHN	W	1.0	KADINA HS	ROUS	3 1			
NOBLE JOHN	M	/	ALSTONVILLE HS	ROUS	3	1		
O'CONNOR ANNETTE	Μ	1.0	LISMORE PS	ROUS	3	- 20		
OWEN DAVID	Σ	1.0	KADINA HS	ROUS	3	- 1 -	•	
PAIGE MICHAEL	W	\	LISMORE HS	ROUS	3	, , .		
PHELPS ROBERT	W	1.0	LISMORE PS	ROUS	3	1.	4	
PHILPS KEN	Σ	1.0	KADINA HS	ROUS	3 1	7	·	,
PINE SHAREE	F	1.0	WYRALLAH ROAD PS	ROUS	3	- :	E	
PLATT LARRY	M	1.0	ALSTONVILLE HS	ROUS	3	1 1		•
REYNOLDS TREVOR	W	1.0	LISMORE HS	ROUS	3	1	·	•
ROBERTS EVELINE	ц	1.0	LISMORE HIGH SCHOOL	ROUS	3		.	, Fin
ROBERTS EVELYN	ш	/	LISMORE HS	ROUS	3			4
ROBERTSON MICHAEL	M	\	KADINA HS	ROUS	3	Į.		4
ROBILLIARD DAVID	ν	\	KADINA HS	ROUS	3	4		(
ROXBURGH DAVID	W	\	KADINA HS	ROUS	3	1		
SCOTT NARELLE	4	/	KADINA HS	ROUS	3		1	
SEYMOUR JENNY	ш	1.0	KADINA HS	ROUS	m m	į	·	,
SHEEHAN MICHAEL	Σ	١	KADINA HS	ROUS	3	-		
SHEPHARD RHONDA	ட	١	KADINA HS	ROUS	3		•	
SHERLOCK PETER	Σ	1.0	ALSTONVILLE HS	ROUS	3			
SIMPSON LESLEY	Σ	\		ROUS	3	-		
SNELGROVE SUE	ш	\	LISMORE PS	ROUS	3		-	
SPENCER DESLEY	ட	\	GOONELLABAH PS	ROUS	Э		-	
TERRILL CHRISTINE	L	1.0	ALSTONVILLE HS	ROUS	Э		-	
WALLACE CHRIS	Σ		WYRALLAH ROAD PS	ROUS	m	-		
WALLACE STEPHANIE	L	1.0		ROUS	3			
WALTERS SUE	L	1.0	WYRALLAH ROAD PS	ROUS	3		-	

Existing Use - Previous use of the property was for grazing. Since purchase by the present owner, a dwelling with an access road has been built.

Land capability - The land capability of the site as identified by the Soil Conservation Service's assessment criteria is Class 6 - No Cultivation (Refer Map No 7 - Lismore City Council Local Environmental Study). The Department of Agriculture's agricultural suitability assessment identified the site within Class 4 which is suitable for grazing but not cultivation.

A site inspection confirms these assessments of the site. A small area of ridge located in the Forest Cluster is better quality agricultural land and can be incorporated within the site design for more intensive agricultural purposes such as vegetable and herb gardens and orchards.

Natural Hazards - The steeper areas of the site with land over 33% slope raise the potential for slip and mass movement. The location of any proposed dwelling sites would need to avoid steeper areas.

Site design will need to respond to mitigating any bush fire potential.

Services - Telephone and electricity services are available to the property.

Site Assessment - The site is considered capable and suitable for a multiple occupancy development which would provide additional human and financial resources 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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	!		1			!	•	
NAME	M/F	APP.	T/L SCHOOL	CLUSTER	# M-3YT	M-4YT	F-3YT F-4YT	
DAWSON IRENE	ட	<u>\</u>	KADINA HS	ROUS	3			
DONOVAN MARK	Σ	1.0	EUREKA/CLUSTER	ROUS	3	1		
DUCKETT BRUCE	W	1.0	ALSTONVILLE HS	ROUS	3	1		
ENSBEY GARY	W	1	ALSTONVILLE PS	ROUS	3	1	•	
EVANS MICHAEL	M	1.0	LISMORE HS	ROUS	3	1		
FARRELL BRADLEY	M	V	KADINA HS	ROUS	3	+		
FOSTER DONALD	Μ	`	GOONELLABAH PS	ROUS	3	1		
FOWLER GREGORY	'W	ľ	ALSTONVILLE HS	ROUS	3	1		,
GAGGIN JANELLE	4	1.0	GOONELLABAH PS	ROUS	3		1	
GEORGE HELEN	L	\	LISMORE HS	ROUS	3		1	
GILLESPIE GARY	M	1.0	KADINA HS	ROUS	3	1		
GOLDIE WILLIAM	W	1,	LISMORE HS	ROUS	3	1		
HAMILTON BERYL	J	1	WYRALLAH/ORS	ROUS	3		1	
HARTKIM	Ŧ		LISMORE PS	ROUS	3		1	
HARTLEY JAMES	М	1.0	KADINA HS	ROUS	3	1		
HAYES BEVERLEY	L	1.0	GOONELLABAH PS	ROUS	3		1	,
HOWARD LEONIE	L	1.0	LISMORE PS	ROUS	3		1	•
IRVIN LEANNE	£	#	ALSTONVILLE HS	ROUS	3		1	
JACKSON ANNE	4	1.0	KADINA HS	ROUS	3			,
JARRETT PETER	Σ	1.0	ALSTONVILLE HS	ROUS	3	. 1		:
KITE MAX	Σ	1	WYRALLAH ROAD PS	ROUS	3 1.			1
LEVITUS JENNIFER	Ŀ	1	KADINA HS	ROUS	3	1	The second of the second of the second	J.
LITTLE P.B	Σ	1	ALSTONVILLE HS	ROUS	3	1.		
LUCKIE JOAN	L	1.0	KADINA HS	ROUS	3		1=-	
LYNN GARRY	Σ	١	KADINA HS	ROUS	3 1 .			٨
MARSH IAN	Σ	1.0	ALSTONVILLE HS	ROUS	3	-		
MAZOUDIER ROBYN	u	\	CORAKI PS	ROUS	3		-	
MCELROY JENNIFER	L	N	LISMORE HS	ROUS	3	- !	-	
MCEWAN GAY	ட	*	WYRALLAH ROAD PS	ROUS	3 1			
MCKAY MARY	L	\ \	EUREKA PS	ROUS	3		-	



3 The Proposed Development

3.1 Development Objectives

The aims and objectives of the intending community are:

- * occupy the site in a manner consistent with the aims and objectives of SEPP 15
- * develop the agricultural and habitat resources of the property in a sustainable manner.
- develop and maximise on site water resources.
- * minimise the impact of natural hazards such as bushfire.
- * resolve a suitable and compatible 'enduse' and management for the land
- assign the forested lands for conservation and habitat purposes
- * allow the forested area along Rocky Creek to continue to form part of a larger riparian corridor
- 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 environmental repair to be undertaken by the addition of Vinancial and human resources and skills.

3.2 The Proposed Development

This application seeks planning consent for a ten dwelling multiple occupancy and associated infrastructure on the site, in two clusters as depicted in Illustration 4 - Village Cluster and Illustration 5 - Forest Cluster.

The existing dwelling is nominated as Dwelling Site No 6. Therefore an additional 9 dwellings are proposed. These house sites are divided into two clusters - Village Cluster, with access via Standing Street, and Forest Cluster, with access via The Channon Road.

3.2.1 The Overall Site (Illustration 3)

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

- nine additional dwellings
- community facilities
- associated roads and drainage
- onsite water collection, storage and distribution system
- walking path connecting clusters
- electricity and telephone services
- bush fire hazard management.
- landscaping in conjunction with the proposed dwellings and works

Development Application: Multiple Occupancy Development

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Site: Lot 23 DP 773782

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NAME	M/F	APP.	T/L SCHOOL	CLUSTER	# M-3YT	M-4YT	F-3YT	F-4YT	
SUTHERLAND TRICIA	F	\	LISMORE SOUTH PS	RICHMOND	4			1	
SWIENTEK CHARMAIN	Ŧ	1.0	RICHMOND RIVER HS	RICHMOND	4			-	
THOMSON DENNIS	M	\	RRHS	RICHMOND	7	1 - 1			
TYLER, GARY	Σ	١	BLAKEBROOK PS	RICHMOND	4	-			
WATSON ELIZABETH	F	1.0	NIMBIN CENTRAL	RICHMOND	4		-		
WINKELMAN JENNINE	ч	. ,	LISMORE HEIGHTS PS	RICHMOND	4	27		-	
ALLEN WARWICK	Σ	ľ	KADINA HS	ROUS	3 1	· 1	<u> </u>		
ANDERSON ALAN	W	. \	LISMORE PS	ROUS	3 1			•	
AYRE RICHARD	Σ	1	LISMORE PS	ROUS	3		į		
BAKER JOHN	W	1.0	LISMORE HS/CLUSTER	ROUS	3	-			
BAKER LAWRENCE	Μ	1.0	ALSTONVILLE HS	ROUS	3	-			
BATTERHAM BRIAN	W	١	LISMORE HS	ROUS	3 1				
BENNET DENISE	4	1.0	LISMORE P S	ROUS	3			1	
BERRY CLIVE	Σ	*	LISMORE PS	ROUS	3 1		•		
BEST RICHARD	Σ	1.0	LISMORE HS	ROUS	3	1	•	,	
BILSTON HELEN	_ L	1.0	ALSTONVILLE HS (-8PPT)	ROUS	3		1		
BOYD JANET	Ŀ	1.0	GOONELLABAH PS	ROUS	3			1	
BRYANT JULIE-ANNE	4	1	KADINA/CLUSTER POS	ROUS	ε		-	1	
BURTON PETER	Σ	1.0	KADINA/CLUSTER	ROUS	ε			t	
BUTLIN IAN	W.	١	ALSTONVILLE HS	ROUS	ε .	1 1			
CAMERON IAN	Σ	1.0	ALSTONVILLE HS	ROUS	3	7			
CARRALL JULIE	L	1.0	LISMORE PS	ROUS	3		1		
CHAMPION IAN	Σ	1.0	LISMORE HS	ROUS	E .	1			
CHESWORTH JULIE	4	1	ALSTONVILLEHS/CLUSTER	ROUS	٤			1	
COFFEY GERRY	W	1	KADINA	ROUS	3	1			
CONDON MARGARET	u.	1	LISMORE PS	ROUS	3		-		
CONNELLY WAYNE	Σ	1.0	ALSTONVILLE HS	ROUS	3	1			
CREAGH STEVEN	Σ	1.0	LISMORE HS	ROUS	3	-			
CROUCH JOHN	Σ	"	KADINA HS	ROUS		-			
DAVIS DARRYL	Σ	ii	LISMORE PS	ROUS	3 1				

3.2.2 The Village Cluster (Illustration 4)

The Village Cluster consists of five dwelling sites accessed, via the existing internal road to, Standing Street. In addition to rainwater, water supply for the house sites is to be provided from the elevated spring situated to the north of the internal road. The spring is to be fed into into a settling tank located above the road, then gravity fed to Sites 1, 2 and 5, and pumped to Sites 3 and 4.

A large storage tank is to be located in an elevated position with dedicated storage for fire fighting purposes. This tank is accessible for fire truck access and turning area.

The location of the dwelling sites avoids the cleared areas of steeper slopes. These steeper slopes are proposed to be revegetated with a mixture of woodlots and orchards.

The southern aspect of dwelling sites are to be planted with suitable species to moderate the exposure of winds where necessary.

The walking path connecting this cluster to the other cluster is located on the eastern boundary of the cluster.

3.2.3 The Forest Cluster (Illustration 5)

The Forest Cluster consists of five dwelling sites accessed, via an existing internal road connecting to The Channon Road as depicted on Illustration 3. In addition to rainwater, water supply for the house sites is to be provided from the spring situated in close proximity to the cluster as identified in Illustration 5.. The spring is to be fed into into a settling tank and pumped to the elevated storage tank located above the cluster.

Again, the large storage tank is to have dedicated storage for fire fighting purposes. This tank is accessible for fire truck access and turning area.

The location of the dwelling sites is on suitable slopes. The existing dwelling is nominated as Dwelling No 6.

This cluster has a central Community Recreational Area which includes the existing shrine structure. The existing shed on the access road to this cluster will be used as a community shed.

The walking path connecting to the Village Cluster connects to this Forest Cluster in a central position.

Screen planting is to be provided along the boundary of the subject site and the property to the north.

Development Application: Multiple Occupancy Development

Site: Lot 23 DP 773782

Location: 336 The Channon Road, The Channon

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DAVIS ANTHONY	Σ	0.	RICHMOND RIVER HS	RICHMOND	4		-			
DAWSON STEVE	Σ	1.0	RICHMOND RIVER HS	RICHMOND	4		-			
DAYMAN CHRISTINE	4	0.1	LISMORE HEIGHTS PS	RICHMOND	4				-	
DIETT LEE	4	\	RICHMOND RIVER HS	RICHMOND	4	 	!	-		
DONE CHERYL	Ł	\	LISMORE HEIGHTS PS	RICHMOND	4			-		
ENSBY CHRISTINE	F	1.0	LISMORE SOUTH PS	RICHMOND	4		1		-	
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MILLS CHRISTOPHER	Σ	1.0	RICHMOND RIVER HS	RICHMOND	4		1		,	
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SHERLOCK VICKI	L.	1.0	RICHMOND RIVER HS	RICHMOND	4		_		, 1	
SMITH MARGARET	щ	\	LISMORE SOUTH PS	RICHMOND	4				1	
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	!]			

