



Catalyze Property Consulting Pty Ltd
PO Box 422 Hamilton NSW 2303

Statement of Environmental Effects

for a

Manufactured Home Estate

at

**34 Wyndella Road,
Lochinvar, NSW, 2321**



February 2024

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1 Introduction

1.1 Summary

Site Details	
Property Description (Site)	Lot 225 DP 246447
Area	10.75Ha
Local Government Area	Maitland City Council

General Details	
Applicant	Commercial 7 Pty Ltd ATF Commercial 7 Investment Trust
Proposal	209 site manufactured home estate, communal facilities and all associated infrastructure works.
Application Type	Development Application
Consent Authority	Maitland City Council
Key Applicable Codes	Maitland LEP 2011 (MLEP) Maitland DCP 2011 (MDCP)

1.2 Background

This Statement of Environmental Effects (SEE) has been prepared by Catalyze Property Consulting Pty Ltd (Catalyze) to accompany a Development Application (DA) to Maitland City Council (Council) seeking development consent for a 209 site manufactured home estate, communal facilities and all associated infrastructure works.

The purpose of this report is to describe the proposed development and review the relevant planning requirements relating to the Proposal. It provides an assessment of the proposed development in terms of the Evaluation Criteria prescribed under Section 4.15 of the Environmental Planning and Assessment Act, 1979 (Act).

In the preparation of this SEE, the Site and the locality has been considered, along with the development plans and specialist reports.

The merits of the Proposal have been considered with reference to the relevant State, Regional and Local Council planning instruments, codes and policies and the Proposal is considered worthy of development consent.

1.3 Site & Locality Description

The property is located on the eastern side of Wyndella Road, approximately 350m to the north of its intersection with the New England Highway and 8.5km from Maitland City Centre.

The Site is a rectangular shape with dimensions of approx. 135.7m x 797.3m yielding an area of 10.75ha. It has a gradual fall, undulating from north to south (approx 3m) and along the Site east to west. Vehicular access is from Wyndella Road and an existing dwelling located toward the eastern section of the Site.

The Site has two small dams and is essentially devoid of trees.

The Site is located adjacent to the Lochinvar Urban Release Area (LURA) and has land zoned R1 General Residential immediately to the west that is subject to a DA for 262 lot Torrens Title Residential Subdivision in 10 stages and land adjoining to the east that is zoned R5 Large Lot Residential.

Reticulated water/sewer can be provided to the Site to service the development; as demonstrated by the Servicing Strategy Report.

There are a wide range of facilities and services in the locality including:

- Lochinvar: Lochinvar Medical Centre, Lochinvar Post Office, Lochinvar Hotel Motel, cafes, Airs of Lochinvar, Lochinvar Takeaway and more. A development application has also been submitted for Lochinvar Shopping Centre which includes a supermarket, tavern and speciality retail.
- Rutherford (5-6 minute drive or 5km from site): Harvey Norman Maitland, Spotlight Rutherford, Domayne Maitland, Boating Camping Fishing, The Bradford Hotel, multiple fast food outlets, Officeworks, Ampol Foodary Rutherford West, 7-Eleven and more.
- Rutherford (8 minute drive or 6.8km from site): Rutherford Marketplace which includes Woolworths and other 25 speciality shops, Rutherford Shopping Centre which includes Coles, TerryWhite Chemmart and 5 other speciality retail shops and multiple adjoining retailers and services including Anytime Fitness and Priceline Pharmacy.

Location maps showing the Site in a regional and local context are set out in the following Figures.

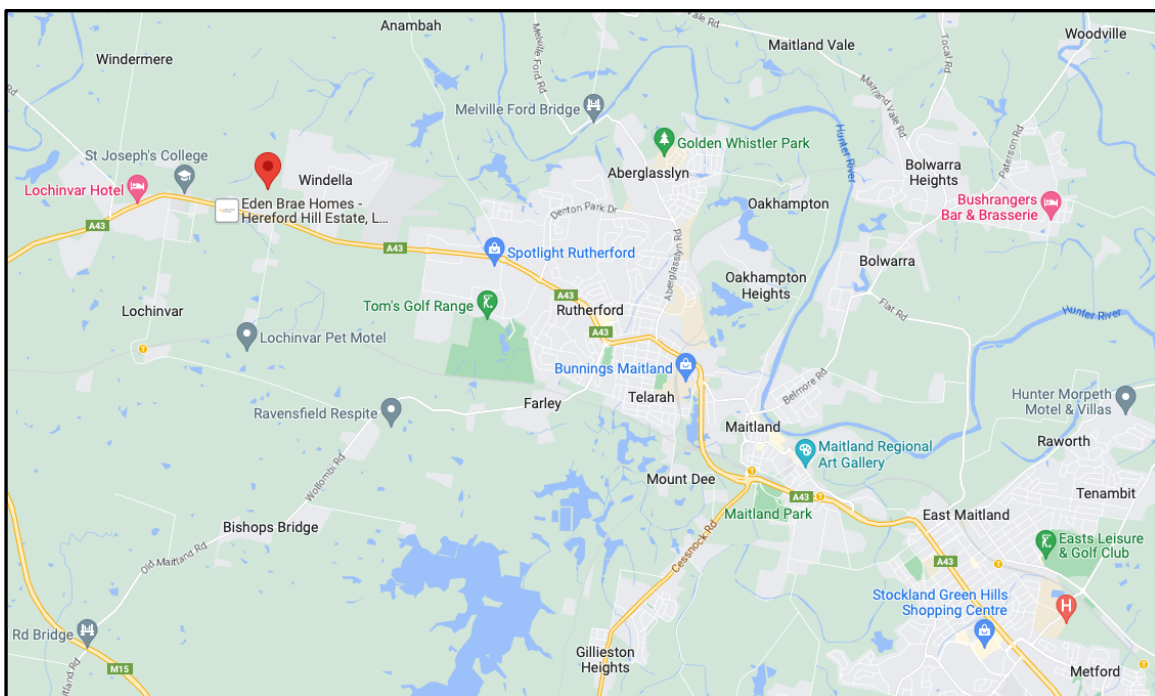


Figure 1 - Regional Context Map

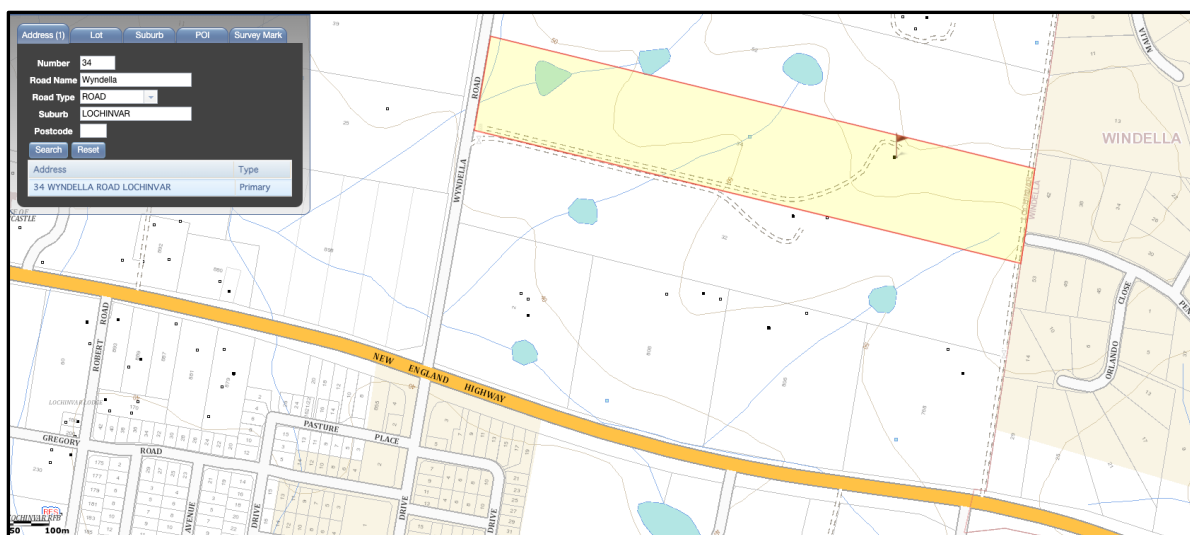


Figure 2 – Subject Site



Figure 3 – Aerial photograph of the Site

2 Description of Proposal

In general terms, the proposal is for an over 55's lifestyle resort including 209 home sites undertaken in seven (7) stages. The proposal incorporates generous five star central facilities that have been designed by award winning architects with a long track record in delivering over 55s resorts across Australia. The project aims to set a new benchmark for over 55s living in the region. The master plan has been conceived to provide a new interconnected neighbourhood that enhances walkability and encourages residents to live an active lifestyle. The dwelling sites have generous front and rear setbacks that allow for lush green streetscapes and cater for a range of architecturally designed homes.

Specifically, the proposal includes the following elements:

- 209 dwelling sites for manufactured homes
- Community building, including function area, lounge and library, cinema, gym, games room and multi-purpose spaces
- Swimming pool, spa and sauna
- Pickleball courts
- Bowling green
- Workshop
- Perimeter walking trail

- 47 visitor car parking spaces
- 17 spaces for caravan storage.

The Project Architect makes the following comments in relation to the design:

The proposal has been carefully designed to respond to both the opportunities and constraints presented by the site. The outcome is an ideal over 55's lifestyle resort with generous homes that will have a great outlook, substantial private open space and situated in a great location that offers ideal recreation opportunities. Additionally, the proposed built form compliments the local character.

