

Ordinary Meeting of Council Tuesday, 8 March 2011

Attachments Excluded From Agenda



Paul G O'Sullivan

2 March 2011



Attachments

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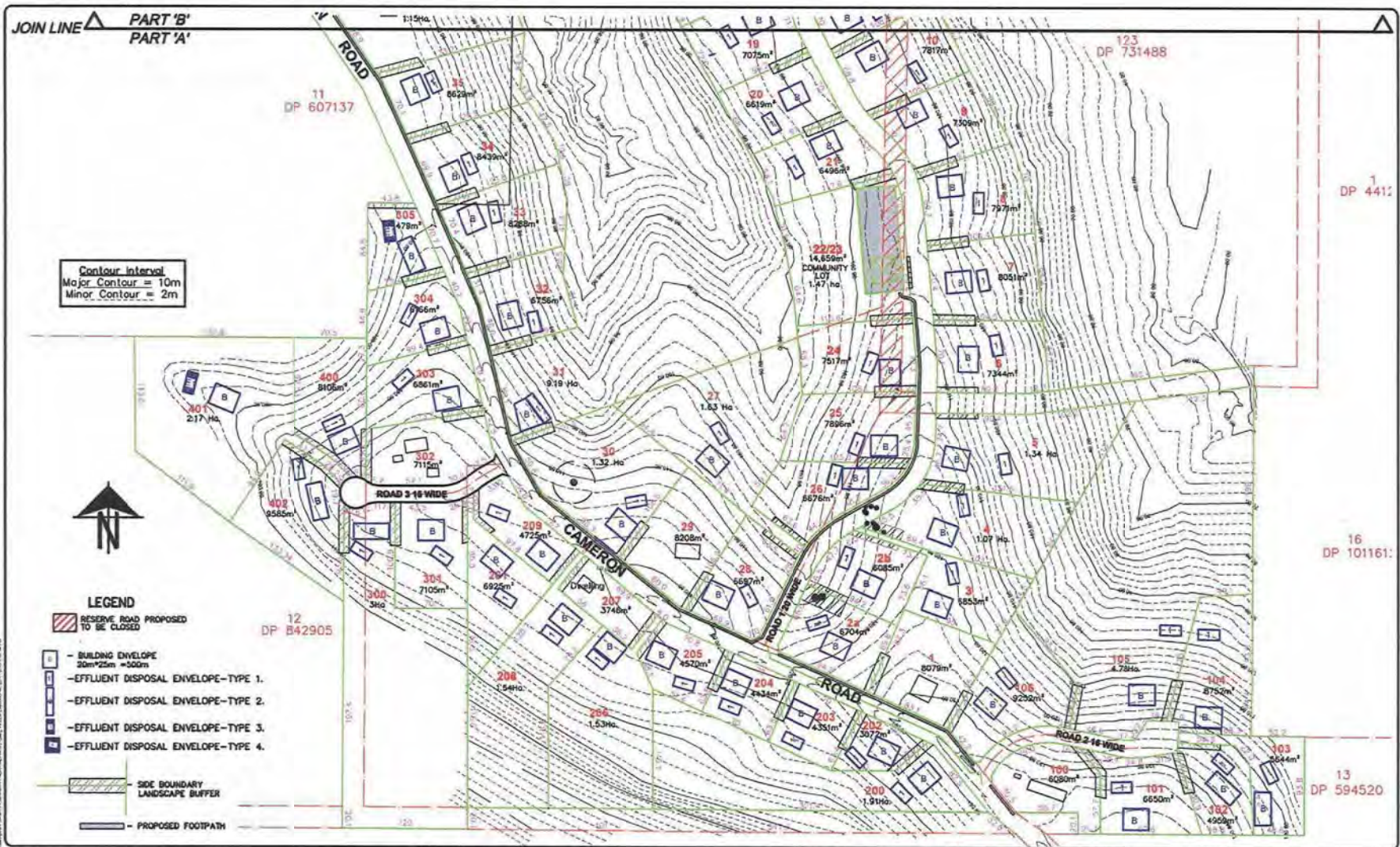
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Project: **McLeans Ridges Rural Residential Development**

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Client: **McLeans Ridges Landowner Collective**

Title: **Lot Layout Plan - Alternate Park PART 'A'**

ARDILL PAYNE & PARTNERS
Consulting Civil & Structural Engineers Project Managers
Town Planners & Surveyors
79 Tamar Street
P.O. Box 20
BALLINA NSW 2478

Telephone: 02 6686 3280
Facsimile: 02 6686 7920
Email: info@ardillpayne.com.au
Website: www.ardillpayne.com.au

Design	APP	Scale at A3	NTS
Drawn	CAD	Datum	AHD
Date	29/10/2010	Filename	6937-DA01.dwg
Checked		Approved	
Job No.	6937	Dwg. No.	LP-B02
		Issue	



Project:
McLeans Ridges Rural Residential Development

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Client:
McLeans Ridges Landowner Collective

Title:
Lot Layout Plan - Alternate Park PART 'B'

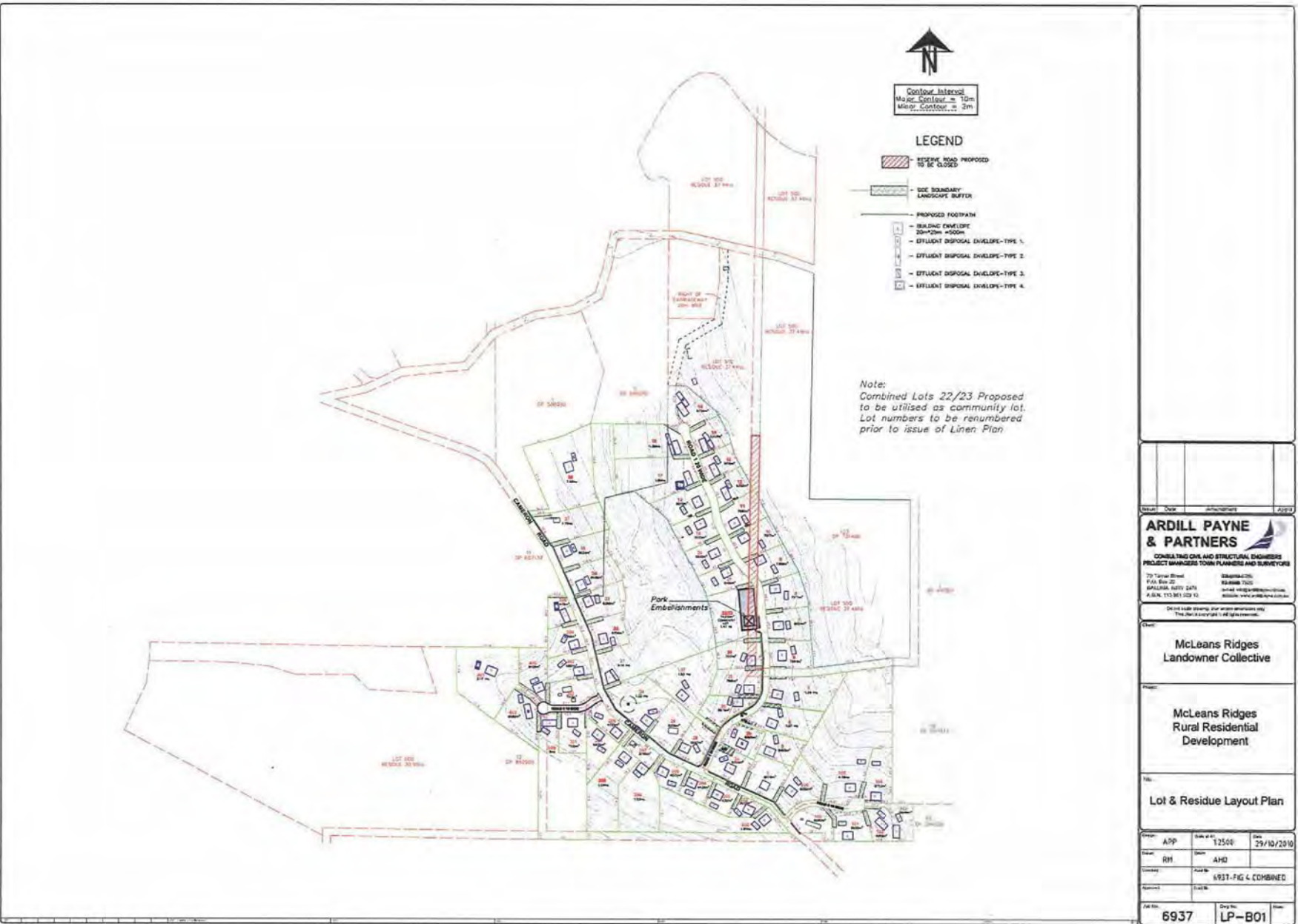
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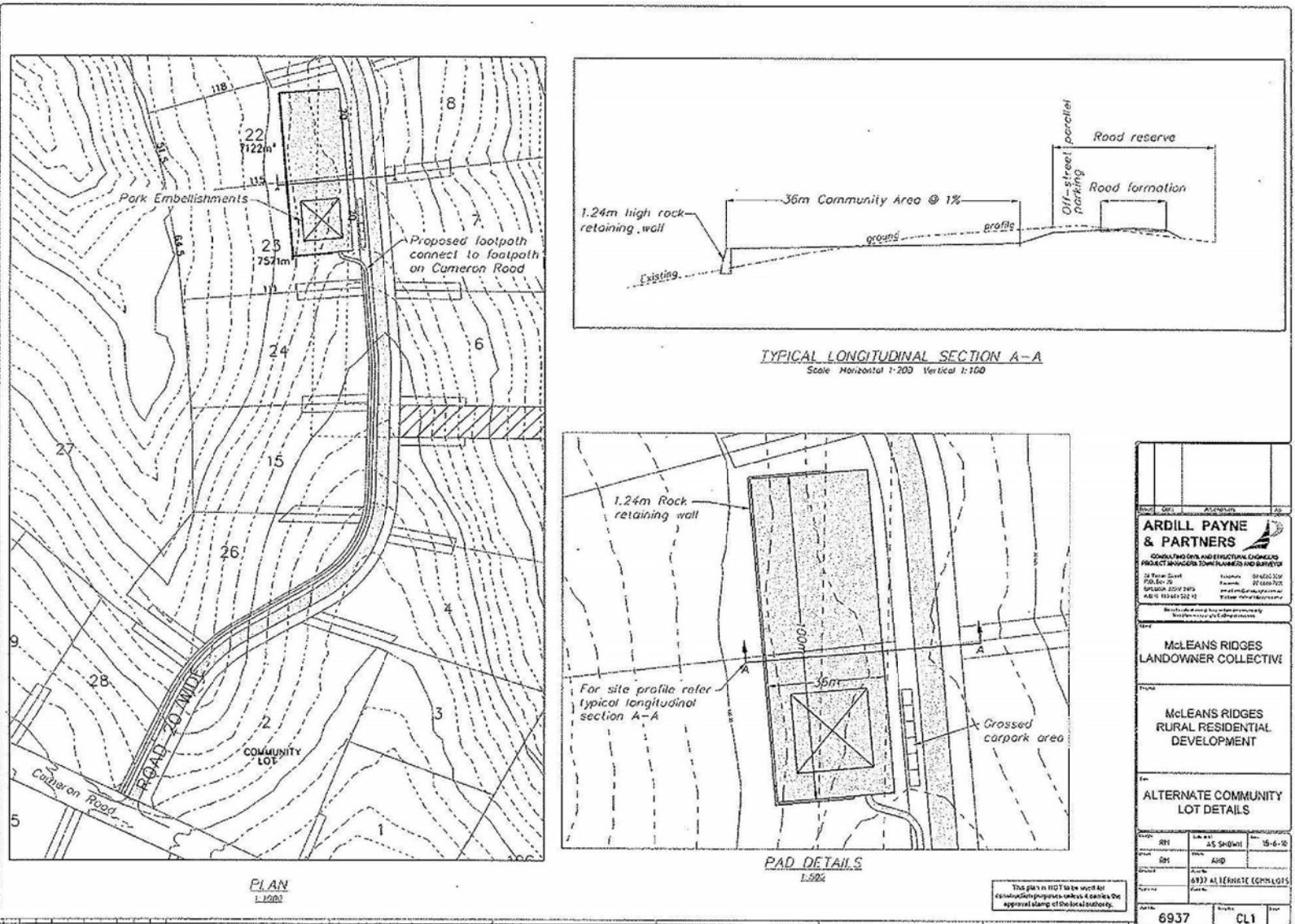
Consulting Civil & Structural Engineers Project Managers
 Town Planners & Surveyors

Telephone: 02 6686 3280
 Facsimile: 02 6686 7920
 Email: info@ardillpayne.com.au
 Website: www.ardillpayne.com.au

79 Tamar Street
 P.O. Box 20
 BALLINA NSW 2478

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Drawn	CAD	Datum	AHD
Date	29/10/2010	Filename	6937-DA01.dwg
Checked		Approved	
Job No.	6937	Dwg. No.	LP-B03
		Issue	





A/7063350



Lindsay Taylor Lawyers

Cameron Road Planning Agreement

Under s93F of the *Environmental Planning and Assessment Act 1979*

Lismore City Council

Cameron Road Landowners

Dated 16 October 2008

Lindsay Taylor Lawyers
T 02 8235 9700 • F 02 8235 9799 • W www.lindsaytaylorlawyers.com.au • E mail@lindsaytaylorlawyers.com.au
45 ABN 15 695 894 3

Cameron Road Planning Agreement
Lismore City Council
Cameron Road Landowners



Planning Agreement

Parties

Lismore City Council of 43 Oliver Avenue, Goonellabah, NSW 2480 (**Council**)

and

Cameron Road Landowners (as defined in clause 1.1).

Background

- A The Cameron Road Landowners have sought the Instrument Change to enable the Development to be carried out.
- B The Cameron Road Landowners are prepared to make Development Contributions in connection with the carrying out of the Development in accordance with this Agreement.
- C Until the Instrument Change takes effect, this Agreement constitutes the Cameron Road Landowners' offer to make Development Contributions in connection with the Development on the terms and conditions set out in this Agreement.

Operative provisions

1 Definitions & Interpretation

1.1 In this Agreement the following definitions apply:

Act means the *Environmental Planning and Assessment Act 1979* (NSW).

Compliance Certificate means a compliance certificate within the meaning of s109C(1)(a)(i) of the Act.

Cameron Road Landowners means the Persons specified in Column 3 of the Table to Schedule 1.

Development means the development specified or described in Schedule 2, and includes any part of that development.

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Development Application has the same meaning as in the Act.

Development Consent has the same meaning as in the Act.

Development Contribution means a monetary contribution, the dedication of land free of cost, the carrying out of work, or the provision of any other material public benefit.

Development Subdivision Plan means the plan numbered 01/202X prepared by Newton Denny Chapelle and dated 23/06/08, a copy of which is available at the offices of the Council.

Final Lot means a lot intended for separate occupation and disposition not being:

- (a) a lot created by a subdivision of the Land that is to be dedicated or otherwise transferred to the Council, or
- (b) a lot created by a subdivision of the Land which may be further subdivided as part of the Development.

First Defects Liability Period means the period of 180 days on and from the date on which the Developer gives the Council a Compliance Certificate under clause 15 of this Agreement.

GST has the same meaning as in the GST Law.

GST Law has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of the GST.

Instrument Change means Lismore Local Environmental Plan 2000 (Amendment No.20).

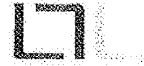
Land means the land specified or described in Columns 1 and 2 of the Table to Schedule 1, and includes any part of that land.

Landowner means a Cameron Road Landowner, and includes the servants, agents and contractors of the Landowner.

Party means a party to this agreement, including their successors and assigns.

Provision means the Developer's provision under this Agreement.

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Public Facility means a public amenity, a public service, a public facility, public land, public infrastructure, a public road, a public work, or any other act, matter or thing that meets a public purpose.

Public Purpose means any purpose that benefits the public or a section of the public, including but not limited to a purpose specified in s93F(2) of the Act.

Rectification Certificate means a compliance certificate within the meaning of s109C(1)(a)(v) of the Act to the effect that work the subject of a Rectification Notice has been completed in accordance with the Notice.

Rectification Notice means a notice in writing that identifies a defect in a work and requires rectification of the defect within a specified period of time.

Registered Proprietor has the same meaning as in the *Real Property Act 1900*.

Regulation means the *Environmental Planning and Assessment Regulation 2000*.

Rezoning Submission means the document titled 'McLeans Ridges – A Rezoning Submission with respect to a Closer rural Settlement Subdivision' prepared by Newton Denny Chapelle dated January 2008.

Second Defects Liability Period means the period of 180 days on and from the date on which the Developer gives the Council a Rectification Certificate under clause 17 of this Agreement relating to a Rectification Notice given in the First Defects Liability Period.

Subdivision Certificate has the same meaning as in the Act.

Work means the physical result of any building, engineering or construction work in, on, over or under land required to be carried out by the Developer under this Agreement.

1.2 In the interpretation of this Agreement, the following provisions apply unless the context otherwise requires:

1.2.1 Headings are inserted for convenience only and do not affect the interpretation of this Agreement.

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-
- 1.2.2 A reference in this Agreement to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney.
- 1.2.3 If the day on which any act, matter or thing is to be done under this Agreement is not a business day, the act, matter or thing must be done on the next business day.
- 1.2.4 A reference in this Agreement to dollars or \$ means Australian dollars and all amounts payable under this Agreement are payable in Australian dollars.
- 1.2.5 A reference in this Agreement to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.
- 1.2.6 A reference in this Agreement to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced.
- 1.2.7 A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Agreement.
- 1.2.8 An expression importing a natural person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency.
- 1.2.9 Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.
- 1.2.10 A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders.
- 1.2.11 References to the word 'include' or 'including' are to be construed without limitation.
- 1.2.12 A reference to this Agreement includes the agreement recorded in this Agreement.

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1.2.13 A reference to a party to this Agreement includes a reference to the servants, agents and contractors of the party, and the party's successors and assigns.

1.2.14 Any schedules, appendices and attachments form part of this Agreement.

2 Operation of this Agreement

2.1 This Agreement:

2.1.1 commences when the Instrument Change takes effect, and

2.1.2 applies to the carrying out of the Development on the Land.

2.2 A Landowner is not bound by the provisions of this Agreement requiring Development Contributions to be made unless:

2.2.1 development consent has been granted to the carrying out of the Development on the Landowner's part of the Land, and

2.2.2 the Landowner carries out the Development pursuant to that consent.

3 Making of development applications by Landowners

3.1 In consideration of the Instrument Change taking effect, each Landowner agrees with the Council and with each other Landowner not to make a Development Application to carry out any part of the Development unless the development for which consent is sought is in accordance with the Rezoning Submission.

3.2 Each Landowner agrees with the Council and with each other Landowner not to make a Development Application to carry out any part of the Development unless that application is accompanied by:

3.2.1 a copy of this Agreement, and

3.2.2 an acknowledgment in favour of the Council that the Council may, to the extent permitted by law, take this Agreement into consideration in deciding whether to grant consent to the development the subject of that application, and

3.2.3 an offer to the Council to be bound by this Agreement in connection with the carrying out of that development pursuant to any

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Development Consent granted by the Council, whether or not that consent is subject to a condition to that effect.

4 Further Agreements Relating to this Agreement

- 4.1 The Parties are to enter into such further agreements as are expressly required to be entered by this Agreement.
- 4.2 The Parties may, at any time, enter into such other agreements relating to the subject-matter of this Agreement that they consider are necessary or desirable in order to give effect to this Agreement.
- 4.3 An agreement referred to in clause 4.1 or 4.2 is not to be inconsistent with this Agreement. In particular, such an agreement may not alter the kind of Public Facility or the Public Purpose for which it is to be provided.
- 4.4 Without limiting clause 4.1 or 4.2, an agreement may relate to:
 - 4.4.1 the particulars of any Public Facility required by this Agreement to be made available for a Public Purpose,
 - 4.4.2 the location at which a Public Facility is to be provided and the time at which and the manner in which it will be made available,
 - 4.4.3 the particulars of any work required by this Agreement to be undertaken by the Developer, and
 - 4.4.4 the time at which and the manner in which a Work is to be handed over to the Council.

5 Application of s94 and s94A of the Act to the Development

- 5.1 This Agreement excludes the application of s94A of the Act to the Development.
- 5.2 This Agreement excludes the application of s94 of the Act to the Development in respect of rural roads and urban strategic roads.
- 5.3 This Agreement excludes the application of s94 of the Act to the Development in respect of other public facilities towards which a Landowner is required to make Development Contributions under this Agreement but only to the extent that such a Development contribution is required to be made under this Agreement.

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6 Provision of Development Contributions under this Agreement

- 6.1 The Landowner is to make Development Contributions as provided for by this Agreement.
- 6.2 Except as otherwise provided by this Agreement, a Development Contribution made under this Agreement is made in full and final satisfaction of all costs and expenses required to be borne by the Landowner of and incidental to the Provision of the Public Facility to which it relates.

7 Application of Development Contributions by the Council

- 7.1 The Council must apply a Development Contribution made under this Agreement towards the Public Purpose for which it is made and at the locations, in the manner and to the standards required by or under this Agreement.

8 Monetary Contributions payable by all Landowners

- 8.1 A Landowner is not to apply for a Subdivision Certificate in respect of the creation of a Final Lot in the Development unless the Landowner has paid the following Monetary Contributions to the Council:
- 8.1.1 \$10,820 per each Final Lot towards the cost of the upgrading of Cowlong Road.
- 8.1.2 \$2,366 per each Final Lot towards the cost of the upgrading of Boatharbour Road.
- 8.1.3 \$632 per each Final Lot towards the cost of the upgrading of McLeans Ridges Hall.

9 Environmental rehabilitation work relating to the subdivision of Lot 123 DP 731448

- 9.1 The Landowner of land being Lot 123 DP 731448:
- 9.1.1 is to carry out and maintain rehabilitation work on that land in accordance with the document titled 'Environmental Management Plan' prepared by Place Planning and Design and dated 25

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September 2006 subject to the requirements of any development consent relating to the Development, and

9.1.2 is to remove any woody weeds in the rehabilitation area by non-mechanical means only, and

9.1.3 is not to apply for a Subdivision Certificate in respect of the creation of a Final Lot in the Development unless a bond in the amount of \$172,500 has been paid to the Council as security for the work referred to in clause 9.1.1.

9.2 The Council is to return 16% of the bond referred to in clause 9.1.2 to the Landowner upon completion of the rehabilitation works and the remaining amount of the bond is to be returned upon satisfactory establishment of the rehabilitation works three years after completion.

10 Further provisions relating to the subdivision of Lot 123 DP 731448

10.1 Upon completion, to the satisfaction of the Council, of the construction within Lot 123 DP 731448 of any part of Road 1 as shown on the Development Subdivision Plan, the Landowner of land being Lot 123 DP 731448 is to

10.1.1 dedicate to the Council the full length of Road 1 as shown on the Development Subdivision Plan, and

10.1.2 create a registered right of carriageway in favour of the Council for emergency fire egress burdening Lot 123 DP 731448 in the location shown on the plan numbered 01202 prepared by Newton Denny Chapelle and dated 22 March 2006,

10.2 Before registration of the right of carriageway referred to in clause 10.1.2, the Landowner of land being Lot 123 DP 731448 is to have constructed, to the satisfaction of the Council, a fire service trail on the land proposed to comprise right of carriageway from the end of the part of Road 1 in respect of which construction has been completed as required by this Agreement to Boatharbour Road.

10.3 The construction of the fire service trail referred to in clause 10.2 is to be carried out in accordance with the requirements of the guideline published by the NSW Rural Fire Service titled "Planning for bush fire protection" and any relevant construction specification adopted by the Council from time to time.

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11 Requirement to construct footpath

- 11.1 This clause applies to any Final Lot in the Development shown on the Development Subdivision Plan as having a frontage to a public road together with a requirement for a concrete footpath on the same side of the road as the lot.
- 11.2 A Landowner is not to apply for a Subdivision Certificate in respect of the creation of a Final Lot to which this clause applies unless the Landowner has constructed a 1.2 metre-wide footpath along the full length of the frontage of the Final Lot in accordance with the plan numbered 01/202P prepared by Newton Denny Chapelle dated 19/08/08 and otherwise in accordance with any relevant development design and construction specification adopted the Council from time to time.

12 Upgrade of Cameron Road

- 12.1 This clause applies to any Final Lot in the Development shown on the Development Subdivision Plan.
- 12.2 A Landowner is not to apply for a Subdivision Certificate to create a Final Lot in the Development in respect of a lot to which this clause applies unless Cameron Road has been upgraded to a 7 metre-wide bitumen road seal on a 9 metre-wide road formation with a 100mm gravel overlay and 200mm depth cement stabilization of the existing pavement along the full length of the frontage of the lot to which this clause applies in accordance with engineering plans approved by the Council and otherwise in accordance with the Development Subdivision Plan.
- 12.3 A Landowner is not to apply for a Subdivision Certificate to create a Final Lot in the Development in respect of a lot to which this clause applies unless Cameron Road has been landscaped in accordance with a landscaping plan approved by the Council following completion of the works referred to in clause 12.2.
- 12.4 Clause 12.2 does not impose on the Council any obligation to upgrade Cameron Road in accordance with that clause.

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13 Earthworks for community lot

13.1 A Landowner is not to apply for a Subdivision Certificate in respect of the creation of a Final Lot in the Development shown on the Development Subdivision Plan unless all earthworks, retaining walls, topdressing and grassing have been completed to the Council's satisfaction in accordance with a plan approved by the Council that achieves a minimum area of 5,600m² with a crossfall of 1%

14 Provision of bus shelters

14.1 A Landowner is not to apply for a Subdivision Certificate in respect of the creation of a Final Lot in the Development as shown on the Development Subdivision Plan unless the Landowner has constructed two bus shelters in locations approved by the Council.

15 Monetary Contributions

15.1 A Monetary Contribution is made for the purposes of this Agreement when cleared funds are deposited by means of electronic funds transfer into a bank account nominated by the Council or the Landowner to whom the contribution is required to be paid.

15.2 The amount of a Monetary Contribution required to be paid under this Agreement is the amount specified by this Agreement as adjusted before payment to reflect any increase in the Sydney Construction Price Index (measured on 1 July in each year) between the date of this Agreement and the date the Monetary Contribution is required to be paid.

16 Carrying Out & Hand-over of Work

16.1 If a Landowner is required by this Agreement to make a Development Contribution comprising the carrying out of a Work, the Landowner is to carry out and complete the Work in accordance with:

16.1.1 this Agreement, and

16.1.2 any design standards and technical specifications specified by the Council in relation to the Work.

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- 16.2 A Development Contribution comprising the carrying out of a Work is made for the purposes of this Agreement when the Council accepts the hand-over of the Work in accordance with this clause.
- 16.3 Subject to this Agreement, when the Landowner considers that a Work relating to a Public Facility is complete, the Developer is to give to the Council a Compliance Certificate relating to the Work.
- 16.4 The Council is to accept the hand-over by the Landowner of a Work that is the subject of a Compliance Certificate within 28 days of the date on which the Landowner provides a copy of the Compliance Certificate to Council.
- 16.5 On hand-over of the Work, the Council accepts ownership, possession and control of the Work.

17 Rectification of Defects

- 17.1 During the First Defects Liability Period and the Second Defects Liability Period, the Council may give to the Landowner a Rectification Notice, which the Developer must comply with at its own cost according to the terms of the Notice.
- 17.2 When the Landowner considers that rectification is complete, the Landowner may give to the Council a Rectification Certificate relating to the Work the subject of the relevant Rectification Notice.
- 17.3 A Rectification Certificate discharges the Landowner from any further obligation to comply with a Rectification Notice.
- 17.4 If the Landowner does not comply with a Rectification Notice, then the Council may have the defect rectified and may recover its costs of so doing as a debt due in a court of competent jurisdiction.

18 Security for Performance & Enforcement

- 18.1 Prior to the Council entering into this agreement, each Landowner is to have provided the Council with a bank guarantee in an amount specified in Schedule 3 in relation to that Landowner.
- 18.2 The Council is not to call upon a bank guarantee provided under clause 18.1 unless the Landowner is in material or substantial breach of this Agreement in relation to the Work to which the bank guarantee relates and has failed to

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rectify the breach after having been given reasonable notice in writing to do so by the Council.

18.3 The Council is to release and return the bank guarantee to the Landowner upon the issuing of a Rectification Certificate or a Compliance Certificate, as the case requires, for the Work in accordance with this Agreement.

18.4 Without limiting any other remedies available to the Parties, this Agreement may be enforced by either Party in any court of competent jurisdiction.

18.5 For the avoidance of doubt, nothing in this Agreement prevents:

18.5.1 a Party from bringing proceedings in the Land and Environment Court to enforce any aspect of this Agreement or any matter to which this Agreement relates,

18.5.2 the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this Agreement or any matter to which this Agreement relates.

19 No Registration of this Agreement

19.1 The Parties agree not to register this Agreement under s93H of the Act.

20 Sale of the Land

20.1 The Landowner agrees not to sell the Land or part of the Land, other than a Final Lot created pursuant to the any consent granted to the Development Application, unless:

20.1.1 it has, at no cost to the Council, first procured the execution by the person with whom it is dealing of a Deed in favour of the Council in the form set out in Schedule 4,

20.1.2 the Council, by notice in writing to the Landowner, has stated that evidence satisfactory to the Council has been produced by the Landowner to show that the purchaser of the Land or part is reasonably capable of performing its obligations under the Deed set out in Schedule 4, and

20.1.3 the Landowner is not in breach of this Agreement.