4. Environmental Planning assessment

4.1 Planning Context

Two planning instruments are applicable to this development application for multiple occupancy development.

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.

The other 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.

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 7 (1)

(a) land comprises a single allotment

Consistent - A single property namely Lot 23 DP 773782,

(b) minimum area of 10 ha.

Consistent - The property has an area of 33.23 ha.

(c) building height less than 8 m.

Details at BA stage - all buildings will comply.

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

Consistent

(e) no dwelling on prime crop and pasture land

Consistent

Development Application: Multiple Occupancy Development November 1993

NAME Mye APP. 7/L SCHOOL CLUSTER # M-3YP #-417 F-37F MARDHY ROBERT M 1.0 ORARAWOOL 7 — 1 MODELL JUNE (B) 0.0 WOOLGOOLGA PS (BPPT) ORARAWOOL 7 — 1 PANEEREY JAMENE F 0 WOOLGOOLGA HS ORARAWOOL 7 1 PAYNE ROSENENE F 1 TOORANINA HS ORARAWOOL 7 1 PAYNE ROSENELE M 1 ORARAWOOL 7 1 1 PAYNE ROSENELE M 1 ORARAWOOL 7 1 1 RATOLIFER SUELLE M 1 ORARAWOOL 7 1 1 RATOLIFE SUELLE M 1 ORARAWOOL 7 1 1 RATOLIFE SUELLE M 1 ORARAWOOL 7 1 1 RATOLIFE SUELLE M 1 MULLAWAY PS ORARAWOOL 7 1 SHEEH	AST Printout as at: 15/4/94	F67					-	-		
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M	O'DELL JUNE (.8)	Ŧ	0.8	WOOLGOOLGA PS (-8PPT)	ORARA/WOOL	7			-	
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	CREAGH GARY	Σ)	NIMBIN CS	RICHMOND	4 1				





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

Consistent

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

Consistent - refer to Illustration 3

(h) consistent with aims & objectives of policy

Consistent - the development will be consistent with the policy refer to Section 1.2 of this report which lists the objectives of this proposed multiple occupancy.

Clause 8 (1)

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

The founding member of the intending community owns the property. An 'internal management agreement' which addresses internal management issues such as dwelling occupancy rights and environmental and community management is in the process of formulation and will be completed following the gaining of development consent for the multiple occupancy.

(b) areas proposed for the erection of dwellings

The site design proposes to locate the dwellings in two clusters as described within Section 3.

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 housesites 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.

Development Application: Multiple Occupancy Development Site: Lot 23 DP 773782

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NAME	M/F	APP.	T/L SCI	SCHOOL	CLUSTER	# M-3YT	M-4YT	F-3YT	F-4YT	
CROAK HEATHER	ıL	\	Τ,	TYALLA	ORARA/WOOL	7		-		
CROSS JULIE	ı	\	OR	ORARA HS	ORARA/WOOL	7			-	
DAL SALTO, MARY	u.	١	BA	BAYLDON PS	ORARA/WOOL	7			-	
DOMBROSKI MICHELLE	L	\	TO		ORARA/WOOL	7			-	
EGGINS MURRAY	Σ	١	ΑN	NARRANGA PS	ORARA/WOOL	7 1				
FLANAGAN KATHRYN	L	\	×	WOOLGOOLGA HS	ORARAWOOL	7				
GABAUER SUE	F	\	SA	SADY BEACH PS	ORARAWOOL	7		-	Í	
GIBSON NEIL	Σ	0.1	M	WOOLGOOLGA HS	ORARA/WOOL	7	-			
GRANT MICHELE	F	\	NA	NARRANGA PS	ORARA/WOOL	7		- Jan		
HANCOCK RICHARD	Σ	\	Ή.	TYALLA PS	ORARA/WOOL	7 1	Designation of the second	. =		
HARVEY LYNN	F	1.0	A'N	PS	ORARAWOOL	7		-		
HOY NARELLE	L	\	T,		ORARA/WOOL	7				
HUNT STEPHEN	Σ	1.0	OR	ORARA HS	ORARAWOOL	7	1			
ISRAEL PAUL	Σ	\	OR	ORARA HS	ORARA/WOOL	7 1				
JERVIS KEITH	Σ	\	OR	ORARA HS	ORARA/WOOL	7	1			
JUX ARTHUR	Σ	\	SA	SANDY BEACH PS	ORARA/WOOL	7	1		,	
KAUTER JOHN	Σ	1.0	OR	ORARA HS CLUST POS	ORARAWOOL	7	1			
KINDER GLEN	Σ	/	WC	WOOLGOOLGA HS	ORARA/WOOL	7 1	•••			
KING GRAEME	Σ	1.0	MU	MULLAWAY PS	ORARA/WOOL	7	, 1 ,	1.46		
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LENEHAN ROBERT	Σ	1.0	NA	NARRANGA PS	ORARAWOOL	7	1			
MACKENZIE BRONWYN	F	/	MC	WOOLGOOLGA PS	ORARAWOOL	7			1	
MCDERMOTT RICHARD	Σ	1.0	MC	WOOLGOOLGA HS	ORARA/WOOL	7	1			
MCKEAN BEVERLEY	ட		OR		ORARA/WOOL	7		1	Ŷ	
McKEOUGH G (.2 PPT)	Σ	0.2	MC	WOOLGOOLGA-PS (-2PPT)	ORARAWOOL	7 1			-	
MEAD GREGORY	Σ		BA	BAYLDON PS	ORARA/WOOL	7	1	_	•	
MILES JANE	ட	1.0	SA	SANDY BEACH PS	ORARA/WOOL	7			•	
MILES PETER	Σ	`	SA	SANDY BEACH PS	ORARA/WOOL	7	1			
MOORE GREGORY	Σ	\	X	KORORO PS	ORARA/WOOL	7 1 .				
MORLEY LINDSAY	Σ		10	TOORMINA HS	ORARA/WOOL	7	1.9	-		



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

Management of the land including the common orchard and reafforestation areas and the forested areas are to be undertaken by the community as a whole. Management of the infrastructure such as water systems is to be undertaken by the community as a whole.

Areas are nominated for community precincts such as the central area in the Forest Cluster. The existing shed is to utlised as a community shed while the area around the existing shrine will be community land.

(e) the availability and standard of public road access

The site enjoys two access points to the public road system. Access for the Forest Cluster is by means of The Channon Road which provides sealed road access to the village and to Lismore and the region. The access to the Village Cluster is via Standing Street which is sealed for a portion of its length.

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

The internal access road to the Forest Cluster is steep in parts and is to be upgraded with concrete tracks and passing bays to permit normal two wheel drive access. The access to the Village Cluster generally follows the alignment of an existing farm track and is to be upgraded with a gravel surface.

(f) the availability of water supply

The site enjoys good quality elevated springs which are proposed to be utilised in addition to rainwater collection from building roofs. In this context the site can provide onsite water resources and not require pumping from Rocky Creek.

A large tank, holding water sourced from the springs, will be utilised for each of the clusters as depicted on the accompanying maps.

(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 The Channon village while town and

Development Application: Multiple Occupancy Development

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Site: Lot 23 DP 773782

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NAME	M/F	APP.	T/L SCHOOL	CLUSTER	# M-3YT	M-4YT	F-3YT	F-4YT	
TICKLE ROBERT	M	1.0	KEMPSEY HS	NAMBUCCA	8 1				
TIMMINS PAUL	Σ	1.0	KEMPSEY HS	NAMBUCCA	8	1			
TURNER, ALLAN	M	\	SCOTTS HEAD PS	NAMBUCCA	8	1			
URQUHART DOUGLAS	W	0.1	BOWRAVILLE CENTRAL	NAMBUCCA	8	-			
VERNON PETER	W	0.	BELLINGEN HS	NAMBUCCA	8	-			
VIDLER IAN	M	0.	NAMBUCCA PS/CLUSTER	NAMBUCCA	8		r	\$	
WAITE MARGARET	Ŀ	\	KEMPSEY WEST PS	NAMBUCCA		·		-	Ĭ
WALSH JOHN	Σ	\	DORRIGO PS	NAMBUCCA	8			-	
WARNE JENNY	щ	,	BELLINGEN PS	NAMBUCCA	8		-		
WILLIAMS JENNIFER	ட	1.0	KEMPSEY HS	NAMBUCCA	8		ļ.	ļ ķ	
WINGFIELD LESLEY	W	1.0	KEMPSEY WEST PS	NAMBUCCA	8	-	<u>.</u>		,
YAGER JANET	ш	١	MACKSVILLE HS	NAMBUCCA	8		1	•	,
CROKER, ROBYN	4	١	SCOTTS HEAD PS	NAMBUCCA	8		.1.	6	
HATCHETT JANE	/ 1	\	KEMPSEY WEST PS	NAMBUCCA	8			-	
MC CAULAY BARBARA) F	1.0	BELLINGEN PS CLUST POS	NAMBUCCA	8		1		
ALBON KAY	F	1.0	WOOLGOOLGA HS	ORARA/WOOL	7			1	
ALDOUS MARILYN	F	Ĭ	SANDY BEACH PS	ORARA/WOOL	7			+	
ALLEN JEFFREY	Σ	١	WOOLGOOLGA HS	ORARA/WOOL	7	1	1		
ARMSTRONG CHRISTIN	F	1.0	WOOLGOOLGA HS	ORARA/WOOL	7			-	r
BLANCH STEPHEN	¥	\	MULLAWAY PS	ORARA/WOOL	7	1			
BLEVIN DIANE	F	1.0	WOOLGOOLGA PS	ORARAWOOL	7	_	1	,	
BOOTH RHONDA	F	1.0	WOOLGOOLGA PS	ORARA/WOOL	7		1		Ų.
BRAZIER JAMES	M	\	COFFS HARBOUR HS	ORARA/WOOL	Ţ	÷			
BRAZIER MARGARET	Ŀ	١	TOORMINA PS	ORARA/WOOL	7				
BREWIS NANCY	F	١	WOOLGOOLGA PS	ORARA/WOOL	7		1	٩	
BROWN PHILLIP	M	1.0	ORARA HS	ORARA/WOOL	7 1				
BRYANT MICHAEL	Σ	1	BOAMBEE PS	ORARA/WOOL	7 1				
CHAPMAN SUSAN	ıL	١	TYALLA PS	ORARA/WOOL	7		1		
COLLINS CHRISTOPHER	W	1	TOORMINA HS	ORARA/WOOL	7 1			•	!
COUPER ROSLYN	ш		WOOLGOOLGA HS	ORARA/WOOL	7			-	
ľ	_	Ŧ			SIER OF 10			•	`
- - - - - - - - - - - - - - - - - - -			Page 2	20					
7									

regional facilities are conveniently located at Lismore.

(i) provision of waste disposal

Composting on site plus tipping for other material is proposed. Grey water and sewage disposal will be in accordance with accepted practices. Each housesite has an adequate area for on site wastewater management.

(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.

The use of the site for the proposed multiple occupancy will allow the large forested areas to be conserved and continue to serve an as integral component of a larger riparian corridor.

(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.

The intending community is mindful of any bushfire hazard and has planned the development including the revegetation in a manner to minimise such potential hazards.

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

(I) 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 localities landscape qualities.