The proposal is to provide a residential community that has a timeless architectural character sympathetic to the garden city context enhanced by lush generous landscaping.

The design is driven by the goal of enhancing walkability and encouraging residents to live a healthy lifestyle. Part of this is achieved by providing formal and informal opportunities for community involvement and contact through the design and placement of the community facilities and open space areas. The proposal is an appropriate scale and intensity of development for the context while providing generous landscape buffering and separation to the existing homes.

Community amenities comprises of 2.24ha of the Site.

Most of the fall across the Site is accommodated between the homes with retaining walls less than 1.5m high proposed.

Detailed Landscape Plans have been prepared and accompany this DA. These Plans detail the entry statement, fencing types, detention basins, internal streetscape, and buffer planting. Planting palettes for all areas are also provided.

The Site Plans comply with at least the minimum setbacks required by the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 (MHE Regs 2021)*, being 10 metres to a public road and 3 metres to any other boundary of the manufactured home estate.

Entrance roads, widths of roads, speed restrictions, visitors parking, visitors parking for people with disabilities, road surfaces and lighting design will be in accordance with the MHE Regs 2021.

Internal services will be provided within the Site including reticulated water/sewer, power and telecommunications. A Servicing Strategy Report and Preliminary Servicing Advice from Hunter Water has been included with this DA to demonstrate how the development will connect to Hunter Water’s network.

A Stormwater Management Strategy has been prepared for the design and is provided with this DA.

The Applicant has prepared a Draft Plan of Management that articulates how the facilities will be managed and the roles, responsibilities, expectations of both management and residents.

The Development Plans and proposed Staging is shown on the architectural plans which are included as part of this DA.

Extracts from the proposed architectural and landscaping plans are set out in the following Figures.