20.2 The Landowner is not obliged to procure the agreement referred to in clause 20.1.1 if that part of the Land being sold is a Final Lot.

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20.3 Anything done or not done by a person to whom the Land or part of the Land is sold in breach of 20.1 and 20.2 that would have been a breach of this Agreement by the Landowner if the Land or the part of the Land had not been sold is taken to have been done or not done by the Landowner in breach of this Agreement.

21 Review of this Agreement

21.1 The Parties, acting in good faith and using their best endeavours, agree to review this Agreement if either party is of the opinion that any change of circumstance has occurred that materially affects the operation of this Agreement.

21.2 For the purposes of clause 21.1, the relevant changes include (but are not limited to) any change to a law that restricts or prohibits or enables the Council or any other planning authority to restrict or prohibit any aspect of the Development.

21.3 A failure by a Party to agree to participate in, or to take action requested by the other Party as a consequence of, a review under clause 21.1 is taken to be a dispute for the purposes of clause 22.

22 Dispute Resolution

22.1 Should a dispute arise under this Agreement, the Parties shall firstly meet in an attempt to resolve the dispute.

22.2 If the dispute is not resolved within 28 days of the date that a Party first raises the issue about which there is a dispute, the Parties must mediate the dispute in accordance with the Mediation Rules of the Law Society of New South Wales as set out in Schedule 5 or such amended or other Rules that are current at the time the dispute is mediated, and must request the President of the Law Society, or the President's nominee, to select a mediator.

22.3 If the dispute is not resolved by mediation within a further 28 days, or such longer period as may be necessary to allow any mediation process which has been commenced to be completed, then the Parties may exercise their legal rights in relation to the dispute, including by the commencement of legal proceedings in a court of competent jurisdiction in New South Wales.

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23 Authorisation of servants, agents and contractors

A Landowner is not to suffer or permit their servants, agents or contractors to do or refrain from doing anything which this Agreement prohibits the Landowner from doing or requires the Landowner to do (as the case may be).

24 Notices

24.1 Any notice, consent, information, application or request that must or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:

24.1.1 delivered or posted to that Party at its address set out in Schedule 6.

24.1.2 faxed to that Party at its fax number set out in Schedule 6.

24.1.3 emailed to that Party at its email address set out in Schedule 6.

24.2 If a Party gives the other Party 3 business days notice of a change of its address or fax number, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or faxed to the latest address or fax number.

24.3 Any notice, consent, information, application or request is to be treated as given or made if it is:

24.3.1 delivered, when it is left at the relevant address.

24.3.2 sent by post, 2 business days after it is posted.

24.3.3 sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number.

24.4 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

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25 Approvals and Consent

Except as otherwise set out in this Agreement, and subject to any statutory obligations, a Party may give or withhold an approval or consent to be given under this Agreement in that Party's absolute discretion and subject to any conditions determined by the Party. A Party is not obliged to give its reasons for giving or withholding consent or for giving consent subject to conditions.

26 Costs

The Cameron Road Landowners, jointly and severally, agree to bear the Council's costs of and incidental to entering into this Agreement.

27 Entire Agreement

This Agreement contains everything to which the Parties have agreed in relation to the matters it deals with. No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Agreement was executed, except as permitted by law.

28 Further Acts

Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to effect, perfect or complete this Agreement and all transactions incidental to it.

29 Governing Law and Jurisdiction

This Agreement is governed by the law of New South Wales. The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them. The Parties will not object to the exercise of jurisdiction by those courts on any basis.

30 Joint and Individual Liability and Benefits

Except as otherwise set out in this Agreement, any agreement, covenant, representation or warranty under this Agreement by 2 or more persons binds them jointly and each of them individually, and any benefit in favour of 2 or more persons is for the benefit of them jointly and each of them individually.

31 No Fetter

Nothing in this Agreement shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without limitation,

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nothing shall be construed as limiting or fettering in any way the exercise of any statutory discretion or duty.

32 Representations and Warranties

The Parties represent and warrant that they have power to enter into this Agreement and comply with their obligations under the Agreement and that entry into this Agreement will not result in the breach of any law.

33 Severability

If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Agreement, but the rest of this Agreement is not affected.

34 Modification

No modification of this Agreement will be of any force or effect unless it is in writing and signed by the Parties to this Agreement.

35 Waiver

The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another Party. A waiver by a Party is only effective if it is in writing. A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

36 GST Provisions

36.1 In this clause:

Adjustment Note, Consideration, GST, GST Group, Margin Scheme, Money, Supply and Tax Invoice have the meaning given by the GST Law.

GST Amount means in relation to a Taxable Supply the amount of GST payable in respect of the Taxable Supply.

Cameron Road Planning Agreement
 Lismore City Council
 Cameron Road Landowners



GST Law has the meaning given by the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

Input Tax Credit has the meaning given by the GST Law and a reference to an Input Tax Credit entitlement of a party includes an Input Tax Credit for an acquisition made by that party but to which another member of the same GST Group is entitled under the GST Law.

Taxable Supply has the meaning given by the GST Law excluding (except where expressly agreed otherwise) a supply in respect of which the supplier chooses to apply the Margin Scheme in working out the amount of GST on that supply.

- 36.2 Subject to clause 36.4, if GST is payable on a Taxable Supply made under, by reference to or in connection with this Agreement, the Party providing the Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.
- 36.3 Clause 36.2 does not apply to the extent that the Consideration for the Taxable Supply is expressly stated in this Agreement to be GST inclusive.
- 36.4 No additional amount shall be payable by the Council under clause 36.2 unless, and only to the extent that, the Council (acting reasonably and in accordance with the GST Law) determines that it is entitled to an Input Tax Credit for its acquisition of the Taxable Supply giving rise to the liability to pay GST.
- 36.5 If there are Supplies for Consideration which is not Consideration expressed as an amount of Money under this Agreement by one Party to the other Party that are not subject to Division 82 of the *A New Tax System (Goods and Services Tax) Act 1999*, the Parties agree:
- 36.5.1 to negotiate in good faith to agree the GST inclusive market value of those Supplies prior to issuing Tax Invoices in respect of those Supplies;
- 36.5.2 that any amounts payable by the Parties in accordance with clause 36.2 (as limited by clause 36.4) to each other in respect of those Supplies will be set off against each other to the extent that they are equivalent in amount.

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- 36.6 No payment of any amount pursuant to this clause 36, and no payment of the GST Amount where the Consideration for the Taxable Supply is expressly agreed to be GST inclusive, is required until the supplier has provided a Tax Invoice or Adjustment Note as the case may be to the recipient.
- 36.7 Any reference in the calculation of Consideration or of any indemnity, reimbursement or similar amount to a cost, expense or other liability incurred by a party, must exclude the amount of any Input Tax Credit entitlement of that party in relation to the relevant cost, expense or other liability.
- 36.8 This clause continues to apply after expiration or termination of this Agreement.

37 Explanatory Note Relating to this Agreement

- 37.1 The Appendix contains the Explanatory Note relating to this Agreement required by clause 25E of the Regulation.
- 37.2 Pursuant to clause 25E(7) of the Regulation, the Parties agree that the Explanatory Note in the Appendix is not to be used to assist in construing this Planning Agreement.

Cameron Road Planning Agreement
Lismore City Council
Cameron Road Landowners



Schedule 1

(Clause 1.1)

The Land & the Cameron Road Landowners

Table

Column 1	Column 2	Column 3
Subject Land	Title Reference	Registered Proprietor
Lot 123 DP 731488	Folio Identifier 123/731488	John Emanuel Davis and Sally Anne Davis
Lot 4 DP 572949	Folio Identifier 4/572949	Thomas Matthew Will and Carol Anne Will
Lot 5 DP 572949	Folio Identifier 5/572949	William Thomas Ducker
Lot 6 DP 572949	Folio Identifier 6/572949	Peter Craig Baldock and Kylie Ann Baldock
Lot A DP 420518	Folio Identifier A/420518	Sylvia Lynette Lawson and Leonard Ian Lawson
Lot 12 DP 842905	Folio Identifier 12/842905	Damien Patrick Veness and Susan Gaye Veness
Lot 2 DP 588282	Folio Identifier 2/588282	Fellowes Corporation Pty Ltd
Lot 2 DP 551775	Folio Identifier 2/551775	Peter Bryan Priest

Cameron Road Planning Agreement
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Schedule 2

(Clause 1.1)

The Development

The subdivision of the Land currently comprising eight existing rural lots to create:

- not more than sixty-two rural residential lots as set out in the *Subdivision Table*, below,
- one lot to be dedicated for the purposes of a public reserve, and
- two residue lots.

Subdivision Table

Subject Land	Development
Lot 123 DP 731488 Boatharbour Road, Eltham & Lot 2 DP 588282, Lot 4 DP 572949, Lot 5 DP 572949 Cameron Road, McLeans Ridges.	36 rural residential lots plus 1 lot to be dedicated as public reserve plus residue
Lot 6 DP 572949 Cameron Road, McLeans Ridges.	7 rural residential lots
Lot A DP 420518 Cameron Road, McLeans Ridges.	6 rural residential lots
Lot 2 DP 551775 Cameron Road, McLeans Ridges.	10 rural residential lots
Lot 12 DP 842905 Boatharbour Road, Boatharbour.	3 rural residential lots plus residue

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Cameron Road Landowners



Schedule 3

(Clause 18)

Provision of Security

Column 1	Column 2	Column 3
Subject Land	Registered Proprietor	Amount of Security
Lot 123 DP 731488	John Emanuel Davis and Sally Anne Davis	\$319,760.00
Lot 4 DP 572949	Thomas Matthew Will and Carol Anne Will	\$57,100.00
Lot 5 DP 572949	William Thomas Ducker	\$57,100.00
Lot 6 DP 572949	Peter Craig Baldock and Kylie Ann Baldock	\$79,940.00
Lot A DP 420518	Sylvia Lynette Lawson and Leonard Ian Lawson	\$57,100.00
Lot 12 DP 842905	Damien Patrick Veness and Susan Gaye Veness	\$34,260.00
Lot 2 DP 588282	Fellowes Corporation Pty Ltd	\$57,100.00
Lot 2 DP 551775	Peter Bryan Priest	\$102,780.00

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 Lismore City Council
 Cameron Road Landowners



Schedule 4

(Clause 20)

Deed of Adoption and Acknowledgment

Parties

Lismore City Council of [Address], New South Wales, [postcode] (**Council**)

of ## (**Landowner**)

of ## (**Purchaser**)

Recitals

- A The Landowner and the Council are parties to the agreement, under which the Landowner is not to sell any of the land the subject of the agreement without entering and procuring the purchaser to enter into a deed in this form.
- B The Landowner wishes to sell to the purchaser the Sale Land.

Operative Provisions

- 1 In this Deed the following definitions apply:
- Planning Agreement** means the planning agreement dated ## 200## between the Landowner and the Council made pursuant to s93F of the *Environmental Planning and Assessment Act 1979*.
- Sale Land** means the land described in the first schedule to this deed.
- 2 In the interpretation of this deed, the following provisions apply unless the context otherwise requires:
- (a) Words or expressions defined in the agreement bear the same meaning in this deed.
 - (b) Words importing the singular include the plural and vice versa.
 - (c) Words importing a gender include the other gender.

Cameron Road Planning Agreement
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Cameron Road Landowners



-
- 3 The Purchaser has read the Planning Agreement and agrees to be bound by it in so far as it applies to the Sale Land as if the Purchaser were named as a party to it in the place of the Landowner.

SCHEDULE

The Sale Land

##

Executed as a Deed

[Drafting Note Schedule 3, Insert execution clauses of Parties]

Cameron Road Planning Agreement
Lismore City Council
Cameron Road Landowners



Schedule 5

(Clause 22)

Law Society of NSW – Mediation Rules

Functions of the Mediator

1. The mediator will assist the parties to explore options for and, if possible, to achieve the expeditious resolution of their dispute ("the Dispute") by agreement between them.
2. The mediator will not make decisions for a party or impose a solution on the parties.
3. The mediator will not, unless the parties agree in writing to the contrary, obtain from any independent person advice or an opinion as to any aspect of the Dispute and then only from such person or persons and upon such terms as are agreed by the parties.

Conflicts of Interest

4. The mediator must disclose to the parties to the best of the mediator's knowledge any prior dealings the mediator has had with either of them and any interest the mediator has in the Dispute.
5. If in the course of the mediation the mediator becomes aware of any circumstances that might reasonably be considered to affect the mediator's capacity to act impartially the mediator will immediately inform the parties of those circumstances. The parties will then confer and if agreed continue with the mediation before the mediator.

Co-operation in the Mediation

6. The parties must co-operate with the mediator and each other during the mediation to achieve a mutually satisfying outcome to their dispute.
7. Each party must use its best endeavours to comply with reasonable requests made by the mediator to promote the efficient and expeditious resolution of the Dispute.

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Authority and Representation

8. If a party is a natural person, the party must attend the mediation conference. If a party is not a natural person it must be represented at the mediation conference by a person with full authority to make agreements binding on it settling the Dispute.
9. Each party may also appoint one or more other persons including legally qualified persons to assist and advise the party in the mediation and to perform such roles in the mediation as the party requires.

Conduct of the Mediation

10. Subject to Rule 2f, the mediation, including all preliminary steps, will be conducted in such manner as the mediator considers appropriate having due regard to the nature and circumstances of the Dispute, the agreed goal of an efficient and expeditious resolution of the Dispute and the view of each party as to the conduct of the mediation.
11. The mediation conference shall be held within fourteen (14) days of the selection of the mediator or within such other period as the parties may agree.
12. Without limiting the mediator's powers under Rule 10 the mediator may give directions as to:
 - 12.1 Preliminary conferences prior to the mediation conference.
 - 12.2 The exchange of experts' reports, the meeting of experts and the subsequent preparation of a joint experts' report with a view to identifying areas of agreement, narrowing the area of disagreement and clarifying briefly the reasons for disagreement.
 - 12.3 The exchange of brief written outlines of the issues involved.
 - 12.4 Service on the mediator prior to the mediation conference of any such reports and outlines.

Communication between the Mediator and a Party

13. The mediator may meet as frequently as the mediator deems appropriate with the parties together or with a party alone and in the latter case the mediator need not disclose the meeting to the other party.
14. The mediator may communicate with any party orally and/or in writing.

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-
15. Subject to Rule 16, any document relied upon by a party and provided to the mediator must immediately be served by the party on the other party.
18. Information, whether oral or written, disclosed to the mediator by a party in the absence of the other party may not be disclosed by the mediator to the other party unless the disclosing party permits the mediator to do so.

Confidential Information

17. A party may prove objective facts, whether or not confidential, by direct evidence in any proceedings in respect of the Dispute. Subject to that, all confidential information disclosed during the mediation, including the preliminary steps:
- 17.1 may not be disclosed except to a party or a representative of that party participating in the mediation or if compelled by law to do so; and
- 17.2 may not be used for a purpose other than the mediation.

Privilege

18. Subject to Rule 25, the following will be privileged and will not be disclosed in or relied upon or be the subject of a subpoena to give evidence or to produce documents in any arbitral or judicial proceedings in respect of the Dispute:
- 18.1 Any settlement proposal, whether made by a party or the mediator.
- 18.2 The willingness of a party to consider any such proposal.
- 18.3 Any admission or concession or other statement or document made by a party.
- 18.4 Any statement or document made by the mediator.

Subsequent Proceedings

19. The mediator will not accept appointment as an arbitrator in or act as an advocate in or provide advice to a party to any arbitral or judicial proceeding relating to the Dispute.
20. Neither party will take action to cause the mediator to breach Rule 19.

**Cameron Road Planning Agreement
Lismore City Council
Cameron Road Landowners**



Termination

21. A party may terminate the mediation immediately by giving written notice to each other party and to the mediator at any time during or after the mediation conference.
22. The mediator may immediately terminate the engagement as mediator by giving written notice to the parties of that termination, if, after consultation with the parties, the mediator forms the view that the mediator will be unable to assist the parties to achieve resolution of the Dispute. The mediation will not be terminated in that event unless a party gives notice to that effect to each other party. The parties must appoint another mediator, where the mediation is not terminated.
23. The mediation will be terminated automatically upon execution of a settlement agreement in respect of the Dispute.

Settlement

24. If settlement is reached at the mediation conference, the terms of the settlement must be written down and signed by the parties and the mediator before any of the participants leave the mediation conference.

Enforcement

25. In the event that part or all of the Dispute is settled either party will be at liberty:
 - 25.1 To enforce the terms of the settlement by judicial proceedings.
 - 25.2 In such proceedings to adduce evidence of and incidental to the settlement agreement including from the mediator and any other person engaged in the mediation.

Exclusion of Liability and Indemnity

26. The mediator will not be liable to a party except in the case of fraud by the mediator for any act or omission by the mediator in the performance or purported performance of the mediator's obligations in the mediation.
27. The parties shall jointly and severally indemnify the mediator against all claims, except in the case of fraud by the mediator, arising out of or in any way referable to any act or omission by the mediator in the performance or purported performance of the mediator's obligations in the mediation.

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Costs

28. The parties will share equally and will be jointly and severally liable to the mediator for the mediator's fees for the mediation. The mediator may, at any time and from time to time, require each party to deposit with the mediator such sum as the mediator considers appropriate to meet the mediator's anticipated fees and disbursements. The mediator may decline to embark upon or continue the mediation until all such deposits are made.
29. If the mediation does not result in an agreement to resolve the Dispute, the costs of the mediation will be costs in the cause.

Cameron Road Planning Agreement
Lismore City Council
Cameron Road Landowners



Schedule 6

(Clause 24)

Contact for Notices

Council

Attention: The General Manager
Address: PO Box 23A Goonellabah NSW 2480
Fax Number: (02) 66250500
Email: council@lismore.nsw.gov.au

John Emanuel Davis and Sally Anne Davis

Attention: J&S Davis
Address: 583 Boatharbour Road Eltham NSW 2480
Fax Number: Nil
Email: Nil

Thomas Matthew Will and Carol Anne Will

Attention: T&C Will
Address: 102 Cameron Road McLeans Ridges NSW 2480
Fax Number: Nil
Email: Nil

William Thomas Ducker

Attention: J Ducker
Address: PO Box 1378 Lismore NSW 2480
Fax Number: Nil
Email: Nil

Cameron Road Planning Agreement
Lismore City Council
Cameron Road Landowners



Peter Craig Baldock and Kylie Ann Baldock

Attention: P&K Baldock
Address: 12/18-22 West Crescent Street McMahon's Point
NSW 2060
Fax Number: Nil
Email: pbaldock@bigpond.net.au

Leonard Ian Lawson and Sylvia Lynette Lawson

Attention: L&S Lawson
Address: 77 Cameron Road McLean's Ridges NSW 2480
Fax Number: Nil
Email: silverridges@pocketmail.com.au

Damien Patrick Veness and Susan Gaye Veness

Attention: D&S Veness
Address: 357 Boatharbour Road Eltham NSW 2480
Fax Number: Nil
Email: veness@dodo.com.au

Fellowes Corporation Pty Limited

Attention: John & Nadine Van Arendonk
Address: 54 Cameron Road McLeans Ridges NSW 2480
Fax Number: Nil
Email: donk@tsn.cc

Peter Bryan Priest

Attention: P Priest
Address: 103 Cameron Road McLean's Ridges NSW 2480
Fax Number: Nil
Email: Nil

Cameron Road Planning Agreement
Lismore City Council
Cameron Road Landowners



Execution

Dated: 16 October 2008

Executed as an Agreement:

On behalf of Lismore City Council


Signature of Mayor



The seal of the Council of the City of Lismore, featuring a central crest with a crown and two lions, surrounded by the text 'THE COUNCIL OF THE CITY OF LISMORE' and 'Proclaimed a Municipality 1878' and 'Proclaimed a City 1946'.


Signature of General Manager

Cameron Road Planning Agreement
Lismore City Council
Cameron Road Landowners



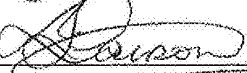
On behalf of John Emanuel Davis and Sally Anne Davis:



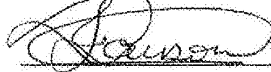
Signature of John Emanuel Davis



Signature of Sally Anne Davis



Signature of witness



Signature of Witness

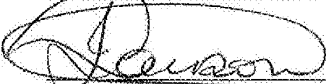
L I LAWSON

Name of witness (print)


L I LAWSON

Name of Witness (print)

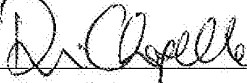
On behalf of Leonard Ian Lawson and Sylvia Lynette Lawson:



Signature of Leonard Ian Lawson



Signature of Sylvia Lynette Lawson



Signature of witness



Signature of Witness

D. CHAPELLE

Name of witness (print)

D. CHAPELLE

Name of Witness (print)

Cameron Road Planning Agreement
Lismore City Council
Cameron Road Landowners



On behalf of Damien Patrick Veness and Susan Gaye Veness:

Signature of Damien Patrick Veness

Signature of witness

L I LAWSON

Name of witness (print)

Signature of Susan Gaye Veness

Signature of Witness

L I LAWSON

Name of Witness (print)

On behalf of Fellowes Corporation Pty Limited:

Signature of Director/Secretary

Signature of witness

John DAVIS

Name of witness (print)

Signature of Director

Signature of Witness

John DAVIS

Name of Witness (print)

On behalf of Peter Bryan Priest:

Signature of Peter Bryan Priest

Signature of witness

DAMIAN CHATELLE

Name of witness (print)

Cameron Road Planning Agreement
Lismore City Council
Cameron Road Landowners



On behalf of Thomas Matthew Will and Carol Anne Will:

Thomas M Will
Signature of Thomas Matthew Will

[Signature]
Signature of witness

John VAN ANENBONK
Name of witness (print)

Carol Anne Will
Signature of Carol Anne Will

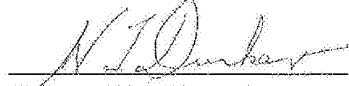
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Signature of Witness

John VAN ANENBONK
Name of Witness (print)

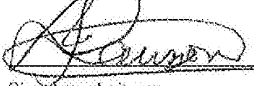
Cameron Road Planning Agreement
Lismore City Council
Cameron Road Landowners



On behalf of William Thomas Ducker:



Signature of William Thomas Ducker



Signature of witness

L I LAWSON

Name of witness (print)

Cameron Road Planning Agreement
Lismore City Council
Cameron Road Landowners



On behalf of Peter Craig Baldock and Kylie Ann Baldock:

Peter Baldock
Signature of Peter Craig Baldock

K Baldock
Signature of Kylie Ann Baldock

[Signature]
Signature of witness

[Signature]
Signature of Witness

A L Wynstra
Name of witness (print)

A L Wynstra
Name of Witness (print)

Cameron Road Planning Agreement
Lismore City Council
Cameron Road Landowners



Appendix

(Clause 37)

Environmental Planning and Assessment Regulation 2000

(Clause 25E)

Explanatory Note

Draft Planning Agreement

Under s93F of the Environmental Planning and Assessment Act 1979

Parties

Lismore City Council of 43 Oliver Avenue, Goonellabah, NSW 2480 (**Council**)

and

Cameron Road Landowners (as defined in clause 1.1 of the Draft Planning Agreement),

being:

John Emanuel Davis and Sally Anne Davis
Thomas Matthew Will and Carol Anne Will
William Thomas Ducker
Peter Craig Baldock and Kylie Anri Baldock
Sylvia Lynette Lawson and Leonard Ian Lawson
Damien Patrick Veness and Susan Gaye Veness
Fellowes Corporation Pty Ltd
Peter Bryan Priest

1 Description of Subject Land

Lot 1 in DP 731488, Boatharbour Road, Eltham

Lot 4 in DP 572949, Cameron Road, McLeans Ridges

Lot 5 in DP 572949, Cameron Road, McLeans Ridges

Cameron Road Planning Agreement
Lismore City Council
Cameron Road Landowners



Lot 6 in DP 572949, Cameron Road, McLeans Ridges

Lot A in DP 420518, Cameron Road, McLeans Ridges

Lot 12 in DP 842905, Boatharbour Road, Boatharbour

Lot 2 in DP 589282, Cameron Road, McLeans Ridges

Lot 2 in DP 551775, Cameron Road, McLeans Ridges

2 Description of Proposed Change to Environmental Planning Instrument/Development Application

Lismore Local Environmental Plan 2000, Amendment No 20 will permit the development of the subject land for rural residential purposes.

3 Summary of Objectives, Nature and Effect of the Draft Planning Agreement

The draft Planning Agreement will ensure that new development permitted by Lismore LEP Amendment No 20 will be undertaken in a manner that is consistent with the concept subdivision plan submitted with the rezoning submission. Furthermore it will ensure that new development will contribute in an equitable manner to road upgrading and the provision of other community infrastructure required to service new rural residential development in the area.

4 Assessment of the Merits of the Draft Planning Agreement

4.1 The Planning Purposes Served by the Draft Planning Agreement

The planning purposes served by the draft Planning Agreement are to ensure that:

- any future development application for subdivision of the subject land is generally consistent with the concept that has been publicly exhibited with the rezoning proposal; and
- community facilities and public infrastructure are provided or upgraded to a standard necessary to service the proposed development.

Cameron Road Planning Agreement
 Lismore City Council
 Cameron Road Landowners



4.2 How the Draft Planning Agreement Promotes the Public Interest and one or more Objects of the EP&A Act.

The draft Planning Agreement promotes the public interest by requiring new development to meet the full costs of providing the necessary facilities and infrastructure required to service the development.

The draft Planning Agreement also promotes the following objects of the EP&A Act:

It promotes co-ordination of the orderly and economic use and development of the land through requirements for the upgrading and provision of essential infrastructure such as road and footpath construction at critical stages of the development.

It allows for the provision of land for public purposes through the dedication of land for the purposes of a public park.

It allows for the provision of community services and facilities by requiring a contribution for the upgrading of the McLeans Ridges hall and two bus shelters.

It provides for the protection of the environment, including the protection and conservation of native animals and plants, through a requirement for revegetation of nominated riparian areas.

4.3 For Planning Authorities:

4.3.1 Development Corporations - How the Draft Planning Agreement Promotes its Statutory Responsibilities

N/A

4.3.2 Other Public Authorities – How the Draft Planning Agreement Promotes the Objects (if any) of the Act under Which it is Constituted

N/A

4.3.3 Councils – How the Draft Planning Agreement Promotes the Elements of the Council's Charter

The Planning Agreement promotes Council's Charter through the provision of equitable and appropriate services for the benefit of the local community.

Cameron Road Planning Agreement
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**4.3.4 All Planning Authorities – Whether the Draft Planning Agreement
Conforms with the Authority's Capital Works Program**

The draft Planning Agreement conforms with Council's current works program for Cowlong Road and the upgrading of a section of Cowlong Road is scheduled for 2007/2008.

Dated: 16 October 2008

On behalf of Lismore City Council:



Signature of Mayor

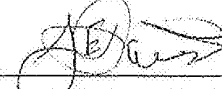


Signature of General Manager

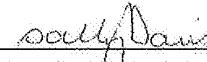
Cameron Road Planning Agreement
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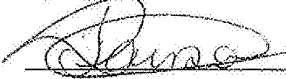
On behalf of John Emanuel Davis and Sally Anne Davis:




Signature of John Emanuel Davis



Signature of Sally Anne Davis



Signature of witness



Signature of Witness

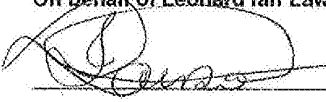
L I LAWSON

Name of witness (print)


L I LAWSON

Name of Witness (print)

On behalf of Leonard Ian Lawson and Sylvia Lynette Lawson:



Signature of Leonard Ian Lawson



Signature of Sylvia Lynette Lawson



Signature of witness



Signature of Witness

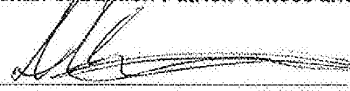
D. CHAPELLE

Name of witness (print)

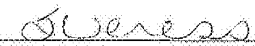
D. CHAPELLE

Name of Witness (print)

On behalf of Damien Patrick Veness and Susan Gaye Veness:




Signature of Damien Patrick Veness



Signature of Susan Gaye Veness



Signature of witness



Signature of Witness

L I LAWSON

Name of witness (print)

L I LAWSON

Name of Witness (print)

Cameron Road Planning Agreement
Lismore City Council
Cameron Road Landowners



On behalf of Fellowes Corporation Pty Limited:

Signature of Director/Secretary

Signature of witness

SONN DAVIS

Name of witness (print)

Signature of Director

Signature of Witness

SONN DAVIS

Name of Witness (print)

On behalf of Peter Bryan Priest

Signature of Peter Bryan Priest

Signature of witness

DAMIAN CHATOUR

Name of witness (print)

Cameron Road Planning Agreement
Lismore City Council
Cameron Road Landowners



On behalf of Thomas Matthew Will and Carol Anne Will:

Thomas M. Will

Signature of Thomas Matthew Will

[Handwritten Signature]

Signature of witness

SOHAN VAN AMOROUK

Name of witness (print)

Carol Anne Will

Signature of Carol Anne Will

[Handwritten Signature]

Signature of Witness

SOHAN VAN AMOROUK

Name of Witness (print)

On behalf of William Thomas Ducker:

[Handwritten Signature]

Signature of William Thomas Ducker

[Handwritten Signature]

Signature of witness

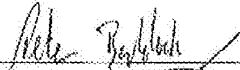
L I LAWSON


Name of witness (print)

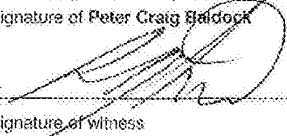
Cameron Road Planning Agreement
Lismore City Council
Cameron Road Landowners

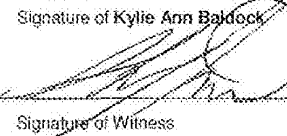


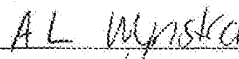
On behalf of Peter Craig Baldock and Kylie Ann Baldock:

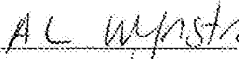

Signature of Peter Craig Baldock


Signature of Kylie Ann Baldock


Signature of witness


Signature of Witness


Name of witness (print)


Name of Witness (print)

CAMERON ROAD PLANNING AGREEMENT

BETWEEN

LISMORE CITY COUNCIL

AND

CAMERON ROAD LANDOWNERS

DATED:

MCCARTNEY YOUNG LAWYERS

THIS AGREEMENT is made on day of 2011.