Only fleeting and/or distant views of the site can be obtained of the proposed clusters from public viewing points such as public roads. For example, analysis of the likely visual impact along The Channon Road in the vicinity of Currie Road reveals most dwellings will not be visually exposed and any which do would not break the horizon as the dwelling sites are within the canoy

Development Application: Multiple Occupancy Development

Site: Lot 23 DP 773782

NAME MAF			-	_					
	•	-	I.		•			-	
ŀ	ŀ	APP. T/L	ı	CLUSTER	# M-3YT	M-4 YT	F-3YT	F~4YT	
MC CREDIE MARGARET F		\	STUARTS POINT	NAMBUCCA	8			-	
MCINTOSH HELEN F		1.0	NAMBUCCA HEADS HS	NAMBUCCA	8		1		
MUNDAY SUSAN F	•		KEMPSEY HS	NAMBUCCA	8		1		
MURPHY MARK M	1	0.1	KEMPSEY HS	NAMBUCCA	8	<u>.</u>			
NOEL LANCE M	4	`	NAMBUCCA HEADS PS	NAMBUCCA	æ	-	-		
OGILVY DAVID M		_	NAMBUCCA HEADS HS	NAMBUCCA	8	-			Ĭ
OSBORN LYNETTE F	-	\	STUARTS POINT	NAMBUCCA	8			-	
OSBORN PHILLIP M	V	\	STUARTS POINT	NAMBUCCA	8	-			
PARISH JUDY			ALDAVILLA PS	NAMBUCCA	8		-		
PETERS LYNDA F	<u> </u>	_	BELLINGEN HS	NAMBUCCA	8			-	
PLUMMER KERRY F	1.	_	BELLINGEN PS	NAMBUCCA	8			-	
PRIOR GRAHAM M		1.0	KEMPSEY HS	NAMBUCCA	8				
RAE LESLEY F		_	MACKSVILLE HS	NAMBUCCA	8			1	
REDMAN BARRY M	1		NAMBUCCA HEADS HS	NAMBUCCA	8	1			
RICHARDSON BILL M		/	NAMBUCCA HEADS HS	NAMBUCCA	8	1			
SANDERS AGNES	_	_	FREDRICKTON PS	NAMBUCCA	8			1	
SAUVERAIN ARTHUR M	_	1.0	MACKSVILLE HS	NAMBUCCA	8	+			
SEAMAN MARGARET F			DORRIGO PS	NAMBUCCA	8		1		
SECOMB PENELOPE F	•	-	KEMPSEY HS	NAMBUCCA	8		1		
SHEATHER, MERILYN F		\	MACKSVILLE HS	NAMBUCCA	8			1.	
SHEPARD BILL M	_		KEMPSEY HS	NAMBUCCA	8	1			
SHIRT SUE		1.0	KEMPSEY WEST PS	NAMBUCCA	8		1		
SIMPSON HELEN F			KEMPSEY SOUTH PS	NAMBUCCA	8		1		
SLATER EVELYN F		\	KEMPSEY HS	NAMBUCCA	8			1	
SMITH RHONDA F		1.0	URUNGA PS	NAMBUCCA	8	-	1		
STEWART DEIDRE F		1.0	BELLINGEN HS	NAMBUCCA	8			1	
SUMMERVILLE AILSA F	-		KEMPSEY SOUTH PS	NAMBUCCA	8		1		
TARBOX FRANCES F	11		MELVILLE HS	NAMBUCCA	8			+	
			MACKSVILLE HS	NAMBUCCA	8		1		
THOMAS KATHLEEN F			NAMBUCCA HEADS PS	NAMBUCCA	8		-		

height when viewed from the public road. Screen planting will obstruct the view in the medium term. Dwellings are typical visual elements in the localities landscape and hence will not significantly impact on the landscape character...

(m) impact on present and future uses

The impact of the proposed development on present uses is not likely to be adverse and can be described as compatible. In terms of future uses, the locality is likely to continue to remain as a rural area with an increasing settlement pattern.

The use of a small part of this site for multiple occupancy dwellings is considered a good land use for this village fringe 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 acceptable practices. No dwellings are proposed to be located in close proximity to water courses.

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

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

(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.

(r) Impact on village

The development is unlikely to create any negative impact on the nearby village of The Channon. The proposed development is likely to contribute a positive economic and social impact on surrounding villages and the larger centre of

Development Application: Multiple Occupancy Development

Site: Lot 23 DP 773782

Location: 336 The Channon Road, The Channon

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NAME	M/F	APP.	T/L SCHOOL	CLUSTER	# M-3YT	M-4YT F	F-3YT	F-4YT	
HEYWOOD, HELEN	F	٧	MACKSVILLE HS	NAMBUCCA	8			1	
HORNERY SONIA	F	\	KEMPSEY HS	NAMBUCCA	8		1		
HOWARTH MICHAEL	W	\	BELLINGEN HS	NAMBUCCA	8	1			
HOY ELIZABETH	Ŧ	\	DORRIGO HS	NAMBUCCA	8			1	
ISON DOROTHY	Ŧ	\	MACKSVILLE PS	NAMBUCCA	8	:		1	
JACKSON JAMES	Σ	`	WAUCHOPE HS	NAMBUCCA	8	-			
JAMES PETER	Σ	١	RALEIGH PS	NAMBUCCA	8		_	!	,
JOHNSON, RALPH	W	\	MACKSVILLE HS	NAMBUCCA	8	(1)		,	
JOHNSTON CHERYL	F	1.0	DORRIGO PS	NAMBUCCA	8		1		
JONES JANET	F	1.0	KEMPSEY SOUTH PS	NAMBUCCA	8			1	
JONES NEIL	W	1.0	KEMPSEY H S	NAMBUCCA	8	1			
JONES THOMAS	W	`	KEMPSEY HS	NAMBUCCA	8	1			
KEMPTON MARK	W	\	MELVILLE HS	NAMBUCCA	8	1			
KENNEDY JEANNINE	Ŧ	\	KEMPSEY HS	NAMBUCCA	8		1		
LATHAM TREVOR	Σ	1.0	MACKSVILLE HS	NAMBUCCA	8	1			
LAWLER STEVEN	Σ	\	MACKSVILLE PS	NAMBUCCA	8	.1			
LAWLESS MICHAEL	Σ	\	KEMPSEY HS	NAMBUCCA	8	1			
LAWRENCE DARRYL	Σ	\	MACKSVILLE HS	NAMBUCCA	8	1			
LEAHY DOROTHY	W	\	FRANK PARTRIDGE VC PS	NAMBUCCA	8 1				
LEAHY JOHN	Σ	\	FRANK PARTRIDGE	NAMBUCCA	8	1		•	
LEESE ROBERT	Σ	1.0	MACKSVILLE HS	NAMBUCCA	8				
LENNOX PETER	Σ	1.0	BELLINGEN HS	NAMBUCCA	88	-			
LEWIS SUSAN	L	1.0	BELLINGEN PS	NAMBUCCA	88		-		
LLOYD PHILLIP	Σ	\	NAMBUCCA HEADS PS	NAMBUCCA	80	1			
LOWE KEVIN	Σ	\	BELLINGEN HS	NAMBUCCA	8	1			
LYNCH PHILIP	Σ	\	BELLINGEN HS	NAMBUCCA	8	-			
MAITLAND, SUE	ц	\	MACKSVILLE HS	NAMBUCCA	80		1		
MALONEY PETER	Σ	\	MACKSVILLE PS	NAMBUCCA	8 1				
MARSH RICHARD	Σ	1.0	KEMPSEY SOUTH PS	NAMBUCCA	8 1				:
MASTERS THANET	Σ	1.0	KEMPSEY HS	NAMBUCCA	8			-	

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Density of Development Clause 9

Consistent - Pursuant to the provisions of this clause,10 dwellings can be erected on this 33.23 ha property. This application is consistent with this provision.

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NAME	M/F	APP.	T/L SCHOOL	CLUSTER	# M-3YT	M-4YT F	F-3YT F-4YT	i.
CROSSINGHAM DI	ı.	1.0	BOWRAVILLE CENTRAL	NAMBUCCA	8		1.	
CUTLER BARBARA	L.	`	BELLINGEN HS	NAMBUCCA	8		1	
DARLEY MANDY	Ŧ	\	BELLINGEN PS	NAMBUCCA	8		1.	
DAWE PETER	Σ	1.0	MACKSVILLE HS	NAMBUCCA	8 1			
DENNEY COLIN	Ψ	1.0	NAMBUCCA HEADS HS	NAMBUCCA	8	1		
DOBSON BARRY	Σ	\	NAMBUCCA HEADS PS	NAMBUCCA	8	-		
DOLBY SUE-ANN	ц.	\	BELLINGEN HS	NAMBUCCA	8		-	
DOWLER DARREL	Σ	\	NAMBUCCA HEADS HS	NAMBUCCA	80	-		
DUFFY WENDY	ட	\	STUARTS POINT	NAMBUCCA	80		-	,
EDGERTON GRAHAM	V	\	DORRIGO HS	NAMBUCCA	8	1		
EYRE RON	¥	1.0	NAMBUCCA HEADS HS	NAMBUCCA	8		; !	
FLETCHER STEPHEN	Σ	1.0	KEMPSEY WEST PS	NAMBUCCA	8	-		
FORBES DENNIS	Σ	1.0	MACKSVILLE HS	NAMBUCCA	. 8	1		
FORBES JAN	Ŧ	1.0	NAMBUCCA HEADS HS	NAMBUCCA	8		1	
GERARD NEIL	Σ	1.0	NAMBUCCA HEADS HS	NAMBUCCA	8	1		
GINIS DIANNE	ц	\	BELLINGEN HS	NAMBUCCA	8		1	•
BURLEY ROBYN	Ŀ	\	DORRIGO PS	NAMBUCCA	8		1	
GLYDE STEPHEN	Σ	<u>\</u>	BELLINGEN PS	NAMBUCCA	8	1		
GRENENGER DEBORAH	ц	1.0	FRANK PARTRIDGE VC PS	NAMBUCCA	8		1	
HANKINSON JOHN	Σ	1	BELLINGEN HS	NAMBUCCA	. 8	1		
HANLON IAN	Σ	1.0	FRANK P'RIDGE/CLUSTER	NAMBUCCA	8 1			
HANLON PATRICIA	ш	1.0	FRANK PARTRIDGE PS	NAMBUCCA	8		1	
HARRIS CAROL	ш	\	BELLINGEN HS	NAMBUCCA	8		-	
HART, JONATHON	Σ	١	MACKSVILLE HS	NAMBUCCA	8	1		
HAUVILLE CATHERINE	ഥ	\	KEMPSEY HS	NAMBUCCA	8		1	
HAUVILLE LEO	Σ	\	FREDERICKTON PS	NAMBUCCA	8	-		
HAWKSHAW ROBYN	ட	1.0	DORRIGO HS	NAMBUCCA	8		1	
HEELIS RICHARD	Σ	1.0	BELLINGEN PS	NAMBUCCA	8 1			
HENRY JUDITH	ட		BELLINGEN HS	NAMBUCCA	8	-	-	
HERIVAL JUDITH	L		MACKSVILLE HS	NAMBUCCA	8		-	

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 - Alms & objectives

The proposed development of a ten house multiple occupancy on this site is considered consistent with the aims and objectives of the overall plan. The development is likely to positively contribute to achieving the 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 dwellings are carefully located within clearings surrounded by vegetation and as such will not create any adverse visual impact when viewed from public viewing points eg public roads. All views of the cluster areas are mid or background views. Also refer to Page 11 of this report.

Development Application: Multiple Occupancy Development

Site: Lot 23 DP 773782

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NAME	M/F	APP.	T/L SCHOOL	CLUSTER	# M-3YT	M-4YT F-3YT	T F-4YT	
ARGENT KERRI	F	/	BOWRAVILLE CS	NAMBUCCA	8		[· •	
ARGUE PHILLIP	M		MACKSVILLE HS	NAMBUCCA	8	1		
ASHTON DENNIS	Σ	١	MACKSVILLE PS	NAMBUCCA	8		. ,	
AVERY IAN	Σ	1.0	KEMPSEY HS	NAMBUCCA	8	+		
AVERY KATRINA	Ł	1.0	KEMPSEY WEST PS	NAMBUCCA	8	-		
BAGUST ANDREW	Σ	1.0	MACKSVILLE PS	NAMBUCCA	8	1		
BALLARD FRANCES	ц	`	KEMPSEY HS	NAMBUCCA	8		-	
BARNES SOPHIE	ц	١	CRESCENT HEAD PS	NAMBUCCA	8	_	,	
BATTLE JOHN	M	-	STHWESTROCKS	NAMBUCCA	8 1	,		
BAXTER GARY	W	1.0	NAMBUCCA HEADS PS	NAMBUCCA	8	-		
BENNETT WILLIAM	Σ	١	KEMPSEY HS	NAMBUCCA	8			
BLACK COSETTE	Ŧ	١	ALDAVILLA PS	NAMBUCCA	8			
BLACKE JENNY	F	\	PT MACQUARIE HS	NAMBUCCA	8	-		
BLOMFIELD RICHARD	М	-	HASTINGS PS	NAMBUCCA	8	1		
BONVENTI VICKY	F	١	BELLINGEN PS	NAMBUCCA	. 8	1		
BOYD ANTHONY	M	1.0	KEMPSEY HS	NAMBUCCA	8	1	-	
BRAITHWAITE RICHARD	Σ	1.0	BELLINGEN HS	NAMBUCCA	8	1		
BRAY SUSAN	ı	1.0	ALDAVILLA PS	NAMBUCCA	8		1	
BRENTON NOEL	W	1.0	KEMPSEY HS	NAMBUCCA	8 1		.;	
BROOK GORDON	M	~	DORRIGO HS	NAMBUCCA	8 1			
BROOK LARRY	Σ	/	PORT MACQUARIE HS	NAMBUCCA	8	-	1	
CARLINE, ROBERT	Σ	1	MACKSVILLE HS	NAMBUCCA	. 8			-
CASSIN TOM	M	1.0	MACKSVILLE PS	NAMBUCCA	8 1			
CATO JOY	ų.	\	KEMPSEY SOUTH PS	NAMBUCCA	8			
CHEERS GAIL	Ŧ	/	FREDRICKTON PS	NAMBUCCA	8		1	
CHEERS M	Σ	/	URUNGA PS	NAMBUCCA	8	1		
COLBRAN SANDRA	L	1.0	BELLINGEN HS	NAMBUCCA	8			
CONN SALLY	ட	\	KEMPSEY HS	NAMBUCCA	8		1	
COTTON ROBYN	L	1.0			8	1		·
COWAN JAMES	Σ	1.0	BELLINGEN PS CLUST POS	S NAMBUCCA	8	1		



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.

