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| Finance & Special Purposes Committee |          |
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| Mtg Date: 5.03.03                    | OAR: YES |
| Authorisation: Raelea Stewart        |          |
| Committee to prepare letter:         | No       |
| Program No:                          | 09       |

## ITEM B09.01

24 February 2003

### MEMORANDUM

TO: CHIEF EXECUTIVE OFFICER

FROM: COMMUNITY & CULTURAL SERVICES MANAGER

RE: ~~DISTRIBUTION OF THE~~ LOCAL ENVIRONMENTAL IMPROVEMENTS  
CONTRIBUTION BY COLLEX PTY LTD

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#### INTRODUCTION:

This is a report by the Community & Cultural Services Manager dated 24 February 2003 concerning the distribution of the Local Environmental Improvements Contribution by Collex Pty Ltd.

#### BACKGROUND:

On 29 May 2002 a Court Order was handed down by the Planning and Environment Court in respect of a development application for a Waste Disposal Operation and Ancillary Activities at the Collex Ti Tree site at Willowbank. Condition 8 (Contributions for Local Environmental Improvements) attached, of that Court Order sets out the requirement for the payment of certain contributions towards the mitigation of any and all 'perceived' or 'real' social and environmental impacts that may arise from the development.



"Condition 8 -  
Collex.doc"

The first contribution is to the value of \$320 000 for the amenities within the City. This contribution was paid to Council on 6 January 2003. The second contribution is an annual payment of a minimum sum of \$100 000, paid on an annual basis commencing 12 months from the date of commencement of the use, calculated as specified within Condition 8 for use on roads or environmentally sensitive areas of the City.

Section 8.6 of Condition 8, specifies *“any funds paid in respect to this condition shall be utilised for community and environmental improvements across the City as determined by Council and having regard to the impacts (whether ‘perceived’ or ‘real’) that may arise from the development.”*

Council currently has Procedure 15/04 Allocation of Community Donations, which outlines the mechanism for the allocation of funds to improve the amenity and facilities of the city on an equal divisional basis (with an equivalent citywide allocation). In line with the purpose of Community Donations, application of Procedure 15/04 for the distribution of \$320 000 contribution from Collex Pty Ltd would support the intention outlined for community improvements.

Currently, there is no formal procedure established for distribution of development contributions outside of headworks charges for improvement of roads or environmentally sensitive areas of the City.

### **BENEFITS TO COMMUNITY AND CUSTOMERS:**

The Local Environmental Improvements Contribution by Collex Pty Ltd offers Council the opportunity to work with industry and business sectors and the wider community to establish purposeful allocation of resources to achieve sustainable community and social development opportunities that balance the ‘perceived’ or ‘real’ social and environmental impacts.

### **CONCLUSIONS:**

Procedure 15/04 provides a mechanism to allocate the \$320 000 contribution. In recognition of the location of the Waste Disposal and Ancillary Activities it is proposed that consideration be given to allocating \$220 000 towards funding across all divisions including citywide with an additional \$100 000 being allocated specifically to the division in which the development has occurred to secure benefits from *mitigating ‘perceived’ or ‘real’ social and environmental impacts that may arise from the development.*

In regards to the allocation of the minimum \$100 000 contribution to be applied on an annual basis 12 months after the commencement date of the use, it is proposed that the Works Manager and the Conservation Parks and Sport Manager propose a set of criteria and procedure to support the allocation of this contribution on an annual basis.

### **RECOMMENDATION:**

[Amended F&SP Brd No. 2003\(04\) of 4.03.03. ncm](#)

- A. That Council note the utilisation of Procedure 15/04 Allocation of Community Donations to effect the distribution of the \$320 000 developer contribution payment towards the amenities within the City as outlined in the report.
- B. That Council approve the allocation of the \$320 000 contribution on the following basis:
  1. \$220 000 on an equal divisional basis (with an equivalent citywide allocation)
  2. \$100 000 is provided to the division in which the development is to occur ~~to establish long-term sustainable benefits from~~ for community and environmental ~~improvements, activity of the development.~~

- C. That Council approve the transfer of \$320 000 from Constrained Works Reserve to Operations for the purpose of transferring those funds to specific divisional Community Donation accounts within the Community & Cultural Services Department as outlined in the report by the Community & Cultural Services Manager dated 24 February 2003.
- D. That Council authorise the Works Manager and Conservation, Parks and Sports Manager propose a set of criteria and procedure to support the allocation of the annual ~~minimum~~ payment of \$100 000 contribution by no later than ~~30 June~~31 May 2003.

Raelea Stewart  
**COMMUNITY & CULTURAL  
SERVICES MANAGER**

**From:** Committee General  
**To:** McHugh, John; Sheridan, Alan; Stewart, Raelea  
**Date:** 13/03/03 9:35 am  
**Subject:** B09.01(C) - Local Environmental Improvements Contribution by Collex Pty Ltd

MJO:NCM  
Matt O'Leary  
3810 6221

13 March 2003

# MEMORANDUM

**TO:** WORKS MANAGER  
CHIEF FINANCIAL OFFICER  
COMMUNITY AND CULTURAL SERVICES MANAGER

**FROM:** COMMITTEE MANAGER

**RE:** LOCAL ENVIRONMENTAL IMPROVEMENTS CONTRIBUTION BY  
COLLEX PTY LTD

Your attention is drawn to the following recommendation adopted by Council at its meeting held on 12 March 2003.

Would you please take the necessary action in relation to this clause.  
(Refer Clause C)

Refer: Finance and Special Purposes Board No. 2003(04) of  
4 March 2003.

Matt O'Leary  
COMMITTEE MANAGER

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**B09.01 LOCAL ENVIRONMENTAL IMPROVEMENTS CONTRIBUTION BY  
COLLEX PTY LTD**

With reference to a report by the Community and Cultural Services Manager dated 24 February 2003 concerning the distribution of the Local Environmental Improvements Contribution by Collex Pty Ltd.

## RECOMMENDATION

A. That Council note the utilisation of Procedure 15/04 - 'Allocation of Community Donations' to effect the distribution of the \$320 000 developer contribution payment towards the amenities within the City as outlined in the report.

B. That Council approve the allocation of the \$320 000 contribution on the following basis:

1. \$220 000 on an equal divisional basis (with an equivalent citywide allocation);
2. \$100 000 is provided to the division in which the development is to occur for community and environmental improvements.

C. That Council approve the transfer of \$320 000 from Constrained Works Reserve to Operations for the purpose of transferring those funds to specific divisional Community Donation accounts within the Community and Cultural Services Department as outlined in the report by the Community and Cultural Services Manager dated 24 February 2003.

D. That Council authorise the Works Manager and the Conservation, Parks and Sports Manager to propose a set of criteria and procedure to support the allocation of the annual payment contribution by no later than 31 May 2003.

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**CC:** Bauer, Jean; Newcombe, Carol; Records General Logon; Tillack, Lylia