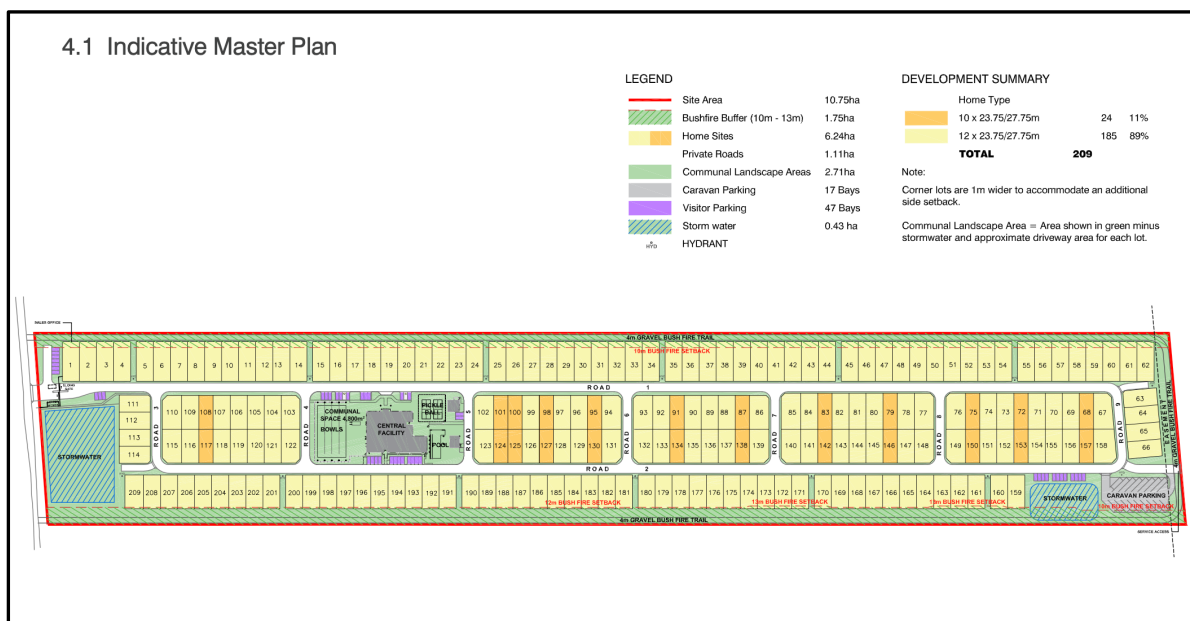


Figure 4 - Extract from Indicative Master Plan

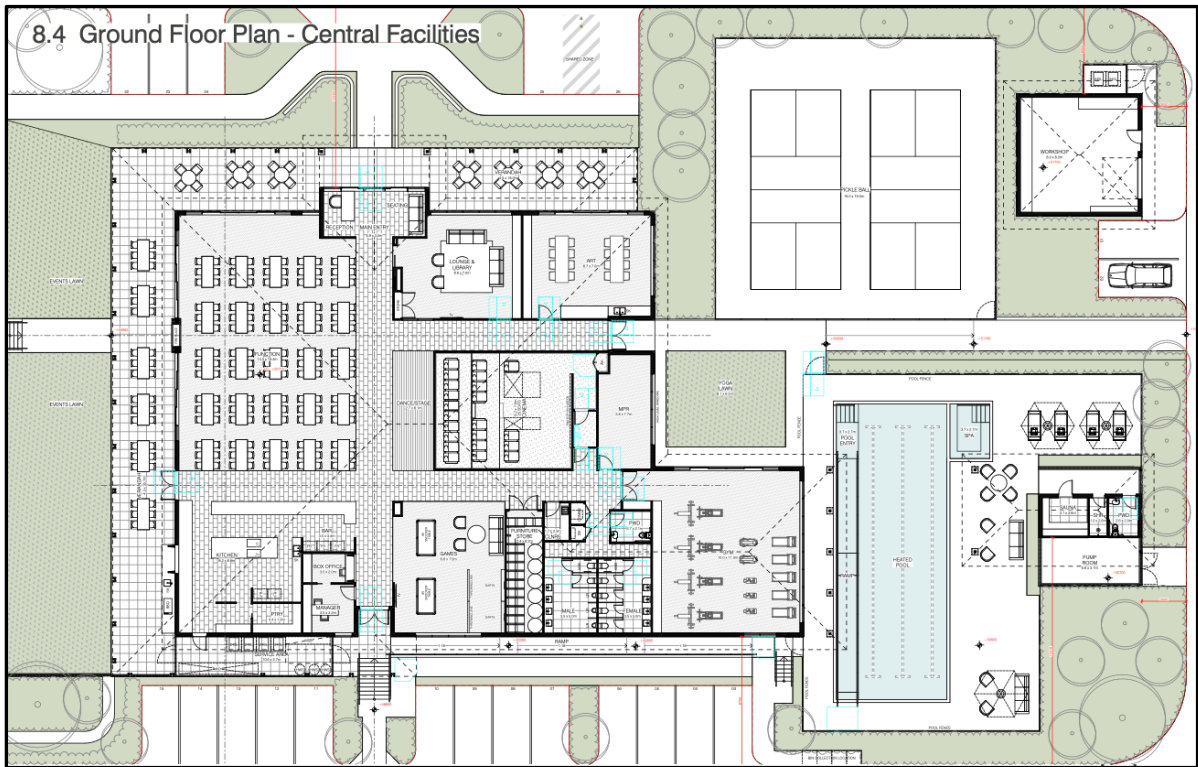


Figure 7 - Extract from Communal Facilities Floor Plan

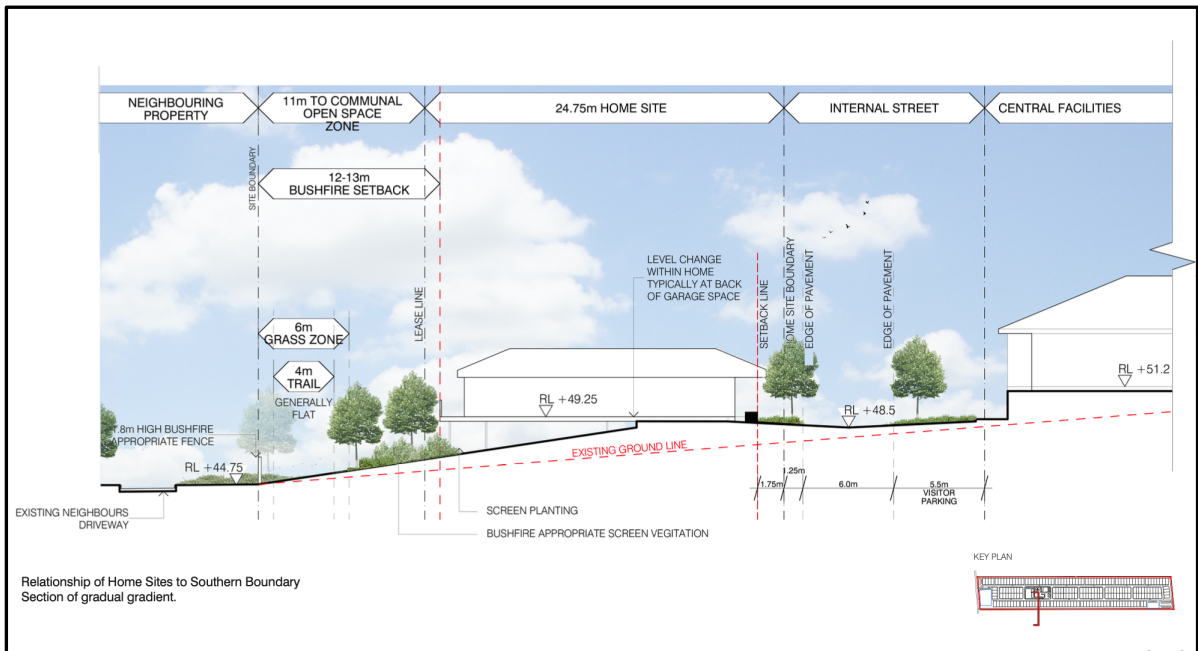


Figure 8 - Extract from Section 1

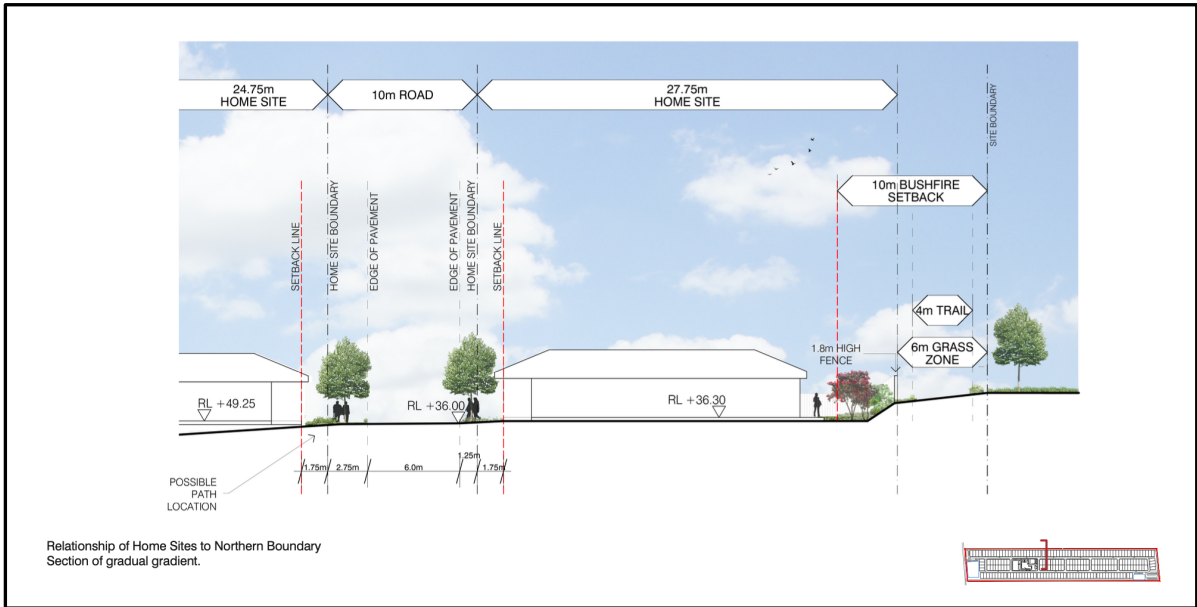


Figure 9 - Extract from Section 4



Figure 10 - Extract from Communal Facilities Perspective 1



Figure 11 - Extract from Communal Facilities Perspective 2



Figure 12 - View looking west adjacent to Communal Facilities



Figure 13 - Indicate Streetscape

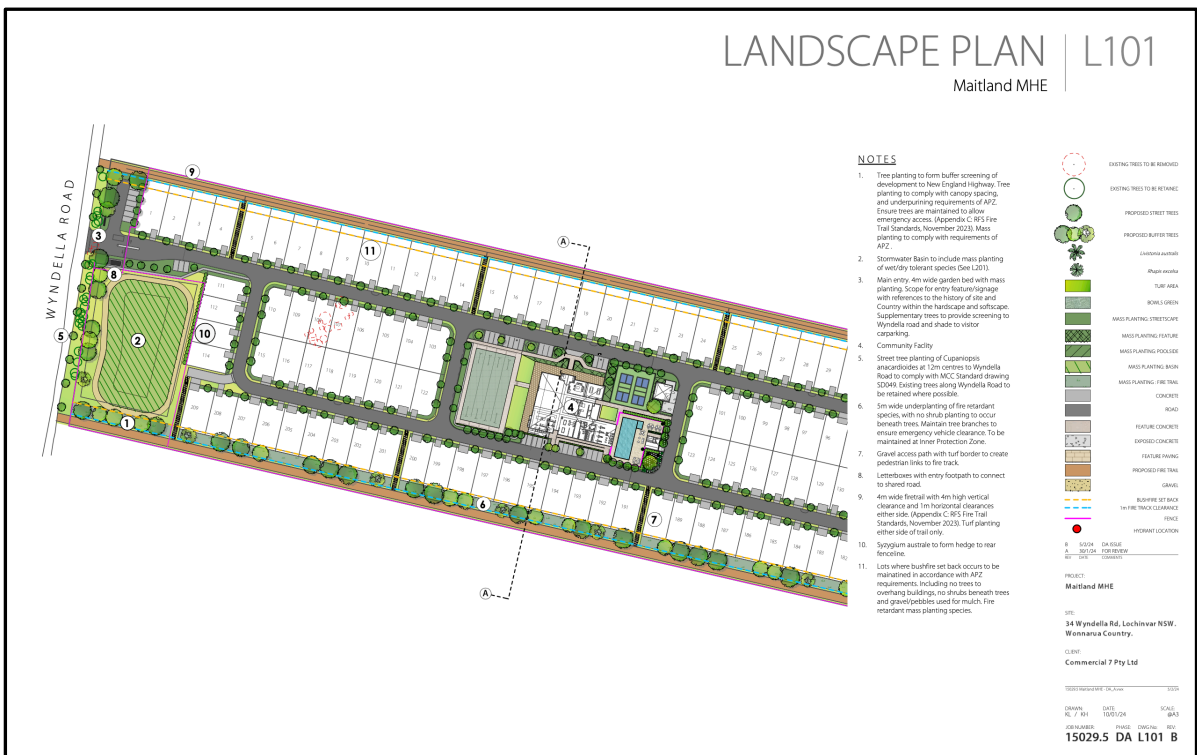


Figure 14 - Extract from western section of Landscape Plan



Figure 15 - Extract from eastern section of the Landscape Plan



Figure 16 - Extract from Community Facility Landscape Plan

3 Relevant Legislation and Planning Controls

3.1 Biodiversity Conservation Act 2016 (BC Act)

This DA is accompanied by a Biodiversity Development Assessment Report (BDAR) which carries out the required assessment of the proposed development in accordance with Appendix K of the Biodiversity Assessment Method (BAM).

This BDAR concludes:

The proposed development will impact one (1) Plant Community Type, PCT 3328: Lower Hunter Red Gum-Paperbark Riverflat Forest. As the vegetation integrity (VI) score for Vegetation Zone 1: Canopy is below 15 (VI = 14.7) and Vegetation Zone 2: Grassland is below 15 (VI = 1.2), no Ecosystem Credits are required to offset the biodiversity impacts associated with either zone (Table E1).

Targeted surveys were carried out for four (4) fauna species, and two (2) flora species. These species were not detected within the Subject Land during the DPE endorsed survey period. Due to a lack of available habitat constraints, geographic limitations (DPE, 2023b), or due to the habitat being substantially degraded per section 5.2.2 and section 6.4.1.17 of the BAM respectively, no other species credits are required to be offset as a result of the proposed development.

Consideration has been given to avoiding and minimising impacts to biodiversity where possible in the preliminary design. Avoidance measures include (but are not limited to):

- Optimisation of design to accommodate all scope of works, and
- Limiting impact of design footprint.

Mitigation measures to address direct, indirect and prescribed impacts are provided in this assessment. The proposed development is not likely to result in a significant impact to species or communities listed under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). As such a referral to the Australian Government Minister for the Environment is not required.

On this basis, and subject to approval from the Department of Climate Change, Energy, the Environment and Water under EPBC Act and appropriate conditions of Consent, the proposal is acceptable.

Based on this BDAR, and subject to appropriate conditions, the proposal is satisfactory in terms of biodiversity and ecological impacts.