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.

- (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 development is considered, on balance, to be positive. The intending community can provide the necessary resources and commitment to improve and provide sound management to the property. The use of the site for ten dwellings is unlikely to create any significant adverse

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Site: Lot 23 DP 773782

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				-	-		•	•	
NAME	M/F	APP.	T/L SCHOOL	CLUSTER	# M-3YT	M-4YT	F-3YT F	F-4YT	
SHAW ROWAN	Σ	\	MELVILLE HS	HASTINGS	- 6	· k	:		
SHEARGOLD PETER	Σ	\	WAUCHOPE HS	HASTINGS	. 6	-			
SMITH LYNETTE	ட	1.0	WAUCHOPE HS	HASTINGS	6		ř.		
SOMMERVILLE GLENDA	ட	1.0	KEMPSEY SOUTH PS	HASTINGS	6			-	
SONNTAG MANFRED	Σ	\	WESTPORT TECH HS	HASTINGS	. 6	-			
STEPTOE LORELLE	щ	\	PORT MACQUARIE HS	HASTINGS	6		-		
SUTERS ALAN	Σ	1.0	WAUCHOPE PS	HASTINGS	6	·			
SUTHERLAND JON	Σ	1.0	MELVILLE HS	HASTINGS	9 1			,	İ
TERRY ANNE	ட	1.0	KENDALL CS	HASTINGS	6			-	
THOMAS DAVID	Σ	1.0	MELVILLE HS	HASTINGS	6	-			
THRUSH MICHAEL	Σ	\	KENDALL CENTRAL	HASTINGS	6	-			
TIERNEY MARY	щ	1.0	PORT MACQUARIE PS	HASTINGS	6		-		
TROTTER MICHAEL	M	\	WESTPORT TECH HS	HASTINGS	9 1				
TROTTER PETER	Σ	\ 	WAUCHOPE HS	HASTINGS	6	1			
TROTTER TIMOTHY	M	\	SMITHTOWN PS	HASTINGS	6	1			
USSHER BRIAN	Σ	1.0	WAUCHOPE HS	HASTINGS	9 1				
VAN DER VEEN CAROLY	L	1.0	LONG FLAT/CLUS	HASTINGS	6			1	
VERNON-ROBERTS PAI	Σ	1.0	WAUCHOPE HS	HASTINGS	9 1				
VERNON-ROBERTS SUI	L	/	WAUCHOPE HS	HASTINGS	6		1		
WEBB JEANETTE	ч	\ \ -	KENDALL CENTRAL	HASTINGS	6		1		
WHITTOCK DAVID	Σ	1.0	WAUCHOPE HS	HASTINGS	9 1				
WILLD ANTHONY	Σ	/	HASTINGS PS	HASTINGS	6	1			
WILLIAMS GARY	Σ	1.0	MELVILLE HS	HASTINGS	9 1				
WILSON PAM	L		WESTPORT TECH HS	HASTINGS	6		.1.		
	Σ	1.0	KEMPSEY EAST PS	HASTINGS	9 1		_ :	·	
COOMBES, ROBYN	ட	/	YARRAS PS	HASTINGS	6		+		
JONAS DAVID	Σ		HASTINGS PS	HASTINGS	6	1			
WADE GAI	۲,	/	/ LAURIENTON PS	HASTINGS PS	6			1	
ALLISON JUDITH	<u>'</u>	1	BELLINGEN HS	NAMBUCCA	8			1	
ANDERSON JUDY	Ŀ	-	ALDAVILLA PS	NAMBUCCA	8			-	
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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.

In terms of impact on water resources, the development does not intend to draw water from the adjoining Rocky Creek. Water resources will be provided from rainwater collected from roofs and elevated springs existing on the site as depicted in the accompanying maps ...

Flora and fauna resources are most likely to be enhanced as a result of this proposal which includes environmental repair and plantings of degraded land and the conservation of the large forested areas of the site.

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

> 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 are sympathetic to the localities landscape qualities.

This report demonstrates that the cluster areas are not visually exposed to the extent that any significant adverse visual impact would result. Refer to relevant sctions of this report.

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

Not Applicable

(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 portions 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 long term management of the forested areas of the site for conservation purposes.

(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.

The development will put in place long term management of the vegetated riparian corridor at no public expense.

Development Application: Multiple Occupancy Development

Site: Lot 23 DP 773782

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NAME	M/F	APP.	T/L SC	SCHOOL	CLUSTER	# M-3YT	M-4YT	F-3YT F-4YT	
PATEMAN DIANA	L	1.0		MELVILLE HS	HASTINGS	6		-	
PATTERSON DAVID	Σ	`	PC	PORT MACQUARIE PS	HASTINGS	6			
PATTERSON, DAVID	Σ	1	PC	JRT MACQUARIE HS	HASTINGS	6	1		
PAVAN SERGIO	M	1.0	W	WESTPORT PS	HASTINGS	6	1-	The second secon	
PAVLOU ROSLYN	ш	1.0	H	HASTINGS PS	HASTINGS	6			
PEACOCK RAYMOND	Σ	١	KE	KENDALL CENTRAL	HASTINGS	9 1		The second second second second	
PELLEY ROSE	щ	1.0	WE	WESTPORT PS	HASTINGS	6	11		
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RICHARDSON WAYNE	Σ	1.0	×	ESTPORT TECH HS	HASTINGS	9		•	٧
RIETHMULLER GRAEM	М	/	/W	WAUCHOPE HS	HASTINGS	. 6	1		
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ROBBINS RAY	М	1.0	PC	PORT MACQUARIE HS	HASTINGS	6	-	,	
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SAUNDERS MARK	Σ	\	Ŧ	HASTINGS PS	HASTINGS	6	1		
SAVAGE ROBERT	Σ	0.	Š	WESTPORT TECH HS	HASTINGS	6	-	3	
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SHADDOCK PHILLIP	Σ		Ŧ	HASTINGS PS	HASTINGS	9 1	1		

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The development will assist to achieve council and government objectives relating to housing and environmental management which in turn result in postive 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 10 dwellings which is consistent with the density provisions of SEPP 15. The siting of the proposed dwellings avoids the steeper portions of the site and the external appearance will not be out of character with the locality.

The location of the proposed development is considered particularly suitable as the village facilities are in close proximity. The use of the land as proposed, including the dwellings and the habitat management, is considered a good 'enduse' for this 'village fringe' land.

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 sites are all 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;

> Siting and design considerations have responded to any potential hazard in a manner so as to mitigate such potential hazards.

The intending community is mindful of any bushfire hazard and has planned the development so as to minimise such potential hazards. The community will nominate a Fire Protection Overseer for the property to liaise with the local Bush Fire Brigade. Alarms, fire fighting equipment and water will be available for fire fighting purposes to all house sites. Ground fuel reduction will be carried out around house sites.

Development Application: Multiple Occupancy Development

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NAME	M/F	APP.	T/L SCHOOL	CLUSTER	# M-3YT	M-4YT	F-3YT	F-4YT	
FULTON DENISE	ட	1.0	MELVILLE HS	HASTINGS	6			-	
GARLAND ROBYN	Ŀ	`	BEECHWOOD PS	HASTINGS	6				
GIBBONS ANNETTE	ш	`	KINCHELA PS	HASTINGS	6			-	
GIETZELT LEE	Σ	`	WESTPORT TECH HS	HASTINGS	6	,			
GODMAN CHRISTINE	Ŧ	\	KENDAL CENTRAL SCHOOL	HASTINGS	6			-	
GOLDSMITH ANNE	u.	1.0	PORT MACQUARIE HS	HASTINGS	6	1		-	
GOLDSMITH GREGORY	Σ	`	PORT MACQUARIE HS	HASTINGS	6	-			
GORTON JOHN	Σ	`	WAUCHOPE PS	HASTINGS	6 11	F 4.5 - Meaning .			
GORTON MICHELE	Ł	\	WAUCHOPE HS	HASTINGS	6	1			
GRAINGER BRUCE	Σ	1.0	KENDALL CS	HASTINGS	6	-			
GRIBBLE CHRISTINE	F	/	WESTPORT PS	HASTINGS	6		4		
GRIFFITHS ROBYN	Ŀ	\ \	PORT MACQUARIE HS	HASTINGS	6		1111		
GRIME KEVIN	Σ	1.0	KEMPSEY EAST PS	HASTINGS	9 1.				
HANNAFORD KEN	Σ	/	KENDALL CENTRAL	HASTINGS	9 1				
HARGREAVES GRAEME	Σ	\ 	WESTPORT TECH HS	HASTINGS	6	1.			
HARTLEY STEVE	Σ	1.0	PORT MACQUARIE PS	HASTINGS	91-				
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HERB KARL	Σ	\ \	KENDALL CENTRAL	HASTINGS	91			ĺ	
HEWES SUE	ш	\	KENDALL CS	HASTINGS				*	
HIRST ROBERT	Σ	\	KENDALL CENTRAL	HASTINGS					
HOPKINSON IAN	Σ	\	WAUCHOPE HS	HASTINGS	9.		17.5 may 1	N. C.	
HOUGH JOHN	Σ	\	PORT MACQUARIE HS	HASTINGS	6		•	١.	
IRELAND JENNIFER	ட	1.0	PT MACQUARIE PS/CLUS	HASTINGS	6			**************************************	
JOHNSON GEOFF	Σ	1.0	CRESCENT HEAD PS	HASTINGS	6	=		1	
JONES PHILLIP	Σ	\	MELVILLE HS	HASTINGS	6				
KEDWARD LANCE	Σ	1.0	WESTPORT TECH HS	HASTINGS	9 1		_	•	
KERR IAN	Σ	1.0	PORT MACQUARIE HS	HASTINGS	6	1 - 1	•		
KING DEBBIE	ட	\	WESTPORT TECH HS	HASTINGS	6	*	1.1		
KING RUSSELL	Σ	1.0		HASTINGS	6	-			
KIRKWOOD PAUL	Σ	\	WESTPORT TECH HS	HASTINGS	6	****	1	·····	
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(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 neighbours have been consulted regarding this proposed development.

The property to the north of the site is an agricultural property with the common boundary being vegetated along most of its length. Screen plantings are proposed where this adjoining property borders the northern boundary of the Forest Cluster.

The property to the east of the site is separated from the proposed clusters both in terms of distance and elevation. The dwelling on this adjoining site is more than 400 metres apart from the closest proposed dwelling wih forested land and Rocky Creek in between.

The two 2ha lots are visually separated fom the proposed clusters are screen plantings are proposed.

(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 The Channon Road and Standing Street. 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 roads are 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 ten 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;

Not Applicable.

NAME BETSIS, GEORGE											•	
BETSIS, GEORGE	M/F	APP.	T/L S	SCHOOL		CLUSTER	¥	M-3YT 1	M-4YT F-3YT		F-4YT	
	Σ	\	<u> </u>	PORT MACO	CQUARIE HS	HASTINGS	6					
BEYER MATT	Σ	`	포	KENDALL CS		HASTINGS	6	1	-		_	
BIERER ASHLEY	ш	1.0	<u> </u>	HASTINGS PS	S	HASTINGS	6		-			
BOURKE MERVYN	M	`	T	HASTINGS PS	S	HASTINGS	6)		ÿ		
BOURKE WAYNE	M	1.0	^	WESTPORT TECH HS	TECH HS	HASTINGS	6	-	**************************************			
BOYD JANELLE	4	`	д	PORT MACQUARIE HS	UARIE HS	HASTINGS	6					
BOYD MICHAEL	Σ	`	<u>></u>	WESTPORT	RT TECH HS	HASTINGS	6.		1			
BROOK ALAN	M	Æ	Н	PORT MACQUARIE HS	UARIE HS	HASTINGS	6		1			
BROWN GARY	Σ	0.	2	MELVILLE HS	' 0	HASTINGS	6		-			
CAIRNS DAVID	M	•	Р	PORT MACQUARIE HS	UARIE HS	HASTINGS	6					
CALLAGHAN ERROL	M	1.0	2	NORTH HAVI	IAVEN/CLUSTER	HASTINGS	6	-				
CARVER BEVERLY	F	1/	Ŧ	HASTINGS PS	S	HASTINGS	6					
COUCH LORRAINE	Ŀ	1.0	S	SOUTH WES	SOUTH WEST ROCKS PS	HASTINGS	6			/	1	
COWAN GAYNOR	ш	1.0	С.	PORT MACQUARIE PS	UARIE PS	HASTINGS	6		-	ノ _	<u> </u>	
CRAWFORD KATHY	ш	<i>\(\)</i>	^	WESTPORT	-06	HSHASTINGS	6		1			
CRAWFORD KEITH	Σ	1.0	Α.	WESTPORT	RT TECH HS	HASTINGS	6	1				
CROWELL ALAN	Ψ	W	X	KEMPSEY EAST PS	AST PS	HASTINGS	6	1				
DAVIES JENNY	L	٧.	·	CRESCENT HEAD PS	IEAD PS	HASTINGS	6			_	_	
DICKIINSON SUE	L	1	S	SOUTH WEST ROCKS	T ROCKS PS	HASTINGS	6				-	
DONAL DSON GREG	Σ	*	>	WESTPORT TECH HS	TECH HS	HASTINGS	6		-			
DUFFY WENDY	ட	11	<u> </u>	WAUCHOPE HS	HS	HASTINGS	6		-		_	
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DUTTON JILLIAN	F	\	<u>^</u>	WESTPORT PS	PS	HASTINGS	6				1	
EASEN JANN	ட	_	2	MELVILLE HS		HASTINGS	δ				_	
EVANS STEPHEN	Σ	_	2	MELVILLE HS		HASTINGS	6		1			
FELTON JILLIAN	ட	\	>	WESTPORT	RT TECH HS	HASTINGS	6				_	
FIELD CAROLE	ш	1.0	>	WESTPORT	RT TECH HS	HASTINGS	6		_			
FITZPATRICK BERNARD	Σ	1.0		PORT MACQUARIE PS	UARIE PS	HASTINGS	6	_				
FOWLER ARCH	M	/	F	PORT MACO	COUARIE HS	HASTINGS	6		1			

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

The rural community has telephone and electricity services available and provision of water and effluent disposal is to be provided on site. Each house site will have access to an onsite water reticulation system, sourced from springs on site and stored at holding tanks. Rainwater sourced from building roofs will be stored at each house site.