BETWEEN: **LISMORE CITY COUNCIL** of 43 Oliver Avenue, Goonellabah in the State of New South Wales, 2480 (**Council**).

AND: **CAMERON ROAD LANDOWNERS** being the persons included in that term as it appears in the Initial Planning Agreement (**Landowners**).

RECITALS

- A. By planning agreement dated 16 October 2008 ("**Initial Planning Agreement**") the Council agreed with the Landowners in relation to the development of certain land for rural residential purposes and allowed for the provision of land for public purposes through the dedication of land for the purposes of a public park.

- B. Section 4 of the Initial Planning Agreement envisaged that further agreements would be entered into between the parties.

- C. The parties acknowledge that this Planning Agreement does not alter the Public Facility or the Public Purpose for which it is intended and is in no way inconsistent with the provisions of the Initial Planning Agreement.

- D. The parties acknowledge that this Planning Agreement is to be subject to the provisions of the Initial Planning Agreement and in the event of any inconsistencies the provisions of the Initial Planning Agreement are to be paramount.

- E. By a resolution of the Council adopted 9 November 2010, the Council resolved to enter into this Planning Agreement with the Landowners to

indicate their acceptance of the offer made by Ardill Payne & Partners on 28 June 2010 on behalf of the Landowners for the provision of a Community Lot to be used as a neighbourhood park as shown on the plan entitled "Alternate Community Lot Details Drawing No. 6937-CL1 dated 18 June 2010" a copy of which is annexed to this Planning Agreement as Annexure "A" ("**Community Lot Plan**").

OPERATIVE PROVISIONS

The parties agree that the Initial Planning Agreement is amended as follows:-

1. By the insertion of the following new definitions of "Community Lot" and "Community Lot Plan" in Clause 1.1 to follow the definition of "Cameron Road Landowners":-

“**Community Lot**” means the area of land of not less than 14,000m² detailed in the Community Lot Plan.

“**Community Lot Plan** ” means the plan titled "Alternate Community Lot Details Drawing No. 6937-CL1 dated 18 June 2010 a copy of which is available at the offices of the Council” “

2. By the deletion of the definition of "Development Subdivision Plan" in Clause 1.1 and the substitution of the following new definition of "Development Subdivision Plan":-

“**Development Subdivision Plan**” means the plan numbered 6937 LP-BO1 prepared by Ardill Payne & Partners and dated 29 October 2010” a copy of which is available at the offices of the Council

3. By the insertion of the following new definition of “Public Reserve” in Clause 1.1 to follow the definition of “Public Purpose”:-

“Public Reserve” has the same meaning as in the Act.”

4. By the deletion of the words “plan numbered 01/202P prepared by Newton Denny Chappelle dated 19/08/08” in Clause 11.2 and the substitution of the words “Development Subdivision Plan”.

5. By the deletion of Clause 13 and the substitution of the following new Clause 13:-

“13 Community Lot

13.1 Prior to the registration of fifty (50) Final Lots, the Landowner must ensure that:-

13.1.1 all earthworks, retaining walls, topdressing and grassing have been completed on the Community Lot to the Council’s satisfaction in accordance with a plan approved by the Council that achieves a minimum areas of 3,600m² with a crossfall of 1%;

13.1.2 a graded, grassed carparking verge for a minimum of six (6) car bays has been constructed as shown on the Community Lot Plan; and

13.1.3 park embellishments to the value of \$70,000 (indexed to the Sydney Building Price Index (as adjusted to reflect regional variations)) have been constructed and installed on the Community Lot including a picnic shelter, slab floor, tables, seating, bin, swing, tank and water tap and landscape trees

to the Council's satisfaction in accordance with a plan approved by the Council.

13.2 Following the registration of fifty (50) Final Lots, the Landowner must dedicate to the Council the Community Lot as a Public Reserve.

6. The parties agree that the costs of preparation of this Planning Agreement are to be shared equally between the Council and the Landowners.

EXECUTED as an Agreement:

**ON BEHALF OF LISMORE CITY
COUNCIL:**

Signature of **Mayor**

Signature of **General Manager**

SIGNED SEALED AND DELIVERED)

By **JOHN EMANUEL DAVIS**)

In the presence of)

.....

Witness

.....

Name of Witness

SIGNED SEALED AND DELIVERED)

By **SALLY ANNE DAVIS**)

In the presence of)

.....

Witness

.....

Name of Witness

SIGNED SEALED AND DELIVERED)

By LEONARD IAN LAWSON)

In the presence of)

.....

Witness

.....

Name of Witness

SIGNED SEALED AND DELIVERED)

By SYLVIA LYNETTE LAWSON)

In the presence of)

.....

Witness

.....

Name of Witness

SIGNED SEALED AND DELIVERED)

By DAMIEN PATRICK VENESS)

In the presence of)

.....

Witness

.....

Name of Witness

SIGNED SEALED AND DELIVERED)

By SUSAN GAYE VENESS)

In the presence of)

.....

Witness

.....

Name of Witness

EXECUTED by **FELLOWES**)
CORPORATION PTY LTD ACN)
in accordance with Section 127 of the)
Corporations Act 2001)

Director

Director / Secretary

SIGNED SEALED AND DELIVERED)

By PETER BYRAN PRIEST)

In the presence of)

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Witness

.....

Name of Witness

SIGNED SEALED AND DELIVERED)

By THOMAS MATTHEW WILL)

In the presence of)

.....

Witness

.....

Name of Witness

SIGNED SEALED AND DELIVERED)

By CAROL ANNE WILL)

In the presence of)

.....

Witness

.....

Name of Witness

SIGNED SEALED AND DELIVERED)

By WILLIAM THOMAS DUCKER)

In the presence of)

.....

Witness

.....

Name of Witness

SIGNED SEALED AND DELIVERED)

By PETER CRAIG BALDOCK)

In the presence of)

.....

Witness

.....

Name of Witness

SIGNED SEALED AND DELIVERED)

By KYLIE ANNE BALDOCK)

In the presence of)

.....

Witness

.....

Name of Witness

Report

Report

Subject	Draft Amendment No 20 to Lismore Local Environmental Plan – Cameron Road, McLeans Ridges.
File No	S884
Prepared by	Strategic Planner
Reason	Receipt of rezoning submission
Objective	To seek Council's endorsement for preparation of a draft amending LEP
Strategic Plan Link	Quality of Life – Encourage sustainable development
Management Plan Activity	Implement adopted Council Land Use Strategies

Overview of Report

Council is in receipt of a rezoning submission that seeks rezoning for the subject land identified below (refer also to attached map). The rezoning will enable the lodgement of a Development Application to create 67 additional rural residential lots and 1 residual allotment.

Background**Property Description**

Subject Land	Applicant	Owner
Lot 123 DP 731488	Newton Denny Chapelle	J Davis
Lot 4 DP 572949	Newton Denny Chapelle	C & M Paul
Lot 5 DP 572949	Newton Denny Chapelle	J Ducker
Lot 6 DP 572949	Newton Denny Chapelle	P Baldock
Lot A DP 420518	Newton Denny Chapelle	IL & SL Lawson
Lot 12 DP 842905	Newton Denny Chapelle	DP & SG Veness
Lot 2 DP 588282	Newton Denny Chapelle	WL & DF Reddell
Lot 2 DP 551775	Newton Denny Chapelle	P Priest

Location

The subject land is located approximately 10kms north-east Lismore on either side of Cameron Road.

Description of the Proposal

The proposed LEP amendment aims to rezone land for rural residential purpose by way of addition to Schedule 4 of the Lismore Local Environmental Plan 2000. This will enable the future subdivision of 67 rural residential allotments from 3308m² to 11ha and a residual allotment of approximately 151.5ha. A plan of the proposed subdivision is attached to this report. This plan illustrates the proposed development in relation to the McLeans Ridges catchment and the other rezoning proposal in Roseview Road discussed in a separate report in this business paper.

Lismore City Council

Meeting held October 10, 2006 - Draft Amendment No. 20 to LEP

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Report

Compliance with the Rural Housing Strategy

The subject land is identified in the Rural Housing Strategy (RHS) as having potential for closer rural settlement. The RHS requires 'Locality Development Guidelines' to be prepared in association with a rezoning submission to enable rural residential development. These guidelines ensure coordination between properties in relation to road layout, infrastructure provisions, flora and fauna protection and environmental repair and in the past were adopted in the form of a Master Plan for the site. This ensured that future development proposals were consistent with the design concept submitted at the rezoning stage. Through changes to the Environmental Planning and Assessment Regulation 2000, 'Master Plans' are no longer applicable. Council has prepared a developer Planning Agreement which ensures future subdivision is undertaken in accordance with the documentation submitted at the rezoning stage. The Planning Agreement is discussed in detail later in the report.

This proposal is for 67 allotments, the other rezoning proposal discussed in this business paper is for a further 30 allotments from a potential total of 140 lots within the McLeans Ridges catchment.

The rezoning submission adequately addresses the requirements outlined in the RHS to the same level as that which was previously required for 'Locality Development Guidelines'.

Traffic Generation and Road Capacity

A Traffic Impact Assessment was prepared in accordance with the RTA 'Guide to Traffic Generating Developments'.

The development comprises approximately 880m of dual frontage to Cameron Road and 230m of single frontage. Three new intersections are required and 24 lots are to have direct driveway access to Cameron Road. Due to the direct driveway access the applicant has proposed to upgrade Cameron Road to a 7m wide seal on a 9m wide gravel formation. The upgrading of Cameron Road will also require adjustment of vertical alignment and minor road dedication to achieve sight line compliance requirements for intersections and driveway accesses.

The provision of safe intersection sight distance will be provided at two of the proposed intersections with Cameron Road. These intersections will be constructed as Type AUR right turn treatments in accordance with Austroads standards. At the third intersection the applicant has indicated that requirements for safe intersection sight distance could not be met with a type AUR turn treatment, to compensate for this the intersection shall be constructed as a modified Type CHR inclusive of a minimum 'seagull' type storage lane to provide protection for right turning vehicles merging into the travel lane of Cameron Road when exiting the new road. All intersections will meet minimum stopping sight distance criteria.

It has been identified that Cowlong Road is below standard and will require to be upgraded to accommodate both existing and future traffic. It has been agreed that this work shall be undertaken by Council and that a per lot contribution shall be levied upon the development to fund these works. The contributions for these works shall form part of the Planning Agreement and are further discussed in detail later in this report.

Community Needs Assessment (CNA)

A CNA was required for the McLeans Ridges catchment (as identified in the RHS) in order to determine the future community needs. The CNA highlights the potential increase in demand on existing services and infrastructure and addresses how future development of this catchment would provide for this demand. All rural residential development within the McLeans Ridges catchment will be required to contribute to upgrade of the existing McLeans Ridges hall.

For this particular proposal it is also proposed that a community park with an area of 4000m² be provided, with landscaping, playground equipment and park furniture and a suitable area for future development of a Childcare facility is to be dedicated to Council. The location of the park is central in terms of servicing the future subdivision. Council's Park's Manager has reviewed the proposal and has

Report

no objections.

Footpaths

The proposal provides a pedestrian network (approximately 1.5km) to link the lots to the community facilities and to provide future residences with a path for recreational purposes. This will typically require the construction of kerb and gutter such that a level verge formation is available for the footpath.

The Development Engineer has no objections to the proposal. Construction of the footpaths is required in the Planning Agreement discussed in detail later in the report.

Statutory Provisions

Threatened Species Conservation Act, 1995

The Threatened Species Conservation Act outlines requirements for the protection of threatened species, communities and critical habitat in New South Wales.

Three species listed as 'endangered' under the *Threatened Species Conservation Act, 1995* were found within the subject area. The species are dispersed throughout the development site. The proposed layout is conducive to the protection of these species and a Management Plan has been prepared to protect and conserve these species on the subject land.

North Coast Regional Environmental Plan

The relevant provisions of the NCREP applying to this Draft LEP Amendment are discussed below;

Clause 14 – (Plan Preparation, Wetlands or Fisheries Habitat) applies to land containing rivers, streams, wetlands or fisheries habitats. The objectives of this plan in relation to fisheries and catchment management are to preserve and enhance fishery habitats and associated catchments, and to promote the sustainable use of natural resources.

The conceptual layout of the development nominates building and effluent disposal envelopes, demonstrating sufficient setbacks from all creeks within the site. Rehabilitation of the riparian zones is proposed in accordance with the Rehabilitation Plan submitted in association with the rezoning submission. These areas will be zoned 7(b) – Environmental Protection, in order to ensure future protection.

Clause 20 – (Plan Preparation, Rural Land Release) requires Council applies to draft plans for rural land permitting rural residential development. The subject site has been identified as being suitable for rural residential development in accordance with the Lismore Rural Housing Strategy. Consistency with this strategy has been adequately addressed in the rezoning submission supporting the draft plan.

Section 117 Directions

The following s117 are applicable to the draft plan;

Direction No. 19 – (Planning for Bushfire Protection) applies in this instance as the site is in proximity to land mapped as bushfire prone land. The site is generally cleared in the locality where future development is proposed. The site is identified as containing 'Category 2' vegetation on Council's Bushfire Prone Land Maps. A detailed Flora and Fauna Assessment prepared for the site revealed limited stands of vegetation which would impact on the proposed rural residential development. In accordance with s62 of the EP&A Act, the application will be referred to NSW Rural Fire Service for comment.

The construction of a right of way on Road 1 must be provided for emergency bushfire egress. It is to be constructed from the end of Road 1 to Boatharbour Road to benefit all lots that have frontage to Road 1.

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Direction No. 22 – (Rural Zones) applies when a Council prepares a draft LEP that creates, removes or alters a Rural zone boundary or a Rural Zone provision. As the site is identified in an adopted rural housing strategy approved by the Director-General, the draft LEP can be inconsistent with the provisions contained in this direction.

Direction No. 25 – (Site Specific Zoning) applies when a Council prepares a Draft LEP to allow a particular development to be carried out. In this instance the draft LEP will allow for a development application for a rural residential subdivision. The provisions of this direction restrict Councils from referring to drawings that show detail of the proposed development. In the past, draft LEPs allowing rural residential subdivision listed specific plans to ensure future subdivision is consistent with design concept submitted at the rezoning stage. Council will now use the Planning Agreement prepared for the site to ensure that a future subdivision application addresses the salient points raised in the rezoning submission.

State Environmental Planning Policies

State Environmental Planning Policy No. 55 – (Remediation of Land) provides a state-wide approach to the remediation of contaminated land.

Clause 6 of SEPP 55 requires the consideration of contamination and remediation in relation to rezoning proposal. A Preliminary Contaminated Land Assessment was prepared for the site in accordance with SEPP 55 requirements and submitted in association with the rezoning submission. Environmental Health and Building Services recommended that no further investigations were required at this stage as no potentially contaminating activities were identified as occurring on the site.

Development Control Plans (DCP) and Council Policies

DCP 28 Subdivision

The subject site has been identified as being suitable for rural residential development in accordance with the Lismore Rural Housing Strategy. The proposal for the site has been designed adequately to ensure consistency with the provisions in DCP 28.

On-Site Effluent Management Strategy (2003)

The on-site wastewater systems must comply with Council's On-Site Effluent Management Strategy.

Environmental Health and Building Services requested a thorough investigation of the site be undertaken to ensure each proposed lot had the capacity for;

- * low technology on-site wastewater systems;
- * on slopes less than 15%;
- * a distance of 100m from watercourses and
- * a distance of 40m from gullies.

Environmental Health and Building Services are satisfied that the proposal meets the requirements and have no objections to the rezoning. The rezoning submission adequately addresses the requirements outlined in the RHS to the same level as that which was previously required for 'Locality Development Guidelines'.

Stormwater Management Plan (2000)

A Stormwater Concept Plan was prepared for the subject land, addressing stormwater management for the future subdivision. Proposed buildings will discharge roof-water to rainwater tanks, with overflow to infiltration pits. The remaining runoff is proposed to drain to open swales situated within the proposed internal roads or directed through an inter-allotment drainage system formed by grass swales to permit discharge to the local drainages gullies.

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Environmental Health and Building Services are satisfied that the proposal meets Council's requirements.

Preliminary Flora and Fauna Assessment and Environmental Management Plan Guidelines (2006)

The Flora and Fauna Assessment undertaken for the site identified several threatened species and several small patches of remnant vegetation scattered over the subject land. Several of these remnants are to be retained and protected in accordance with the Management Plan. The areas identified for rehabilitation in the Rehabilitation Plan are to be zoned 7(b) Environmental Protection to ensure future protection.

The Management Plan addresses weed control, fencing and buffers, focusing on riparian zones and areas where remnant vegetation is located. The Management Plan addresses the requirements of the Rural Housing Strategy and the *Threatened Species Conservation Act, 1995*. These requirements are addressed in the Planning Agreement and specific stages of the plan will be bonded to ensure that revegetation works are undertaken at the development stage.

Planning Agreement

The landowners involved in the rezoning submission have agreed to enter into a Planning Agreement with Council pursuant to section 93F of the EP&A Act. Matters to be addressed in the Planning Agreement include:

- Any future development application for subdivision to be generally in accordance with the plans that form part of the rezoning submission.
- The payment of a contribution to Council of \$12,535 per lot towards the cost of upgrading Cowlong Road and part of Cameron Road, McLeans Ridges.
- Payment of a contribution to Council of \$600 per lot towards the cost of upgrading the McLeans Ridges Hall.
- Payment of a contribution to Council towards the cost of providing two bus shelters in nominated locations.
- Rehabilitation works to be carried out in accordance with the Management Plan submitted with the rezoning.
- Payment of a security bond for the maintenance of rehabilitation works.
- The dedication to Council for the purposes of public open space of Lot 29 on the plan submitted with the rezoning submission including maintenance of Lot 29 to for a period of 12 months.
- The provision of playground equipment and park furniture on Lot 29.
- The provision of a Right of Way and constructed access for emergency bushfire egress from the end of Road 1 to Boatharbour Road benefiting all lots that have frontage to Road 1.
- Upgrading of Cameron Road to a 7 metre wide seal on a 9 metre formation (or other standard as approved by Council) for the full length of the frontage of the development.
- Construction of a 1.2 metre wide concrete footpath in the location shown on the submitted plan.

The Planning Agreement also contains provisions that allow for an equitable sharing of the costs of providing certain facilities whereby each of the landowners agree to the payment of a contribution to the landowner that bears the initial cost of providing the public open space, park furniture and public footpaths.

As local community facilities are being funded through the Planning Agreement, the Planning Agreement makes provision for the waiving of section 94 contributions for community facilities for the Clunes/Bexhill/Eltham catchment under Council's Contributions Plan. Contributions for recreation and active open space facilities in that catchment will still apply.

The Planning Agreement will be exhibited with the draft LEP amendment. Individual Planning Agreements consistent with the original agreement will be submitted by each landowner when they lodge their development applications for subdivision following the rezoning.

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Report

Comments**Financial Services**

On the basis that all road upgrading works will be funded by the developer, the recommendations are supported.

Other staff comments

Council's Environmental Health and Building Section, Development Engineer and Parks Co-Ordinator have provided comments throughout this report.

Public consultation

Opportunity for public consultation is provided during the public exhibition period for the draft LEP Amendments. The statutory minimum exhibition period is twenty eight (28) days.

Consultation with Government Agencies

Following Council's resolution to prepare the Plan, the proposal will be referred to relevant Government agencies in accordance with the requirements of s62 of the EP&A Act.

Conclusion

The proposal complies with the requirements of the Lismore Rural Housing Strategy, NCREP, S117 Directions and relevant Council plans and policies and can therefore progress to the exhibition stage.

Recommendation (PLAS)

That Council resolve:

1. Pursuant to Section 54 of the EP&A Act 1979, to prepare a draft amendment to Lismore Local Environmental Plan 2000 to include the subject land in Schedule 4 to allow 67 rural residential allotments plus one residual allotment.
2. To notify the Director General of Planning of Council's decision in accordance with Clause 9 of the EP & A act Regulation 2000.
3. To consult with relevant government and other agencies pursuant to section 62 of the EP&A Act.
4. To advertise the draft LEP amendment for a period of twenty eight days following receipt of a "written Authorisation to Exercise Delegations" from the Department's LEP Review Panel.

Report

Report

Subject	Cameron Road and Roseview Road – LEP Amendment No. 20
File No	S884
Prepared by	Strategic Planner
Reason	Completion of public exhibition and Councillor workshop
Objective	Council's endorsement to
Strategic Plan Link	Quality of Life – encourage sustainable development
Management Plan Project	Implement adopted Council Land Use Strategies

Overview of Report

This report makes recommendations in regard to the rezoning proposals that have been lodged for McLeans Ridges and following an assessment of submissions received as a result of the public consultation provides criteria which will assist the development of future proposals which may be received for this area.

Background

At its meeting of October 10, 2006 Council resolved to prepare and exhibit a draft Amendment to the Lismore LEP to permit rural residential subdivision in the Roseview Road and Cameron Road localities. Although each rezoning submission was lodged separately, both proposals were incorporated into a single draft amendment – LEP Amendment No 20.

Draft LEP Amendment 20 was publicly exhibited from 16th April to 14th May 07. The exhibition period was extended to 28th May 07 following requests from residents at the community meetings held on April 26 and May 17, 2007. A Councillor forum was also held on June 18, 2007.

A total of 126 submissions were received in response to the exhibition, 97 (77%) of which were in the form of objection and 29 (23%) in support. The principal issues raised in the objections were:

• Increased traffic and adequacy of the local road network	95%
• Loss of rural amenity & impact on landscape	85%
• Provision of community services and facilities	66%
• On-site wastewater disposal	36%
• Provision of utility Infrastructure	29%
• Impact on agricultural land	27%
• Environmental impacts	23%
• Lack of public consultation	17%

These issues were discussed in some detail at the Councillor workshop held on September 4, 2007.

Council workshop**Lismore City Council**

Meeting held October 9, 2007 - Cameron Road and Roseview Road - LEP Amendment No. 20

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Following a discussion of the principal issues raised in the submissions, the following possible recommendations were presented as a means of addressing the issues raised in the submissions:

- * That staff pursue negotiations with the RTA regarding re-alignment of the Cowlong/Bruxner intersection
- * That S 94 road contributions (\$2,366 per lot) be re-allocated towards upgrading Boatharbour Road.
- * That the applicants be invited to submit amended subdivision plans that comply with a minimum 70m lot frontage.
- * That minimum 5m landscaped areas be required in "no build" zones along the side boundaries of lots.
- * That revegetation of the Cameron Road reserve with local rainforest species be required following road upgrading works.
- * That the contribution for the McLeans Ridges hall be increased to include an extending parking area and relocated access to facilitate improved intersection sight distance.
- * That the amended proposals be re-exhibited for 28 days and further consultation with the community be initiated.

In addition to the above other suggestions were put forward by Councillors at the workshop and in the week following the workshop further Councillor comment was received. These suggestions and comments are assessed later in this report.

Further Community Response

The McLeans Ridges Community Group is a group that was formed to coordinate community response to the two rezoning proposals incorporated in draft LEP Amendment No 20. A representative from the group addressed Council during public access at the Council meeting of September 11, 2007. A number of issues were raised in that address and these issues are assessed later in this report.

McLeans Ridges Hall

Following initial telephone discussions with the secretary of the McLeans Ridges Hall Committee, the Committee has responded in writing that:

- * It is agreed that the Cowlong /McLeans Ridges Road intersection is dangerous and the issue needs to be addressed
- * Rear access to the hall grounds would be safer for vehicular use and this is achievable subject to some works being undertaken.
- * From the committee's point of view parking at the hall is not an issue however they would be happy for the area outside of the fence to be reshaped to accommodate vehicles.

Assessment of issues/suggestions raised by Councillors and the community

The following is an assessment of the issues and suggestions that have been received in response to the Councillor workshop held on September 4, 2007:

Suggestions put forward by Councillors at the workshop

1. Costs in the Planning Agreement should be indexed using the Construction Index rather than CPI.

Comment: Agreed. This can be incorporated into the new draft Planning Agreements.

2. Council to record traffic counts on surrounding road network.

Comment: This will be done by Infrastructure Services and available prior to assessment of future

Lismore City Council

Meeting held October 9, 2007 - Cameron Road and Roseview Road - LEP Amendment No. 20

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applications.

3. Look at possibility of acquiring an alternative site for an improved hall. The McLeans Ridges Hall Committee to be consulted in any negotiations.

Comment: A meeting was held with representatives from the hall committee on September 18, 2007 to discuss various issues affecting the hall that were canvassed at the workshop. Committee representatives were asked about their views on a potential alternative community centre closer to the development site. They replied that, in spite of several letter drops by the committee to all local residents, the hall does not receive a high level of use with just three regular bookings each week and the occasional one off event. Use of the hall has declined over the years and it is not anticipated that extensions to the hall will be necessary in the foreseeable future. The committee were not opposed to the idea that the existing hall could possibly be moved to a larger site in Cameron Road at some time in the future. The acquisition of a larger public site, suitable for future hall usage would keep open the opportunities to provide for the community in the future.

4. Consult Council's Parks Section regarding the need for a new sporting field in the locality.

Comment: Council's Parks Coordinator has been consulted on this matter. Given the projected growth there is no current requirement for a sporting field in this area. Future active open space needs in the locality can probably be met by extensions to the Sam Trimble Oval at Bexhill.

5. Consult with the Department of Education and Training regarding school capacity in the area.

Comment: A copy of the proposal has been forwarded to the Department of Education and Training and Council is awaiting their comment.

6. Dual use of footpaths (pedestrians/cyclists)

Comment: The amount of land available within the road reserve may preclude the development of a full width cycleway/pedestrian footpath, however with the relatively low level of use generated in the area dual use of the footpath should not create significant problems.

7. Investigate use of swales and table drains rather than kerb and gutter.

Comment: The applicants will be asked to investigate the use of swales and table drains in their re-design.

8. Reconsider the value of the proposed park in the Roseview Road proposal as there may be a better solution.

Comment: There is an opportunity to provide a larger, more centrally located area for community open space near the corner of Cameron Road and the proposed Road No 1. An area of around 6000m² could service both developments and could accommodate a picnic area/playground, 2,500m² "kick around" area as well as a future community centre/preschool if needed. A suitable lot close to the community lot could also be nominated as a preferred site for a future neighbourhood shop. Pedestrian and cycleway access to the area could be facilitated by constructed footpaths ultimately connecting the two development areas.

9. Ensure that the Teak tree in Roseview Rd is adequately protected.

Comment: An arborist's report will be required to address the on-going protection and care of the Teak tree. If the tree is to be incorporated into the road reserve it should be located within a "blister" of sufficient width to ensure that disturbance of the root system is avoided.

Further Councillor comment received following the workshop

10. Support for a minimum lot size of 5000 m² combined with a minimum lot frontage of 70 metres.

Lismore City Council

Meeting held October 9, 2007 - Cameron Road and Roseview Road - LEP Amendment No. 20

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Comment: An increase in minimum lot frontage is unlikely to result in lots much less than 5000 m². If such a minimum were to be adopted, the applicants could probably satisfy this requirement by extending the lots further down the slope and encroaching into the riparian areas which ideally should be consolidated into single large lots.

11. The loop road in the Roseview proposal should be replaced with a single road and cul-de-sac to retain consistency with the character of our rural areas. The other advantages of this are that the road would run along the top of the ridge therefore eliminating any need for kerb and guttering, and with the cost reduced from \$1 million for the proposed loop road then the pressure on increased density is reduced.

Comment: It is agreed that a re-design of the Roseview proposal to accommodate wider lot frontages should also accommodate a single road layout.

12. Support for 50m frontages with a 25m wide building envelope and 5m "no build" landscaped zones on the boundaries. This would create a 25m gap (10m of which is landscaped) between each building. With a 50m frontage the loss of lots is minimized. Also, there may be some topographical reason why some lots have to be less than 50m frontage. If so Council should allow a compromise in these circumstances. It is easy to say that a 60m or 70m frontage will only lead to the loss of 1 additional lot – it's the cumulative loss that is the concern.

Comment: It is considered that a minimum of 70m frontages is reasonable having regard to the need to reduce density while still maintaining viability of the proposals.

13. Council should not be increasing S94's for the extended parking area but rather 're-directing' some of the current \$600/lot towards the carpark. The real consequences of additional usage include carpark, on site sewer, and maybe some emergency exit signs (if they don't exist already).

Comment: Relocation of the vehicular access to the rear of the McLeans Ridges Hall will have considerable safety benefits, is supported by the hall committee and is likely to result in minimal increase per lot to the contribution rate.

14. Council should establish a 'line in the sand' regarding re-exhibition otherwise we could have umpteen iterations of exhibitions and workshops and eventually get to a 1 lot subdivision. Maybe the "Possible Recommendations" from Tuesday night with some refinement is that 'line.'

Comment: Any changes to the proposals as recommended by staff at the workshop will require re-exhibition of those proposals.