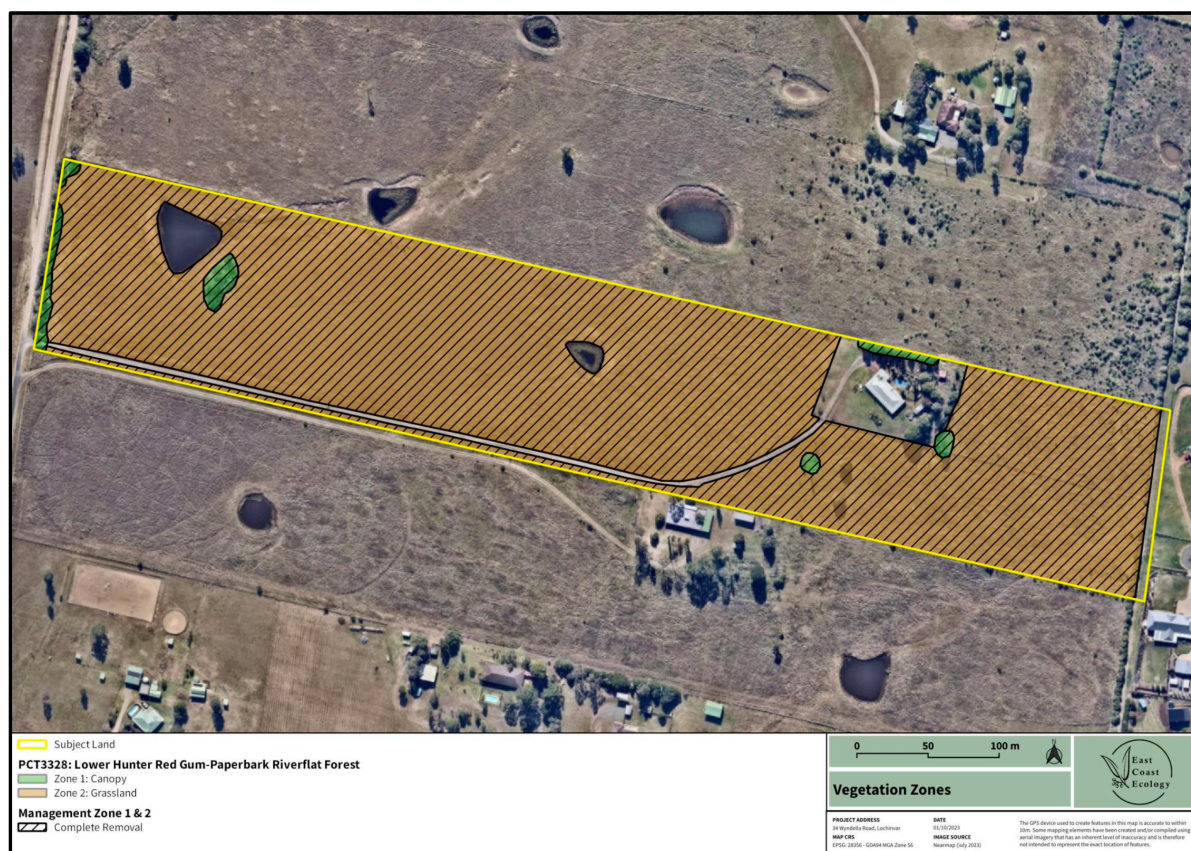


Figure 17 - Extract from Vegetation zones map from the BDAR

3.2 Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

The EPBC Act aims to protect matters of National Environmental Significance (MNES).

The BDAR states that the proposed development is not likely to result in a significant impact to species or communities listed under the EPBC Act. As such a referral to the Commonwealth Government Minister for the Environment is not required.

3.3 SEPP (Housing) 2021 (Housing SEPP)

Part 8 of the Housing SEPP primarily aims to facilitate manufactured home estates as a contemporary form of medium density residential development in suitable locations having regard to the protection of the landscape, scenic or ecological qualities and ensuring that adequate services are available for the development.

Specifically, the Housing SEPP operates to encourage manufactured home estates to be developed close to urban areas with adequate access to infrastructure.

Section 125 of the Housing SEPP requires the following matters to be considered prior to Consent being granted:

125 Matters to be considered by councils

- (1) *A council may grant a development consent pursuant to this Policy allowing development for the purposes of a manufactured home estate only if it is satisfied—*
- (a) *that each of the sites on which a manufactured home is or will be installed within the manufactured home estate is or will be adequately provided with reticulated water, a reticulated sewerage system, drainage and electricity, and*
 - (b) *that the manufactured home estate is or will be provided with adequate transport services, and*
 - (c) *that sufficient community facilities and services, whether situated within or outside the estate, are or will be available and reasonably accessible to the residents of the manufactured home estate, and*
 - (d) *that the development will not have an adverse effect on any—*
 - *conservation area*
 - *heritage item*
 - *waterway or land having special landscape, scenic or ecological qualities,**which is identified in an environmental planning instrument applicable to the land concerned.*
- (2) *A council may grant a development consent pursuant to this Policy allowing development for the purposes of a manufactured home estate only after it has considered the following—*
- (a) *the cumulative impact of the proposed development and other manufactured home estates in the locality,*
 - (b) *any relevant guidelines issued by the Director,*
 - (c) *the provisions of the Local Government (Manufactured Home Estates) Transitional Regulation 1993.*

We provide the following assessment and comments in relation to the Housing SEPP matters.

- Services are readily available to the Site as demonstrated by the Servicing Strategy Report. The DA proposes that all dwelling sites will be provided with reticulated water, reticulated sewerage system, drainage and electricity.
- The Site is conveniently located near various employment, recreational and commercial opportunities by both car and public transport and additional facilities are expected to be added to the surrounding area as the Lochinvar Urban Release Area continues to be developed.

- The proposal will include generous on-site community facilities and services featuring a community clubhouse, which includes a gym, cinema, games room, large dining room and bar, and other recreational facilities, including pickleball courts, lawn bowls, swimming pool, workshop and yoga lawn. Additionally, outside the estate, residents will have access to a broad array of existing facilities and services, some of which are detailed below.
 - Lochinvar: Lochinvar Medical Centre, Lochinvar Post Office, Lochinvar Hotel Motel, cafes, Airds of Lochinvar, Lochinvar Takeaway and more. A development application has also been submitted for Lochinvar Shopping Centre which includes a supermarket, tavern and specialty retail.
 - Rutherford (5-6 minute drive or 5km from site): Harvey Norman Maitland, Spotlight Rutherford, Domayne Maitland, Boating Camping Fishing, The Bradford Hotel, multiple fast food outlets, Officeworks, Ampol Foodary Rutherford West, 7-Eleven and more.
 - Rutherford (8 minute drive or 6.8km from site): Rutherford Marketplace which includes Woolworths and other 25 speciality shops, Rutherford Shopping Centre which includes Coles, TerryWhite Chemmart and 5 other speciality retail shops and multiple adjoining retailers and services including Anytime Fitness and Priceline Pharmacy.
- The Site is currently serviced by public transport services along the New England Highway and within 400m of the site. Whilst there is no requirement for a private shuttle bus service for this development, the operator will however provide a resort bus for residents' use. The operator will also provide a driver for two daily return trips to the shopping centre until such time that a safe pedestrian access is provided down to the bus stops on the New England Highway. The shuttle bus arrangements are detailed in the Plan of Management that has been submitted with this application.
- As demonstrated by the range of specialised reports that accompany this DA, the proposed development, subject to appropriate conditions, will not have an adverse effect on any conservation area, heritage item, waterway or land having special landscape, scenic or ecological qualities.

- There are no relevant guidelines issued by the Director that relate to this DA.
- The provisions of the Local Government (Manufactured Home Estates) Transitional Regulation 1993 are not relevant as they simply provide a transition between Ordinance 71 and the former SEPP 36 and Housing SEPP.

On this basis, the proposal satisfies all matters required to be considered under the Housing SEPP when granting a consent for a manufactured home estate.

3.4 SEPP (Biodiversity and Conservation) 2021 - (Biodiversity SEPP)

The Biodiversity SEPP must be considered in relation to the DA.

Chapter 2 – Vegetation in non-rural areas does not apply to the Site as it is zoned RU2 Rural Landscape.

Chapter 3 – Koala habitat protection 2020 - This chapter applies to land zoned RU2 Rural Landscape in Maitland LGA with an area greater than 1 ha and does not have an approved koala plan of management applying to the land.

The BDAR confirms that the Site does not include core koala habitat on the basis that:

- no koalas, or evidence of past koala use was identified during targeted surveys, or recorded during previous applications/surveys;
- no records within the past 18-years of Koalas occur within 5km of the Subject Land; and
- the Subject Land contains no koala use trees (per Schedule 1 of the SEPP).

It was therefore determined that the land does not contain potential or core koala habitat, and no further assessment under the SEPP (i.e. Koala Assessment Report) is required.

Chapter 4 – Koala habitat protection 2021 - This Chapter does not apply to land zoned RU2 Rural Landscape in the Maitland LGA.

3.5 SEPP (Resilience and Hazards) 2021 – (SEPPRH)

Chapter 4 – Remediation of Land

SEPPRH establishes state-wide provisions to promote the remediation of contaminated land.

Clause 4.6 of SEPPRH requires that a consent authority must not grant consent to a development unless it has considered whether the site is contaminated.

As such a Preliminary Site Investigation has been completed and accompanies this DA. This report concludes:

Based on the preliminary and detailed assessment completed, it is considered that the site can be made suitable for the proposed residential development, provided the following recommendations are implemented:

- *Preparation of a Remediation Action Plan (RAP) will be required to outline the remediation for the soil contamination identified, including the arsenic and copper in surface soils, and asbestos (FA and ACM) in stockpile SP01, above the adopted criteria in the eastern portion of the site. Based on the proposed development, it is likely that remediation will comprise excavation and offsite disposal. The RAP will include assessment of remediation options, and information on what management plans are required;*
- *Preparation of an Asbestos Removal Control Plan to be implemented during remediation and earthworks. The plan should outline the procedures for the handling and removal of soils containing asbestos. Care must be taken to prevent spreading asbestos onto other areas of the site. It is envisaged that the ARCP would be prepared by the contractor undertaking the removal works; and*
- *Preparation of an Unexpected Finds Procedure to manage potential unexpected finds of contamination during earthworks and construction for the proposed development.*

On this basis, and subject to appropriate conditions of Consent to apply these recommendations, the Site is suitable for the proposed development.

3.6 Hunter Regional Plan 2041 (HRP) & Greater Newcastle Metropolitan Plan 2036 (GNMP)

Within HRP, Western Maitland from Rutherford to Lochinvar, is considered one of the largest growth areas in the Hunter region, both in terms of residential development and employment land.

The proposed development is consistent with the frameworks outlined in both Plans that relate to providing greater housing choice including affordability within the Lower Hunter region.

Maitland is recognised in both plans for its contribution to housing that supports emerging retail and employment opportunities.

3.7 Maitland LEP 2011 (MLEP)

Section 4.15(1)(a)(i) of the Act requires the consideration of MLEP.