(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 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. The majority of the infrastructure, ie the roads are already in place.

(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 surrounding the village.

(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.

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O'BRIEN ALISON	ட	1.0		WESTLAWN PS	CLARENCE	9				
O'SHEA RAY	Σ	1.0		GRAFTON HS	CLARENCE	9	-			ì
PACKETT CAROLYN	ட	1.0		MACLEAN HS/CLUSTER	CLARENCE	9			-	
PAGE EARLE	Σ	"		GRAFTON HS	CLARENCE	9	-			
PASCOE SUSAN	4	7		STHGRAFTON	CLARENCE	9		1		
PRESTON JUDY	ш	"		STH GRAFTON PS	CLARENCE	9	17 22	L		İ
PURSEY GRAHAM	Σ	¥		GRAFTON HS	CLARENCE	9	٦.	1		
RICE WAYNE	Σ	· Same		MACLEAN HS	CLARENCE	6 1			~	
ROBERTSON CLAIRE	Ŧ	V		MACLEAN HS	CLARENCE	9	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		-	
RODHAM SCOTT	Σ	1.0		GRAFTON HS	CLARENCE	9	1			
RUDDER ALEX	W	7		SOUTH GRAFTON HS	CLARENCE	9	1			
SHANNON COLIN	Σ	1.0		MACLEAN HS	CLARENCE	9	1		1	
SHEEHY REBECCA	F	1.0		GRAFTON STH PS/CLUSTER	CLARENCE	9		. 1.0	,	
SHEPHARD COLIN	Σ	1.0		MACLEAN HS	CLARENCE	6	1	ų:	-	
TATHAM STEPHEN	Σ	•		GRAFTON HS	CLARENCE	6	, : ** 1 com			
TAYLOR SABREENA	Ŧ	1.0		GRAFTON HS	CLARENCE	9			1	
TOMLINSON YVONNE	ш	1.0		STH GRAFTON HS	CLARENCE	9		1		
WALKER BARRY	M	1.0		SOUTH GRAFTON PS	CLARENCE	6 1		1		
WATSON GEORGE	Σ	1		MACLEAN HS	CLARENCE	9	1			
WEBB MELINDA	Ŧ	1.0		GIFFIMINGA PS	CLARENCE	9			1	
WEST CAROLE	Ŧ	1.0		YAMBA PS	CLARENCE	9			1	
WILLIAMS DAVID	Σ	ブ		YAMBA PS	CLARENCE	9	1			
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ADAMS SHIRLEY	ட	1.0		MELVILLE HS	HASTINGS	6	,	-		
ANDERBERG GEORGE	Σ	1.0		PORT MACQUARIE HS	HASTINGS	6	-			
ANDERSON JUDY	ш	`.		ALDAVILLA PS	HASTINGS	6			+	
BALLESTY GAIL	ய	1.0		LAURIETON /CLUSTER	HASTINGS	6		-		
BATTYE JANETTE	ш	1.0		MELVILLE HS	HASTINGS	6		-		
BEAL MARGARET	ш	1.0		PORT MACQUARIE HS	HASTINGS	6		, e, -		
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Also, refer to section 4.3 which assesses the proposal in the context of Lismore Local Environmental Plan 1992, as amended.

(a) the circumstances of the case;

The proposed development, a multiple occupancy of ten 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

Development Application: Multiple Occupancy Development November 1993

Site: Lot 23 DP 773782 Location: 336 The Channon Road, The Channon

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HUGHES DOUG	V	1.0	S	STH GRAFTON PS	CLARENCE	9	-			_	
HUGHES KERRY	F	//	9	GRAFTON HS	CLARENCE	9			-		
HUXLEY HELEN	F	ţ	C	GRAFTON HS	CLARENCE	9	Į.			_	
INMON CAROL	F	"	S	STH GRAFTON HS	CLARENCE	9		1	-		
IRWIN-LANS JAN	F	11	S	COPMANHURST PS	CLARENCE	9		y.	1		
JEFFREY DOUGLAS	W	4	2	MACLEAN HS	CLARENCE	9	-	1 1 k)	-	
KELLY JOANNE	F	\	S	SOUTH GRAFTON HS	CLARENCE	9		i;		1	
KEMPNICH HELEN	F	١	S	STH GRAFTON HS	CLARENCE	9			37 (***********************************	, F	
KOWEL PATT	F	1	S	STH GRAFTON PS	CLARENCE	9		1.	1		;
KRESTENSEN GEOFF	M	1.0	S	STH GRAFTON PS	CLARENCE	9	•	1			
LEAVER COLIN	M	11	2	MACLEAN HS	CLARENCE	9		-			
LEAVER MARIA	· F	1.0	2	l PS	CLARENCE	9		í	* * * * * * * * * * * * * * * * * * *	-	
LOVERIDGE RON	M	1.0	2		CLARENCE	9		1			
MAHER ERIC	M	1.0	2		CLARENCE	9				•	
MALECKAR MAUREEN	F	1	9		CLARENCE	9	-	**************************************			
MALTHOUSE ALLAN	M	"	S	STH GRAFTON HS	CLARENCE	9	1				
MC BRIDE GRANT	M	1	2	HS	CLARENCE	9	1	1		- :	
MCBEATH KIM	F	1.0	S	N HS	CLARENCE	9			•	1.00	
MCLENNAN PAUL	M	1.0	9	GRAFTON HS	CLARENCE	9		₽,		,	
MCMULLEN PATRICK	M	1	S	STH GRAFTON HS	CLARENCE	9		1			
MCPHERSON EVE	ட	Ü	(V)		CLARENCE	9			-		
MCPHERSON STEVE	M	\	S	STH GRAFTON HS	CLARENCE	9	1				
MELLEFONT JOANNE	ш	•	9	I HS	CLARENCE	9				1	
MILLMORE FRANCIS	L	1	<u>-</u>	TUCIABA/CLUSTER	CLARENCE	9		:		-	
MILNE DENNIS	M	1	4	MACLEAN HS	CLARENCE	9	-				
MORGAN BEVERLEY	Ŧ	1.0	<u> </u>	S	CLARENCE	9	F			-	
MORGANS KIM	L	١	2		CLARENCE	9		1		_	
MUIR DAVID	Σ	X.	2		CLARENCE	9		-			
MULLER KEN	Σ	7	S	TON HS	CLARENCE	9		-			
NICOLL CHRISTINE	F	1.0	~	MACLEAN HS	CLARENCE	9		ノ ⁻]		-	
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S.4A Considerations - Environmental Planning and 4.5 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;
- 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 iauna;

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.

Development Application: Multiple Occupancy Development Site. Lot 23 DP 779702 Location: 336. The Channon Road, The Channon

November 1993

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CARLI ON TVONNE	- :	0.6	GHAPLON PS	CLARENCE	9				
COADY GEOFFREY	Σ	2	STH GRAFTON HS	CLARENCE	9	-			
COLLESS BRIDGET	L.	1.0	GRAFTON PS	CLARENCE	6			1	
CURTIN STEPHEN	Σ	1.0	MACLEAN PS/CLUSTER	CLARENCE	9	1			
DAHL LYNETTE	F	\	GRAFTON PS	CLARENCE	9		-		
DIXON KEVIN	ν	\	SOUTH GRAFTON HS	CLARENCE	9	1	7 427444		
DUNLEA BRIAN	M	\	MACLEAN HS	CLARENCE	9		***	A Section	
EATHER GREG	W	1.0	STH GRAFTON HS	CLARENCE	6 1				
EGAN ELIZABETH	F	•	MACLEAN HS	CLARENCE	9			l quiz	
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ELLEM JANISE	4	١	NYMBODIA PS	CLARENCE	9	The state of the s	100	Car in page -	
FALLSHAW JAN	<u> </u>	1.0	GRAFTON HS	CLARENCE	9	3	-	Port III	
FARRINGTON PAM	Ŧ	1.0	STH GRAFTON HS	CLARENCE	9			-	
FLEMING HEATHER	ш	\	GILLWINGA PS	CLARENCE	9			1,1	
FROHLICH MARTIN	Σ	1.0	TUCIABA/CLUSTER	CLARENCE	6 1			r	
GARDAM GLENYS	ட	\	MACLEAN HS	CLARENCE	9			1 .	
GIBSON PAUL	<u>.</u> Σ	1.0	STH GRAFTON HS	CLARENCE	9	1			
GLASSER PAULINE	ш	1.0	MACLEAN HS	CLARENCE	9			1	
GOODWIN PAULINE	щ	\	SOUTH GRAFTON PS	CLARENCE	9			1	
GRACE LEON	Σ	1.0	WESTLAWN PS	CLARENCE	9	1	t	,	
GREGORY ESTER	ட	`	MACLEAN HS	CLARENCE	9			1	
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(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.

Development Application: Multiple Occupancy Development Sité. Lot 23 DF 773702 Location: 336 The Channon Road, The Channon

November 1993

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NAME	M/F	APP.	T/L SCHOOL	CLUSTER	# M-3YT	M-4YT	F-3YT	F-4YT	
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Page 7

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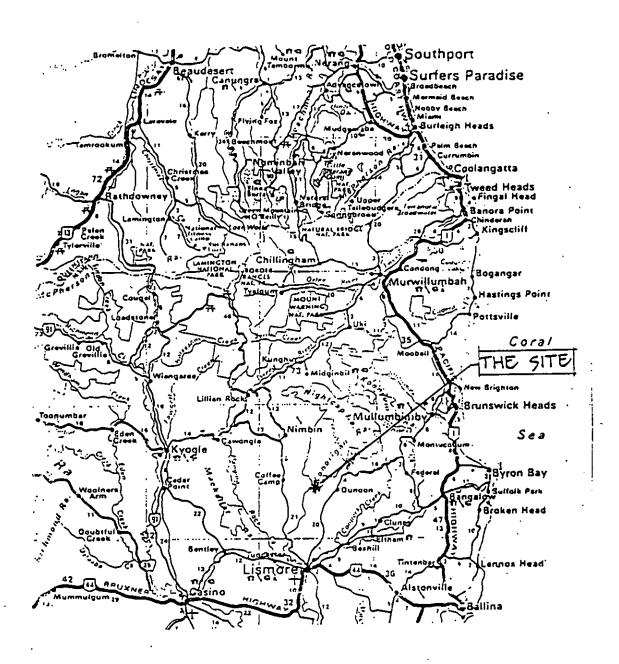


Illustration 1 - Regional Context

Development Application: Multiple Occupancy Development

Site: Lot 23 DP 773782 Location: 336 The Channon Road, The Channon

November 1993

23

ABORIGINAL EDUCATION POLICY



FOREWORD

The Department of School Education is committed to providing an education which encourages all students to strive for excellence and to fulfil their potential.

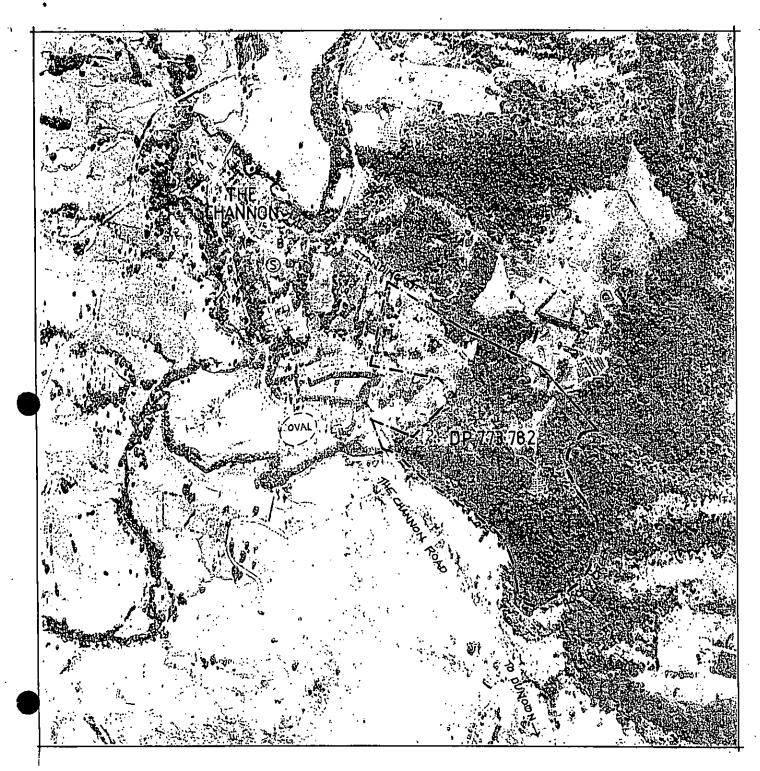
Educational outcomes will be maximised by providing all students equality of opportunity. To achieve this, an educational environment needs to be established this inclusive. Furthermore, the specific and general needs of all students need to addressed providing a relevant and appropriate curriculum.