McLeans Ridges Community Group

15. Requirement for 70m lot frontages will do little to decrease visual impact. Richmond Hill Road is a poor example as it is a single road with lots on either side whereas in the Roseview proposal there are multiple layers of development.

Comment: The Roseview proposal can be re-designed so that it has a single road and cul-de-sac.

16. In the existing Roseview development the lots are all over 1ha and are irregular in shape and not created in a line along the ridgeline.

Comment: As the current rezoning applications will not proceed it is premature to draw comparisons between the existing stages of Roseview and any applications which may be lodged in the future.

17. Proposed developer contributions are not enough to adequately upgrade the road system. If the road network can't be fully upgraded to a suitable standard the development should not proceed.

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Comment: The contributions are sufficient to upgrade the full length of Cowlong Road to the development with further contributions being directed to "black spots" on Boatharbour Road. No increase in road contributions is recommended.

18. No traffic counts on local roads have been done.

Comment: Infrastructure services will undertake traffic counts on roads in the area.

19. Little consideration has given to comments in the submission from the Environmental Defender's Office.

Comment: The EDO submission raised the following issues:

- * Lack of community consultation by the applicants
- * Adverse impacts on scenic amenity
- * Deficiencies in ecological assessments
- * Failure to consider cumulative impacts of on-site wastewater disposal
- * Failure to adequately assess risk of land use conflicts

In terms of impact on scenic amenity this is a matter that is being addressed by the current process. DECC has raised no issue with the adequacy of the ecological assessments and the cumulative impact of wastewater disposal is an issue that is addressed through compliance with Council's On-Site Wastewater Management Strategy. The EDO has raised potential conflict with horticulture as an issue however the nearest macadamia plantations are well outside Council's DCP requirement for buffers to horticulture.

20. Revegetation plans for gullies and steep blocks are inadequate. When cattle are removed these areas will be infested with weeds.

Comment: This issue can be addressed in future proposals.

21. The recommendation for an arborist's report for the Teak tree does not address other threatened species close to the loop road in the Roseview proposal.

Comment: It will be recommended that the loop road concept be abandoned in favour of a single road. Threatened species require a Plan of Management to ensure their protection. Teaks are not a threatened species and a Plan of Management is not required. Council's Parks Coordinator has recommended the requirement for an arborist's report.

22. How will the 5m landscaped "no build" areas be enforced and maintained? Trees will also block solar access.

Comment: The species planted in the "no build" zone need not be sufficiently high as to preclude solar access to the dwellings.

23. Given the projected ultimate population for McLeans Ridges, the social needs of the community have not been addressed. The Community Facilities Needs Assessment identifies the importance of having a multi-purpose community facility which can provide a range of services to the community including sporting fields, playground equipment, tennis court and general park facilities. This is impossible at the McLeans Ridges Hall site.

Comment: This issue has been addressed under points 3 & 8 above.

24. There is concern that the proposals are not consistent with the Lismore Rural Housing Strategy (LRHS) in that they are not compatible with nor compliment existing settlement patterns or the natural environment and they do not maintain nor enhance the existing services or facilities.

Comment: It is acknowledged that the current proposal are deficient in a number of areas however there exists a diverse range of lot shapes and sizes within the McLeans Ridges area which provides

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latitude when making comparisons.

25. There is concern that existing traffic data is not available and that the overall strategic plan for McLeans Ridges has not been made public.

Comment: Council recognises that Cowlong Road requires upgrading as does Boatharbour Road. Traffic information will be gathered and made available. The "strategic plan" for McLeans Ridges, in regard to closer Rural Settlement has been available in the LRHS document since 2002.

26. We have not had sufficient opportunities to be involved in the planning process. Again, we would like to emphasise that our community would like to work with Council to develop a holistic vision and plan for our community. We would like access to a consultant or the expertise from Council that will help us do this. We believe that this must be done before any decision can be made around the rezoning of land in McLeans Ridges.

Comment: The LRHS clearly identified that McLeans Ridges was an appropriate area for future residential development and is a document adopted by Lismore City Council. Landowners are entitled to rely on this document and it would be inappropriate for Council to encourage a reassessment of the LRHS after landowners have sought to bring forward rezoning proposals within the framework of the strategy. If the community were uncomfortable with the strategy as adopted, they have had since 2002 to bring forward timely amendments.

27. A cap on the eventual population of McLeans Ridges. We propose that Council consider determining a population 'cap' (or a cap on the number of dwellings) for McLeans Ridges, based on a realistic and thorough assessment of what the area's topography, roads and services can sustain while preserving its rural character and natural environments, and protecting the amenity enjoyed by present and future residents.

Comment: It would be unrealistic to try to determine a population cap for any area.

28. Ridgeline development should be restricted so that the visual impact is minimised.

Comment: Council's LEP already contains a clause which provides guidance in regard to ridgetop development in rural areas and this issue is addressed in the recommendations.

29. In any proposals for development we would like to see lot size and layout compatible with the existing Roseview Estate, that is, minimum lot size of 1 hectare (10,000m²). The blocks should be irregular, which means building envelopes are not lined up near each other. This would give a rural feeling to the subdivision and respect the rural amenity of the area.

Comment: It has already been noted that an arbitrary lot size will not necessarily result in an attractive development. The premise that dwellings should have staggered building lines is supported.

30. We would like to see common land and revegetation in a continuous ecological corridor connecting existing remnants.

Comment: This proposal has merit but may be subject to site specific constraints.

31. As increased traffic makes it dangerous for residents to walk or ride around the area, walking/cycling/riding paths could be incorporated into the revegetated corridor (linking these and any future developments) and giving residents opportunities for recreational activities without leaving the area.

Comment: This issue has been addressed in Point 6.

32. A Multipurpose Community Facility (identified as a basic requirement in the Community Facilities

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Needs Assessment) is already needed for the McLeans Ridges community at its current size, and therefore must be included in proposals for further development. This should incorporate facilities such as a meeting place/hall with adequate seating and parking for the current and proposed population, facilities for families such as a playground and park, barbeque facilities, and sporting facilities such as a tennis court. It would need to be situated in a place that is safely accessible to all residents, eg: Tullera.

Comment: This issue has been addressed in Points 3 and 8.

Comments

Financial Services

Not required.

Other staff comments

Not required.

Public consultation

This report recommends that the applicants be invited to make substantive variations to original proposals that have been publicly exhibited. Changes are also proposed to the draft Planning Agreements that have also been exhibited. Draft LEP amendments and Planning Agreements have a minimum statutory exhibition period of 28 days. If amended proposals are received that satisfy the criteria agreed to by Council, the draft LEP Amendment should be re-exhibited by Council for a further 28 days.

Conclusion

Given the number and range of issues raised in the public submissions, it is considered that both the Cameron Road and Roseview Road proposals in their current form are unacceptable and that draft LEP Amendment No 20 should not proceed with the proposals in their current form. It is proposed that the applicants be invited to submit amended proposals that incorporate the recommended changes as discussed in this report.

Council will need to consider a further report on the amended proposals prior to resolving to place them on public exhibition.

Recommendation

That Council:

1. Advise the applicants of both the Cameron Road and Roseview Road rezoning proposals that the applications in their current form are unacceptable to Council.

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Report

Report

Subject	Draft Amendment No 20 to Lismore LEP (Cameron Road)
File No	S884
Prepared by	Strategic Planner
Reason	Receipt of new subdivision layout from consultants acting for the Cameron Road group of landowners
Objective	Council's endorsement to re-exhibit the plans and amended Planning Agreement for Cameron Road.
Strategic Plan Link	Quality of Life – encourage sustainable development
Management Plan Project	Implement adopted Council Land Use Strategies

Overview of Report

This report advises Council of the receipt of a new subdivision design for the Cameron Road rezoning proposal that has been prepared in response to Council's resolution of October 9, 2007. The report recommends that Council re-exhibit the new plans together with other supporting information for a period of twenty eight (28) days.

Background

At its meeting of October 9, 2007 Council considered a report on the outcome of the public exhibition of draft LEP Amendment No 20 that applied to both the Cameron Road and Roseview Road rezoning proposals. Council resolved to:

1. Advise the applicants of both the Cameron Road and Roseview Road rezoning proposals that the applications in their current form are unacceptable to Council.
2. Invite the applicants to submit amended proposals that incorporate the following general principles:
 - provide for minimum lot widths of 70m at the building line, other than for battleaxe lots or lots situated at the end of cul-de-sacs, and
 - provide a 5m landscaped area in "no build" zones along the first 40m of all side boundaries of all lots, and
 - provide a revegetation plan of the Cameron Road reserve using local rainforest species, and
 - integrates appropriate stormwater management and driveway design into roadside table drains, so as to negate where possible, the need for kerb and gutter within the road designs, and
 - achieves an integrated outcome for the design and location of approximately 6,000m² of open space and community facilities in a more centralised location within the McLeans Ridges strategy area, and
 - includes an arborist's report that provides for the protection of the Teak tree on the Roseview Road proposal, and
 - provide appropriate footpaths/cycleways to support the centralised community open space, and
 - promote reduced building line setbacks for lots with frontages greater than 70m, and
 - facilitate the utilisation of ridgetops for road usage to ensure future dwellings are located below ridges and do not have linear building line setbacks, and

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- encourage non linear road alignments.
 - That roads in the rural residential development should reflect the rural character of the location.
3. Prepare amended draft Planning Agreements that include:
 - an additional \$2,366 per lot to be allocated towards the upgrading Boatharbour Road (being equivalent to the current S 94 contributions for roads that would otherwise be payable),
 - a provision that no other S94 roads contribution will be applicable, and
 - a provision that all monetary contributions are to be adjusted annually to reflect any increase in the Construction Price Index.
 4. Include the Cowlong Rd/Bruxner Hwy intersection within the area of the traffic model to be developed by TTM Consultants.
 5. That the developers provide an updated social impact assessment based on current population figures.

The consultants for both the Cameron Road and Roseview Road proposals were advised of Council's resolution and were invited to submit amended proposals consistent with the general principles outlined in point 2 of Council's resolution.

New subdivision plans have been submitted by Newton Denny Chapelle for the Cameron Road group of landowners. The new plans are accompanied by a report demonstrating compliance with the principles outlined in Council's October resolution. The redesign has resulted in a reduction in the number of rural residential allotments from 73 lots to 63 lots. It also provides for a more centrally located open space that could potentially service the combined Cameron/Roseview Road area. A copy of the plans and report submitted by Newton Denny Chapelle are included as attachments.

The social impact assessment for the Cameron Road proposal is being updated to have regard to 2006 Census results by consultants specifically engaged for this task.

Public Meeting

A public meeting will be held at the McLeans Ridges Community Hall on December 6, 2007 where consultants for the Cameron Road landowners will present the new proposal. A summary of the issues raised at the public meeting will be provided to Councillors prior to the Council meeting.

Comments

Financial Services

Not required.

Other staff comments

Not required.

Public consultation

It is recommended that the new subdivision plans, together with the amended Planning Agreement and updated social impact assessment report, be re-exhibited for twenty eight (28) days to facilitate further community comment.

Conclusion

The redesign for the Cameron Road proposal has addressed the general principles outlined in point 2 of Council's resolution of October 9, 2007. An amended draft Planning Agreement prepared in accordance

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with point 3 of Council's resolution must be prepared and signed by the landowners prior to its public exhibition. It is recommended that the amended plans, updated social impact report and amended draft Planning Agreement be re-exhibited for a period of twenty eight (28) days and that all persons who made submissions to the original proposal to be advised in writing of the re-exhibition.

Recommendation

That Council:

1. Re-exhibit the amended plans and updated social impact assessment report that have been submitted for Cameron Road for a period of twenty eight (28) days, not commencing before January 29, 2008; and
2. Concurrently exhibit an amended draft Planning Agreement for Cameron Road that includes:
 - an additional \$2,366 per lot to be allocated towards the upgrading Boatharbour Road (being equivalent to the current S 94 contributions for roads that would otherwise be payable),
 - a provision that no other S94 roads contribution will be applicable, and
 - a provision that all monetary contributions are to be adjusted annually to reflect any increase in the Construction Price Index.

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Report

Report

Subject	Draft Amendment No 20 to Lismore LEP (Cameron Road)
File No	S 884
Prepared by	Strategic Planner
Reason	Council resolution
Objective	Council's endorsement to re-exhibit LEP Amendment 20, the amended proposal and amended Planning Agreement for Cameron Road.
Strategic Plan Link	Quality of Life – encourage sustainable development
Management Plan Project	Implement adopted Council Land Use Strategies

Overview of Report

This report advises Council of the receipt of an amended development proposal for the Cameron Road rezoning proposal together with an updated SIA and other supporting information. The report recommends that Council re-exhibit the new plans and supporting information for a period of twenty eight (28) days.

Background

At its meeting of December 11, 2007 Council considered a report on an amended development proposal that had been lodged by Newton Denny Chapelle on behalf of the Cameron Road group of landowners at McLeans Ridges. The amended proposal was submitted in response to Council's resolution of October 9, 2007 to invite both proponents at McLeans Ridges to submit amended design proposals that incorporated the following general principles:

- provide for minimum lot widths of 70m at the building line, other than for battleaxe lots or lots situated at the end of cul-de-sacs, and
- provide a 5m landscaped area in "no build" zones along the first 40m of all side boundaries of all lots, and
- provide a revegetation plan of the Cameron Road reserve using local rainforest species, and
- integrates appropriate stormwater management and driveway design into roadside table drains, so as to negate where possible, the need for kerb and gutter within the road designs, and
- achieves an integrated outcome for the design and location of approximately 6,000m² of open space and community facilities in a more centralised location within the McLeans Ridges strategy area, and
- includes an arborist's report that provides for the protection of the Teak tree on the Roseview Road proposal, and
- provide appropriate footpaths/cycleways to support the centralised community open space, and
- promote reduced building line setbacks for lots with frontages greater than 70m, and
- facilitate the utilisation of ridgetops for road usage to ensure future dwellings are located below ridges and do not have linear building line setbacks, and
- encourage non linear road alignments.

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- That roads in the rural residential development should reflect the rural character of the location.

The redesign of the Cameron Road proposal has resulted in a reduction in the potential number of rural residential allotments from 73 to 63. At its December 2007 meeting, Council resolved to defer consideration of the proposal until the February 2008 meeting. This was to provide the proponent with sufficient time to submit the updated social impact assessment (SIA) and also would enable Council to complete its traffic counts on local roads in the area. The proponent has submitted the updated SIA together with supporting documentation for the revised proposal.

Community Open Space

The redesign has provided for a more centrally located community lot (Lot 29) that could potentially service the combined Cameron/Roseview Road area. The proposed community lot has an area of 6780m² of which approximately 1585m² has a gradient of less than 5%. Approximately 2420m² has a gradient of 5% to 15% with the remaining 2780m² being between 15% and 20%.

Council has adopted standards under its DCP for neighbourhood parks in urban areas which requires a minimum area of 2500m², of which at least 90% (2250m²) is to have a gradient no greater than 5%. The proposed park in Cameron Road will be required to accommodate a greater range of uses than the typical neighbourhood urban park and so the larger area that has been required is considered to be warranted. The area of land that is 5% or less should be increased to accommodate future recreational and community facilities and this should be possible when earthworks are undertaken as part of future civil works for the subdivision.

A copy of the revised subdivision proposal showing the location of the proposed community open space lot is attached to this report.

Updated Social Impact Assessment

Council had resolved on October 9, 2007 that any amended application for either the Cameron Road or Roseview Road proposals should be accompanied by an updated SIA that took into account current Census data.

The updated SIA has been prepared by Real Options Consultancy Service and includes demographic information based on the results of the 2006 Census. The revised development proposal and amended Planning Agreement are consistent with the recommendations made in the SIA.

The SIA has been assessed by Council's Community Services section which has advised that the document identifies the major concerns and social issues that will be impacted upon by the proposed development and it appears that appropriate mitigation strategies have been planned. A copy of the updated SIA is attached to this report.

Traffic Counts

Traffic counts at various locations on roads in the vicinity of the proposal were undertaken by Council between October and December 2007. Width requirements for rural roads are primarily dependant on traffic volumes. Standards for width/volume relationship are contained in both Council's DCP and in the Austroads publication "A Guide to the Geometric Design of Rural Roads." These are summarised in the following tables:

Austroads: A Guide to the Geometric Design of Rural Roads

	1-150 Daily Av.	150-500 Daily Av.	500-1000 Daily Av.	1,000-3,000 Daily Av.	>3,000 Daily Av.
Traffic Lanes	3.5m	6.2m	6.2-7.0m	7.0m	7.0m
Total Shoulder	2.0m	1.5m	1.5m	2.0m	2.5m

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Lismore DCP

	Local Road <300 Daily Av.	Rural Collector Rd 300+ Daily Av.	Sub-arterial Rd (as identified in DCP)
Traffic Lanes	6m	6m	7m
Total Shoulder	2m	2m	2m

Results from the traffic counts undertaken between October and December 2007 are shown in the following table. In March 2006 Council commissioned roughness surveys of all roads within its jurisdiction for use in estimating the pavement life. The average roughness for Cameron Rd, Cowlong Rd and Boatharbour Rd has been included in the table below. With regard to roughness, Council has adopted a roughness of 135NRM as the relevant intervention level for rural roads.

Traffic Counts and pavement condition

Location	Traffic Count (Daily Av)	Existing width (m)	Austrroads Standard (m)	DCP Standard (m)	Pavement Roughness (NRM)	Pavement Condition	Funding proposed (under PA)
Cameron Rd	320	5.2-6.0	6.2 on 7.7	6 on 8	82	Satisfactory	No (reconstruction of section of road required by Cameron Rd developers)
Cowlong Rd (west of Cameron Rd)	854	5.4-6.4	7 on 9	7 on 9	139	Unsatisfactory	Yes
Cowlong Rd (east of Cameron Rd)	701	5.4-6.0	7 on 9	7 on 9	139	Unsatisfactory	No (reconstruction to Roseview Rd to be required by Roseview Rd developers)
Boatharbour Rd (west of Cameron Rd)	433	5.7-6.5	6.2 on 7.7	6 on 8	82	Satisfactory	No
Boatharbour Rd (east of Cameron Rd)	136* 166(2004)	3.4-3.7	3.5 on 5.5 6.2 on 7.7	6 on 8 6 on 8	148	Unsatisfactory	Yes

* The count for Boatharbour Road is inconsistent with previous counts undertaken in June 2004. The 2004 count has been included for comparison.

Road upgrading contributions to be contributed by the developers through the proposed Planning Agreement have been targeted towards Cowlong Road and Boatharbour Road (east of Cameron Road) where existing widths and pavement condition do not meet the required standards. Although the 2007 counts would suggest that the existing pavement width in Boatharbour Road (east of Cameron Road) would satisfy the Austrroads requirements, any reconstruction of Boatharbour Road would be at the higher standard.

The level of road contributions that the proponents will be committed to under the Planning Agreement is considered to be fair and reasonable and the collected funds will be expended in areas where the greatest public benefit will be realised.

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Amended Planning Agreement

Council had also resolved on October 9, 2007 that an amended Planning Agreement be drafted to accompany any revised rezoning proposal. The amended Planning Agreement was to incorporate the following:

- an additional \$2,366 per lot to be allocated towards the upgrading Boatharbour Road (being equivalent to the current S 94 contributions for roads that would otherwise be payable),
- a provision that no other S94 roads contribution will be applicable, and
- a provision that all monetary contributions are to be adjusted annually to reflect any increase in the Construction Price Index.

The amended Planning Agreement has been drafted in accordance with Council's resolution and has been signed by the Cameron Road landowners. The amended draft Planning Agreement should be exhibited concurrently with the revised rezoning proposal.

Public Meeting

A public meeting was held at the McLeans Ridges Community Hall on December 6, 2007 where consultants for the Cameron Road landowners presented details of their revised proposal. The meeting was attended by approximately 70 people. A summary of the questions/issues raised at the public meeting is attached to this report.

Comments**Financial Services**

Not required

Other staff comments

Council's Development Engineer and Social Planner have assessed relevant aspects the revised proposal for Cameron Road and their comments have been incorporated into this report.

Public consultation

Draft LEP Amendment No 20, which originally included both the Cameron Road and Roseview Road proposals, was exhibited from April 16 to May 14, 2007. The EP&A Act enables Council to make any alteration it considers necessary to a draft LEP arising from its consideration of submissions. The Act also provides that Council may (but need not) publicly exhibit, wholly or in part, a draft LEP that has been altered.

Draft LEP Amendment No 20 has now been altered so that it:

- a) refers only to the Cameron Road proposal (i.e. excludes the Roseview Road proposal), and
- b) reflects the reduced lot yield for Cameron Road as shown on the revised subdivision plan.

A copy of the redrafted amendment is attached to this report.

The terms of Council's resolutions of October 9 and December 11, 2007 have been addressed by the proponent. It is therefore recommended that the altered draft LEP amendment, together with the amended plans, supporting documentation, updated SIA and amended Planning Agreement be placed on public exhibition for a period of twenty eight (28) days and that all persons who made submissions to the original proposal be advised in writing of the exhibition.

During the exhibition period it is also proposed that the amended proposal be referred to relevant government agencies and other public authorities (including Rous Water) for their comment.

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Conclusion

In their redesign of the Cameron Road proposal, the applicants have addressed all of the relevant general principles outlined in Council's resolution of October 9, 2007. An updated SIA has been submitted which addresses the relevant issues and an amended Planning Agreement has also been prepared in accordance with the terms of Council's resolution. Supporting documentation has been submitted by the applicant in relation to the impacts of the revised design in terms of wastewater, threatened species, etc. It is recommended that the amended proposal now be placed on public exhibition.

Recommendation

That Council:

- 1 Exhibit the redrafted LEP Amendment No 20 together with the amended proposal, additional supporting documentation, updated social impact assessment and amended Planning Agreement for a period of twenty eight (28) days; and
- 2 Refer the amended proposal and additional supporting documentation to relevant government agencies and other public authorities for their comment.

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Report

Report

Subject	Draft Amendment No 20 to Lismore LEP (Cameron Road)
File No	S 884
Prepared by	Strategic Planner
Reason	Close of public exhibition period
Objective	Council's adoption of draft LEP Amendment No 20 and execution of the Planning Agreement under Council's seal
Strategic Plan Link	Quality of Life -- encourage sustainable development
Management Plan Project	Implement adopted Council Land Use Strategies

Overview of Report

This report provides an assessment of issues identified in the public submissions to the revised rezoning proposal for Cameron Road, McLeans Ridges as well as responses from Government Agencies and public authorities. Two hundred and five (205) public submissions were received in response to the exhibition of which 98% were in the form of objection. While there is a significant level of public objection to the proposal, it is considered that the relevant planning issues and statutory requirements are either satisfactorily addressed by the proponents in the revised proposal, or can be addressed through proposed changes to the Planning Agreement or when more detail is provided at the development application stage. The report includes recommendations for the proposed community lot and also recommends that amendments be made to the Planning Agreement. It is recommended that Council adopt LEP Amendment No 20, execute the amended Planning Agreement under the seal of Council and forward the Amendment and the Planning Agreement to the Minister for Planning.

Background

Newton Denny Chapelle, on behalf of various landowners in the Cameron Road area, has sought an amendment to the Lismore Local Environmental Plan 2000 to enable the subdivision of eight (8) existing rural lots to create a total of sixty five (65) lots (including residue lots) plus a community lot. A proposal was originally submitted in March 2004 and, after a number of modifications, Council resolved to exhibit the proposal at its meeting of October 10, 2006. The original proposal was exhibited from April 16 to May 28, 2007. Submissions to that proposal were considered by Council at its meeting of October 9, 2007. The current proposal was submitted in response to Council's October resolution where the applicant was invited to submit a revised proposal in accordance with certain design criteria adopted by Council. At its meeting of February 12, 2008 Council considered a report on the current proposal and resolved to:

1. Exhibit the re-drafted LEP Amendment No 20 together with the revised rezoning submission, additional supporting documentation, updated social impact assessment and amended Planning Agreement for a period of twenty eight (28) days; and
2. Refer the revised proposal and additional supporting documentation to relevant government agencies and other public authorities for comment.

The public exhibition process is now completed and responses have been received from government

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agencies and other public authorities.

Public consultation

A public meeting was held at the McLeans Ridges hall on December 6, 2007, at which the consultant for the proponents presented the revised proposal and residents were given the opportunity to ask questions of the consultant and Council staff. Issues raised at the public meeting were summarised in a report to Council on February 12, 2007. The revised draft LEP Amendment No 20, with supporting information and amended Planning Agreement, was placed on public exhibition from February 25, 2008 to March 28, 2008. A Councillor workshop to discuss issues raised in the public submissions was held on May 27, 2008.

Public submissions

Two hundred and five (205) public submissions were received in response to the exhibition of which 201 (98%) were in the form of objection and four (2%) were in support of the proposal. An independent town planning consultant was engaged to collate the public submissions and summarise the principal issues raised. Eleven (11) principal issues were identified by the consultant. The following tables provide a summary of the principal issues raised and indicate the number of submissions in which the various issues were identified:

1. Principal Issue- increased traffic and impact on local road network	No of submissions
Number of submissions that raised concerns about the local road network	163 of 201 (81%)
Specific issues	
No comprehensive traffic impact assessment	72 of 163 (44%)
Condition of existing local road network – inadequate	79 of 163 (48%)
Alphadale intersection (Cowlong Rd & Bruxner Highway)	87 of 163 (53%)
Intersection – Cowlong Rd & McLeans Ridges Rd	58 of 163 (36%)
Intersection – Cowlong Rd & Cameron Rd	4 of 163
Intersection – Cameron Rd & Boatharbour Rd	63 of 163 (38%)
Intersection – Boatharbour Rd & Richmond Hill Rd	1 of 163
Road – Cameron Rd	48 of 163 (29%)
Road – Cowlong Rd	79 of 163 (48%)
Road – Boatharbour Rd	75 of 163 (46%)
Road – Pearson Rd	20 of 163
Road – Bangalow Rd	19 of 163
Direct vehicular access onto Cameron Rd	100 of 163 (61%)
Lack of pedestrian facilities – linkages with hall & increased traffic at hall	22 of 163

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Other road users – cyclists, pedestrians, horse riders	122 of 163 (75%)
Compliance with Council & RFS requirements	30 of 163
Increased traffic noise - not assessed	4 of 163
Funding and timing of road infrastructure up-grading & cost to Council and community	63 of 163 (39%)
Flood prone roads	5 of 163

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2. Principal Issue- impact on rural amenity	No of submissions
Number of submissions that raised concerns about impact on rural amenity	153 of 201 (76%)
Specific issues	
Character created by existing pattern of settlement	41 of 153 (27%)
Number of proposed lots	72 of 153 (47%)
Shape of proposed lots	70 of 153 (46%)
Size of proposed lots	77 of 153 (50%)
Orientation of proposed lots	5 of 153
Suburban ribbon development not suitable for rural setting	82 of 153 (54%)
Incompatible with existing pattern of settlement / landuse	38 of 153 (25%)
Loss of lifestyle choice - rural vista – lifestyle aspects –seclusion and privacy – road with trees – children schooling at country school – silence and minimal traffic noise – wildlife & flora – no excessive lighting or light spill – ability to work in stressful employment and retreat to home	10 of 153
Loss of rural character	13 of 153
Adequacy of lots for dwellings - specific lots identified	27 of 153 (18%)
3. Principal Issue- impact on existing landscape	No of submissions
Number of submissions that raised concerns about impact on existing landscape	113 of 201 (56%)
Specific issues	
Adverse visual impact on prominent ridgelines	108 of 113 (96%)
Development of the land will not blend with existing views and is out of character with existing rural views	48 of 113 (42%)
Removal of trees along Cameron Rd	54 of 113 (48%)
4. Principal Issue – adequacy of social impact assessment	No of submissions
Number of submissions that raised concerns about the social impact assessment	137 of 201 (68%)

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Specific issues

Use of wrong census collector district	64 of 137 (47%)
Incorrect use of urban benchmarks	59 of 137 (43%)

5. Principal Issue- impact on community services and facilities No of submissions

Number of submissions that raised concerns about impact on existing community services and facilities 113 of 201 (56%)

Specific issues

McLeans Ridges dispersed rural settlement not a village	11 of 113
McLeans Ridges has none of the facilities (e.g. public transport, school, PO, shop/s, reticulated water etc) of a village yet will have a population of a village	113 of 113 (100%)
Existing hall – old and in need of repair, land too small no room for expansion, no parking, located on dangerous intersection - inadequate for existing population	60 of 113 (53%)
Potential population increase maybe 400 people above existing 600 to 1,000 – lack of existing facilities (child's play, sports etc), no general store for that population – no central facilities proposed	34 of 113 (30%)
No provision for equitable access for people with disabilities, children, elderly - footpaths	12 of 113
No provision of suitable land for recreation fields / facilities	52 of 113 (46%)
No detail regarding proposed community lot	97 of 113 (85%)
No public transport at McLeans Ridges	74 of 113 (65%)

6. Principal Issue- Impacts of on-site wastewater disposal systems No of submissions

Number of submissions that raised concerns about impact of on-site wastewater disposal systems 112 of 201 (56%)

Specific issues

Number of on-site systems in catchment of Wilson 112 of 112 (100%)

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River and source of water supply at Howard Grass	
No assessment of cumulative impact	4 of 112
No groundwater assessment	6 of 112
Steepness and size of lots and suitability for on-site systems	2 of 112
7. Principal Issue- impact on flora and fauna	No of submissions
Number of submissions that raised concerns about impact on flora and fauna	88 of 201 (44%)
Specific issues	
Adequacy of assessments	82 of 88 (93%)
Threatened species not adequately protected	8 of 88
Restoration and rehabilitation inadequate – buffer maintenance	51 of 88 (58%)
8. Principal Issue- inconsistency with the Lismore Rural Housing Strategy	No of submissions
Number of submissions that raised concerns that the proposal is not consistent with the Strategy	89 of 201 (44%)
Specific issues	
Incompatible with existing development in area	6 of 89
Lack of public transport	4 of 89
Direct vehicular access to Cameron Rd	53 of 89 (59%)
Loss of existing rural views & landscape	16 of 89
Proposal not acceptable to the local community - previous objections	11 of 89
Lands outside area of strategy	1 of 89
9. Principal Issue – loss of agricultural land and potential land use conflict	No of submissions
Number of submissions that raised concerns about the impact on agriculture	99 of 201 (49%)
Specific issues	
Prime agricultural land - contrary to State govt efforts	17 of 99

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Land use conflict – existing agricultural uses and future residential development - movement of livestock – use of downstream watercourses 99 of 99 (100%)

10. Principal Issue- request for public hearing No of submissions
Number of submissions that requested a public hearing into the LEP 89 of 201 (44%)

11. Principal Issue- cumulative development No of submissions
Number of submissions that raised concerns about the cumulative impact of other subdivisions in the locality 32 of 201 (16%)

The issues raised in the submissions to the current proposal are similar to those identified in the submissions to the former proposal that was exhibited from 16 April to 28 May, 2007. At that time draft LEP Amendment No 20 proposed seventy two (72) lots (including residue lots) plus a community lot in the Cameron Road area and included a further 30 lots in the Roseview Road area. That exhibition attracted 97 public objections.