Clause 1.2 - Aims of Plan

The aims of MLEP are as follows:

- (a) *to facilitate ecologically sustainable development of land and natural assets,*
- (b) *to protect and maintain the extent, condition, connectivity and resilience of natural ecosystems, native vegetation, wetlands and landscapes, including those aspects of the environment that are matters of national environmental significance within Maitland in the long term,*
- (d) *to protect, enhance or conserve the natural resources of Maitland including the following—*
 - (i) *areas of high scenic rural quality,*
 - (ii) *productive agricultural land,*
 - (iii) *habitat for listed threatened species and endangered ecological communities,*
 - (j) *to encourage orderly, feasible and equitable development whilst safeguarding the community's interests, environmentally sensitive areas and residential amenity.*
- (e) *to create liveable communities which are well connected, accessible and sustainable,*
- (f) *to provide a diversity of affordable housing with a range of housing choices throughout Maitland,*
- (g) *to allow for future urban development on land within urban release areas and ensure that development on such land occurs in a co-ordinated and cost-effective manner,*
- (h) *to concentrate intensive urban land uses and trip-generating activities in locations most accessible to transport and centres, strengthening activity centre and precinct hierarchies and employment opportunities,*

- (i) to ensure that land uses are organised to minimise risks from hazards including flooding, bushfire, subsidence, acid sulfate soils and climate change,
- (j) to encourage orderly, feasible and equitable development whilst safeguarding the community's interests, environmentally sensitive areas and residential amenity.

The proposed development supports these objectives as it provides;

- Additional housing opportunities within the LGA.
- Affordable housing for the LGA and an opportunity for residents within the LGA to downsize which frees up traditional housing stock for larger families.
- Community facilities that support and foster social interaction, promote active lifestyles and enrich the overall quality of life for residents..
- No significant environmental impact and minimises risk from hazards.
-

Clause 2.2 - Zoning of Land

The overall Site is zoned RU2 Rural Landscape under MLEP.

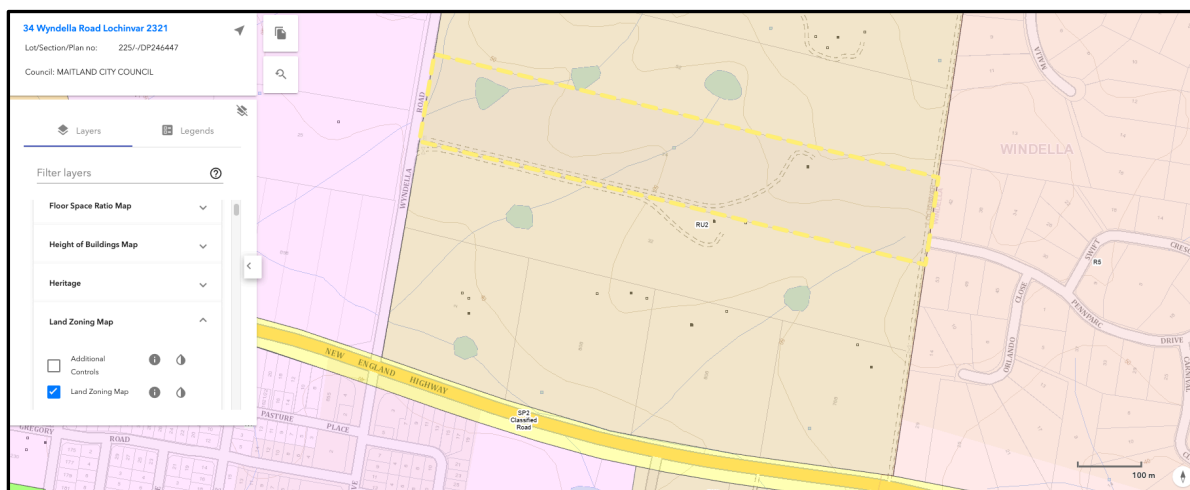


Figure 18 - Extract from MLEP Zoning Map

Within the RU2 Rural Landscape Zone, the objectives, and permitted and prohibited uses are as follows:

<i>RU2 Rural Landscape Zone</i>	
<i>1 Objectives of zone</i>	<ul style="list-style-type: none"> - <i>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</i> - <i>To maintain the rural landscape character of the land.</i> - <i>To provide for a range of compatible land uses, including extensive agriculture.</i> - <i>To provide for a range of non-agricultural uses where infrastructure is adequate to support the uses and conflict between different land uses is minimised.</i>
<i>2 Permitted without consent</i>	<i>Extensive agriculture; Home occupations; Intensive plant agriculture</i>
<i>3 Permitted with consent</i>	<i>Agriculture; Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Community facilities; Crematoria; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Environmental protection works; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Helipads; Home-based child care; Home businesses; Home industries; Information and education facilities; Jetties; Landscaping material supplies; Markets; Open cut mining; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Roads; Roadside stalls; Rural industries; Rural supplies; Signage; Turf farming; Veterinary hospitals; Water supply systems</i>
<i>4 Prohibited</i>	<i>Intensive livestock agriculture; Livestock processing industries; Any other development not specified in item 2 or 3</i>

Caravan parks are permitted with development consent within the RU2 Rural Landscape zone and, as such, via operation of the Housing SEPP the proposed use of a MHE is permissible on the land as it adjoins land zoned for urban purposes and is not excluded by Schedule 6.

Clause 2.3(2) of MLEP requires the consent authority to have 'regard' to the objectives for development in a zone when determining a development application in respect of land within the zone. We note the term 'regard' is a much lower legal threshold for consideration than the obligation to be consistent or compatible with those objectives.

Council has specifically considered how to apply the Objectives of the RU2 Rural Landscape zone to MHE proposals via the following two applications (both of which were granted Consent), being:

- DA 2020-169 for a Manufactured Home Estate of 126 Sites at 457 & 463 Cessnock Road, Gilleston Heights; and
- DA 16-2715 for a Manufactured Home Estate of 224 Sites at 37-39 Metford Road, Tenambit; and

On both of these occasions, Council's Staff reported the same methodology to Council; being this extract from the Report for DA 2020-169 on 23 March 2021:

SEPP36 (Drafting Note; the current Housing SEPP) provides for the permissibility of this particular land use in what is a rural zone. Therefore, the development of a MHE cannot be said to be consistent with rural objectives. It then falls to consideration of objective (4) only: whether a non-agricultural use is appropriate in this location. Objective (4) requires two considerations, whether infrastructure is adequate to support the use and where conflict between different land uses is minimised.

Given this clear direction and precedent in how Council applies and considers the Objectives of the RU2 Rural Landscape zone to a MHE proposal; we too shall address Objective (4); and whether a non- agricultural use is appropriate in this location.

In this regard, Infrastructure is available, and it is adequate to support the development; as demonstrated by the Servicing Strategy Report that is included with this DA.

In terms of potential conflict between different land uses, we note Lochinvar is an urban area and it adjoins what will be a significant residential subdivision. Given the proposed development is a form of residential development, it is a compatible land use in the locality.

There are no significant, intense, agricultural activities within the immediate locality and the development will not create conflict with agricultural activities or reduce agricultural viability of the surrounding area.

Having established land use conflict is extremely unlikely, any unforeseen or potential conflict is minimised via the generous side boundary setbacks and landscaping design; with the southern (and lower setback) having a significant landscape buffer with many proposed trees to screen the development to New England Highway and adjoining property and the northern boundary utilising the topography to minimise visual impact via the change of levels.

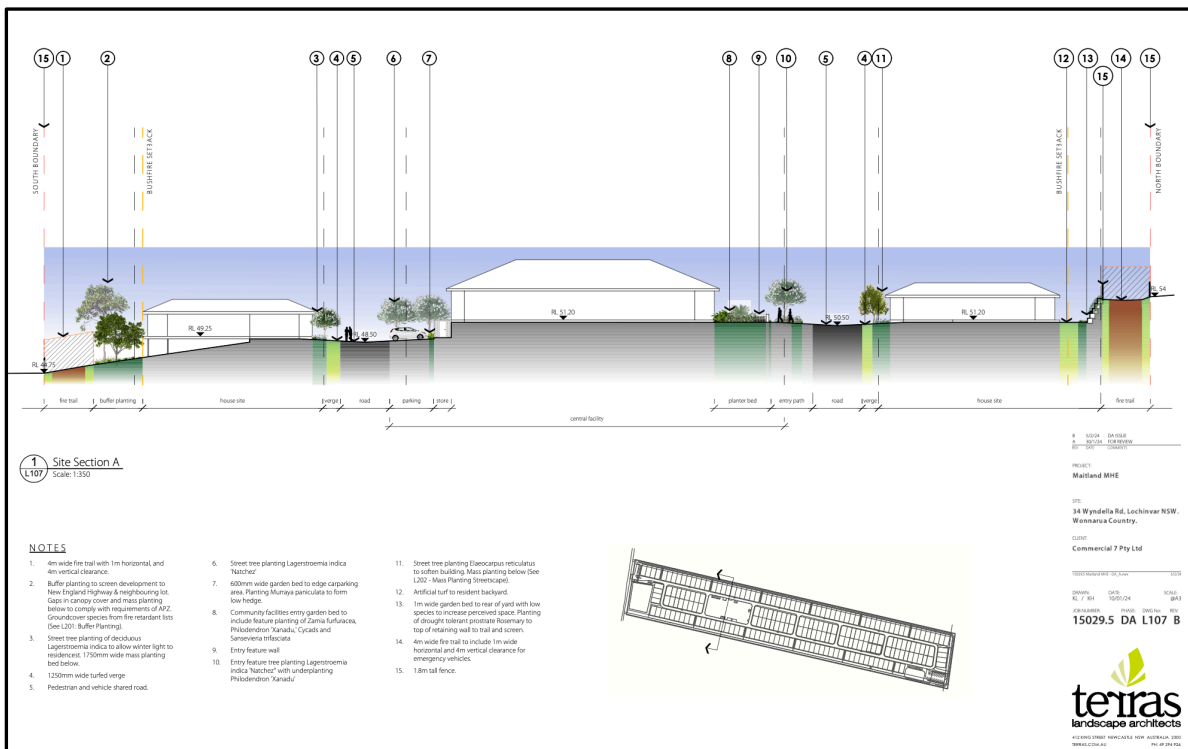


Figure 19 - Extract from Section A of Landscape Plan

On this basis the proposed use is permissible within the zone of the subject Site.