This policy emphasises the Department's commitment to providing for the particular needs of Aboriginal and Torres Strait Islander students and to the needs of non-Aboriginal and Torres Strait Islander students.

The Aboriginal Education Policy is relevant for implementation in all NSW schools regardless of there being Aboriginal and/or Torres Strait Islander students enrolled at any particular school. This policy is relevant to all students in NSW schools regardles of their cultural background.

The means by which this policy is implemented is greatly dependent on the mutual cooperation of Aboriginal communities and Torres Strait Islander communities, and schools. Community participation is an essential prerequisite for the successful development of this policy.

The Department has consulted widely with Aboriginal and Torres Strait Islander communities and organisations in the development of this policy and its support documents. This partnership needs to continue in the fulfillment of our goals as expressed in this policy based on mutual respect and understanding.



LEGEND

- --- PROPERTY BOUNDARY
 - B THE CHANNON BUSHFIRE BRIGADE
 - S . THE CHANNON PRIMARY SCHOOL

Illustration 2

Balanced Systems
Planning Consultants

PO Box 36, Bangalow, 2479. Ph/rax 066-895301 Job No.: 94-106

Drawn by: Chris Barnett BiArch. PO Box 154 Mullumblmby 2482 Date: 25-10-93

Scale:

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LOCALITY MAP

OBJECTIVE

To develop in all students a knowledge, an understanding and appreciation of Aboriginal and Torres Strait Islander cultures and their heritage.

OUTCOMES

- * Aboriginal content and Torres StraitIslander content are incorporated into relevant policies, programs and practices.
- * Aboriginal students and Torres Strait Islander students have a knowledge, understanding and appreciation of their culture and heritage.
- * Aboriginal studies and Torres Strait Islander studies and content are developed for all Key Learning Areas.

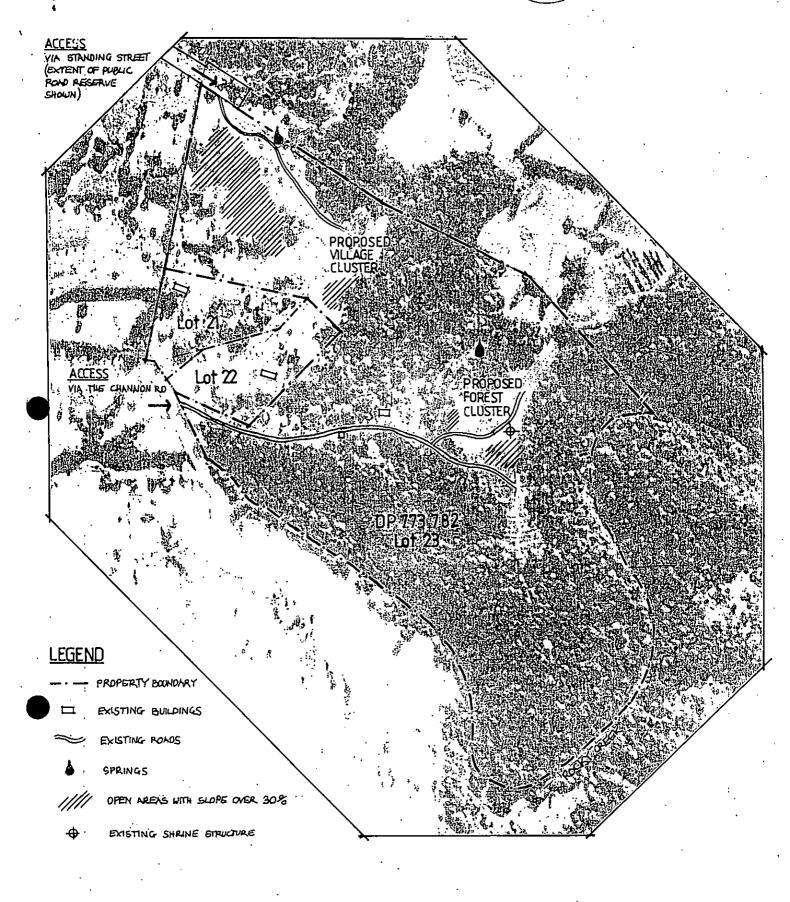


Illustration 3

Balanced Systems
Planning Consultants

PO Box 36, Bangalow, 2479 Ph/fax 066-895301 Job No.: 94-106

Drawn by: Chris Barnett B'Arch PO Box 154 Mullumbimby 2482 Date: 25-10-93

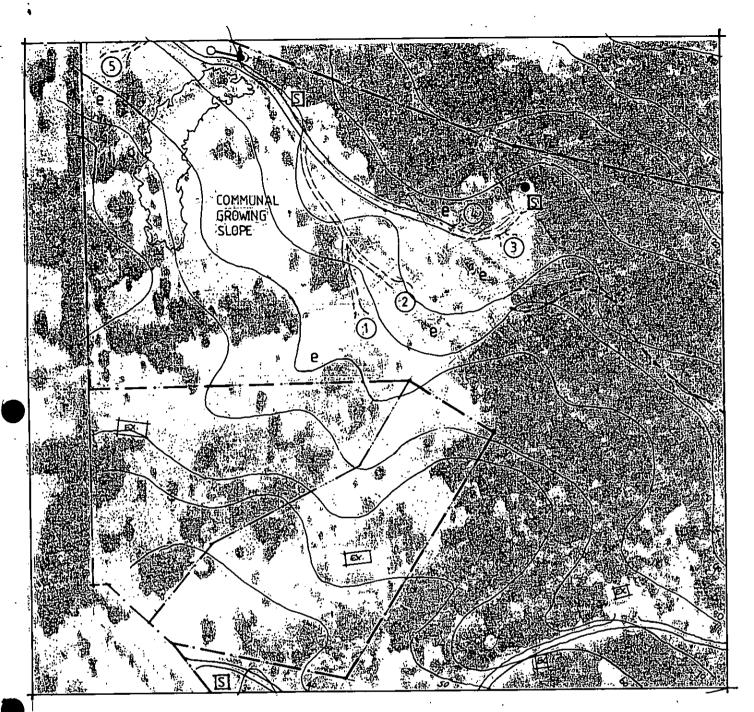
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SITE PLAN

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EGEND

PROPERTY BOUNDARY

EXISTING BUILDINGS

EXISTING WALKING TRACK TO BE UPGRADED

EXISTING ROADS

=== PROPOSED DRIVEWAYS

<u>s</u>

PROPOSED COMPUNAL SHEDS

PROPOSED HOUSE SITES

PROPOSED AREAS SUTTABLE FOR APPROVED SEPTICE EFFLUENT DISPOSAL

10,000 GALLON TANK TO BE AVAILABLE FOR PIRE FIGHTING AND TO INCOPORATE AREA FOR FIRE TRUCK ACCESS AND TURNING

SPRING - TO BE PIPED ABOVE ROAD INTO SETTLING TANK

PROPOSED CULLY REGENERATION

SKETCH ONLY - SUBJECT TO SURVEY

SCREEN PLANTING TO BE INITATED ON SOUTHERN ASPECTS OF ALL HOUSE SITES TO MODERATE WHOS

Illustration 4

Balanced Systems Planning Consultants

PO Box 36, Bangalow, 2479 066-895301 Ph/tax

Job No.: 94-106. Drawn by:

Mullumbimby 2482

PO Box 154

Chris Barnett B'Arch.

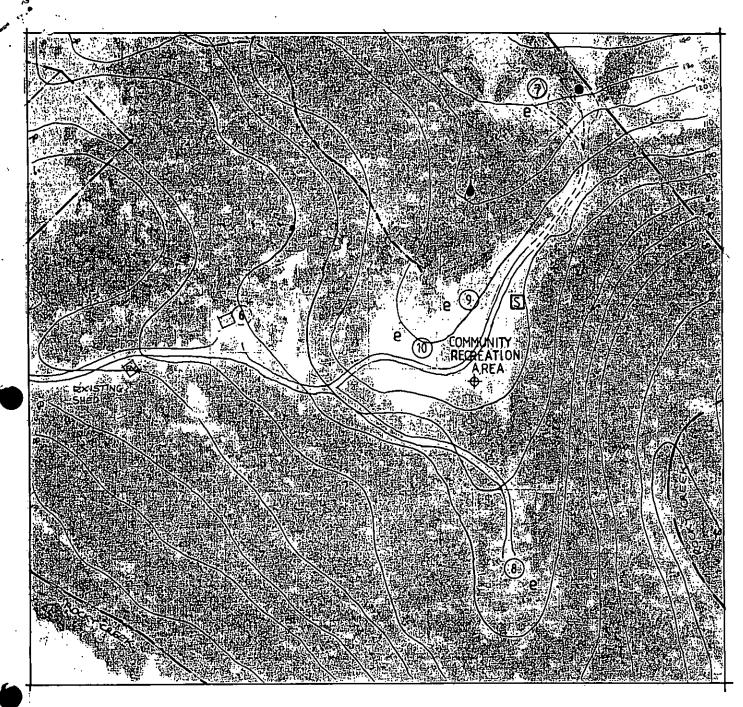
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LEGEND

-- PROPERTY BOUNDARY

(6) EXISTING APPROVED OWELLING. TO DECOME SHARE 6

TO BECOME SHAKE B

TO BE UPGRADED

EXISTING ROAD CONCRETE
TRACKS TO BE EXTENDED FROM
THE CHANNON ROAD TO EXISTING
PUELLING

PROPOSED DRIVEWAY

7) PROPOSED HOUSE SITES

- PROPOSED AREAS GUITABLE FOR APPROVED SEPTIC EPPLUENT DISPOSAL
- 10,000 GALLAN TANK TO BE AVAILABLE FOR FIRE FIGHING AND TO INCORPORATE AREA FOR FIRE TRUCK ACCESS AND TURNING

SKETCH ONLY - SUBJECT TO SURVEY

🌢 spring .

SCREEN PLANTING TO BE INITIATED BETWEEN SITES 9 AND 10, MY SITE 7 & SITE BOUNDARY.

S PROPOSED COMMUNAL SHED

. EXISTING SHRINE STANGURE

ONE to be with @ 400)

Illustration 5

Balanced Systems
Planning Consultants

PO Box 36, Bangalow, 2479-Ph/fax 066-895301 Job No.: 94-106

Drawn by: Chris Barnett B Arch. PO Box 154 Mullumbimby 2482 Date: 25-10-93 Sc

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The Council debate about DA 93/691:

Multiple Occupancy, 336 The Channon Rd The Channon

Lismore City Council meeting, March 1 1994.

Transcript: —

Mayor John Crowther: I have a motion for the suspension of standing orders. Seconded?

Councillor Diana Roberts: Seconded.

Mayor John Crowther: All those in favour. — Against. — The motion is carried. (speaking to Merv King of the Lismore Ratepayers Association) — No interjections from the gallery please. I've had you tonight! The next, um, item of business is page, um...

General Manager Paul Muldoon: Twenty two.

Mayor John Crowther: Twenty two.

General Manager Paul Muldoon: Page twenty two, the Multiple Occupancy at The Channon, DA 93/691.

Councillor Diana Roberts: I would actually like to ask a question. I'm quite happy to move the recommendation as printed but I would like to express the concern that was raised in public access in relation to control burns.

Mayor John Crowther: Seconded? Councillor Carson. Carry on.

Councillor Diana Roberts: And, I mean, it does mention a twenty metre firebreak around the property which I consider to be adequate; however, I'd like to know why you're recommending that control burns be carried out? I would think that the best way to manage the property, in terms of the fire hazard, would not be control burns. So is it possible to put other conditions on it other than control burning. I mean use that as a last resort. I guess that is the question I am asking because I think that's what it needs to be. A property, in that position with that sort of slope, and given the forest that's on it and the regeneration that's likely to take place.

Mayor John Crowther: Councillor Wilson.

Councillor Wilson: Mr Mayor, I'd like to speak against that.

Paul Muldoon: Question about the control burns. Councillor Diana Roberts: It was a question.

Mayor John Crowther: It was a question; I'm sorry.

General Manager Paul Muldoon: Mr Bush Fire Officer. Whatever position it ultimately ends up is down to the fire control officer and his local captains. And has to get permits in most situations to burn. And that's where the stop, that's where the decision is made.

Councillor Diana Roberts: But my question is, that the condition as it is written at the moment says control burns are to be carried out, so, it's like, you carry out a control burn, on a rotational basis.