The independent consultant has provided a synopsis of the principal issues raised in submissions to the current proposal and this is followed by staff comments:

1. Increased traffic and its impact on the local road network.

Concerns included the adequacy of the existing road network, existing road users including motor cars, farm vehicles, trucks and other road users such as and including pedestrians, cyclists and horse riders, the impact of increased traffic on the road network including intersections, the limited traffic impact assessment, the limited extent of the road up-grades proposed in the application, the provision for footpaths, and the funding and timing of road infrastructure as proposed in the Planning Agreement.

Comment:

- Traffic counts were undertaken by Council at selected locations in McLeans Ridges between October and December 2007. In March 2006 Council also commissioned roughness surveys of all roads within its jurisdiction for the purpose of estimating the pavement life. The results of the traffic counts and roughness surveys were included in a report to Council on February 12, 2008. They indicated that existing road widths in Cowlong Road and Boatharbour Road (east of the Cameron Rd intersection) do not meet DCP and Austroads standards and that existing pavement condition of these roads is also unsatisfactory.
- Road upgrading contributions levied on the developers through the proposed Planning Agreement are to be expended on the upgrading of Cowlong Road (\$10,820 per lot) and the section of Boatharbour Road east of the Cameron Road intersection (\$2,366 per lot). The proposed Cowlong Road upgrading works will include upgrading of intersections at Cowlong/McLeans Ridges Roads and Cowlong/Cameron Roads.
- While the pavement condition in Cameron Road was deemed to be satisfactory, sections of the road do not satisfy minimum width requirements under the DCP and Austroads standards. Consequently the developer is required to upgrade Cameron Road under the Planning

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Agreement to a 7m bitumen seal on a 9m formation for the full frontage of the development.

- Land identified for potential rural residential development in the McLeans Ridges strategy extends either side of Cameron Road to Boatharbour Road. Future development in this area would provide an opportunity to reconfigure the geometry of the Cameron Road/Boatharbour Rd intersection as a requirement of those proposals. Alternatively funds collected for upgrading Boatharbour Road under the Planning Agreement could be used for this purpose.

Report

- Council has previously resolved to include the Cowlong Road/Bruxner Highway intersection within the area of the traffic model being developed for the Bruxner Highway corridor by TTM Traffic Consultants. That study has commenced and is expected to be completed towards the end of the year.
- Upgrading of Boatharbour Road is currently ranked 12th out of 25 identified projects in Council's current rural capital works program. As only two to three projects are usually completed within a financial year, the upgrading of Boatharbour Road would still be some years off. It has been estimated that the upgrading would cost \$1.75 million for the entire section from Cameron Road to Eltham Road. Rural residential development in the McLeans Ridges strategy area will contribute approximately \$250,000 towards the upgrade. If this amount was collected before the overall upgrading is planned, the collected funds could be expended towards addressing "black spots" on the section of road between Cameron Road and the Eltham School. This could be undertaken as an initial step in the longer term upgrade of Boatharbour Road. Alternatively the Infrastructure Policy Advisory Group could reconsider the ranking of the Boatharbour Road upgrade if and when the additional funds are received from new development in the area.
- Footpaths are to be provided along the full frontage of the development in Cameron Road and for approximately half the length of the new Road 1.
- The Lismore Rural Housing Strategy (RHS) includes a statement that direct access to Boatharbour, Cameron and Cowlong Roads should be precluded and the number of new road connections minimised. Restriction on direct access to roads that have a through traffic function is a principle that is generally regarded as desirable in most subdivision designs. Initial concept plans lodged by the consultants demonstrated that this requirement could be complied with by providing combined accesses parallel to Cameron Road for those lots with direct road frontage. This produced an unsatisfactory design outcome both from an aesthetic and engineering perspective.

The RHS is not an environmental planning instrument and the general notes contained within it provide a guideline only for developers and Council. Council has discretion to vary such requirements particularly where it can be demonstrated that a better design outcome can be achieved through an alternative approach. Negotiations between the consultants and Council staff resulted in a design that incorporated an additional one metre seal and formation width in Cameron Road. While the revised design allows some direct accesses to Cameron Road, these are minimised through a requirement for shared driveways where practicable. Potential traffic conflicts have been addressed through the widening of Cameron Road and the proposed vertical and horizontal realignment of the road. It is envisaged that the function of Cameron Road will ultimately change from a rural through road to a rural residential road and this will provide an opportunity for a reduction of the speed limit on that road.

2. *Impact on rural amenity.*

Concerns included the proposed number, size, location and shape of allotments, the urban nature of the proposal and incompatibility with the existing pattern of settlement, loss of rural character and impacts on lifestyle choice and reason for living at McLeans Ridges, and

3. *Impact on the existing landscape and views.*

Concerns about ribbon development along a ridge system and that the development was urban in nature and of a character which will not blend into the existing rural character and landscape of the McLeans Ridges locality.

Report

Comment:

The issues of rural amenity, size and design of lots, and impact on landscape and rural character are interrelated and are addressed here collectively. These issues were also identified by a significant number (85%) of objections received in response to the exhibition of the original proposal in April/May 2007.

The transformation from rural land to rural residential land will necessarily have impacts on the existing landscape and views. The degree of impact that a development will have will be influenced by:

- a) the nature of the development,
- b) the nature of the topography, and
- c) the distance from which the development is viewed by an observer.

a) Nature of the development

Measures to reduce the potential loss of rural amenity and impact on the landscape were discussed at the Councillor workshop on September 4, 2007. It was recognised that lot size is just one determinant of the level of visual impact that a development may have and that other design factors such as lot width could potentially have a greater influence. Specific measures aimed at mitigating impacts on rural amenity and the rural landscape were explored at the workshop and the following design criteria were subsequently adopted by Council at its meeting of October 9, 2007:

- Lots to have minimum frontages of 70m (other than for battleaxe lots or lots situated at the end of cul-de-sacs).
- A 5m wide landscaped "no build" area to be provided along the side boundaries of all lots.
- Following reconstruction, the Cameron Road reserve to be landscaped using local rainforest species in accordance with a revegetation plan.

In rejecting the original Cameron Road proposal, Council resolved to invite the proponent to submit new plans which accommodated the above criteria. This resulted in a reduction in rural residential lots from 73 to 63 and an increase in the average lot size. The following table shows the distribution of lot sizes for the current proposal:

Area (m ²)	No. of lots (excluding community lot)
3,000 – 4,000	3
4,000 – 5,000	7
5,000 – 6,000	2
6,000 – 7,000	12
7,000 – 8,000	15
8,000 – 9,000	8
9,000 – 10,000	2
> 10,000	14

Excluding the residue and 'rehabilitation' lots, the average lot size is 9,630m². Even excluding all 14 lots that are in excess of 10,000m², the average lot size of the remaining lots is 6,707m². By way of comparison the minimum lot size permissible within the 1(c) Rural Residential zone is 2,000m² with an average lot size is 5,000m².

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The southern section of Cameron Road supports around 20 existing rural residential lots on either side of the road with direct road frontage. The current proposal would result in a further 23 rural residential lots with direct road frontage on either side of the northern section of Cameron Road. A number of the existing lots along the southern section of the road have lot frontages of 46m or less. Lots created by this proposal will have frontages of at least 70m. The new lots along Cameron Road could be expected to have no greater visual impact than the existing rural residential development in Cameron Road. Another ten (10) lots will have access off the two minor roads accessing Cameron Road. These lots are likely to have low visual impact from Cameron Road however proposed lots 101 to 103 adjoin the boundaries of four existing rural residential lots and consequently there will be an impact on these lots.

A more significant impact on the landscape could be expected where development is proposed on the currently undeveloped ridgeline that will be serviced by the proposed new Road 1. The ridgeline is cleared and currently used for grazing. Twenty five (25) rural residential lots are proposed in this area and thus development will result in a material change to the landscape. Proposed lot sizes in this area range from 4,930m² to 1.8ha with an average lot size of over 8,100m². The generous size of rural residential lots affords landowners greater opportunities to plant trees and shrubs and, over time, this will have a mitigating effect on the visual impact.

Further impacts will be experienced with the upgrading of Cameron Road which will result in a loss of much of the existing regrowth vegetation within the road reserve along the frontage of the development. A provision in the Planning Agreement is proposed requiring that the section of the Cameron Road reserve with frontage to the development be landscaped using local rainforest species following road reconstruction work.

b) Topography

The McLeans Ridges strategy area occupies a series of minor ridges and valleys that form the transition between the undulating plateau country to the south and the Wilson River floodplain to the north. In these areas the valleys are mostly too steep to support development and historically the pattern of roads and subdivision has followed the ridge lines. Cameron Road typifies this pattern with the road occupying the ridge top and houses located on either side of the road where the slopes are less steep. The current proposal will continue this pattern of development along the northern section of Cameron Road and the impacts could be expected to be similar to that which already exists along the southern section of the road.

A similar development pattern is proposed along the undeveloped ridgeline to the east of Cameron Road in that the new Road 1 follows the ridge top with building envelopes on either side of the road. Because of the undeveloped nature of this ridge, development here has the greatest potential for visual impact. The ridge could not be defined as a scenic ridgeline, ie. one with a high level of visual prominence in the landscape and where the ridgeline is viewed as a distinct edge against the skyline. The majority of existing houses in the area from which this ridge is visible are located at equivalent or greater elevation to the ridge and so do not view the landform as an edge against the skyline. However a significant change to the landscape in this area can be expected as a consequence of the proposal.

c) Distance from which the development is viewed

The distance from which a development will be viewed has a direct relationship to its level of visual impact. Within the viewing catchment the foreground zone (within 600m of the development) is the distance from which an observer experiences the maximum discernment of detail such as shape, colour and texture. This is the zone where the greatest level of visual prominence will be experienced.

Within the middleground zone (between 600m and 3km) the observer discerns overall shapes and patterns and the different relationships between landscape units, however the level of visual prominence is significantly less than it is within the foreground zone. Within the background zone (greater than 3km) the observer discerns broader relationships between landscape units and patterns. Within this zone the visual prominence of most development would be low.

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The plan on the following page shows the extent of the visual catchment from which the undeveloped ridgeline is visible within the foreground and middleground distances. Within the foreground distance there are an estimated 10 houses from which at least part of the ridge is visible. Of these, six houses are on land that forms part of the current rezoning proposal (ie. are owned by the proponents). Within the middleground distance, houses where all or part of the ridge is visible are located in the Roseview Road estate (approx 1.3km away), Satinwood Drive (about five houses approx 1.3km away) and Federation Drive, Eltham (approx 2.1km away).

Having regard to sizes and dimensions of the lots, the limitations imposed by local topography and the relatively few number of existing houses within the foreground viewing distance, the change in landscape character, and the impact on views and amenity are what could be reasonably expected where the predominant land use changes from non-intensive agriculture to one of closer rural settlement. Given that the site has been identified by Council as having potential for rural residential style development, some change to the landscape character and rural amenity must be expected. It is considered that the magnitude of the changes is not unacceptable and does not warrant rejection of the proposal on this basis alone.



4. Social impact assessment.

Concerns that the assessment is flawed as it uses statistics for the Richmond Hill census collectors district for McLeans Ridges, uses urban benchmarks to assess and conclude that there is no need for community facilities at McLeans Ridges, and under-estimation of existing social facilities e.g. education.

Comment:

Council's social planner has reviewed the SIA, together with the submissions that raised the adequacy of the SIA as an issue, and has provided the following comments:

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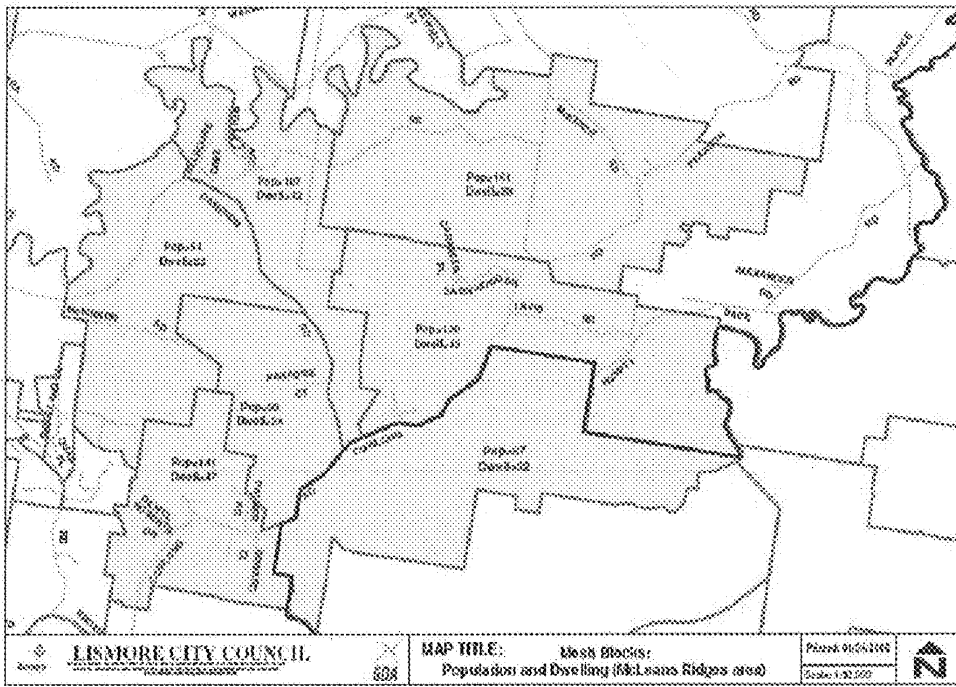
Report

1. The methodology used in the Cameron Road SIA was not thorough in that no face to face community consultation was undertaken. The consultant relied on information contained in the 126 submissions to the McLeans Ridges rezoning in April/May 2007 together with a desk top analysis of local demographic data. These submissions give a clear picture of the issues at hand however it is wise and respectful to consult with those concerned and give people the opportunity to be heard and to come up with their own mitigation strategies. Aside from lack of community consultation, the methodology used was standard ie. scoping, profiling, research, prediction and assessment, and mitigation strategies.

2. McLeans Ridges borders three census collection districts (CDs) and 2 LGAs. The consultant used the CD of Richmond Hill which, while similar in demographic profile, does not fully reflect the farming and agricultural nature of McLeans Ridges. It would be very difficult to capture meaningful demographic data on the specific location of the proposed development in McLeans Ridges as it is not fully encapsulated in any of the CDs. Mesh block data (smaller area data based on the 2006 census) was not available at the time of the report. Even if the data had been available, it would only indicate numbers of people and residences. Mesh block data for the area potentially affected by and surrounding the proposed development on Cameron Road are as follows:

Mesh Block	Population	Dwellings
1 (Eltham)	107	42
2 (Eltham)	130	43
3 (Eltham)	161	58
4 (Richmond Hill)	141	47
5 (R Hill/Boatharbour)	54	22
6 (Richmond Hill)	90	28
7 (Wollongbar)	67	32
TOTAL	750	272

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The Richmond Hill and Eltham CDs share similar demographic profiles in that they both show:

- A stable population, predominantly Anglo with few indigenous Australians
- Higher than Australian average of younger people 5 -14years
- High proportion of older people nearing retirement 55-64 years (though significantly higher in Richmond Hill)
- Majority of households are made up of families
- Home ownership is high
- There is low unemployment and relatively high incomes compared to national medians for individual, household and family.

The main difference between the CDs is the rural and agricultural flavour of the Eltham CD – though one could argue that the ridge area around the proposed development is more similar to Richmond Hill than to the rest of Eltham. With this in mind I don't think the conclusions drawn from the data used are greatly flawed.

3. Current available benchmarks for "calculating" levels of community facilities required are inherently flawed. A benchmark can be described as "the minimum level of service per person, community or catchment which is considered adequate to meet needs". This is difficult to establish in broad terms as it depends on specific local needs and characteristics of the community, the time-frame and available resources. There is no satisfactory "one size fits all" calculation for provision of community facilities and services. A preferred approach in providing most social infrastructure is to use standards as guidelines and to base them on locally derived needs. The question is then how does one identify the local needs? This is usually done through direct consultation with the affected community. This was not done in this instance.

4. AMCORD is a guideline only – any guideline needs to be assessed relative to the specific circumstance. AMCORD does reflect urban development thresholds but again – these are guidelines only. What was needed in the McLeans Ridges SIA was a face to face consultation with the community and an analysis of their stated needs with consideration of the available demographic data, current community facilities/services/resources available, current utilization of these services and facilities and whether there are sufficient resources to support identified needs. Some of this was done but the analysis was lacking. The community also needs to understand that all development has social impacts."

While it can be argued that aspects of the methodology used to produce the social impact assessment were not necessarily best practice, it is considered that the conclusions and recommendations of the SIA are valid. Those recommendations are incorporated into the various provisions of the draft Planning Agreement.

5. ***Adequacy and impact on community facilities and services.***

Concerns that McLeans Ridges is not a village and does not contain services and facilities (shop/s, school, sports and recreation facilities, public transport, infrastructure such as reticulated water and reliable electricity supply) that are provided in a village and that there was no (nor could there be) provision in the proposals to provide the types of facilities expected for the population likely to be generated by the proposals.

Comment:

It is not proposed that McLeans Ridges will become a village with a level of services and infrastructure that might be expected to be found in a village. McLeans Ridges supports existing rural residential development and is identified in the Lismore Rural Housing Strategy as having potential for additional rural residential style development. Land at McLeans Ridges was included in the Rural Housing Strategy because of a perceived demand for rural residential blocks in this locality and because of its proximity to Goonellabah and Wollongbar, both of which provide a greater range of shopping, sporting and recreational facilities than would typically be found in a village. The proposal is located 10km (10minutes) from the Goonellabah Shopping Centre and 12 minutes from the CBD (via Boatharbour Road).

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Public transport, other than a school bus service, is unlikely to be viable in McLeans Ridges and this will probably be true for any rural residential area where the density of development would be too low to make public transport an economic proposition.

The site is within the Clunes/Eltham/Bexhill Section 94 catchment area and so the development will contribute to both citywide and local recreational/community facilities within that catchment. The Planning Agreement provides for a contribution of \$632 per lot payable towards the McLeans Ridges hall instead of a contribution of \$223 that would have been payable towards the Bexhill hall. While the McLeans Ridges hall has limitations in terms of its capacity and the size of the land on which it is situated, representatives of the hall committee have indicated that the hall is currently underutilised and can accommodate an increased level of use. The proposed community lot is large enough to accommodate a facility such as a local community centre should there be a need for such a facility in the future.

6. Adequacy and impact of the proposed on-site wastewater management systems.

Concerns about a lack of assessment of the cumulative impact of wastewater management systems, the potential for impacts on downstream users including agricultural users and the alternative regional water supply currently been developed by Rous Water at Howards Grass on the Wilson River.

Comment:

The proposed on-site sewage management strategy for the revised proposal has been reassessed by Council's Environmental Health section which has provided the following comments:

'Council's *Revised On-site Sewage and Wastewater Management Strategy 2007* provides design requirements for rezoning and subdivision applications. The key design parameters nominated are:

- The need to provide 'low-tech gravity fed' systems (i.e. septic tank & ETA beds, composting toilet and grey water tank & ETA beds, septic tank reed bed & ETA beds), on lands with slopes of 15% or less.
- Provide buffers to watercourses and drainage lines strictly in accordance with the strategy requirements – perennial (100m), intermittent (100m) or drainage line (40m).
- Assessment of groundwater.

The initial Environmental Health assessment required the applicants to satisfy the abovementioned design parameters. Environmental Health staff, through field assessment, determined the status of water courses within the development site (in light of Council's strategy definitions) which provided the benchmark for lot and effluent disposal configuration/buffer separation distances for this rezoning application.

The report *'On-site Sewage Management Strategy Report – Supplementary Information – Cameron Road'* prepared by Newton Denny Chapelle dated 14 January 2008 has been prepared to address the matter of on-site sewage management in response to the reduction in the number of rural residential allotments to 63 and accommodate a 70m lot width at the building line. The report states that:

'A buffer to the permanent watercourse of 100m has been applied and all disposal areas comply. In the upper reaches of the catchment, the watercourse transitions into a dry gully to which a 40m buffer has been applied. This buffer transition is shown on figure 2.3...'

'From the detailed investigation undertaken of the site, it is concluded that the development as proposed is able to comply with Lismore City Council's On-site Sewage and Wastewater Management Strategy goal to produce a residential development that is clearly sustainable, incorporates low technology solutions and presents low levels of environmental risk.'

The recent site inspection undertaken supports the transitional determinations and statement of general compliance with waterway buffers. It is also considered that the level of reporting to date is sufficient to demonstrate that the key principles of low-tech gravity fed systems and site geology can generally be satisfied. It is evident from the broad reporting (Figure 2.3) that on a number of sites effluent disposal

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areas are parallel to or extending up-slope beyond the proposed building envelope thereby limiting the area of the disposal field that could practically be fed by gravity from a future treatment device (septic tank). The report however states that *'Based upon these results, an area of 500m² (being approx twice the primary treatment area to allow for reserve beds in the case of failure) has been assigned for the effluent disposal areas'*.

Council's On-site Sewage Management Strategy recommends that wherever possible alternate land application areas should be provided for. As assessed from the current broad mapping it is considered that replacement areas will not be achieved for all sites that will service a gravity fed system in contrast to the generic *Figure 3.0 – Nominal Min Lot Size* presented within the wastewater management report. However it is recognised that during the application preparation process Council's On-site Sewage Management Strategy was under review and advice from Council to the applicant at that time (based on Council's strategy modelling for a 50 year disposal system life) was that the incorporation of replacement areas was not an essential design requirement. Replacement areas providing opportunity for gravity fed systems will be achieved for the majority of lots.

The wastewater report also includes additional information in relation to geological conditions by the undertaking of additional test pits. The report states that:

The test pits dug throughout the site had soil/clay horizons of 0.7m to 1.0m which was then overlying weathered highly fractured boulders of 0.1m to 0.3m diameter. Bore logs from drilling groundwater investigations record clay layers from depths of 2m to 5m before basalt/shale rock layers are reached. This is confirmed by our backhoe test pit investigation where homogenous bedrock was not encountered, however digging performance of the test pits were reduced considerably once a depth of nominally 1.0m was reached due to the packed nature of the weathered stone boulder material. Whilst rocky boulder outcrops of up to nominal 1m diameter are interspersed over the site, all test pits dug were found to have a clean soil/clay horizon of minimum of 0.7m despite locating some pits immediately adjacent to rock areas'.

Council's On-site Sewage Management Strategy recognises that where coarse fragments occupy >20% of the soil volume a soil limitation is encountered. This is further supported by the publication *'Environment & Health Protection Guidelines – On-site Sewage Management for Single Households'* which states that there exists a moderate limitation to on-site sewage management systems where the percentage of rock within a disposal area (% of land surface area containing rocks >200mm diameter) exceeds 10% and becomes a major limitation where it exceeds 20%. From the reporting to date it is generally accepted that there is sufficient soil depth throughout the site to support the on-site management of wastewater. Confirmed by the recent site inspection, the report identifies the development site has significant rock/stone material, which on restricted sites (limited options for alternate wastewater disposal envelopes) may impact upon the performance and/or practical installation of future on-site sewage management systems. Therefore it is considered reasonable and appropriate that through the subdivision application process the applicant(s) clearly demonstrate that proposed lots will incorporate an effluent disposal envelope that is uncompromised by the percentage of rock present. This will require the individual assessment of effluent disposal areas on restricted sites.

It should be recognised that through the application of Council's On-site Sewage and Wastewater Management Strategy and the requirements of Rous Water's *'Draft On-site Sewage Management Guidelines'* (soon to be endorsed by Council through an MOU) are appropriately addressed as is recognised by Rous Water in commentary to this application. Therefore the matter of risk posed by on-site sewage management systems to the water catchment has been addressed.

The wastewater report also includes additional information in relation to hydrological matters, particularly groundwater extraction points. The report recognises that from a search undertaken on the NSW Department of Natural Resources Atlas website five licences were identified on or within 100m of the development site, two of which are inactive. All active bores are located on lands owned by the proponents (as confirmed by the site inspection) thereby providing the ability to undertake any necessary management response to the retention or decommissioning of bores to satisfy State Government and/or Council buffer requirements."

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7. Impact on flora and fauna.

Concerns about the adequacy of the flora and fauna assessment, assessment of the impact on wildlife and protection of threatened species.

Comment:

The revised proposal was referred to the Department of Environment and Climate Change for comment. DECC has not raised an issue about the adequacy of the flora and fauna assessment and has responded that due to the largely cleared nature of the site and degraded condition of the remnant vegetation, the proposal will not have a significant impact on biodiversity including threatened species and endangered ecological communities. A summary of the DECC response is included elsewhere in this report.

8. Inconsistency with the Lismore Rural Housing Strategy and other Council planning policies.

Concerns that proposals were not consistent with the Strategy's requirements for McLeans Ridges.

Comment:

The issues of direct driveway access to Cameron Road and impact on rural views and landscape is discussed under points 1 and 3 respectively.

9. Loss of agricultural land and potential for land use conflicts.

Concerns about loss of agricultural land, potential for conflict between agricultural land use practices and housing.

Comment:

The site contains no state or regionally significant farmland. It supports Class 4 agricultural land which is suitable primarily for grazing. The revised proposal was referred to the Department of Primary Industries (DPI) who have responded that some loss of agricultural land will occur due to population and development pressure, however this is acceptable provided development is orderly, carried out in accordance with an agreed strategy and that adverse impacts on agricultural activities are minimised. The DPI notes that Council has its own comprehensive DCP on buffers and that proposed dwelling envelopes comply with those requirements. A summary of the response from DPI is included elsewhere in this report.

10. Request for public hearing

Eighty nine (89) submissions requested that Council conduct a Public Hearing into the draft LEP.

Comment:

The EP&A Act provides that where persons have requested a public hearing in a submission to a draft LEP, and Council considers that the issues raised in the submissions are of such significance that they should be the subject of a hearing before Council decides whether alterations should be made to the LEP, Council shall arrange a public hearing. Council previously considered this matter at its meeting of May 13, 2008 and resolved not to arrange a public hearing. There have been several opportunities for residents to express their views on the Cameron Road proposals including two formal public exhibitions, a Councillor forum and three public meetings. Public meetings provide a less restricted forum for residents to express concerns and ask questions of consultants and Council staff than through a public hearing process. It is unlikely that additional issues that have not already been raised would be identified in a public hearing.

11. Cumulative development.

Concerns regarding potential for cumulative 'unmeasured' impacts of further rezoning and subdivision of larger residual allotments and of other lands in the McLeans Ridges area, cumulative adverse traffic and visual impacts.

Comment:

The Lismore Rural Housing Strategy (RHS) identifies the extent of land on which rural residential

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development could potentially occur in the McLeans Ridges locality within the timeframe of the strategy (to 2012). This area is estimated in the strategy to be over 200ha. Potential lot yield is estimated in the RHS at between 80 and 100 lots. This is an indicative lot yield only. Based on the two revised rezoning applications that Council has resolved to exhibit, the overall lot yield for McLeans Ridges is estimated to be closer to 120 lots.

The two largest land units with rural residential potential within the strategy area are those covered by the current "Cameron Road" and "Roseview Road" proposals. The next largest lot with development potential is located west of the Roseview Road site. This lot has an area of 19ha. Although there is no current proposal for this site, any future application would have to integrate with the existing proposals – hence the requirement for the Roseview Road proponent to provide a footpath connection to the eastern boundary of this site. Development of the 19ha lot would have a requirement to extend the footpath link from the Roseview site to Cameron Road. Other lands within the strategy area tend to be in smaller parcels. These sites are likely to have a low lot yield potential and are not critical to the overall integration of rural residential development in the area. However all future lots would have similar road upgrading and other contribution requirements to the Cameron Road and Roseview Road proposals. No further rural residential development can occur in the McLeans Ridges locality under the current rural housing strategy.