Clause 4.1 – Minimum subdivision size

The Site has a minimum subdivision size of 40ha.

The proposed development does not include subdivision as the dwelling sites are occupied under a lease.

Clause 4.3 - Height of Buildings

The Site does not have a maximum Building Height.

Clause 4.4 - Floor Space Ratio

The Site does not have a maximum FSR.

Clause 5.10 – Heritage

The Site is not an Item of Environmental Heritage or in Heritage Conservation Area.

An Archaeological Due Diligence Assessments has also been carried out which concludes:

No sites or PADs were identified in the project area and as such there are no impacts to the archaeological record and the following recommendations are provided:

- 1) The persons responsible for the management of onsite works will ensure that all staff, contractors and others involved in construction and maintenance related activities are made aware of the statutory legislation protecting sites and places of significance. Of particular importance is the National Parks and Wildlife Regulation 2019, under the National Parks and Wildlife Act 1974;
- 2) An Unexpected Finds Procedure (Appendix B) will be implemented during all works; and
- 3) Should any Aboriginal objects be uncovered during works, all work will cease in that location immediately, the Unexpected Finds Procedure followed and the Environmental Line contacted.

On this basis, the proposal is assessed as acceptable in relation to cl.5.10 and heritage impact.

Clause 5.21 – Flood Planning

The Site is not mapped within Maitland Council's identified Flood Planning area.

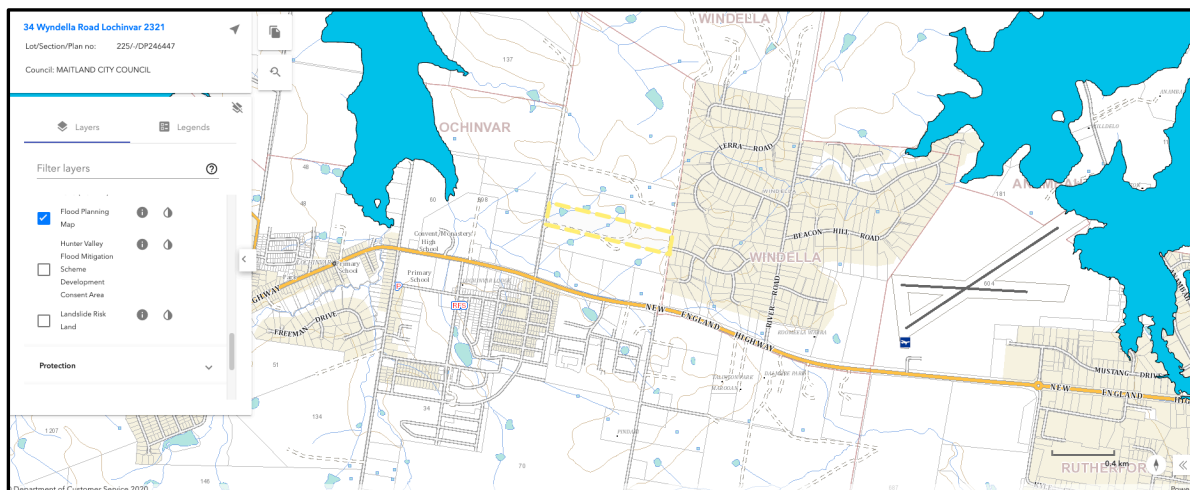


Figure 20 - Extract from MLEP Flood Planning Map

Clause 7.1 Acid Sulfate Soils

The Site is identified as containing Class 5 Acid Sulfate Soils on the Acid Sulfate Soils Map and is therefore subject to the provisions of Clause 7.1. This may be dealt with via a Condition of Consent if Council deemed it necessary.

Clause 7.2 – Earthworks

Earthworks are required to be undertaken in the location of the existing dams and to provide for dwelling site, roads and drainage works. A Construction Certificate will be sought following Development Consent detailing the earthworks in conjunction with the civil works.

An Erosion and Sediment Control Plan has been provided with this DA and no European heritage or Aboriginal sites or places are identified in or near the site.

The stormwater management system and site management during the construction phase is designed to minimise impacts on the surrounding locality.

Clause 7.4 – Riparian Land and Watercourses

Two existing tributaries, both unnamed, pass through the site however there are no defined beds or banks within the mapped hydro lines. The tributaries pass through from the Northeast to the Southwest along the Northern boundary. The application proposes to infill these areas and bypass the flows through the site.

Clause 7.8 Essential Services

As demonstrated by the Servicing Strategy Report, essential services are available to the development, and it can be expected that the Consent would be conditioned accordingly.

3.8 Rural Fires Act 1997 (RF Act)

The Site is mapped on Council's Bushfire Prone Land Map as containing Category 3 Vegetation and therefore is considered 'bushfire prone'. As such, it will trigger an integrated referral to the NSW Rural Fire Service (RFS).

In preparing the DA and the design of the proposal, formal pre-DA consultation was held with RFS to obtain feedback and advice. This advice was then incorporated into the design of the plans. The DA is also accompanied by a Bushfire Assessment Report.

This Report confirms the vegetation identified as posing a hazard to the development site is within neighbouring properties to the north and south and MHEs are a listed Special Fire Protection Purpose (SFPP) under section 47 of the Rural Fires Regulation 2022.

The Report recommends a number of conditions and requirements for the development and concludes;

This report has been prepared to address the relevant specifications and requirements of Planning for Bush Fire Protection - 2019 (PBP) for Special Fire Protection Purpose (SFPP) development.

The proposal satisfies all relevant specifications and requirements of PBP.

In accordance with the bushfire safety measures contained in this report, and consideration of the site specific bushfire risk assessment it is our opinion that when combined, they will provide a reasonable and satisfactory level of bushfire protection to the subject development.

On this basis, and subject to conditions of Consent, the proposal is assessed as satisfactory for a bush fire risk perspective.

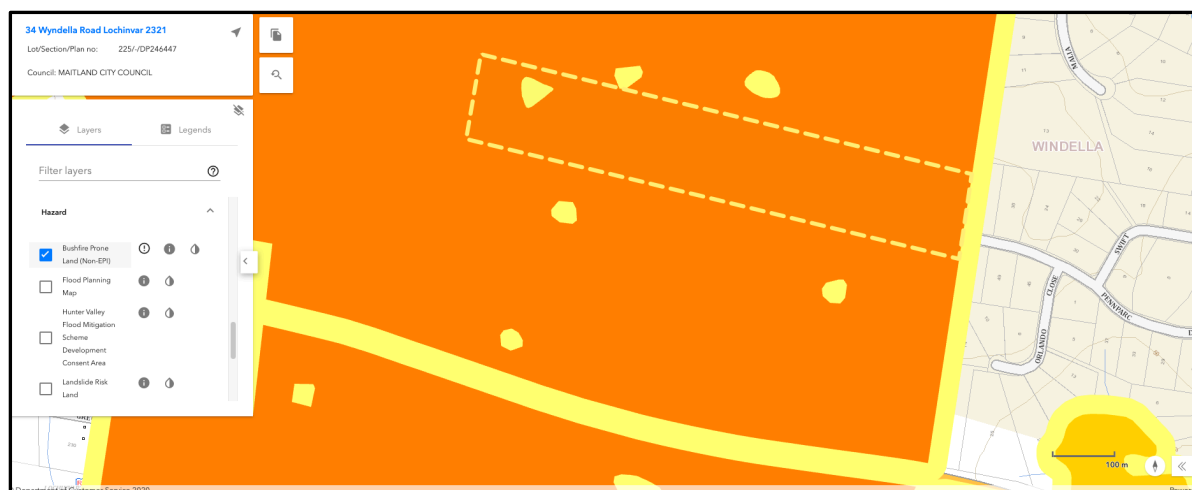


Figure 21 - Extract from Maitland Council Bush Fire Mapping

3.9 Maitland – Affordable and Adaptable Housing Plan (AAHAP)

The vision of the AAHAP is to provide:

“Diverse and affordable housing options in Maitland available throughout all life stages”.

This vision is one of the goals of the Maitland Community Strategic Plan 2011-2021, which was developed in collaboration with the community.

The AAHAP demonstrates that it is an important focus for Council to deliver diverse and affordable range of housing options throughout all life stages. Further, the AAHAP states that the older generation is growing faster than any other age group

in Maitland. At the same time, the availability of affordable housing for low-income and very low income households is significantly reducing at a rapid rate.

The AAHAP establishes several Objectives including to provide greater housing choice by encouraging housing of different types, size and tenure in suitable locations, at a range of prices within the reach of households of varying financial capacity.

This proposal supports the Objectives of the AAHAP as it will deliver greater housing diversity, contribute to the sustainability of the local community, and help to increase the supply of housing options for downsizers and retirees in the Maitland area at an entry point that is affordable to households of varying financial capacity.

3.10 Maitland Rural Land Strategy 2041 (RLS)

The Site is zoned RU2 Rural Landscape and Caravan Parks are a permitted use within the RU2 zone.