Mayor John Crowther: Just a minute; have to work out...

General Manager Paul Muldoon: At acceptable times so you don't get major fires.

Councillor Diana Roberts: No it's not that. Sorry what are you saying?

General Manager Paul Muldoon: Can I suggest that to overcome maybe your problem, would be to just eliminate the word burns. And make it is 'control is to be carried out and areas can either be burnt, ploughed etc.'

Councillor Diana Roberts: Yes. OK. I'll move the motion for that recommendation.

Mayor John Crowther: With that inclusion. Councillor Carson. General Manager Paul Muldoon: We'll make it *fire control* so we know what we are talking about.

Councillor Carson: I have got some questions. I don't think the answer to that question about Standing Street was satisfactory, because I think the question was about what had been received with Section 94 monies to be expended on that. The question was more, can money, will money, be spent, on that area at the top of the existing bitumen road, because there is a problem with buses turning around in a blind spot. That's my first question. Secondly, I am assuming that the tree that is just inside the gate will remain; even though we've insisted on a certain width road that can't go on the other side of that tree towards the gully where it drops away. Can we be guaranteed that that tree will remain and that you won't force the applicant to remove it by creating this road?

Planning Services Division's head Nick Juradowitch: Ahh... Not unless you put a condition in the consent. But this is agricultural land and the removal of trees is a right of the landowner. There's no consent required.

Councillor Carson: My problem the road has to be a certain width and therefore he may be forced to take it down in order to comply with that particular condition.

see 30

Mark Anson: The tree is on Council land, actually.

Nick Juradowitch: Well, you'd better issue instructions...

Councillor Carson: Yes but you've been asking him to put in a road so here's the catch-22. OK. It needs to go in. It (the tree) needs to remain; nobody wants it to go.

Nick Juradowitch: Well, Council can resolve, if it is on council land, it doesn't have to go in the consent. It can simply resolve an additional prohibition that the road design retain that existing tree.

Councillor Carson: OK; then I would ask that it be added to this. Um; the sites near the macadamias — are they one hundred and fifty metres from the boundary or not?

Nick Juradowitch: The assessment is that all dwellings comply with Council's buffer zone in the DCP. There is a more than a thirty metre planted buffer plus a more than fifty metre separation from that to the dwellings.

Councillor Carson: Um; The slip that was referred to, that, "had we seen it today, it was very instable" — do you have any comment on that? Are you aware of the condition of the land today? — that would alter...

Nick Juradowitch: No. I haven't been out to the site. It's not in an area that's been identified as having a high instability factor. It's ahhh... parts of the site of course are very steeply sloping. The areas where the houses are planned are in a medium stability area, so that means that care is required in design of footings.

Interjection from the gallery: Conservation and land management...

Mayor John Crowther: Any further debate? Councillor...

Councillor Reg Baxter: I'll be voting against the motion Mr Mayor, especially the part where you've deleted the control burns...

Councillor Diana Roberts: We haven't deleted it.

Councillor Carson: We haven't deleted it. It's still there.

General Manager Paul Muldoon: It's changed to read, Councillor Baxter, it's changed so that that condition would read "fire control is to be carried out and areas can either be burnt, ploughed or cleared or slashed on a five year rotational basis to reduce the internal fire hazard." So all it's saying, what Councillor Roberts has indicated before — that fire control had to be by way of burns — but the control can be by way of other methods such as stated in the conditions.

Councillor Reg Baxter: Point taken. Ah... I believe that you've gotta take notice, if, if, this Council's got concerns about listening to the people. And if you got sixty odd people objecting to it then I think you've gotta listen to them. And what concerns me too is item 19 ... (illegible)... what happens if there is only

two or three sites that will be acceptable; does the application still go through?

Nick Juradowitch: Can only build two, three houses. That's right.

Councillor Reg Baxter: That's what you build?

Nick Juradowitch: That's right. Ahh... There are two ways of looking at the site. If there's clear evidence that its highly unstable, as some sites in other MO's have indicated, we require a detailed geo-technical report before we consider the proposal any further. Where its in what are considered to be a medium hazard area, its recognised that they will be able to find suitable sites. So we do it by way of a conditional development application consent. So that would require, when they prepare their building applications, that they undertake a site specific investigation. If they can't provide a suitable site, they can't get a building approval.

Councillor Reg Baxter: Yes. Well, you know, that seems unfair to me. Because there are people in the area who, who, and I quote one in particular, an ex-Councillor Don Johnson who, who, wanted to get five acres off the property that he lived on and he couldn't do it. Now that doesn't seem fair; that we're going to allow this to go through — and something like that which is a very deserving case is knocked back. So on principle, I gotta vote against it. And I did tell (unclear word or words) that generally speaking I was against MO's, amen.

Councillor Carson: In the Land and Environment Court...

Councillor Reg Baxter: So I've gotta, on principle, vote against this one. And I know what Councillor Hepburn says too — if the State Government says that they're legal, or everything is OK, we've gotta approve it. Well, that might be the case, but that doesn't say that I've gotta vote for it. Ahh.. If you, if you, take notice of the structure of the land out there and you have a look at it now, as the gentleman is sort of asking you too, I would, I would venture to say, that you would see that there would be a fair amount of water coming out between the layers of rock that's on the property. And that's general to the area. Now, I, I believe that, that, I'm not a structural engineer, but I, I, I believe that, that would be a difficult area, there. So, Mr Mayor, I'd, I'd be voting against the motion.

Mayor John Crowther: Councillor Larsen — question.

Councillor Peter Larsen: Mr Mayor, to you; and to Mr Juradowitch; and possibly the engineer could take, partake in it too. In reading the report that was supplied again today, as an annexure to the recommendation again in tonight's Business Paper, you will note that in 90/5 B, in brackets, if you will read that, CALM expressed severe concern at the actual access to both

clusters. Now I will probably ask this — and I think it might have been covered before when we deferred this to have Councillors have a look at both accesses — why, if CALM has had problems with this, is Council still managing to recommend that it be passed for consent, when it seems like there's gotta be a lot of engineering structure coming into it, and a lot of cost. And MO's are supposed to be low cost housing structures. And also developments. So I can't see — there's sort of conflict here — if you can cover that for me.

Nick Juradowitch: Certainly. Section No. 90 requires that we consider the standard of access and ahh.. the engineering assessment of the access is that by proper construction techniques all weather access was, can be, provi. However, it's not a ground of refusal to refuse an application because the cost of providing access may be high. That would be a decision by the applicant, as to whether to proceed with the proposal. Whether it's economic or uneconomic.

Councillor Peter Larsen: And just to follow up, Mr Mayor, if I may. If I were to stand here and move an amendment for a change of density from ten to five — have we that legality to actually do that? Without conflict. Or can he seek...

Nick Juradowitch: Compensation...

Councillor Peter Larsen: ... compensation in the Environment Court?

Nick Juradowitch: Yeah, that would be, um, that probably would be read to be a refusal of the application because it's substantially different to the application proposed.

Councillor Peter Larsen: I just wanted to clarify it because I've...

Nick Juradowitch: Yes, ah, if you had problems with specific sites, maybe changing a couple of sites or deleting a couple of sites, then that would be more consistent with an approval. But reducing it from ten to five would, would be a fairly substantial change and I would say a court would read that as a refusal.

Councillor Peter Larsen: And one more, Mr Mayor, if I may, ah. Item 14 in the actual recommendation on page 25. The application says ...(unclear), effluent water from each dwelling. I understand that the person that's developing the site, Mr Anson, referred to composting, self composting toilets. Why should then we have septic effluent in there? Should it not be replaced with composting toilets.

Nick Juradowitch: Because if it were designed for a worst case scenario. Composting toilets are a much more efficient method of handling effluent disposal in rural areas. And we encourage them. But ah, they do have the option of putting in an additional septic system; so we would require an examination. There's also design

issues relation to compost, self composting toilets. That would have to be addressed. Perhaps the health surveyor would want to... **Mr Moorhouse:** Yes Mr Mayor, even if people have self composting toilets they still have to get rid of their grey water. So something would have to be done with that as well. The design would have to address...The design of the composting toilets, unless they were to use a standard design that we accept in Lismore, and also to address the hydraulics that go with disposal of grey water.

Mayor John Crowther: Debate for the motion.

Councillor Frank Swientek. Yes Mr Mayor, I have a question. The question I would like to make is to the chief planner or, and, the engineer. In relation to the \$29,000 that is to be collected — how far and widespread is that going to be spent, in terms of the developments because there is the Standing St site and also The Channon Rd. Will the, that amount, cover the necessary embellishment of the road to bring it up to a safe standard so that the concerns of residents for the increasing traffic. And safety of the school there. Will that be addressed by that sort of money?

Nick Juradowitch: I can give the exact amounts form the file; it's calculated according to a formula. Most of the money is spent on the first road because that's where traffic impacts the greatest. Ah, the Council's formula is based on the impact that an additional dwelling, and the traffic generated by that will create on the road. So, if you have a road that is inadequate, as most of our roads are, then there will be insufficient money to bring the road up to a desirable standard. Ah, even though it may be at a minimum standard. And I think that's the difference. So, it will not bring it up to a desirable standard but it will bring it up to a minimum standard. The actual amounts, if you will bear with me... Perhaps if you continue with the debate and I'll locate these amounts and I can give them to you.

Mayor John Crowther: Is there a question? Councillor Spash, is it?

Councillor Jeff Spash: Question is to Mr Juradowitch; in relation to the problems that were raised with Council, as it is laid out, the Development Application, really hasn't got the grounds to refuse the application. As such. It would appear that way. What would worry me is that if we resolved to say yes to it, when the building applications come in, deficient, and, obviously, the results of the geotechnical reports aren't sufficient, and they require, and you can't build houses on the said land, and they don't come up with the requirements — then what happens in that instance?

Nick Juradowitch: The consent will lapse within five years. Unless they can ... it up. I mean, there is already one house on the site, that has no problem. So we would expect that they would be able to find additional house sites that are suitable. But if they can't, well they can't comply with the consent. Because they have development consent doesn't mean they will be able to go through with the development. There are other requirements that have to be measured. As far as a refusal goes, I've exercised my mind to find some reasons for refusal and I've identified nine possible reasons for refusal. Ahm, I'm not sure they'll stand up but if, ah, Council resolves that is so desires for refusal I could devise some reasons for refusal.

Councillor Jeff Spash: Second, ah, third question, the is — do you feel you have the capability to ensure that all the, the controls that have been listed will be carried out?

Nick Juradowitch: Yes, we check the site two years after the consent is issued to ensure that all the issues have been complied with. Ah, it's checked by, ah, building surveyors when each building application is submitted. And we also, if we receive any complaints about non-compliance, ah, we will follow that up. Unfortunately Council does not have a planning enforcement inspector. Ah, however, lack of resources, isn't, you can't give that as a reason for a refusal for an application.

Councillor Jeff Spash: The other question, Mr Mayor, is that, Mr Juradowitch said that there is a thirty metre buffer zone and that there was another fifty metres to the next house. Personally, I would like to see that the one hundred and fifty metre stay. Because of the noise factor, and, because over there (the neighbour, Alan Coates) he's operating his tractor and, obviously, working early in the morning and late at night, and, if there's a house closer than eighty metres you'll hear that noise, and it becomes objectionable. And, I think that as one of the objectors raised, in the situation where you don't know who's going to be living in those houses. And therefore I would like to see the maximum area of buffer.

Nick Juradowitch: Ah, the development complies with Council's own policy in buffer areas. Ah, if you put it from one hundred to one hundred and fifty metres for traffic noise, it would fairly minimal. The one hundred and fifty metres has been devised by the Dept of Agriculture guidelines for aerial spraying. Ah, the buffer is designed to reduce that. Ah, one hundred and fifty metres, I think, would preclude about four of the sites, mainly. I wouldn't be sure on that but I think about four of the sites. It would require, ah, a substantial modification of the consent.

Mayor John Crowther: Speaker for the motion. One for the motion, which is the granting of the development. Councillor...

Councillor Ron Hepburn: Mr Mayor, I'm just concerned, ah, at what Mr Juradowitch has just said. I mean, here we have a report which recommends, recommends an MO, with a certain number of conditions, but then he says, 'I could devise nine different things to say we shouldn't have it.' Now, if we need to devise nine other things to say we shouldn't have it then we should have had a report here that says we should refuse it for these nine reasons. Now either one of them's gotta be legitimate, and the one lot, one, one lot of conditions has to be legitimate and the other has to be illegitimate. Now which one is it? Ah, you're talking, you're talking against your own report.

Nick Juradowitch: Yes I'll explain the situation. The recommendation in the report is the recommendation which I believe is appropriate. But I was requested by the General Manager to consider what options were available if council should wish to refuse the application. And that is quite a common practice for Councils to do. Ah, where a recommendation is not supported by the elected representatives, they're required to give their reasons for, um, making say, a refusal. And it's my role to advise Councillors in that situation. But obviously, if Council, has to, if it refuses the application, it has to give reasons, and would then have to hire a planning consultant to support that refusal.