Other issues raised in the public submissions

In addition to the 11 principal issues that were identified, the consultant identified other issues which were raised in some of the submissions as follows:

1. *Concerns about the operation of the Planning Agreement*

Comment:

A discussion on aspects of the Planning Agreement is provided later in this report.

2. *Concerns that the residue lots are being zoned and will therefore have further subdivision potential.*

Comment:

There has understandably been some confusion concerning the proposed means of "rezoning" the subject lands under draft LEP Amendment No.20. The rezoning method is by way of inclusion in Schedule 4 of the LEP rather than by rezoning from 1(a) General Rural Zone to 1(c) Rural Residential Zone.

The Schedule allows Council to set a maximum lot yield for each land parcel (or parcels) based on the assessment undertaken at the rezoning stage. This means that a subsequent DA cannot be lodged for the creation of more lots than the stipulated number in Schedule 4. Together with the requirements of a Planning Agreement, the approach enables Council to have confidence that the relevant matters that have been negotiated at the rezoning stage will be carried through to the DA.

3. *Inconsistency with objectives of the Lismore LEP.*

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Comment:

Objectives in the LEP that relate to rural residential development apply to the 1(c) Rural Residential Zone and only apply to the granting of development consent for a development proposal within that zone. Notwithstanding this the objectives of the 1(c) Zone are:

- (a) to provide opportunities for rural residential living in areas in close proximity to existing villages and urban areas where services are readily and economically accessible.
- (b) to minimise the cost of development to the general community by requiring persons benefiting from rural residential development to both pay for and provide their own on-site utility services, where appropriate.
- (c) to preserve and enhance the amenity of the rural residential area requiring the preparation of an environmental impact report or development control plan where the Council deems necessary prior to the development of the land.
- (d) to ensure a variety of lots sizes that are compatible with existing land use and reflect land capability.

It is considered that the proposal is consistent with the 1(c) zone objectives as follows:

- (a) The site is close to Goonellabah and the Lismore CBD.
- (b) The issue of funding infrastructure is addressed in the draft Planning Agreement.
- (c) The Planning Agreement ensures that any future application for subdivision will be in accordance with the concept plan submitted with the rezoning submission.
- (d) The proposal provides for a variety of lot sizes as outlined elsewhere in this report. The lots have been designed to reflect land capability through identification of a suitable building envelope of not greater than 20% slope and an effluent disposal envelope that complies with Council's On-site Wastewater and Sewage Management Strategy. Compatibility with existing land use has been demonstrated elsewhere in this report.

4. *Inconsistency with the Far North Coast Regional Strategy (FNCRS)*

Comment:

The FNCRS is applicable to urban and village residential and employment (industrial) lands not to rural residential development.

5. *Lack of community consultation*

Comment:

The public exhibition process has provided opportunity for community input and has included two statutory exhibition periods (one extended), several public meetings and two Councillor workshops open to the public.

6. *Poor design of lots:*

- *Building envelopes on Lots 200, 201 & 202 are too close and Lot 201 does not satisfy asset protection zone (APZ) requirements.*

Comment:

Lot 201 is a 'battleaxe' block and the building envelope is screened from the road. The distances between the centres of the building envelopes range from 45m to 50m. Lot 201 is one of the areas referred to in the Environmental Health Officer's report where a significant level of rock is present in the topsoil and this could impact on site's capacity for effluent disposal. The Environmental Health Section has commented that at the subdivision stage the applicant will need to demonstrate that lots have sufficient area for effluent disposal that is not compromised by the percentage of rock present. If this cannot be achieved for Lot 201 it will have to be incorporated into adjoining lots. The wording of draft LEP Amendment No 20 (as attached to this report) provides for the maximum number of rural residential lots to be created in each land parcel. The number can be reduced if Council's requirements cannot be achieved when more detailed design information is lodged at the DA stage. Part of Lot 201 falls within the buffer to bush fire prone vegetation as identified on Council's Bush Fire Prone Land Map. The vegetation is classified as Category 2 and the required APZ for the building envelope as per Planning for

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Bush Fire Protection 2006 can be achieved.

- *Lots 102, 103, 104, 105, 32 & 33 are too steep for dwellings.*

Comment:

While these lots are located in steeper sections of the site, the slope mapping indicates that each lot has sufficient area for a building envelope on land with slopes less than 20%. An inspection of the lots has confirmed that there are suitable building sites on each of the lots.

- *Driveway for Lot 37 is too steep and cannot meet APZ requirements.*

Comment:

The contour plan submitted by the applicant indicates that a driveway for Lot 37 can be achieved that complies with the maximum gradient requirements under the Lismore DCP (Chpt. 1 - Residential Development) and Council's Vehicular Access Policy. The nearest vegetation is Category 2 and located upslope of the building envelope. APZ requirements as per Planning for Bushfire Protection 2006 can be achieved.

7. *Objection to proposed closure of Crown Road reserve*

Comment:

The owners of adjoining land to the east of the proposal have objected to the proposed closure of the Crown Road reserve that could potentially provide access to their property (Lot 1 DP 441201). The applicant has been asked to address this issue and has amended the subdivision plan so that the section of Crown Road between proposed Road 1 and Lot 1 DP 441201 remains as road reserve. A copy of the amended plan showing the road reserve is attached to this report.

Environmental Defenders Office

A submission from the Environmental Defenders Office raised the following issues:

1. *The land is identified as potentially suitable in the Lismore Rural Housing Strategy which does not guarantee that a proposal should go ahead*

Comment:

Agreed, any proposal needs to demonstrate that it is consistent with statutory requirements and is supportable having regard to all relevant merit considerations.

2. *Flawed social impact assessment relying on incorrect data*

Comment:

Issues concerning the adequacy of the SIA have been discussed on pages 10 to 12 of this report.

1. *Small lot sizes incompatible and out of character with existing settlement and character of locality.*

Comment:

Issues regarding lot sizes and impact on rural character have been discussed on pages 7 to 9 of this report.

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3. *Significant numbers of houses on the ridgeline which will have a detrimental visual impact*

Comment:

Issues regarding visual impact and ridgelines have been discussed on pages 7 to 9 of this report.

4. *Proposal does not provide adequate village infrastructure*

Comment:

Issues regarding provision of infrastructure have been discussed on page 12 of this report.

5. *No adequate assessment of cumulative impacts and potential of pollution of so many on-site wastewater management systems, especially in relation to Rous County Council's drawing of water from the Wilsons River*

Comment:

Issues regarding cumulative impacts and wastewater management have been discussed on pages 12 & 14 of this report.

6. *No assessment of impact on Fragrant Myrtle under Commonwealth legislation*

Comment:

Any action likely to have a significant impact on a matter of national environmental significance, including impacts on threatened species listed under the Commonwealth *Environmental Protection and Biodiversity Conservation (EPBC) Act 1999* (which includes Fragrant Myrtle), requires approval from the Commonwealth Environment Minister. Such action may be as a result of a development or subdivision proposal but does not include a decision by Council to grant consent to that proposal. The responsibility for referring any action to the Commonwealth Environment Minister lies wholly with the person(s) proposing the action. Council is not the responsible authority for referring the matter to the Commonwealth. The onus is on the proponents to exercise any responsibilities that they might have under the *EPBC Act*.

7. *No additional assessment of fauna - fauna survey and habitat inadequate - no assessment of human occupation and pets*

Comment:

The Department of Environment and Climate Change has stated that due to the largely cleared nature of the site and degraded condition of the remnant vegetation, the proposal will not have a significant impact on biodiversity including threatened species and endangered ecological communities.

8. *Direct driveway access for 19 lots and 3 new intersections contravenes the Lismore Rural Housing Strategy*

Comment:

Issues regarding consistency with the Rural Housing Strategy have been discussed on page 7 of this report.

9. *No traffic assessment of the upgrade the Cameron Rd & Boatharbour Rd intersection - existing road conditions inadequate for current use - no assessment of additional traffic on pedestrian, cyclists and horse riders.*

Comment:

Issues regarding road upgrading have been discussed on pages 6 & 7 of this report. Pedestrians and cyclists will be catered for with the provision of footpaths/cycleways as provided for in the proposal. The increased formation width in Cameron Road will improve the current situation for horseriders.

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McLeans Ridges Community Group

A submission from the McLeans Ridges Community Group raised the following issues:

1. *Impact on amenity and character - does not retain and is incompatible with existing character - lot size small and smaller than other subdivisions in locality - many steep lots (limited suitable building and waste disposal areas) - adverse impact on scenic qualities and views and acoustic amenity - comparison with settlement in Richmond Hill inappropriate.*

Comment:

Issues regarding amenity, rural character and lot size have been discussed on pages 7 to 9 of this report. Issues regarding effluent disposal have been discussed on pages 13 & 14 of this report. Increased traffic will lead to increased traffic noise. Rural residential lots have a minimum 15m setback requirement from the road frontage which mitigates against road noise to some degree.

2. *Social Impact Assessment - flawed relying on incorrect data - portrays McLeans Ridges as an urban area rather than a rural farming area - urban benchmarks inappropriately used to conclude no community facilities are required as a consequence of the proposal.*

Comment:

Adequacy of the SIA has been discussed on pages 10 to 12 of this report.

3. *Provision of community facilities - McLeans Ridges does not contain services and facilities (shop/s, school, sports and recreation facilities, public transport, infrastructure such as reticulated water and reliable electricity supply) that are provided in a village - half not sufficient for future population - proposed community lot inadequate - no clear plan of what is going to be provided on lot.*

Comment:

Issues relating to the provision of community facilities and services have been discussed on page 12 of this report. While the application does not propose a specific site for a neighbourhood shop, such a use is permissible under the current and proposed zones. A neighbourhood shop is unlikely to be viable unless there is sufficient catchment population to support it. In terms of school facilities, Council forwarded a copy of the original proposal to the Department of Education and Training in September 2007. No response has been received.

Although some rural residential areas have a reticulated water supply, most rural residential development relies on roofwater harvesting for domestic water supplies and new dwellings will be required to provide rainwater tanks with a minimum capacity of 45,000 litres for this purpose. Evidence that electricity and telephone services can be provided must be submitted at the subdivision approval stage. Options for the proposed community lot are discussed on pages 22 to 25 of this report.

4. *Roads / safety / traffic - local road network cannot cope with additional traffic - no assessment of traffic on Alphadale intersection - no provision to up-grade Cameron / Boatharbour Rd intersection - inadequate funding of Boatharbour Rd (road unsatisfactory, beyond capacity and carries school traffic) - no provision upgrading Cowlong Rd - Cameron Rd (driveway access for 19 lots and 3 new intersections - queries compliance with accepted construction standards) - no assessment of McLeans Ridges Rd - no assessment additional traffic on pedestrian, cyclists and horse riders.*

Comment:

- o The issue of roads has been discussed on pages 6 & 7 of this report.
- o Assessment of traffic at the Alphadale intersection is being undertaken by TTM Consultants.
- o There is a discussion on the upgrading of Boatharbour Road on page 6 of this report.
- o There will not be a separate driveway access to each lot with frontage to Cameron Road as driveways will be shared between two lots wherever this is practicable.
- o McLeans Ridges Road is in Ballina Shire and the proposal was referred to Ballina Shire Council for comment. Ballina Shire Council has responded that the increase in traffic from the development is acceptable for the construction standard of the McLeans Ridges Road. A discussion on Ballina Shire Council's submission is provided on page 33 of this report.

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- Pedestrians and cyclists will be catered for with footpaths be provided along the full frontage of the development in Cameron Road and for approximately half the length of the Road 1.
 - Widening of Cameron Road for an additional metre in excess of DCP requirements will improve the situation for horseriders.
5. *Cumulative impact - Floreat Park subdivision - no public transport - no services in McLeans Ridges - all travel car dependent.*

Comment:

Issues surrounding cumulative impacts and services in McLeans Ridges are discussed on pages 15 & 16 and pages 12 to 14 of this report. People choosing a rural residential lifestyle usually accept that there will be limited public transport available and that they will be reliant on private vehicles for most travel. McLeans Ridges was included in the Rural Housing Strategy partly because of its proximity to Goonellabah and Wollongbar. Although a rural residential lifestyle tends to increase reliance on car ownership, the proximity of McLeans Ridges to Lismore and Goonellabah will mean that a significant proportion of trips generated will be relatively short.

6. *Environmental issues - on-site wastewater management systems and potential for impact on Wilsons River - inadequate soil and hydrological assessment - inadequate ecological (flora and fauna) assessment - revegetation plans for gullies & steep land inadequate - inadequate maintenance period - no revegetation plan for Cameron Rd.*

Comment:

Most of the environmental issues that have been raised are discussed elsewhere in this report. In terms of the maintenance period for the rehabilitation works, the draft Planning Agreement provides for a staged release of the bond monies two years after the release of any lot subdivided from the existing lot which contains the lands where the revegetation works are proposed. It is considered that two years is inadequate for trees to become properly established and high enough to resist competition from grasses and weeds. It is recommended that the maintenance period be extended to three years and that the Planning Agreement be amended accordingly. The revegetation plan for Cameron Road will be required at the development application stage.

7. *Impact on agricultural land - potential for land use conflicts with established farming enterprises - state and regionally significant farmland.*

Comment:

The issue of agricultural land and impacts on agriculture is discussed on page 15, pages 26 & 27 and page 31 of this report.

8. *Lismore Rural Housing Strategy - inconsistent and incompatible with existing development in area - proposal not acceptable to local community - proposal will reduce amenity of existing residents - protect and enhance natural features and ecological values - direct access to Cameron Rd.*

Comment:

Issues that were raised in regard to compatibility and amenity are discussed on pages 7 to 9 of this report. Issues regarding consistency with the Lismore Rural Housing Strategy have also been discussed on page 7 of this report.

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*9. Requests public hearing.***Comment:**

Issues concerning the request for a public hearing have been discussed on page 15 of this report.

Cowlong Landcare Group

A submission from the Cowlong Landcare Group raised the following issues:

1. *Large numbers of small lots lined up the ridge - orientation of ridge & lots & lack of area for tree planting means vegetation will impact on adjoining land (views and shadowing)*

Comment:

Issues regarding lot size have been discussed on pages 7 to 9 of this report. The primary objective of providing landscaped buffers on either side of the lot boundaries is to reduce the visual impact of development. Planting in these areas need not include large trees which may have overshadowing and other undesirable effects but could comprise shrubs and small trees.

2. *Arrangements along ridgeline and shape and size of lots are totally out of character with existing development at McLeans Ridges.*

Comment:

Issues regarding ridgeline development have been discussed on pages 7 to 9 this report.

3. *No detail provided on planting in buffer zones - revegetation work confined to gullies with minimal work on ridgelines - 10m buffer along gullies inadequate.*

Comment:

Landscaping design of 5m wide buffer areas is a matter that would appropriately dealt with at the Development Application stage. In terms of the area of the proposed riparian rehabilitation zones, the total area of riparian land to be rehabilitated is 8.3ha. This is considered to be a reasonable requirement given the scale of the development proposal.

4. *On-site wastewater management systems and potential for impact on Wilsons River - on-going compliance - long term impacts unknown.*

Comment:

Issues regarding wastewater management have been discussed on pages 13 & 14 of this report.

5. *Fauna survey inadequate no nocturnal or bird surveys.*

Comment:

Much of the site is cleared grazing land with no significant habitat value. DECC has assessed the proposal and has stated that the proposal will not have a significant impact on biodiversity including threatened species and endangered ecological communities. The proposed revegetation of riparian zones will significantly enhance the habitat values of the site.

6. *Lot sizes and road layout diminish Landcare efforts to restore vegetation.*

Comment:

The riparian areas will be included in the two large residue lots and will be rehabilitated as a result of this proposal. If the development doesn't proceed there is little opportunity for environmental rehabilitation works on the site.

The proposed community lot

Council's resolution of December 11, 2007 required that an area of approximately 6,000m² be provided

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as open space in a central location capable of servicing an expanded population within the McLeans Ridges strategy area. The revised proposal originally provided for a community lot of 6781m² (Lot 29) on northern side of the proposed intersection of Cameron Road and the new Road 1.

During the public exhibition period the recent purchasers of the land on which the community lot was proposed objected to having it located on their land. The applicant submitted amended plans relocating the community lot to the southern side of the Cameron Road/new road intersection (Lot 2). This site is steeper than the previous site with approximately two thirds having a slope of 15% or more. The applicant was asked to provide a concept plan demonstrating how a community park could be accommodated on the site. The applicant has submitted two options for a community lot with conceptual designs for both options. Concept plans for each option are shown on the following pages.

Option 1 provides for a community lot on Lot 2 with an area of 7,592m². The conceptual design shows how a level area of 3,000m² could be achieved through the construction of 3m high retaining walls in the north-west corner of the site and 3:1 cut batters along the eastern boundary. The concept demonstrates that the level area would be of sufficient size to accommodate a children's playground, BBQ area, site for a basketball/tennis court and car parking.

Under Option 2, two lots (Lots 2 & 3) are amalgamated to create a single community lot of 1.25ha. The conceptual design shows how a 5,600m² level area could be achieved through the construction of a 3m rock retaining wall along part of the western side of the lot with 3:1 cut batters on the eastern boundary.

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The retaining wall will facilitate retention of existing vegetation on the site which includes two Moreton Bay figs, one of which is a significant tree of 20m or more in height. This area would be landscaped with native rainforest species to assist in screening the retaining wall.

Similar facilities to that proposed in Option 1 can be accommodated within this option with the additional advantage of an extra 2,600m² available for other recreational pursuits. Option 2 is considered to be the superior option and is therefore recommended.

It is also recommended that the earthworks, associated retaining walls, top dressing and grassing of the site be undertaken in accordance with an approved plan at the same time as the civil works for the subdivision. This requirement should be incorporated into the Planning Agreement.

Council's Parks Coordinator has reviewed the options for the community lot and has provided the following comments:

1. The larger site (option 2) is desirable given the rural nature of the development.
2. Earthworks, retainer walls, drainage and grassing of the area to be done at the DA stage.
3. Cut and fill areas to be top dressed with a minimum 30cm of reclaimed site topsoil.
4. Another small retainer wall at the top of the park would allow the slope of the batter to be minimised, and at a later stage it can be decided whether landscaping or grass will be the best option for the top batter.
5. Protection of the fig trees on site should incorporate protective barrier fencing around each tree, a minimum 10 times the diameter of the trunk or the tree drip-line, whichever is greater.
6. Car park would be better along the road verge rather than an internal car park. No driveway access would then be required and the car park would be on the road level. Stair access could be required.
7. Preferred park assets to include:
 - BBQ
 - 2 tables and benches
 - 1-2 shelters to house BBQ and tables.
 - 2 bench seats
 - Bollards at any entry area off the road - likely to be all of the boundary of Cameron Road and the new Road 1.
 - Playground should contain one modular unit and one double swing set contained in one softfall area.
8. 15 specimen trees (25 litre pot size) to be planted in grassed areas.

If Council supports the rezoning proposal, a local Section 94 Contributions Plan will be prepared so that the cost of land acquisition and embellishments are equitably distributed towards this proposal and future development in the strategy area. The Contributions Plan will include a costing of park assets as proposed by Council's Parks Coordinator. The two plans submitted are concepts only that demonstrate how much level land could be achieved with each option. A more detailed plan of earthworks would be required at the DA stage and a detailed design plan of the park would be prepared prior to the embellishment works being undertaken.

Questions arising after the May 27 workshop

Following the Councillor workshop on May 27, 2008, Councillors were invited to submit written questions to staff that they did not have the opportunity to ask at the workshop. The following questions were received from Councillor Dowell:

1. *When will the Planning Agreement be available for Councillors to see?*

Comment:

A copy of the draft Planning Agreement in PDF format has been sent to all Councillors.

2. *Has a feasibility analysis been requested of the proponents? If not, why not?*

Comment:

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The proponents have conducted their own feasibility analysis for the purposes of estimating the profitability of the project. This is a matter for the proponents and it is not appropriate that Council request that this information be provided for the public record. Council has not required an economic feasibility analysis for other rezoning or development proposals. Notwithstanding this, Council has a responsibility not to impose conditions that could be considered so unreasonable as to render a development economically unviable. The road upgrading and other conditions imposed through the Planning Agreement are not considered to be unreasonable and the proponents have not objected to the conditions.

3. *What population forecasts have been prepared for McLeans Ridges? Can I have a copy please?*

Comment:

While McLeans Ridges forms part of several census collection districts, mesh block data has been used to calculate a population of 750 (and 272 dwellings) for the Cameron Road locality. A map of the relevant area has been provided previously in this report. The absolute lot yield for the potential rural residential release area identified at McLeans Ridges will only be known when rezoning submissions are received and assessed for all lands within the strategy area. However it is estimated that the strategy area could yield a maximum of 120 rural residential lots. Assuming a household occupancy rate of 2.75 based on the 2006 mesh block data, 120 new lots would produce an increase in population of 330 people.

4. *Has Council considered the cumulative effect of the current and any future proposals? If so, how?*

Comment:

The Rural Housing Strategy places an obligation on proponents to demonstrate how their proposal fits within the broader context and how it will integrate with existing and future development within the strategy area. The Roseview Road and Cameron Road landowners were originally encouraged to prepare a joint submission so that various options for integrating the two proposals could be explored. These are the two largest land units with rural residential potential in the McLeans Ridges strategy area. The next largest area with development potential is a 19ha lot west of the Roseview Road site. Future development of this site will need to integrate with the existing proposals.

Contributions under the Planning Agreement for road upgrading and community facilities have been based on an ultimate lot yield for the strategy area. Council's On-site Sewage and Wastewater Management Strategy requirements have also been developed to take account of the cumulative effects of on-site systems in rural residential areas.

5. *What impact will the proposed re-development of Floreat Park have on the population?*

Comment:

Floreat Park has development approval for 23 lots. This would accommodate an estimated 63 people based on similar occupancy rates to the Cameron Road area (2006 mesh block data).

6. *How does Council respond to the traffic issues raised by Eltham PS?*

Comment:

The Eltham School P&C Association wrote to Council on March 17, 2008 about the state of Boatharbour Road (between Cameron Road and the school) requesting that Council upgrade this section of road. Council's Manager-Operations replied that Boatharbour Road is currently ranked 12th out of a total of 25 identified rural road projects in the current capital works program. As only two or three projects are usually completed within a financial year, the upgrading of Boatharbour Road would still be several years off. Future rural residential development in the McLeans Ridges strategy area would contribute approximately \$250,000 towards the upgrade.

The collected funds could be expended towards addressing "black spots" on the section of road between Cameron Road and the Eltham School, or alternatively the Infrastructure Policy Advisory Group could reconsider the ranking of the Boatharbour Road upgrade if the additional funds from new development are received.

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7. How is Council addressing the land use conflict issues raised by Jane Thomson?

Comment:

This submission makes reference to a number of agricultural issues such as loss of prime agricultural land, conflicts between new residents and farmers and difficulties with moving cattle across the road with increased traffic. The objector's property is located on Boatharbour Road about a kilometre to the east of the proposal and about 2km by road east of the Cameron Road/Boatharbour Road intersection. Issues relating to buffers and loss of agricultural land are discussed on pages 15 & 31 of this report. The property is severed by Boatharbour Road and the operation of moving cattle across the road will be impacted by increased traffic. Although most traffic generated by the development is likely to travel via Cowlong Road (to Goonellabah), Boatharbour Road west of Cameron Road (to the CBD) and McLeans Ridges Road (to Alstonville and Ballina), an increase in traffic on this section of Boatharbour Road could be expected.

The submission acknowledges that transferring cattle across Boatharbour Road is already virtually impossible under current traffic conditions. That traffic will increase over time even if the current rezoning proposal doesn't proceed. While the Rural Lands Protection Board administers controls (such as the erection of signage) on stock crossing public roads, conflicts where cattle cross public roads are inevitable as the traffic on rural roads increases. Council considered a similar objection recently when a landowner objected to a rezoning proposal (LEP Amendment No 29) because the increased traffic would make the operation of moving his cattle across Stony Chute Road more difficult. In that instance Council considered the matters raised in the submission but resolved to proceed with the LEP amendment.

8. Has Council or the proponents estimated the costs both financial and environmental of the proposed earthworks required for the community lot? Are there any risks foreseen?

Comment:

The proponents have provided conceptual designs for two community lot options showing the extent of retaining walls, batters, etc. Earthworks for the community lot would be undertaken as part of the bulk earthworks for the subdivision. Significant earthworks will be required for road construction in the vicinity of the community lot and the cost will be a component of those works. It is recommended that a clause be inserted into the Planning Agreement requiring that the earthworks for the community lot be undertaken in accordance with an approved plan prior to the release of a subdivision certificate.

The developer will be required to lodge an erosion and sedimentation management plan for Council's approval prior to such works commencing. The management plan must be prepared in accordance with best practice guidelines such as Landcom's manual for the management of stormwater during construction. The approved erosion and sedimentation plan will be required to be implemented at construction stage. As a requirement of a subsequent DA the applicant will be required to undertake further soil analysis of the cattle yards located within the proposed community lot. This is a precautionary approach to ensure lands are suitable for public ownership and sensitive land use.

9. Has Council suggested any alternative site for such a block? If so, where? If not, why not?

Comment:

Council's resolution of October 9, 2007 required that a single community lot be provided in a central location within the McLeans Ridges strategy area so that it could service this and future development in the area. Other sites were investigated in Cameron Road that might potentially fulfill Council's criteria, however there were few suitable alternatives. Two options for the community lot have been submitted by the applicant and these have been discussed on pages 22 to 25 of this report.

10. Is there any geophysical examination of the sites to assess risks from landslips and the presence of springs and bores?

Comment:

No part of the site is identified as being subject to risk of mass movement on Council's multi-attribute

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constraints mapping. Geotechnical reports to assess risk from landslip are generally required where a site is identified as being potentially subject to risk of mass movement or where there is physical evidence of landslip or slumping. Detailed inspections of the site have revealed no physical evidence of land instability or mass movement. Any disturbance associated with road construction and development of house sites will be confined to the ridge tops where gradients are less than 20% and such risks are considered to be negligible. A geotechnical report will be required prior to the release of the subdivision certificate to demonstrate that each proposed house site has a bearing capacity suitable for the construction of a dwelling. This is carried out after the civil works are completed to ensure that the sites are tested after all cut and fill operations are completed.

The applicant has provided information from the State Government's Natural Resources database which lists all licenced bores in the area including whether they are approved for domestic (potable) or stock purposes. All active bores that could be affected by the proposal are located on land owned by the various proponents. Existing bores on the proponent's land will either be decommissioned or retained for stock or revegetation use where Council's buffer requirements can be met. Council staff have inspected the bores and verified the information provided by the applicant. One bore (GW304816) identified on the Government's database is located on separately owned land adjacent to the proposal. Discussions with the Department of Water and Energy have confirmed that, as per the consultant's report, this bore was abandoned in November 2004 as it was no longer producing water. The licence for that bore has now expired.

In terms of the presence of springs, Council's Environmental Health section has conducted detailed investigations of the site and determined the locations in creeks and gullies where the water table intersects the ground surface level. This assessment was used for determining where the minimum buffer distances for effluent disposal applied in relation to gullies and watercourses.

11. Has Council considered the density of the development in relation to the closeness of the houses? This relates not just to the size of the blocks but to their shape to allow houses to be staggered and encourage a range of set backs to enhance the rural look.

Comment:

The revised design provides for minimum 70m lot frontages and, where battleaxe lots and lots at the end of cul-de-sacs are proposed, a separation distance of around 70m is generally achieved between the centre of building envelopes. There are a couple of instances where this separation is not achieved as previously noted. Given the constraints of topography, achieving a significant variation in building setbacks presents some difficulties. Building envelopes are restricted to slopes less than 20% and restrictions on wastewater disposal areas (less than 15% and gravity fed) limits the siting opportunities for future houses. The applicant has designed the new road reserve (Road 1) to be as non-linear as possible within the restrictions imposed by the width of the ridge. The alignment of the road reserve will be complemented by the alignment of the road itself which will meander within the road reserve. This will create an impression of variable building setbacks.

12. How can Council encourage the developers to lessen the density?

Comment:

Council has previously established design parameters which have resulted in the current proposal having a lesser density than the original design. It is considered that there is no justification for requiring the developers to further lessen the density.

13. Can Council explain how all the issues raised by Rous Water will be addressed now or at the DA stage?

Comment:

Rous Water's interests relate to potential impacts on the quality of stormwater runoff into the water catchment. Risks to water quality could potentially arise from three sources – on-site effluent disposal systems, erosion and sedimentation during subdivision construction, and contaminants entering stormwater in the post-construction phase. In terms of on-site effluent disposal, sufficient information has

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been provided by the applicant to demonstrate compliance with Council's On-site Sewage and Wastewater Management Strategy can be achieved. Compliance with Council's strategy means that the system will also comply with Rous Water's On-site Wastewater Management Guide. Details of the design of each system will only be supplied with the development application for each dwelling. However, at the subdivision stage, the applicant will be required to undertake bore logs within proposed effluent disposal areas to ensure the performance objectives set through the rezoning process are satisfied (ie. low technology, gravity systems).

In terms of erosion and sedimentation control, these are matters that would be addressed through an erosion and sedimentation plan provided at the development application stage. Other factors impacting on stormwater quality will include the design of the roads, drainage systems and measures for the detention and treatment of stormwater runoff. At the subdivision stage the applicant will need to demonstrate compliance with the water quality objectives of Council's Stormwater Management Plan and any adopted Water Sensitive Urban Design policy. Recent discussions between Rous Water and Council's Environmental Health staff have clarified Rous Water's position with respect to the application of the Australian Drinking Water Guidelines. This is discussed later in this report.