Action 3.3 of the RLS seeks to amend the LEP to prohibit this use within the RU2 zone. Specifically, action 3.3 of the RLS states:

Although the Housing SEPP 2021 permits the development of MHEs where caravan parks are permitted (currently in the RU2 zone), the SEPP now also precludes such development on land that is an area or zone of "...environmental protection, scenic protection, or rural (where the land is not adjacent to or adjoining land zoned for urban use)".

Notwithstanding the changes to the Housing SEPP and Regulation above, there is still the possibility of developing MHEs on rural land 'adjacent or adjoining' urban land.

Prohibiting incompatible land uses such as MHEs on rural land can be achieved by prohibiting caravan parks on RU2 zoned land. This will help protect valuable agricultural land and allow for appropriate development which will not be in conflict with surrounding land uses.

The Manufactured Home Estate use, under the current RU2 zoning, is permissible as the Site is not subject to any environmental or scenic protection requirements and meets all the other requirements set out in Section 125 of the State Environmental Planning Policy (Housing) 2021. Noting of course that the RLS is not an EPI and, as such, cannot take precedence over the Housing SEPP.

Notwithstanding these matters, the aim of Action 3.3 of the RLS is to prohibit Manufactured Home Estates where the land use conflicts with surrounding land uses.

In this case, Action 3.3 does not apply to the Site as it is directly adjacent to the Lochinvar Urban Release Area and it sits within the Lochinvar Fringe Investigation Area (IA-7 – MCC Local Housing Strategy) which is the logical expansion of the Lochinvar Urban Release Area.

The Site's main entry is located on Wyndella Road which has already been identified to be upgraded to a local collector road standard and the intersection of Wyndella Road and the New England Highway has ample capacity to accommodate the proposed development.

The Servicing Strategy Report details how the Site will be connected to the existing infrastructure network and a significant DA has been lodged for a 262 Lot Residential Subdivision (DA/2023/415) on the western side of Wyndella Road. The Social Impact Assessment also provides further detail on the compatibility of the site with the surrounding area.

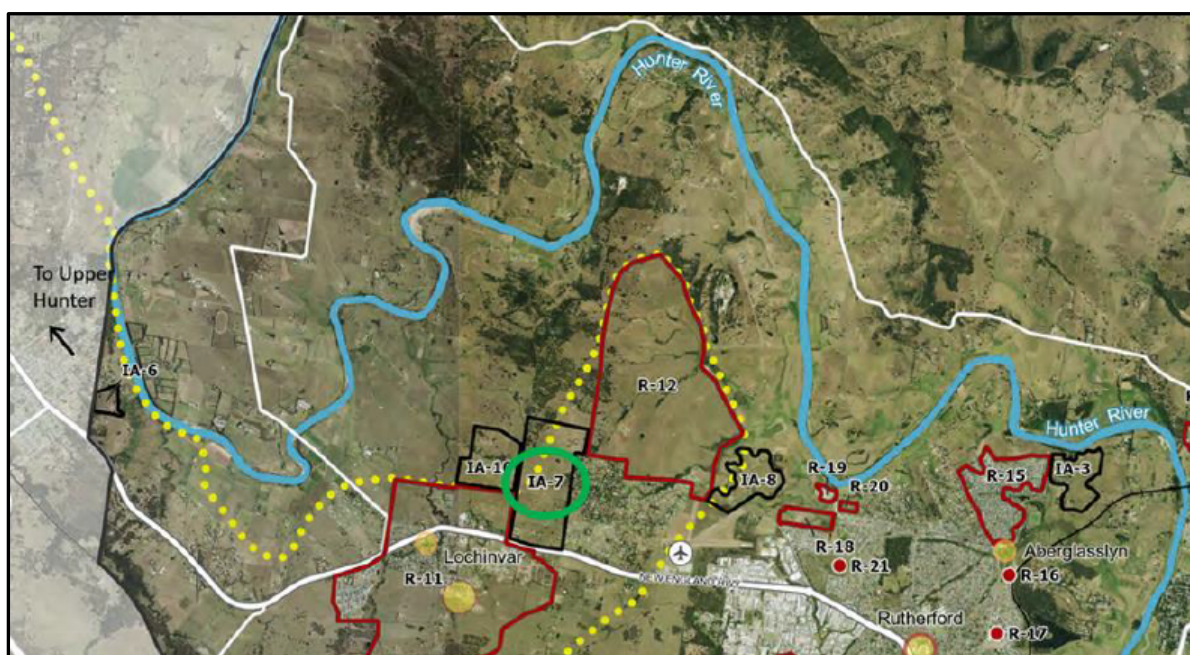


Figure 22 - Lochinvar Fringe Investigation Area (marked in green)

3.11 MHE Regs 2021

Caravan parks and manufactured home estates are regulated by the MHE Regs 2021 which sets standards for design, construction and maintenance of the homes, and the health, safety and amenity of the occupiers of the dwellings.

The proposed estate will be designed, constructed, maintained, and operated in accordance with the MHE Regs 2021.

We also note that it is the intention of the Applicant to seek an exemption from cl.41 of the MHE Regs 2021 to allow the homes to be constructed on-site.

For completeness, the compliance for the proposal is assessed in the Table contained in Attachment 1.

3.12 Local Government Act 1993 (LG Act)

Approval under section 68 of the LG Act will be required from Council to operate to proposed MHE prior to occupation by residents. Application for this approval will be made at the appropriate time.

3.13 Draft LEPs

Section 4.15(1)(a)(ii) of the Act requires the consideration of all relevant Draft LEPs.

There are no proposed local environmental planning instrument applying to the land that have been placed on public exhibition.

3.14 Development Control Plans

Section 4.15(1)(a)(iii) of the Act requires the consideration of all relevant DCPs.

The Maitland DCP 2011 applies to the proposed development but has limited relevance for this application as the design of the MHE is prescribed under the Local Government (Manufactured Homes, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. Residential design provisions in the DCP are not relevant in this instance.

Only Chapter A.4 – Community Participation is relevant for consideration and matters raised during any required exhibition can be addressed at that time.

3.15 Planning Agreements and Matter Prescribed by the Regs

Section 4.15(1)(a)(iiiia) and (iv) of the Act requires the consideration of all relevant Planning Agreements and matters prescribed by the regulations.

There are no Planning Agreements or matters prescribed by the Environmental Planning and Assessment Regulation 2021 that are relevant to the proposed development.

4 Assessment of Likely Impacts

Section 4.15(1)(b) of the Act requires the consideration of the likely impacts of the development.

Social Impact

A detailed Social Impact Assessment (SIA) has been prepared for the development and is submitted with this DA. The SIA was prepared with reference to relevant practice guidance from the NSW Department of Planning, Housing and Infrastructure (DPHI) Social Impact Assessment Guidelines for State Significant Projects to the extent that this is relevant to the project, the consent pathway and project specifics including the Applicant's requirements.

This SIA concludes:

The proposed project is the development of a manufactured home estate at 34 Wyndella Road, Lochinvar. The development is consistent with several aims of the range of regional and local planning documents referenced in the SIA, particularly with regard to providing for population growth and ageing, and diversification of housing stock to appropriately manage these changes over time. This indicates that the overall effect from a regional perspective would be positive. It is also assumed that, based on future residents making informed decisions about acquiring a dwelling in the development, these directly affected parties would be positively affected.

There will be local effects, particularly for residents of Wyndella Road, and a small number of residents in Pennparc Drive, Windella, who are in close proximity to the site. Some of these effects are likely to be of concern to these stakeholders and it is acknowledged that Council is obliged to place particular attention on these occupants' interests. However, MCC's DCP includes planning for development adjacent to Wyndella Road on its western side, as part of the Lochinvar URA, and the site itself is within the Lochinvar Urban Fringe Investigation Area on the road's eastern side. As such, Wyndella Road residents are likely to experience significant development-related change over time as the URA plan is executed, in addition to the MHE should it be approved.

Effects on the larger local and regional communities are assessed as unlikely to be material at those levels. Although cumulative impacts will result, all effects must be placed in the context of the very small net population increase that the development would create. The conclusion is that any effect would be correspondingly small.

Taking the content of the SIA and the summary considerations above into account, it is submitted that, on balance, the proposed development can make a positive contribution to the ongoing development of Lochinvar and the Maitland LGA.

On this basis and subject to the SIA Recommendations, the proposal is satisfactory from a Social Impact perspective.

Traffic and Parking

The DA is accompanied by a Traffic Impact Assessment. This Report included:

- An outline of the existing road network in the vicinity of the proposed development.
- An assessment of the likely peak traffic generation from the development.
- An assessment of the likely traffic impacts of the proposal on the adjacent road network in particular in terms of the capacity of the existing road network linking to the sub-arterial road network.
- An assessment of the proposed development access and on-site parking.

Following consideration of these matters, the Report makes the following recommendations:

Having undertaken this traffic impact assessment for a proposed Lifestyle Resort manufactured home estate for over 50's on Lot 225 DP1003242 34 Wyndella Road, Lochinvar it is recommended that the proposal can be supported from a traffic impact perspective, subject to suitable conditions of consent for upgrading of Wyndella Road as described in this report, as the development will not have an adverse impact on the local and state road network. It will therefore comply with all the requirements of Maitland City Council, Australian Standards, TfNSW and the NSW Government Regulations for Manufactured Home Estates.

On this basis, it is assessed that the proposed development is satisfactory in relation to traffic, transport and parking impacts.

Air Quality

The development is for a MHE and is not expected to impact on air quality after construction.

There is the possibility of dust from the civil works during the construction phase and these can be controlled through the implementation of appropriate conditions of consent specifically regulating the method of control and requiring that no pollution occur as a result of the works.