Councillor Ron Hepburn: Very well, I wish to follow on with that Mr Mayor, and the reason being that I know, I know that that is also the case, but usually in a case like that, that comes before council, when there are good reasons for something and maybe good reasons against something, that there is usually not a recommendation. It comes to Council and it says, 'If you decide to approve this development then they are the conditions that you set on the development. And if Council is of a mind to refuse it then these are the conditions, or these are the reasons that you could bear in mind if you refuse it.' Now until such time as a report is given to us that shows us the things, and they're the sort of things that this council has asked for before if it wants to refuse something, then you people, the professionals within council, must advise us of the good reasons why they should be refused. And to my mind they are the things that should be in this report.

Mayor John Crowther: We don't want to get into a long discussion on this point.

Councillor Ron Hepburn: If there is a reason for refusal it should be in this report. But if you don't think that there are, then I think that it is wrong that the General Manager should interfere with that and suggest that you devise nine reasons.

Mayor John Crowther: Cr Hepburn, this isn't an unusual case for Council at all.

Councillor Ron Hepburn: It is Mr Mayor.

Mayor John Crowther: If you will recall back to you, Councillor, it is.

General Manager Paul Muldoon: Mr Mayor, can I, I think that it's important that I comment because I believe Councillor Hepburn has taken the point from the wrong direction. If Councillor

Councillor Ron Hepburn: I'm using the words.

General Manager Paul Muldoon: Yeah, Spash, asked the question, if you'll remember, in his discussion, what would be the grounds for refusal. I had felt, from, if you like, from the objections that were around, that it was important, if the Council was in, needed to be in a position, or wished to refuse the application, that there was some solid ground or solid reason for it and not just a political decision. Because you would get challenged at court. What I did was request the Planner to think, so that he had some time, to come up with possibly, some grounds. The planning recommendation, I've not interfered with it. And I've not made any attempt. And it is a professional recommendation and Mr Planner is strongly in support of that recommendation. If the scenario existed, as you said, the report would say exactly what you said. The report is there, recommending for approval, subject to these conditions. There is no doubt about that. There is not an alternative suggestion that it be refused. The request was purely and simply to have some thinking together, that if the political situation arose there was some grounds to put behind it.

Mayor John Crowther: Thank you Mr Muldoon. Thank you Mr Juradowitch. We have questions for... Councillor Irwin.

Ros Irwin: Yes. Mine is just following up on a point that, um, Paul Muldoon just made. Mr Juradowitch, to you, if I might. You stand by your recommendation in the Business Paper? And I guess, what I would want to, I guess, that's a question. That's my first question. You believe that the development does meet the requirements?

Nick Juradowitch: Yes, I endorse the report. If it goes that way, I would not be able to give evidence...

Councillor Ros Irwin: To the contrary.

Nick Juradowitch: for a refusal. Ah, Councils have done that before and of course have got into hot water.

Councillor Ros Irwin: So someone else would have to present a case if it went to court?

Nick Juradowitch: You would have to get another planner to present the case.

Ros Irwin: And yes, and from your experience these nine possible grounds for rejection that you've devised at the request

of other people, you did make the comment before, and I think I heard you right, was that you couldn't guarantee that they would have any certainty at law?

Nick Juradowitch: No.

Ros Irwin: If it went to court.

Nick Juradowitch: I think it would be a reasonable attempt at justifying a refusal. But it would be very difficult if, if pinned down, to provide evidence. Yeah.

Ros Irwin: Particularly given this report?

Nick Juradowitch: Well I believe they could easily be addressed and, ah, it would be difficult to sustain, but, ah, that is, a court will always, can be a little bit unpredictable, and they might be sustained by the court.

Mayor John Crowther: Thanks Mr Juradowitch.

Nick Juradowitch: Ah, the figure for Standing St and streets of The Channon is about \$4,500 out of the funds. There's about \$11,000 for The Channon Rd. And a further \$4,500 for the main road.

Councillor Stan Wilson: Councillor Wilson, you have a question.

Councillor Stan Wilson: I have a few questions on it.

Mayor John Crowther: Ah, speaker for it, Councillor Wilson, we want to continue the debate. It's been all questions and the questions have been...

Councillor Stan Wilson: Mr Mayor, I move an amendment that this decision be deferred until we have another report from the Planner stating the nine reasons he said should be, were, refused.

Nick Juradowitch: I'll read them out if you like.

Mayor John Crowther: I'll take that as an amendment. Is there a seconder for that amendment. Councillor Spash. Righto, we have an amendment to debate now. Any further debate now? I'll put the amendment then. All those in favour of the amendment?

General Manager Paul Muldoon: Read it out please, Mr Mayor.

Councillor Peter Larsen: Did we have a seconder for that?

Councillor Stan Wilson: The motion is for the adoption of the development application with amendments. And the amendment is for the deferral of it.

General Manager Paul Muldoon: Now can I just read the amendment out because I'd like to get it clear because it's obviously gonna be an issue Mr Mayor. The way I would read the amendment is, that the matter be deferred until a report outlining the possible grounds for refusal is submitted by the Planning Department.

Mayor John Crowther: Clear on that? I'll put the amendment then. All those in favour of the amendment please raise your right

hands. We have one, two, three, four, five. The amendment is lost, for deferral of it.

General Manager Paul Muldoon: And against. Councillor Diana Roberts: Right of reply.

Ros Irwin: Right of reply.

Mayor John Crowther: I'm sorry, right of reply. Alderman.

Councillor Diana Roberts: Well, I mean, I'd just like to say that. I think it needs to be remembered that this is also land which could become rural residential subdivision. And understanding is, and I could be wrong, is that the people that adjoin it are not opposed to Multiple Occupancy per se, but would like to see the conditions tightened up, and the conditions that are there actually enforced. And I acknowledge that we can't guarantee that, and it has been a problem in the past, but I accept what the Chief Planner is saying, and that is that we are trying to enforce planning conditions. Unfortunately, I find it difficult to find ways in which the conditions that can be tightened up will actually address their needs. I mean, currently it complies with the buffer zone policy. The section 94 contributions for roads have been levied at the rate that can be attributed to the development caused by the MO. I'd be interested to see if perhaps there could perhaps be a redistibution of that levy to perhaps give more of it to the local roads. And give less to the rural roads in the region. But I'd, I mean I would hope that is something Mr Moorhouse would take on board because there's obviously a problem there. I mean, I would say that I don't think it's a good ground for refusal that because Don Johnson, a former Councillor, couldn't subdivide off a little part, that we shouldn't approve this either, in case they only get two or three house sites. I mean, it's not in the interests of the owner to only have two or three housesites. There are actually very expensive conditions that are going to have to be complied with so it's in his interests, I would say, to have as many housesites as he possibly can on that piece of land. And he's proposed ten so I would assume that he will try and get ten. And while there are people who would like to see a reduced density, that is what the formula allows. And unless we can substantiate that some housesites are not suitable, and I mean this process may prove that some housesites are not suitable, then we're not able to reduce the density of the development. So, I'd like to ask Council to support it because I don't think we have good grounds for refusal. I also would like to say that I think it's unfortunate that Multiple Occupancies often find themselves on comparatively poor pieces of land and for that reason get subjected to a great deal of criticism. I mean, sure, this isn't a fabulous piece of land. It's not prime agricultural land. It's not even very good agricultural land. And, I mean, hopefully a Multiple Occupancy will end up not being an irresponsible development on this site but will see the land looked after in a better way.

Mayor John Crowther: Ready to vote on the motion. All those in favour of the motion please raise your right hand. One, two, three, four, five. Those against. The motion's lost. Next item. We'll go back to the start, and again have a motion.

General Manager Paul Muldoon: We've gotta have a decision one way or another Mr Mayor.

Nick Juradowitch: The Act requires, um, Council specify the reasons of refusal, ah, in a notice of refusal. I have a list of nine conditions, if I read these out and you are happy with these.

Mayor John Crowther: Yep.

Nick Juradowitch: You can attach.

Mayor John Crowther: Mr Juradowitch go ahead.

Nick Juradowitch: The suggested reasons for refusal are insufficient information is available to assess the capability of the land for building, construction, for roads and for effluent disposal. The proposed density of the development constitutes an overdevelopment of the land given the relatively small area of land not constrained by steep and forested land. The land is unsuitable for the proposed development because of existing erosion problems. The development will result in additional traffic on an existing inadequate road network and create further road and safety hazards. The proposal will have an adverse visual impact on the landscape of the locality. The development is out of character with the nature of rural settlement in the area, and will have an adverse social impact on The Channon village. Seven, the proposed dwellings have inadequate setback from adjoining agricultural uses and will create a potential for conflict with those uses. The approval of the development is not in the public interest as evidenced by the extent of public objection. Nine, building sites could be adversely affected by soil instability and groundwater.

Mayor John Crowther: Thank you Mr Juradowitch.

Councillor Peter Larsen: Mr Mayor can I move that the application be refused on those grounds?

General Manager Paul Muldoon: Councillor Larsen has moved that the development be refused on those grounds.

Mayor John Crowther: A seconder?

Councillor Ron Hepburn: These grounds, Mr Mayor, you can't pass that Mr Mayor, because those grounds were not read out before the motion.

Mayor John Crowther: They're read out now. Councillor Ron Hepburn: But after you've voted.

Mayor John Crowther: The development application has been dis—proved Councillor Hepburn. This is a subsequent motion to it. Councillor Wilson? — is there any debate on that. Motion.

Councillor Diana Roberts: Good luck in court.

Mayor John Crowther: Councillor Irwin.

Councillor Ron Hepburn: Yeah, good luck in court.

Councillor Ros Irwin: Well, I would just like to say this, that it seems to me that Council is putting itself in a very precarious position, when, without having any clearly articulated reasons, planning reasons, for knocking back a development application for a Multiple Occupancy, you have done so and then sought to justify you objections...

Councillor Ron Hepburn: After the fact.

Councillor Ros Irwin: ... after the fact. And I think it's a very dangerous position for this Council to put itself in and I'd just like you to think about what you are doing and I'm certainly voting against it — totally.

Mayor John Crowther: Councillor Swientek, you wish to, er...

Councillor Swientek: Mr Mayor, I'd like to take this opportunity to speak against it. Unfortunately in the previous debate there wasn't an opportunity because no-one was speaking in favour of it. So I wanna speak in favour of this, yeah. That um, the, I do think that we'd need to consider the most important issue I see, that, uh, the road is totally inadequate. I was driving, and I went and inspected the site yesterday, and I was driving to The Channon, and that road to The Channon is quite inadequate in this present state. Now, adding another thirty vehicle movements or so a day, from the expected traffic flow as a result of the ten approvals, I think, would only exacerbate an existing problem; and certainly would increase the rate of deterioration of the road. The other matter is the matter of the front of the Primary School. At The Channon Public School. Now we've heard the Chief Planner talk about the \$4,500 would be allocated to improving that. Now, that's supposed to put in a bus bay. Now \$4,500 wouldn't even kerb a part of that street, wouldn't kerb a hundred of so metres of it. Now I can't see how you could possibly do anything there in terms of improving the safety of the children in that area. And you're going to add a half a dozen MO's in that particular road. Now the road is already considered a dead end street, and it only has one or two properties at the far end of it. Very small traffic flow through it. And the students walk up there and they feel quite safe to be able to walk on the road. There's no footpath and they walk on the road. Now unless we've got the money, and we come back to this problem of resources, unless we've got the money to put up ourselves, to actually embellish those roads, put in footpaths and make it safe for everybody, and improve the road

to The Channon, I think we're silly in approving this sort of development. There are good grounds to refuse it and I think that the ground above is the most significant one, and one that needs to be contended with. There are other ones, that I'm concerned about. The instability of the land. I actually saw some of the tunnel erosion on that site, and I wonder how you're going to deal with that situation after the sort of rain we had last night. I was there yesterday and it wasn't too bad, but I'd be interested to see what it would be like today after heavy rain. The ah, add to that, you've got the extra six or so dwellings on the top of that area. Where do you reticulate that water to? That only adds to the run off. Some of it will be caught in the tanks, but with the heavy rain like this that will be filled up in a matter of hours, and it will be overflowing. Ah, there's no doubt that there's concern amongst the general public. There hasn't been much support for it and certainly the objections that I've heard indicate that the public there do not want that development to go ahead. Thank you.

Mayor John Crowther: Any further speakers on this subject. There are none, then I'll put the motion. Those against.

General Manager Paul Muldoon: Three, four.

Mayor John Crowther: The motion's carried.

General Manager Paul Muldoon: No. Hang on, woo woo woo.

Mayor John Crowther: I'm sorry.

General Manager Paul Muldoon: It's gonna be a casting vote.

Mayor John Crowther: Yep. Yeah. Those, for the motion please raise your right hand. One, two, three, four, five, six. Those against. The motion's carried by my casting vote.

Councillor Ros Irwin: Record against Mr Muldoon.

Councillor Ron Hepburn: No it's not lawful to record against any more but I'd like mine recorded.

General Manager Paul Muldoon: You can record, you just can't give any reasons. You can give a reason but don't give it to Council.

Councillor Ron Hepburn: I don't have to give a reason.

Councillor Diana Roberts: Not really.

Councillor Ron Hepburn: Record them all. And make sure those tapes are kept.

Mayor John Crowther: The motion to revert to normal business.