In relation to the "Soil Contamination Assessment", Council's Environmental Health Section has accepted the preliminary assessment as reasonably satisfying the objectives of Council's Contaminated Land Policy. The preliminary assessment is supported by the initial assessment undertaken by staff of such records held by Council (historical aerial photographs and topographical mapping). Further detailed assessment will be required of the cattle yards (being part of the proposed community lot) at the subdivision DA stage.

14. What are the risks of leaving these issues until the DA stage? Wouldn't it be better for the developers and Council to address them now?

Comment:

These issues can only be dealt with in sufficient detail at the DA stage. Sufficient information has been provided at the rezoning stage for both Council and Rous Water to have confidence that the proposal will not adversely impact on water quality in the catchment providing these issues are properly addressed in the detailed subdivision plans. These design details will be submitted with a future DA or, in some cases, as a requirement of conditions of DA consent.

The Planning Agreement

The legislative basis for Planning Agreements is to be found in Division 6 (Development Contributions) of Part 4 of the *EP&A Act 1979*. A Planning Agreement is a voluntary agreement between a planning authority and a developer who is seeking a change to an environmental planning instrument (rezoning), or lodging a development application, under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit (or any combination of them) to be used for a public purpose.

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The draft Cameron Road Planning Agreement provides for a combination of monetary contributions and material public benefits which include:

- Contributions towards the upgrading Cowlong and Boatharbour Roads
- Contribution towards upgrading McLeans Ridges hall
- Requirement to undertake environmental rehabilitation works with payment of bond
- Requirements for a fire service trail
- Requirements for provision of footpaths
- Requirement for upgrading Cameron Road for full frontage of development

This report canvasses a number of issues that have been raised through submissions and other sources where amendments are proposed to the draft Planning Agreement. They include:

- Inclusion of a provision that all earthworks and retaining walls required to create a level area of at least 5,600m² within the community lot are undertaken prior to the release of any final lot;
- Inclusion of a provision that the section of the Cameron Road reserve to be upgraded be landscaped using local rainforest species in accordance with an approved landscaping plan following road reconstruction work; and
- Provision for the staged release of the bond for environmental rehabilitation works of \$28,000 (covering cost of fencing) upon satisfactory completion of the work with the remaining amount to be released following satisfactory establishment of the regenerated areas three (3) years after planting.

A question was raised at the May workshop about bus shelters and whether their provision is included in the Planning Agreement. Clause 3.1 of the current Planning Agreement provides that any future development application is to be in accordance with the rezoning submission. The rezoning submission makes provision for two bus shelters at an estimated cost of \$4,000 each. However this requirement can be made more explicit in the Planning Agreement and it is recommended that an additional clause be inserted in the agreement requiring the provision of two bus shelters in a location approved by Council.

Section 93F(3) of the EP&A Act provides that a Planning Agreement must contain a suitable means of enforcement of the agreement (such as the provision of a bond or guarantee) in the event of a breach of the agreement by the developer. The Cameron Road Planning Agreement has a provision for enforcement in the form of a bank guarantee.

The amount of the security is based on the obligation on the developer that the Planning Agreement imposes above, or in addition to, what would otherwise be imposed under s94 and s79C of the Act. The amount is apportioned equitably between landowners. The guarantee should be lodged prior to Council executing the Planning Agreement under its common seal and prior to Council forwarding the LEP Amendment to the Minister.

Consultations with government agencies & public authorities

Copies of the revised proposal were forwarded to the relevant government agencies and public authorities inviting them to comment. The following is a summary of the responses that were received:

Department of Environment and Climate Change (DECC)

The response recommends that Council should ensure that:

- *The LEP is not likely to cause impacts on areas of native vegetation with special reference to threatened or regionally significant flora and fauna species, populations and ecological communities.*
- *The LEP is consistent with the relevant threatened species provisions of the Environmental Planning and Assessment Act, SEPP 44 – Koala Habitat Protection and the Native Vegetation Act 2003.*
- *An appropriate level of Aboriginal cultural heritage assessment has been undertaken and that the*

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LEP is not likely to impact on areas of cultural significance to the Aboriginal community.

- *Stormwater is managed in a sustainable manner to prevent impacts on rivers and their tributaries.*

While acknowledging a demand for rural residential lots, the DECC has concerns about the proliferation of on-site effluent disposal systems and increased travel distances for residents which contribute to greenhouse emissions. However DECC acknowledges that due to the largely cleared nature of the site and degraded condition of the remnant vegetation, the proposal will not have a significant impact on biodiversity including threatened species and endangered ecological communities. The DECC congratulates Council on the proposed riparian rehabilitation plan but would prefer to see replanted areas increased from 10m to 20m either side of the creek bank to provide enhanced habitat values and reduced opportunities for weed infestation.

Comment:

The proponent has submitted a letter from the Ngulingah Local Aboriginal Land Council which states that following a site inspection by one of its representatives, the Land Council has no objection to the proposal as the land does not hold any recognised Aboriginal cultural heritage significance. The letter recommends that a member of the Land Council be present on site when civil works are undertaken in the event that sites could be uncovered during excavation works. This would be a condition of development consent.

The issue of the width of the riparian rehabilitation area has been discussed previously in this report.

Department of Primary Industries (DPI)

The response notes that the subject lands are not classified as State or Regionally Significant Farmland in the Northern Rivers Farmland Protection Project. They are mapped as Class 4 agricultural lands (suitable primarily for grazing). The DPI accepts that some loss of agricultural land will occur due to population and development pressure and this is acceptable provided development is orderly, carried out in accordance with an agreed strategy and that adverse impacts on agricultural activities is minimised. In terms of land use conflict, the DPI has recently released a publication "Living and Working in Rural Areas: A handbook for managing land use conflict on the NSW North Coast". The DPI notes that Council has a comprehensive DCP on buffers and acknowledges that proposed dwelling envelopes will be located 30m to 75m from grazing land and over 600m from the nearest horticultural operation.

Comment:

Council's Environmental Health Section has also assessed the potential for land use conflicts. Its assessment accords with that of the DPI as follows:

"The development site is predominately surrounded by agricultural lands primarily used for grazing purposes. Council's DCP Part A - Chapter 11 provides guidance for buffers between grazing and residential development being a 30 metre setback with a minimum 5 metre planted buffer along the boundaries. In relation to watercourses the DCP nominates a minimum buffer separation distance of 30 m. In consideration of the rezoning submission and following the undertaking of a site inspection it is considered that there are no potential land use conflicts that are not adequately managed through recognised buffer separation distances."

Rous Water

The proposal is within the catchment area of the Wilson River (Lismore) Source. Rous Water made two submissions, the second submission providing more specific advice with regard to the issues identified in its first submission. The issues identified by Rous include application of the Australian Drinking Water Guidelines, on-site sewage management, soil contamination assessment, cultural heritage issues, erosion and soil stability issues, ecological assessment and management and stormwater.

Australian Drinking Water Guidelines (2004)

A comprehensive assessment to determine the potential impacts on drinking water quality should be undertaken at the development application stage.

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Comment:

Rous Water provided comment on the application of the Australian Drinking Water Guidelines with particular reference to the lack of recognition of the development site being within the catchment of the Wilson's River (Lismore) Source. Rous Water has an expectation that the applicant recognises the catchment and mitigation measures that will be employed to manage potential risk to the water catchment as a result of the development. It is further accepted that such reporting will be appropriately completed at the subdivision application stage as mitigation measures such as stormwater treatment and soil and water management will have been more fully considered.

On-site Sewage Management

The classification of watercourses on the site is consistent with Rous Water's Onsite Sewage Management Guidelines and the proposed buffer distances for on-site sewage management systems is considered adequate with respect to the risk they pose to the water supply.

Comment:

Staff comments on on-site sewage management are provided elsewhere in this report.

Soil Contamination Assessment

A comprehensive site contamination assessment has been conducted as part of the rezoning submission. While Rous Water accepts that the overall risk associated with this issue is low, and adequate assessment has been undertaken at the rezoning stage, it considers that further detailed assessment should be undertaken at the development application stage.

Comment:

Council's Environmental Health Section has assessed the preliminary contaminated land report and has provided the following comment:

"A preliminary contaminated land assessment has been undertaken by Environmental Analysis Laboratory dated June 2006. The preliminary assessment has been undertaken in response to Council's 'Regional Policy for the Management of Contaminated Land'. Council's policy identifies the objectives of a preliminary investigation as:

- Identify any past or present potentially contaminating activities,
- To provide a preliminary assessment of site contamination,
- Identify potential contamination types, and assess the need for further detailed investigations.

In addition where potentially contaminating activities have had the potential to impact upon the land, such as in this case agricultural activities, soil sampling and analysis will be required to confirm and support any conclusion reached from the site history appraisal. The executive summary of the report states:

...the site has been used in the past for minor grazing agriculture or was vacant land. Agriculture involving horticulture and minor orchards was conducted on a section of the site.

A site-sampling regime has been undertaken of the surface soils to determine if the site has been contaminated from heavy metals, organochlorine and organophosphate pesticides. The sampling regime involved the judgemental sampling pattern with collection of 80 individual soil samples, which were composited into 20 samples for analysis.

The results of the soil analysis were compared with Column 1 of the NSW EPA (1998) 'Contaminated Sites - Guidelines for the NSW Auditor Scheme'.

It is considered that the site can be classified as uncontaminated for the proposed future land usage of residential subdivision.

The reports identifies that the adopted judgemental sampling program, although less than the recommended standard nominated by the EPA sampling guidelines, is representative of the development site based on the results of an even distribution of metals across the site and no detection of pesticides. This position is generally supported with the exception of the area not identified as former

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horticultural lands and cattle yard area. These two (2) areas have a high potential for residual soil contamination from past activities and should be targeted by any judgemental sampling program. *Map 1a – Sampling Location Showing Sampling Site Locations* of the preliminary assessment does not identify the former horticultural area and has not sampled within the cattle yards which forms part of the proposed community lot. It is considered important that these two potential hotspot areas are more thoroughly assessed. In recognition of the overall sample results presented through the preliminary investigations to date it is considered that such additional sampling can be undertaken and reporting provided as part of information gathering for any future subdivision application. "

Erosion and soil stability

Rous Water accepts that the restriction on building envelopes to areas of 20% or less slope, and the resultant setback from side slopes, is an effective method of reducing the risk of landslips affecting the proposed development and the risk of sediments entering local watercourses. Geotechnical issues would be addressed in any subsequent development application for individual dwellings should the rezoning be supported.

Comment:

Comments on erosion and soil stability have been provided previously in this report.

Ecological Assessment and Management

Rous Water acknowledges the commitment to regeneration of a 10m area either side of watercourses but considers that a wider riparian zone should be regenerated including both watercourses and gullies. Woody weeds should be removed without use of heavy machinery. Rous also recommends that the plantings should occur early in the development stage and that the two year maintenance period should commence upon release of the linen plan.

Comment:

The width of the riparian regeneration area is addressed elsewhere in this report and it has been recommended that the 10m requirement be retained. The suggestion that woody weeds (camphor laurel, privet, etc) be removed by non-mechanical means is supported as this will reduce the likelihood of disturbance in the areas that have the highest erosion potential. This requirement can be incorporated into the Planning Agreement. In terms of the maintenance period for plantings, two years is considered to be insufficient and it has been recommended elsewhere in this report that the period be extended to three years and that the Planning Agreement be amended accordingly.

Stormwater

Rous Water acknowledges that road and stormwater design is a matter that will be dealt with in more detail at the development application stage.

Comment:

The rezoning submission identifies a basic concept for future stormwater management from the development site consisting of rainwater storage tanks, infiltration trenches, grassed filter strips and grassed swales. This concept will require detailed modelling and design as part of any future subdivision application so as to demonstrate achievement of the quality performance objectives of Council's Stormwater Management Plan and water sensitive urban design principles. This matter will be fully considered at the DA stage by Council's Development Assessments Engineer.

Meetings have recently been held between Council and Rous Water to discuss an efficient mechanism for Rous's participation in the development assessment process for significant developments in the Lismore Source catchment. Rous Water is engaging a consultant to prepare guidelines for Council and applicants when addressing the relevant matters of interest to Rous at the development application stage. Rous anticipates that this will be completed in about three months.

Ballina Shire Council

Ballina Council acknowledges that the proposal will generate an increase in traffic movements on the surrounding road network including McLeans Ridges Road which is within Ballina Shire. The

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proposed increase in traffic on McLeans Ridges Road is considered to be acceptable for the classification and construction standard of McLeans Ridges Road. The intersection of McLeans Ridges Road and Cowlong Road will be part of the reconstruction upgrade of Cowlong Road and any proposed improvements to the intersection should be forwarded to Ballina Shire Council for assessment at the time. The McLeans Ridges Hall is located at this intersection and its access requirements should also be considered in conjunction with any road works.

Comment:

It is proposed that part of the contribution for the McLeans Ridges hall will be used to fund the relocation of the existing driveway access towards the rear of the site (off McLeans Ridges Road) prior to the upgrading of the Cowlong/McLeans Ridges Road intersection. This will facilitate an improvement in intersection sight distance. Relocation of the driveway will require some modification to the existing median strip in McLeans Ridges Road. This has been discussed with Ballina Shire Council engineers who have advised that such works would be of a minor nature.

NSW Roads and Traffic Authority

The RTA responded that although there is a proposed decrease in lot numbers with the revised proposal, their previous comments are still considered appropriate. The previous response identified the following matters for Council's consideration:

- *Restriction on direct accesses to Cameron Road.*
- *Access points to Cameron Road to be designed to achieve Safe Intersection Sight Distance.*
- *Bus facilities should be designed within the subdivision.*
- *Capacity of existing road intersections adjoining the proposal needs to be assessed to ensure road infrastructure is designed to cater for increase in traffic.*
- *Pedestrian and bicycle pathways should be included in the design*
- *Internal road network should be designed to reduce travel speed.*
- *Internal road networks should cater for service vehicles such as garbage collection.*

Comment:

As stated previously a restriction on direct accesses to roads that have a through traffic function is a principle that is generally seen as desirable in any subdivision design. Although the proponents have demonstrated that it would be possible to achieve this objective while retaining the same number of allotments, it was considered that a better environmental and engineering outcome could be achieved by allowing some lots direct access to Cameron Road providing Cameron Road was widened an extra one metre (above DCP requirements) and accesses are consolidated to service two lots wherever practicable. This matter has been discussed with the RTA who have responded that while the decision is a matter for Council and not the RTA, the negotiated outcome appears to be acceptable from a traffic management perspective. The other matters raised by the RTA are considered to be satisfactorily addressed either in the subdivision design or in the road upgrading requirements that have been incorporated into the draft Planning Agreement.

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NSW Rural Fire Service

Part of the site is identified as bush fire prone on the Lismore Bush Fire Prone Land Map and consequently the original proposal was forwarded to the RFS for comment. The RFS responded that it supports the rezoning and any future application for residential development will be subject to the requirements of Section 100B of the Rural Fires Act 1997 and Section 79BA of the EP&A Act 1979.

Comment:

The rezoning submission demonstrates that the requirements of Planning for Bushfire Protection 2006 can be complied with. Design details will be required at the DA stage and will require a Bush Fire Safety Authority approval pursuant to Section 100B of the Rural Fires Act. Although Council's current Bush Fire Prone Land Map identifies much of the site as bush fire prone, the vegetation is predominantly grassland interspersed with Camphor laurel dominated rainforest regrowth. A revised Bush Fire Prone Land Map has been prepared for Lismore based on recent and more accurate vegetation mapping undertaken by GHD Consultants. The new bush fire map demonstrates that much of the site is not bush fire prone. The revised Bush Fire Prone Land Map has been forwarded to the RFS for its approval and it is anticipated that the new map will be endorsed by the RFS prior to a DA being lodged.

Statutory Considerations**State Environmental Planning Policies**

SEPP 44 (Koala Habitat Protection) requires an assessment of the site to determine whether the site supports core koala habitat. The Flora and Fauna assessment identified no core koala habitat on site.

SEPP 55 (Remediation of Land) requires the consideration of contamination and remediation in relation to rezoning proposal. A Preliminary Contaminated Land Assessment was undertaken for the proponents which concludes that the site can be classified as uncontaminated for the proposed future use of rural residential development.

North Coast Regional Environmental Plan (NCREP)

Clause 20 of the NCREP provides that Council may only prepare a draft local environmental plan permitting rural residential development where:

- (a) it has prepared a rural land release strategy for the whole of its area, and
- (b) the Director has approved of the strategy, and
- (c) the draft plan is generally consistent with that strategy.

The Lismore Rural Housing Strategy 2002 is the relevant adopted and approved rural land release strategy and the proposal is generally consistent with that strategy.

S117 Ministerial Directions**1.2 Rural Zones**

This direction restricts rezoning of rural land for residential purposes. Inconsistency with this direction is justified by the fact that the proposal is consistent with the Lismore Rural Housing Strategy 2002.

4.4 Planning for Bushfire Protection

A bushfire report has been provided demonstrating that compliance with *Planning for Bushfire Protection 2006* can be achieved.

5.3 Farmland of State and Regional Significance on the NSW Far North Coast

The site does not support any State or regionally significant farmland.

Threatened Species Conservation Act, 1995

The *Threatened Species Conservation Act* outlines requirements for the protection of threatened species, communities and critical habitat in New South Wales.

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Specimens of three threatened species (Fragrant myrtle, Bog onion and Arrow-head vine) have been located within the subject area. A combination of fencing and regeneration works are proposed around the specimens to ensure their long term protection and survival.

Lismore Development Control Plan (DCP)

Chapter 11 - Buffers

The subdivision proposal complies with the buffer requirements of Part A, Chapter 11 of the DCP.

Chapter 6 - Rural Subdivision

The proposal has been designed to ensure consistency with the subdivision requirements for rural residential subdivision.

Comments

Financial Services

The recommendations require the preparation of a local Section 94 Plan for the costs associated with the acquisition of the proposed community lot and its embellishment. These costs would be recovered from this and future developments in the strategy area. A valuation of the land and embellishment costs estimates will be required to prepare the local Section 94 Plan.

It is important to note that the cost of the land is likely to be incurred in the early stages of this development. The cost will then be progressively offset by contributions from this and future developments. A staged approach for embellishment costs to match the timing of when contributions are received should also be considered. This means Council will need to forward fund part of the acquisition costs plus potentially embellishment costs until all development potential in the strategy area is released. An assessment of this situation will be provided with the report on the local Section 94 Plan.

Other staff comments

Council's Development Engineer, Social Planner, Parks Coordinator and Environmental Health section have assessed relevant aspects the revised proposal for Cameron Road and their comments are incorporated into this report.

Conclusion

Draft LEP Amendment No 20 has attracted a significant level of public objection through the public exhibition process. The various issues raised in the objections are discussed in detail in this report. While some issues such as the impacts on rural amenity and the rural landscape would be difficult to address to the satisfaction of many objectors, it is considered that overall the issues raised in the submissions have either been addressed by the proponents in the revised proposal or else they can be satisfactorily addressed when more detail is provided in a future development application.

In rejecting the previous proposal for this site, Council established a set of design criteria and invited the applicants to lodge a revised proposal that complied with those criteria. The revised proposal complies with the criteria. Despite the level of public opposition to the proposal, it is considered that the relevant matters of public interest - safeguards to public safety and public health, protection of the environment and ensuring that the community is not unduly burdened with the costs of upgrading or providing facilities to service new development -- have been reasonably addressed.

A rezoning application is not a development application. While Council has required a substantial level of detail at the rezoning stage to ensure that the site is capable of supporting development of the nature and scale proposed, it is not appropriate for Council to expect a similar level of information to that which would be provided with a DA. An assessment of the proposal has demonstrated that all relevant matters for Council's consideration at the rezoning stage have been addressed and that Council can have

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confidence that relevant Council and State Government requirements can be met in further detailed information to be provided at the DA stage.

Apart from compliance with the relevant matters for consideration at the rezoning stage, the proposal incorporates a number of public benefits including:

- significant contributions under the Planning Agreement towards the upgrading of Cowlong and Soatharbour Roads (a contribution of \$13,186 per lot compared to \$4,855 per lot that would be payable for roads under Section 94);
- reconstruction of approximately 1,130m of Cameron Road;
- revegetation of 8.3ha of degraded riparian land using local rainforest species; and
- the provision of a 1.25ha community lot that will also be available to the wider community in the Cameron Road area.

It is therefore recommended that Council adopt Lismore LEP Amendment No 20 subject to the following amendments being incorporated into the Planning Agreement:

1. The definition of the Development Subdivision Plan being amended to refer to the plan numbered 01/202X prepared by Newton Denny Chapelle and dated 23/06/08.
2. Inclusion of a provision that all earthworks and retaining walls required to create a level area of at least 5,600m² within the community lot are undertaken prior to the release of any lot;
3. Inclusion of a provision that the section of the Cameron Road reserve with frontage to the development be landscaped using local rainforest species in accordance with an approved landscaping plan following road reconstruction work;
4. Provision for the staged release of the bond for environmental rehabilitation works of \$28,000 (covering cost of fencing) upon satisfactory completion of the work with the remaining amount to be released following satisfactory establishment of the regenerated areas three (3) years after planting;
5. Provision that woody weeds be removed by non-mechanical means in the regeneration areas;
6. Inclusion of a provision that two bus shelters be provided in locations acceptable to Council; and
7. Provision that the security be lodged with Council prior to Council executing the Planning Agreement under its common seal.

A copy of draft LEP Amendment No 20 is attached to this report. The maximum lot yield in Column 2 has been amended to reflect the reduced lot yield arising from the amalgamation of one of the rural residential lots into the larger community lot. A copy of the Planning Agreement is included in the separate attachments. The Agreement has also been amended to incorporate the modifications as proposed in this report.

It is further recommended that Council prepare a local Section 94 Contributions Plan so that the cost of land acquisition and embellishments can be equitably distributed towards this and future development in the strategy area.

Recommendation (PLAN)

1. That Council adopt Amendment No 20 to the Lismore Local Environmental Plan 2000 (as attached to this report),
2. That upon receipt of bank guarantees for the amounts specified in Schedule 3 of the Planning Agreement:-
 - a. Council execute the Planning Agreement (as attached to this report) under the common seal of Council,
 - b. Council use its delegations under s69 of the *Environmental Planning and Assessment Act 1979* to forward Amendment No 20 to the Minister for Planning with a request that he make the plan, and

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- c. Council forward a copy of the Planning Agreement to the Minister for Planning within 14 days of the Agreement being entered into by Council, and
- d. Council prepare a draft Section 94 Contributions Plan for the proposed community lot that distributes the cost of land and embellishments equitably across anticipated future rural residential development in the McLeans Ridges strategy area, and
- e. A report be presented to Council on the draft Contributions Plan prior to it being placed on public exhibition.

Development Application 5.2010.77

Listing of submitters

Name	Street	Town	Letter No.
Keith Graham	PO Box 1100	LISMORE 2480	10/6655
Peter Baldock	800 Pittwater Road	DEE WHY 2099	10/7492 11/255
Wayne Franklin Rous Water	DX 7652	LISMORE DOCUMENT EXCHANGE	10/1937
Brendan O'Dea	52 Federation Drive	ELTHAM 2480	10/1938
Lenore Phelps	238 Richmond Hill Road	RICHMOND HILL 2480	10/1939
Ian Traise	489 Cowlong Road	MCLEANS RIDGES 2480	10/8333
Susan Doughty	667 Cowlong Road	MCLEANS RIDGES 2480	10/8371
M Baldock	177 Humpty Back Road	MCLEANS RIDGES 2480	10/8470
Australian Sun Macadamias Pty Ltd	PO Box 1289	MONA VALE 2103	10/8471
Virginia White	80 Cowlong Road	MCLEANS RIDGES 2480	10/8527
Ken Lane	218 Cameron Road	MCLEANS RIDGES 2480	10/8599 11/530
Liz Hanns	42 Oakland Avenue	WEST BALLINA 2478	10/8643
Anne Lane	218 Cameron Road	MCLEANS RIDGES 2480	10/8688 11/488
Carl Mills	44 Casino Street	SOUTH LISMORE 2480	10/8721 11/459
George & Kerry Paschkow	Skyline Road South	WYRALLAH 2480	10/8722
Helen & Gary Rose	594 Cowlong Road	MCLEANS RIDGES 2480	10/8819 10/35785
Alan and Diane Graham	McKinnon Road	BOATHARBOUR 2480	10/8820 10/9456 11/557 11/514
Maree Thompson	25 Satinwood Drive	MCLEANS RIDGES 2480	10/8826
Liz Broad	498 Cowlong Road	MCLEANS RIDGES 2480	10/8882
Bryan Priest	155 James Road	GOONELLABAH 2480	10/8883
Tim Priest	155 James Road	GOONELLABAH 2480	10/8884 11/517
Margaret Priest	155 James Road	GOONELLABAH 2480	10/8885
Robert Gordon	297 Cameron Road	MCLEANS RIDGES 2480	10/8890 11/486
Anne Middleton	304 Humpty Back Road	MCLEANS RIDGES 2480	10/8891
James Bain	25 Satinwood Drive	MCLEANS RIDGES 2480	10/8905
M Gordon	297 Cameron Road	MCLEANS RIDGES 2480	10/8907 11/507
RR & H Scott	dickscott@linknet.com.au		10/9033
Mrs Olive Lavis	183 Boatharbour Road	BOATHARBOUR 2480	10/8962
Mr Gary Lavis	183 Boatharbour Road	BOATHARBOUR 2480	10/8959
Elizabeth Raymont	55 Pearson Road	COWLONG 2480	10/8965
Mrs K Steele	8 Fig Tree Lane	TYAGARAH 2481	10/8971
Janette Crocher	183 Cameron Road	MCLEANS RIDGES 2480	10/8973
JL Sheldrick	25 Palmers Road	MCLEANS RIDGES 2480	10/8972
Mrs G Dewhurst	18 Berry Street	CRONULLA 2230	10/9150
Gloria Fischer	PO Box 235	BALLINA 2478	10/9118
Alison Bath	19 Lascott Drive	MCLEANS RIDGES 2480	10/9121
Linda Grudnoff	16 Lincoln Avenue	MCLEANS RIDGES 2480	10/9102
Keren Underwood	14 Roseview Road	MCLEANS RIDGES 2480	10/9100
Madeleine Mulholland	186 Cameron Road	MCLEANS RIDGES 2480	10/9105
Martin Oliver	5/5 Anstey Street	LISMORE 2480	10/9108
Eliza Mulholland	186 Cameron Road	MCLEANS RIDGES 2480	10/9107
Shaun Cashman	323 Humpty Back Road	MCLEANS RIDGES 2480	10/9096
John Bath & Associates	PO Box 478	BALLINA 2478	10/9097
I Shirlaw & M Marriott	182 Cameron Road	MCLEANS RIDGES 2480	10/9060
Albino Perin	228 Cameron Road	MCLEANS RIDGES 2480	10/9058 11/468
Margaret Perin	228 Cameron Road	MCLEANS RIDGES 2480	10/9056 11/550
Michael Baker	10 Carabeen Place	MCLEANS RIDGES 2480	10/9043
Margaret Baker	10 Carabeen Place	MCLEANS RIDGES 2480	10/9044
William Monck	Bilsef21@hotmail.com		10/9179
A/Prof Wendy Gilleard	264 Cowlong Road	MCLEANS RIDGES 2480	10/9197
Brian Veness	369 Richmond Hill Road	RICHMOND HILL 2480	10/9244 11/471`

Name	Street	Town	Letter No.
Ryan Graham	McKinnon Road	BOATHARBOUR 2480	10/9245
Robert Pullen	1 Bangalow Court	BANGALOW 2479	10/9246
PJ & RT Squire	'Ingalba' 499 Cowlong Road	MCLEANS RIDGES 2480	10/9248
Barry Mail	234 Cowlong Road	MCLEANS RIDGES 2480	10/9281
Mrs C Mail	234 Cowlong Road	MCLEANS RIDGES 2480	10/9280
Marika Roessling	rike@westnet.com.au		10/9279
Brian McLachlan	493 Cowlong Road	MCLEANS RIDGES 2480	10/9279
Michele-Karin Valterio	mkvalterio@yahoo.com		10/9416
Simon Payne	680 Boatharbour Road	ELTHAM 2480	10/9415
Peter Warren	7 Daphne Street	LISMORE 2480	10/9381
Sharon Lee	PO Box 456	LISMORE 2480	10/9383 11/502
Howard Dooley	PO Box 456	LISMORE 2480	10/9385
Jennifer Wicks	21 Caniaba Street	SOUTH LISMORE 2480	10/9387
Cherelle Parrish	26A Bristol Circuit	GOONELLABAH 2480	10/9389
Kerri Grant	747 Ballina Road	GOONELLABAH 2480	10/9391
Brendan Brooke	27 Clyde Street	LISMORE 2480	10/9393
Bridget Harvey	286 Cameron Road	MCLEANS RIDGES 2480	10/9395
Mrs J Scotcher	77 Panorama Drive	ALSTONVILLE 2477	10/9397 10/36868
Mr G Scotcher	77 Panorama Drive	ALSTONVILLE 2477	10/9399
Ben Veness	357 Boatharbour Road	VIA LISMORE 2480	10/9402 11/560
Cary Veness	357 Boatharbour Road	ELTHAM 2480	10/9403
Tom Veness	357 Boatharbour Road	ELTHAM 2480	10/9406 11/474
John Van Arendonk	54 Cameron Road	MCLEANS RIDGES 2480	10/9409 10/36869
Nadine Van Aredonk	54 Cameron Road	MCLEANS RIDGES 2480	10/36870
PL Denmeade	2/17 Tamamera Drive	ALSTONVILLE 2477	10/9412
Terry Whitney	75 Pearson Road	MCLEANS RIDGES 2480	10/9404
Wendy Whitney	75 Pearson Road	MCLEANS RIDGES 2480	10/9405
Isla Tane	U/28 Florence Price Place	BALLINA 2478	10/9407
Jennifer Knights	316 Cowlong Road	MCLEANS RIDGES 2480	10/9408
Geoff Knights	316 Cowlong Road	MCLEANS RIDGES 2480	10/9410
Mr C Rapmund	5 Crown Lane	SOUTH LISMORE 2480	10/9411
Mrs J Rose-Rapmund	5 Crown Lane	SOUTH LISMORE 2480	10/9421
Suzette Pearce	262 Cowlong Road	MCLEANS RIDGES 2480	10/9425
Robbie Kennedy	robbiekennedy@westnet.com.au		10/9419
Melinda Gambley	16 Lascott Drive	MCLEANS RIDGES 2480	10/9420
Alana Ducker	PO Box 1378	LISMORE 2480	10/9457
Mr Langford Pelladine	718 Cowlong Road	MCLEANS RIDGES 2480	10/9459
Mr Jedburgh Pelladine	718 Cowlong Road	MCLEANS RIDGES 2480	10/9460
Vicki Rose	718 Cowlong Road	MCLEANS RIDGES 2480	10/9463
Lila Taylor	167 Cowlong Road	MCLEANS RIDGES 2480	10/9473
Nicholas Power	151 Cowlong Road	MCLEANS RIDGES 2480	10/9514
Dr & Mrs T Hawkins	6 Summerhill Crescent	CUMBALUM 2478	10/9515
Cassandra Gallagher	454 Boatharbour Road	MCLEANS RIDGES 2480	10/9532
Effie Ablett	519 Pearcees Creek Road	ALSTONVALE 2477	10/9533
Katrina Bath	19 Lascott Drive	MCLEANS RIDGES 2480	10/9534
Mark Pearce	mpearce@bigpond.net.au		10/9535
Phil Hilliard	178 Cameron Road	MCLEANS RIDGES 2480	10/9536
Trish Gibson	35 Alexander Lane	ELTHAM 2480	10/9537
Hayley Wergs	194 Cameron Road	MCLEANS RIDGES 2480	10/9538 11/368
Mrs Gail Wergs	194 Cameron Road	MCLEANS RIDGES 2480	10/9539 11/366
Ryan Wergs	194 Cameron Road	MCLEANS RIDGES 2480	10/9540 11/372
Sita Roessling	Sita_is@hotmail.com		10/9542
Mr J Smith	250 Broken Head Road	SUFFOLK PARK 2481	10/9567
Mrs Z Elwood	18 Brigantine Street	BYRON BAY 2481	10/9566
Miss Sally Jones	168 Pearson Road	BOOYONG 2480	10/9565
Ms Robyn Jones	168 Pearson Road	MCLEANS RIDGES 2480	10/9564
Catherine Dalton	186 Cameron Road	MCLEANS RIDGES 2480	10/9552
Robyn Parker	2/389 Barkly Street	ELWOOD VIC 3184	10/9582

Name	Street	Town	Letter No.
Duncan Raymont	55 Pearson Road	MCLEANS RIDGES 2480	10/9579
Michael Bath	19 Lascott Drive	MCLEANS RIDGES 2480	10/9601
Stuart Cheval & Alison Maiden	772 Boatharbour Road	ELTHAM 2480	10/9593
Susan Bailey	392 Boatharbour Road	BOATHARBOUR 2480	10/9592
CJ Clunie	392 Boatharbour Road	BOATHARBOUR 2480	10/9591
Sasha Murchison	60 Main Street	CLUNES 2480	10/9590
Fiona Macfarlane	760 Booyong Road	BOOYONG 2480	10/9589
Andrew Soutar	757 Boatharbour Road	ELTHAM 2480	10/9587
Naomi Rose	500 Cowlong Road	MCLEANS RIDGES 2480	10/9586
Emma Nichols	757 Boatharbour Road	ELTHAM 2480	10/9594
Dr John Mulholland	186 Cameron Road	MCLEANS RIDGES 2480	10/9599
Allison Houlden	173 Cameron Road	MCLEANS RIDGES 2480	10/9604
Stefahn Dunn	195 Cameron Road	MCLEANS RIDGES 2480	10/9605
Jane Thomson	680 Boatharbour Road	ELTHAM 2480	10/9607
Garry Wergs	194 Cameron Road	MCLEANS RIDGES 2480	10/9608 11/1084
Emma Cedelland	Emcadelland@yahoo.com.au		10/9610
Phil Quinn	9 Morehead Street	LAMBTON 2299	10/9623
Heather Dunn	195 Cameron Road	MCLEANS RIDGES 2480	10/9603, 10/9621 11/1653
Mr N Parker	57 Pearson Road	MCLEAN RIDGES 2480	10/9646 11/374
Kirsty Power	kirstypower@bigpond.com		10/9644 11/3050
Lorraine Vass Friends of the Koala	PO Box 5034	EAST LISMORE 2480	10/9643
Mrs J Parker	57 Pearson Road	MCLEANS RIDGES 2480	10/9655
S Parker	57 Pearson Road	MCLEANS RIDGES 2480	10/9653
P Parker	57 Pearson Road	MCLEANS RIDGES 2480	10/9652
A, L, M & E Hume	413 Boatharbour Road	ELTHAM 2480	10/9647
S, R, M & K Brandley	willowbrookminiatures@tpg.com.au		10/9600
William Bugden	24 Richmond Hill Road	RICHMOND HILL 2480	10/9693
Geoff Bugden	24 Richmond Hill Road	RICHMOND HILL 2480	10/9698
Debbie Bugden	24 Richmond Hill Road	RICHMOND HILL 2480	10/9700
Katie Bugden	24 Richmond Hill Road	RICHMOND HILL 2480	10/9702
Roderick McFarlane	7 Kingfisher Place	LISMORE 2480	10/9704
Anthony Rose	2 Daniel Roberts Drive	MCLEANS RIDGES 2480	10/9706
Beverley Savins	1 Roseview Road	MCLEANS RIDGES 2480	10/9707
Trevor Savins	1 Roseview Road	MCLEANS RIDGES 2480	10/9708
Mitchell Rose	2 Daniel Roberts Drive	MCLEANS RIDGES 2480	10/9709
Rebecca Rose	2 Daniel Roberts Drive	MCLEANS RIDGES 2480	10/9710
Nicholas Rose	500 Cowlong Road	MCLEANS RIDGES 2480	10/9711
Gary Alcock	187 Casino Street	SOUTH LISMORE 2480	10/9712
Jeff Higgins	83 Phyllis Street	SOUTH LISMORE 2480	10/9713
Amie Cameron	146 Invercauld Road	GOONELLABAH 2480	10/9715
Scott Cameron	146 Invercauld Road	GOONELLABAH 2480	10/9716
Marcia Cameron	146 Invercauld Road	GOONELLABAH 2480	10/9717
Max Rose	504 Cowlong Road	MCLEANS RIDGES 2480	10/9718
John Sauvere	29 Catherine Crescent	BALLINA 2478	10/9719
Geoffrey Simes	63 Caldwell Avenue	LISMORE 2480	10/9720
Patricia Simes	63 Caldwell Avenue	LISMORE 2480	10/9722
Frederick Moss	2/8 Carrabeen Court	EVANS HEAD 2473	10/9724
Don Gates	238 Cameron Road	MCLEANS RIDGES 2480	10/9726 11/506
Laurie Batchelor	14 Bright Street	EAST LISMORE 2480	10/9727 11/494
Tracey Batchelor	5 Bright Street	EAST LISMORE 2480	10/9728
Brad Batchelor	5 Bright Street	EAST LISMORE 2480	10/9729
Frank Cotterell	4 Toongahra Court	GOONELLABAH 2480	10/9731
Mark Epplert	6 Mackay Street	LISMORE HEIGHTS 2480	10/9732 11/541
Michael Smith	89 Dalley Street	LISMORE 2480	10/9734
Jennifer Lee	33 College Road	EAST LISMORE 2480	10/9735

Name	Street	Town	Letter No.
John J Lee	33 College Road	EAST LISMORE 2480	10/9736
Paul Clark	35 Smith Lane	WOLLONGBAR 2477	10/9738
Guy Latham	1 Carrington Street	LISMORE 2480	10/9739
David Hunter	1 Carrington Street	LISMORE 2480	10/9740
Hayley Connelly	29 Norwood Avenue	GOONELLABAH 2480	10/9688
Neil Pollard	7 Luke Place	GOONELLABAH 2480	10/9741
Rita Westaway	6 Bellevue Avenue	LISMORE 2480	10/9742
Mal Pickering	2/72 River Bank Road	MONALTRIE 2480	10/9743
Edward Edge	25 Robson Road	WYRALLAH 2480	10/9744
Geoffrey Everson	7 Milton Street	LISMORE HEIGHTS 2480	10/9746
John Gale	40 Uralba Street	LISMORE 2480	10/9748
Darren Elmore	77 East Skyline Road	GOONELLABAH 2480	10/9751
Tony Day	9 Pound Street	LISMORE 2480	10/9755
Mark Rodgers	13 Julie Crescent	GOONELLABAH 2480	10/9758
Michael Bulmer	44 Keen Street	LISMORE 2480	10/9760
Ray Tomson	PO Box 1378	LISMORE 2480	10/9761
Paul Deegan	1 Daydream Court	GOONELLABAH 2480	10/9762
Tod Somerville	214 Nimbin Road	LISMORE 2480	10/9764
Alyson Somerville	119 Brunswick Street	LISMORE 2480	10/9765
Mizpah Forrester	218 Brunswick Street	LISMORE 2480	10/9766
Jenna Somerville	33 Union Street	LISMORE 2480	10/9767
Victor Connelly	2/75 Daintree Drive	LENNOX HEAD 2478	10/9768
Marilyn Connelly	2/75 Daintree Drive	LENNOX HEAD 2478	10/9782
Julie Somerville	214 Nimbin Road	LISMORE 2480	10/9784
Tony Maher	19 Duke Street	GOONELLABAH 2480	10/9786
Lisa Maher	19 Duke Street	GOONELLABAH 2480	10/9787
June Maher	19 Duke Street	GOONELLABAH 2480	10/9789
John Davis	583 Boatharbour Road	ELTHAM 2480	10/9790 11/498
David Mullens	21 Acron Street	ELANORA 4221	10/979111/540
Scott Jones	25 Murray Street	EAST LISMORE 2480	10/9793
Nick Dillon	625 Boatharbour Road	ELTHAM 2480	10/9794
Anna Johnston	625 Boatharbour Road	ELTHAM 2480	10/9795
Tiah McKintyre	Lot 2 Upper Tuntable Falls Road	NIMBIN 2480	10/9796
Laurel Torrens	2/701 Ballina Road	GOONELLABAH 2480	10/9797
Victoria McIntyre	PO Box 655	NIMBIN 2480	10/9798
M Walker	58 Oxbow Road	CAWONGLA 2480	10/9799
Luke Chilcott	49 Union Street	SOUTH LISMORE 2480	10/9800
Karlye Lane	Lawnleigh 218 Cameron Road	MCLEANS RIDGES 2480	10/9801 11/553
Leone Gordon	215 Cameron Road	MCLEANS RIDGES 2480	10/9864
Robert Ruane	92 Oliver Avenue	GOONELLABAH 2480	10/9802
Vanessa Thompson	617 Skyline Road	GOONELLABAH 2480	10/9803
Sally Davis	583 Boatharbour Road	ELTHAM 2480	10/9805 11/520
Kym Davis	211 Boatharbour Road	VIA LISMORE 2480	10/9806
Neil Short	17 Denbos Crescent	LISMORE 2480	10/9807
Christopher Forrester	100 Oakley Avenue	EAST LISMORE 2480	10/9808
Gl Johnston	59B Greengate Road	BEXHILL 2480	10/9809
Dan Richards	57 Invercauld Road	GOONELLABAH 2480	10/9810
Dave Griffin	512 Boatharbour Road	MCLEANS RIDGES 2480	10/9811
Renea Soward	2/108 Oakley Avenue	EAST LISMORE 2480	10/9812
Richard Doyle	127 Boatharbour Road	LISMORE 2480	10/9813
Athol Rogers	19 Robrown Drive	LISMORE HEIGHTS 2480	10/9814, 10/35765
Jennifer Doyle	127 Boatharbour Road	LISMORE	10/9815
Janice Rogers	19 Robrown Drive	LISMORE HEIGHTS 2480	10/9816
Brian Patch	49 Boatharbour Road	VIA LISMORE 2480	10/9817
John Barnes	38 Bridge Street	LISMORE 2480	10/9818
Allan Morton	745 Cawongla Road	LISMORE 2480	10/9820
Helen Mulligan	35 Woodland Avenue	LISMORE HEIGHTS 2480	10/9821 10/36754
Angela Barber	13 Jarvis Street	CLUNES 2480	10/9822

Name	Street	Town	Letter No.
Milton E Bryant	514 Boatharbour Road	BOATHARBOUR 2480	10/9823 11/543
Doris Bryant	514 Boatharbour Road	VIA LISMORE 2480	10/9824 11/482
Neil Buchanan	514 Boatharbour Road	VIA LISMORE 2480	10/9825 11/465
Guisepp Casagrande	190 Cowlong Road	MCLEANS RIDGES 2480	10/9826
Peter Priest	103 Cameron Road	MCLEANS RIDGES 2480	10/9827 11/561
Sheron Napper	2 Whispering Valley Drive	RICHMOND HILL 2480	10/9828 11/523
Pauline Turner	3 Bellbird Place	GOONELLABAH 2480	10/9829
Noel Lynn	16 Kareela Avenue	LISMORE HEIGHTS 2480	10/9830 11/504
Brian Lee	4d Oliver Place	LISMORE 2480	10/9831 11/525
RW McLennan	28 Woodlark Street	LISMORE 2480	10/9833
Pam Basso	240 Richmond Hill Road	RICHMOND HILL 2480	10/9834
Douglas Harrison	Patch & Taylor Real Estate 76 Woodlark Street	LISMORE 2480	10/9836
Jann-Maree Bryant	514 Boatharbour Road	BOATHARBOUR 2480	10/9837 11/522
William Ducker	134 Cameron Road	MCLEANS RIDGES 2480	10/9838 11/564
Terry Collins	391 Boatharbour Road	BOATHARBOUR 2480	10/9839
David Lane	Lawnleigh 218 Cameron Road	MCLEANS RIDGES 2480	10/9841 11/509
Ken Lane	Lawnleigh 218 Cameron Road	MCLEANS RIDGES 2480	10/9843
Anne Lane	Lawnleigh 218 Cameron Road	MCLEANS RIDGES 2480	10/9844
Rodney Collins	391 Boatharbour Road	LISMORE 2480	10/9846
Rebecca Collins	391 Boatharbour Road	LISMORE 2480	10/9847
Louise Collins	391 Boatharbour Road	LISMORE 2480	10/9850
Belinda Ducker	134 Cameron Road	MCLEANS RIDGES 2480	10/9851 11/444
Norman Thornhill	134 Cameron Road	MCLEANS RIDGES 2480	10/9853 11/564
Anthony Maluta	424 Boatharbour Road	BOATHARBOUR 2480	10/9854
James Hanley	Irvington 2625 Bruxner Highway	IRVINGTON 2470	10/9855
S Ducker	134 Cameron Road	MCLEANS RIDGES 2480	10/9856
Davidson Ducker	134 Cameron Road	MCLEANS RIDGES 2480	10/9857 11/563
Alexander Coronakes	90 High Street	LISMORE 2480	10/9873
Leane Kalnins	129 Fletcher Road	DUNOON 2480	10/9878
John Robertson	129 Fletcher Road	DUNOON 2480	10/9880
Devin Purdon	12 Arrowsmith Avenue	ALSTONVILLE 2477	10/9881
Paul Hermans	26 Byron Street	LENNOX HEAD 2478	10/9882
David Kane	18 Sanctuary Court	GOONELLABAH 2480	10/9884
Chris Harley	Lismore Real Estate C/- 30 Woodlark Street	LISMORE 2480	10/9885
SG Bendall	2/4 Marlyn Avenue	EAST LISMORE 2480	10/9888
Terry Wallace	18 Invercauld Road	GOONELLABAH 2480	10/9890
Warwick MacDonald	7 Woodland Avenue	LISMORE 2480	10/9891
Peter Butcher	97 Pineapple Road	GOONELLABAH 2480	10/9892
Bruce Supple	Patch & Taylor 76 Woodlark Street	LISMORE 2480	10/9893
Megan Yates	49 Dawson Street	LISMORE 2480	10/9894
Chris Morgan	4/5 Carolina Street	LISMORE 2480	10/9895 11/484
Wayne Meaclem	34 Toohey Road	CANIABA 2480	10/9896 11/545
Robert Napper	2 Whispering Valley Drive	RICHMOND HILL 2480	10/9897
Boyd Hughes	10 Deegan Drive	GOONELLABAH 2480	10/9898
David Harris	12 Canterbury Chase	GOONELLABAH 2480	10/9900
Lance Vickery	291 Clarence Way	MOUNTAINVIEW 2460	10/9902
Lynden Kinglsey	40 Course Street	GRAFTON 2460	10/9905
Nick Markov	6 James Street	DUNOON 2480	10/9906
David Priest	C/- 154 James Road	GOONELLABAH 2480	10/9908 11/535
Jason Hyde	PO Box 931	KURANDA QLD 4881	10/9909
Lynn King	3 Julieanne Place	BEXHILL 2480	10/9910
Jim Leifermann	3 Julieanne Place	BEXHILL 2480	10/9911

Name	Street	Town	Letter No.
May Tate	155 Lang Street	GLEN INNES 2370	10/9912
Maurie Tate	155 Lang Street	GLEN INNES 2370	10/9913
Ross Riordan	6 Suzette Street	LISMORE HEIGHTS 2480	10/9914 11/496
Geoff Lawson	33 Woodland Avenue	LISMORE HEIGHTS 2480	10/9916
Brian Wheatley	209 Rock Valley Road	ROCK VALLEY 2480	10/9918
Carol Wheatley	209 Rock Valley Road	ROCK VALLEY 2480	10/9919
Sue Skimmings	2/39 Woodland Avenue	LISMORE HEIGHTS 2480	10/9921
Iris Fraser	24 Woodland Avenue	LISMORE HEIGHTS 2480	10/9922
Alex Fraser	2/34 Woodland Avenue	LISMORE HEIGHTS 2480	10/9923
V McGlashan	21 Woodland Avenue	LISMORE HEIGHTS 2480	10/9924
Alex Noreika	21 Woodland Avenue	LISMORE HEIGHTS 2480	10/9934
Julie O'Brien	1/31 Woodland Avenue	LISMORE HEIGHTS 2480	10/9935
Robert Brooks	21 Just Street	GOONELLABAH 2480	10/9936
Heather Davison	23 Fairway Drive	CASINO 2470	10/9940
Leanne Cloughessy	1/9 Amy Court	GOONELLABAH 2480	10/9941
Wayne McElligott	12 Minto Street	CORAKI 2471	10/9943
Warren Tagget	13 Conifer Street	GOONELLABAH 2480	10/9945
Greg Jones	19 Karissa Drive	GOONELLABAH 2480	10/9946
Ronald Graham	Webber Road	WYRALLAH 2480	10/9949
Mick Hannigan	306 Cross Road	NUMULGI 2480	10/9950
Alan Green	27 Leycester Street	LISMORE 2480	10/9951
Mark Cox	10 Virginia Place	WOLLONGBAR 2477	10/9952 11/544
Bernie Butts	13 Marlyn Avenue	LISMORE 2480	10/9953
Cl Hensley	451 Wyrallah Road	LISMORE 2480	10/9954
David McDonald	75 Hotham Street	CASINO 2470	10/9955
Lawrence Hinton	33 Spindle Street	PALM BEACH 4221	10/9956
Robert Menin	5 Kareela Avenue	LISMORE HEIGHTS 2480	10/9958
Mr E Power	7 Cockatoo Crest	GOONELLABAH 2480	10/9963
Douglas Hogan	21 Meadow Drive	SOUTH LISMORE 2480	10/9964
Ron Marriott	204 Ballina Road	LISMORE 2480	10/9965
F Daniel Bezuidenhout	9 Redwood Grove	GOONELLABAH 2480	10/9967
Barbara Hull	BJ Hull Secretarial Services 118 Molesworth Street	LISMORE 2480	10/9968
Graham Croker	15 Invercauld Road	GOONELLABAH 2480	10/9969
Ian Hatt	14 Cumberland Street	CASINO 2470	10/9971
Jake Mullens	21 Acron Street	ELANORA 4221	10/9972
Jill Wunderlich	14 King George Drive	LISMORE 2480	10/9973
Suzette Davis	12 King George Drive	LISMORE 2480	10/9974
Julie Roberts	20 King George Drive	LISMORE 2480	10/9975
Michael Davis	12 King George Drive	LISMORE 2480	10/9976
Ian Wunderlich	14 King George Drive	LISMORE 2480	10/10008
Vicki Morton	745 Cawongla Road	ROCK VALLEY 2480	10/10010
John Shearman		NUMULGI 2480	10/10011
Roy Green	324 Coraki Road	SOUTH GUNDURIMBA 2480	10/10012
John Coghlan	88 Rous Road	GOONELLABAH 2480	10/10014
Sandra Coghlan	88 Rous Road	GOONELLABAH 2480	10/10015
Mr TM Will	102 Cameron Road	MCLEANS RIDGES 2480	10/10016 11/375 11/666
Mrs CA Will	102 Cameron Road	MCLEANS RIDGES 2480	01/10017
Bryan Leighton	569 Boatharbour Road	ELTHAM 2480	10/10018 11/539
Mary Bryant	571 Boatharbour Road	VIA LISMORE 2480	10/10019
Gary Bryant	571 Boatharbour Road	VIA LISMORE 2480	10/10020
Raynor Leighton	569 Boatharbour Road	ELTHAM 2480	10/10021 11/463

Name	Street	Town	Letter No.
Linda Golding	914 Dunoon Road	DUNOON 2480	10/10022 11/495
Humphrey Herington	404 Cowlong Road	MCLEANS RIDGES 2480	10/9771
Cowlong Landcare Group	C/- 404 Cowlong Road	MCLEANS RIDGES 2480	10/9773
Judith Allen	8 Stops Place	CHIFLEY 2606	10/9777
Gwyneth Yeo	Gwynnyeo@hotmail.com		10/10004
Carolyn Adams	25 Ubrhien Street	LISMORE 2480	10/11534
Scott Batchelor	3/24 Beaumont Drive	LISMORE 2480	10/11535
Katrina Beohm	39 Molesworth Street	LISMORE 2480	10/11537
Ben Conte	2 McInnes Road	TUCKURIMBA NSW 2480	10/11538
Marion Darke	29 Dudley Drive	GOONELLABAH NSW 2480	10/11539
Brittany Earle	14 Clare Street	GOONELLABAH NSW 2480	10/11541
Darryl Grissell	44 Dudley Drive	GOONELLABAH NSW 2480	10/11544
Andrew Stuart Fifield	17 Wanda Drive	EAST LISMORE NSW 2480	10/11543
Kaye McGrath	53 Trinity Drive	GOONELLABAH NSW 2480	10/11545
David Orr	PO Box 119	TUMBULGUM NSW 2490	10/11547 11/480
Gerald Pollard	Unit 1 / 2 Julie Crescent	GOONELLABAH NSW 2480	10/11549
Sheryl Restall	1 Hurford Place	EAST LISMORE NSW 2480	10/11551
Gary Wells	16 Paunelle Avenue	EAST LISMORE NSW 2480	10/11552
Gemma Wilkinson	2 Springwood Drive	LISMORE HEIGHTS NSW 2480	10/11554
Janet Allen	404 Cowlong Road	MCLEANS RIDGES NSW 2480	10/11617
McLeans Ridges Community Group	404 Cowlong Road	MCLEANS RIDGES NSW 2480	10/11617
Ms Liz Gibbs Eltham Community Foundation	783 Boatharbour Road	ELTHAM 2480	10/10283
Terry Paxton	tpaxton@iinet.net.au		11/364
Sandra Ducker	134 Camerons Road	McLEANS RIDGES 2480	11/562
Cameron Shipard	6 Donoghue Street	DUNOON 2480	11/558
Jamie Pethers	14 Charlton Avenue	SOUTH LISMORE 2480	11/556
Michael Zimmerman	816 Wyrallah Road	LISMORE 2480	11/555
Gary J Smith	3A Booyong Road	CLUNES 2480	11/554
Gillian Cork	247 Boatharbour Road	BOATHARBOUR 2480	11/552
Wendy Beattie	69 Light Street	CASINO 2470	11/551
Leonard Lawson	77 Cameron Road	MCLEANS RIDGES 2480	11/549
Julie Prodger	39 Lancaster Drive	GOONELLABAH 2480	11/548
Pauline Turner	3 Bellbird Place	GOONELLABAH 2480	11/547
Leanne Albert	8a Paradise Court	MCLEANS RIDGES 2480	11/546
Trevor Black	1249 Bruxner Highway	LINDENDALE 2480	11/543
Todd Hayes	164 Wyrallah Road	LISMORE 2480	11/538
T Mulligan	245 Duck Creek Mountain Road	ALSTONVILLE 2477	11/537
Keryn Bryen	59 Cameron Road	MCLEANS RIDGES 2480	11/534
Daryl Veness	369 Richmond Hill Road	RICHMOND HILL 2480	11/533
Chris Pethers	2 Banksia Court	GOONELLABAH 2480	11/532
Paddy Hancock	"The Park"	RUTHVEN VIA LISMORE 2480	11/531
Emma Matthews	165 Centre Street	CASINO 2470	11/524
Luke Pettit	2/5 Parkwalk Drive	GOONELLABAH 2480	11/521
Luke Veronese	37 John O'Neal Crescent	GOONELLABAH 2480	11/519

Name	Street	Town	Letter No.
Damien Veness	357 Boatharbour Road	BOATHARBOUR 2480	11/516
Darcy Shipard	6 Donaghue Street	DUNOON 2480	11/515
Elizabeth Mills	44 Casino Street	SOUTH LISMORE 2480	11/513
Rebecca McGrory	14 Charlton Avenue	SOUTH LISMORE 2480	11/512
Sylvia Lawson	77 Cameron Road	MCLEANS RIDGES 2480	11/510
Billy Cork	247 Boatharbour Road	BOATHARBOUR 2480	11/508
Terry Prodger	39 Lancaster Drive	GOONELLABAH 2480	11/505
Crystal Evans	8a Paradise Court	MCLEANS RIDGES 2480	11/503
Phillip Deam	95 Fischer Street	GOONELLABAH 2480	11/501
Anthony Stroud-Watts	607 Boatharbour Road	ELTHAM 2480	11/500
Jeffrey Hall	188 Numulgi Road	NUMULGI 2480	11/529
Graeme Laurie	Simpson Street	DRAKE 2480	11/445
Bernard Hughes	7 Rous Road	LISMORE 2480	11/446
Marlee Webb	7 Rous Road	GOONELLABAH 2480	11/447
Ray Buckley	11 Blue Hills Avenue	GOONELALBAH 2480	11/449
Michelle Stroud-Watts	607 Boatharbour Road	ELTHAM 2480	11/450
Amanda Cox	10 Virginia Place	WOLLONGBAR 2477	11/451
Santo Verardo	185 Union Street	SOUTH LISMORE 2480	11/452
Robert Napper	72 Keen Street	LISMORE 2480	11/453
Tracey Lawson	13 Quail Place	RICHMOND HILL 2480	11/454
Rod Lawson	13 Quail Place	RICHMOND HILL 2480	11/455
Lindsay Beattie	64/69 Light Street	CASINO 2470	11/456
Ricky Maslen	353 Rock Valley Road	ROCK VALLEY 2480	11/457
Kim Keane	10 Wallum Drive	EVANS HEAD 2473	11/458
Nicola Shipard	5 Donaghue Street	DUNOON 2480	11/460
Margaret Priest	154 James Road	GOONELLABAH 2480	11/461
David Verrall	177B Munro Wharf Road	WYRALLAH 2480	11/462
Mark Albertini	6 George Drive	CHILCOTTS GRASS 2480	11/464
Jody Gallagher	23 Harmony Avenue	LISMORE 2480	11/467
Dawn Hall	188 Numulgi Road	NUMULGI 2480	11/469
Carol Shipard	6 Donaghue Street	DUNOON 2480	11/472
Gil Bryen	59 Camerons Road	MCLEANS RIDGES 2480	11/473
Bryan Priest	154 James Road	GOONELLABAH 2480	11/475
Paul Kiernan	928 Wyrallah Road	WYRALLAH 2480	11/476
Gail Everingham	8 Killara Court	GOONELLABAH 2480	11/477
Tracey Mullens	21 Acros Street	ELANORA 4221	11/478
Noel Toneguzzi	57 Lismore Road	ALSTONVILLE 2477	11/479
Janet Carn	20 Hayes Street	LISMORE 2480	11/481
J Wicks	6/7 Hurford Place	LISMORE 2480	11/483
Tracey Clark	12 Corinne Place	GOONELLABAH 2480	11/485
Peter Cork	247 Boatharbour Road	BOATHARBOUR 2480	11/487
Susan Veness	Boatharbour Road	BOATHARBOUR 2480	11/490
Ryan Graham	41 McKinnon Road	BOATHARBOUR 2480	11/491
Craig Allan	284 Cameron Road	MCLEANS RIDGES 2480	11/492
Allen John Sherman		NUMULGI 2480	11/497
Thomas Granatelli	3 Esyth Street	LISMORE 2480	11/499