Noise and Vibration

The proposed development has the potential to cause noise and vibration impacts on neighbouring residences during the construction phase.

The operation of the MHE is not expected to impact on noise or vibration in the locality.

On this basis, the matter can be addressed through standard conditions of Consent to ensure that construction works do not adversely affect noise and vibration in the locality.

Erosion and Sediment Control

An Erosion and Sediment Control Plan has been submitted with the DA and appropriate conditions can be included on any development consent issued for the development to ensure erosion and sediment control is managed properly.

Light Spill

Subject to approval, a condition can be imposed to ensure any lighting shall be installed to ensure minimal glare and light spill onto adjoining properties or roadways and ensure compliance with the relevant Australian Standard.

Construction Management

Subject to approval, a condition can be imposed to ensure a Construction Management Plan is prepared prior to construction commencing on site to ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the construction process in a manner that will not cause unreasonable inconvenience to the community.

Economic

The proposal will result in positive economic impacts for the local economy, including the creation of jobs during the construction phase and flow-on economic impacts to the local economy. The project's target market is retirees who typically support local businesses and services without the need for a job, in turn stimulating growth in the region.

Crime Prevention Through Environmental Design

The development has been designed having regard to the principles of Crime Prevention through Environmental Design (CPTED) in that:

- Security fencing around the boundaries of the entire property will restrict access to the site and control access for safety and security.
- All residents will be required to enter into a residential agreement with the operator of the MHE, which includes the community rules for the MHE. Residents will be responsible for all visitors and guests at all times.
- Surveillance cameras will be installed at key areas within the Site.
- Opportunities for casual surveillance are optimised.

A CPTED Assessment has been prepared in relation to the proposal and is included with this DA. This Assessment concludes:

The incidences of crime in Lochinvar are generally low and the area does not necessarily pose a crime risk at present. The area is undergoing growth so as the population increases, general crime occurrences is expected to increase (break and enter dwelling; malicious damage etc.). On that basis the CPTED recommendations has taken these potential future crime characteristics into account.

With the adoption of the strategies outlined in this report, the crime risk for the proposed development is considered to be low.

On this basis, and subject to adopting the recommendations in the Assessment, the proposal is satisfactory from a CPTED perspective.

External Amenity, Context and Setting

The proposed development has the required setbacks and will have no external amenity impacts such as overshadowing or loss of privacy and is an appropriate built form within the locality.

Stormwater Management

A Stormwater Management Plan (SWMP) has been prepared that addresses both stormwater quantity and quality requirements for the proposed development in accordance with ARR 2019, Maitland City Council Development Control Plan and Manual of Engineering Standards (MOES). This SWMP accompanies the DA provides the following conclusions:

MUSIC modelling has demonstrated that the proposed treatment devices will treat developed stormwater runoff to meet the requirements of Council's DCP, and on this basis, it is considered that no further water quality controls will be required within the proposed development. The individual lots will be required to provide Reuse Tanks in accordance with BASIXs and Council Guidelines; however, they do not form a part of the water quality modelling for the purpose of approvals.

Details of the proposed local drainage pipe, pipe, water quality and on-site detention network will be detailed at the time of Construction Certificate application to Council's standard and specifications.

As illustrated by Appendix B there is sufficient area within the developments footprint to provide stormwater drainage management measures to negate the impact of the proposed development.

Based on this Plan, the Stormwater Management is assessed as satisfactory.

On this basis, the proposal is considered satisfactory from a stormwater management perspective.

Biodiversity

As discussed in Section 3.1 of this SEE, subject to conditions of Consent, the proposal is satisfactory from a Biodiversity Impact perspective.

Bushfire

As discussed in Section 3.8 of this SEE, subject to conditions of Consent, the proposal is satisfactory from a Bushfire Risk perspective.

Heritage

As discussed in Section 3.7 of this SEE, subject to conditions of Consent, the proposal is satisfactory from a Heritage perspective.

Flooding

As discussed in Section 3.7 of this SEE, the Site is not mapped within Maitland Council's identified Flood Planning area.

5 Suitability of the Site

Section 4.15(1)(c) of the Act requires the suitability of the Site for the proposed development.

Based on the detailed assessment within this SEE and the studies that accompany this DA, the Site is assessed as suitable for the proposed development, subject to suitable Conditions of Consent.

6 Submissions

Section 4.15(1)(d) of the Act requires the consideration of submissions received in relation to the proposed development.

The consent authority is required to exhibit this DA and it will consider any submissions received at that time.

7 Public Interest

Section 4.15(1)(e) of the Act requires the public interest to be considered.

Council is required to notify this DA and specific local issues of public interest relevant to this application can be addressed as required following the notification period.

In any event, the proposed development is in the broader public interest by meeting the following objects of the Act in that it promotes:

- the social and economic welfare of the community through the provision of much needed housing,
- the orderly and economic use and development of land,
- the protection of the environment, including the conservation of threatened and other species of native animals and plants, ecological communities, and their habitats, and
- the protection of Aboriginal Cultural Heritage.

On this basis, it is assessed that the proposed development is in the public interest.

8 Conclusion

This SEE has been prepared to accompany a DA to Council seeking consent for a 209 site manufactured home estate, communal facilities, and all associated infrastructure works.

The social and environmental impacts of the proposal have been assessed in detail and found to be satisfactory and given the proposal will provide a diverse form of housing that will help assist ease the housing crisis that grips the State and Hunter Region, it has significant merit. In addition, services and infrastructure are available for the proposal and it is consistent with the prevailing character of the locality.

The Proposal has also been considered and assessed in the context of the relevant State, Regional and Local Council planning instruments, codes and policies and found to be consistent and worthy of development consent.

On this basis, we recommend to Council that development consent is granted for the proposed development.



Craig McGaffin
Town Planner - BTP (UNSW)
Lawyer – Dip Law (LPAB)

Attachment 1 – MHE Regs Compliance Table

6 Factors for consideration before approval is granted		
Relevant Provision	Comment	Compliance
(1) The council must not grant an approval to operate a manufactured home estate unless it is satisfied that the manufactured home estate will be designed, constructed, maintained and operated in accordance with the relevant requirements of Division 3.	A s68 has not been lodged with the application to operate the MHE. This is subject to a further process and can be subject to a Condition of Consent.	N/A
(2) In deciding whether or not the approval for the manufactured home estate should allow the installation of a manufactured home on flood liable land, the council must have regard to the principles contained in the Floodplain Development Manual.	Not applicable as the site is not mapped as flood prone land.	N/A
7 Matters to be specified in approval		
Relevant Provision	Comment	Compliance
An approval must specify, by reference to a plan, the number, size and location of the dwelling sites allowed by the approval.	Noted.	Yes
8 Conditions of approval		
Relevant Provision	Comment	Compliance
An approval is subject to the condition that the manufactured home estate is designed, constructed, maintained and operated in accordance with Division 3.	Noted	Yes
9 Conditional exemption		
Relevant Provision	Comment	Compliance
(1) A person may, without an approval— (a) install a manufactured home on land within a manufactured home estate if the home is— (i) designed, constructed and installed in accordance with Division 4, and (ii) not occupied by a person until a certificate of completion has been issued, or (b) install an associated structure on land within a manufactured home estate if the structure is designed, constructed and installed in accordance with Division 4.	Noted	Yes
(2) The installation must be carried out by, or with the consent of, the holder of the approval.	Noted	Yes
(3) This section does not apply— (a) if the council has given the holder of the approval written notice that the	Noted	Yes

land is flood liable land—to the installation of a manufactured home on flood liable land, or (b) to the installation of a manufactured home or associated structure exceeding 1 storey.		
10 Installation on flood liable land		
Relevant Provision	Comment	Compliance
(1) Before approving the installation of a manufactured home or associated structure on flood liable land, the council must consider the principles in the Floodplain Development Manual.	Not applicable as the site is not mapped as flood prone land.	N/A
(2) It is a condition of an approval to install a manufactured home or an associated structure on flood liable land that the manufactured home is designed, constructed and installed in accordance with Division 4.	Not applicable as the site is not mapped as flood prone land.	N/A
11 Installation of manufactured home or associated structure of more than 1 storey		
Relevant Provision	Comment	Compliance
Before approving the installation of a manufactured home or associated structure exceeding 1 storey, the council must consider the likely impact on the amenity of— (a) occupiers of adjoining manufactured homes, and (b) occupiers of land adjoining the manufactured home estate.	Noted	Yes
12 Minimum size of Estate		
Relevant Provision	Comment	Compliance
A manufactured home estate must not have an area of less than one hectare or, if a lesser area is permitted by a relevant environmental planning instrument, that lesser area.	The Site area is approximately 10.75Ha.	Yes
13 Community Amenities		
Relevant Provision	Comment	Compliance
Of the total land area of a manufactured home estate: (a) at least 10 per cent, or (b) such lesser proportion (but not less than 6 per cent) as the approval for the manufactured home estate may allow, must be reserved for recreation or other communal activities.	Community Facilities have an area of 2.24Ha or 24.76% of net Site Area.	Yes

14 Size of dwelling sites		
Relevant Provision	Comment	Compliance
(1) A long-term site must have an area of at least 130 square metres.	All sites are generously sized with the smallest site being 237.5m ² .	Yes
15 Site identification		
Relevant Provision	Comment	Compliance
(1) A dwelling site must be numbered or identified and its site boundaries clearly delineated. (2) The site identification must be conspicuous.	All proposed sites will be numbered and proposed to have conspicuous identification.	Yes
16 Dwelling Sites to have Road Frontages		
Relevant Provision	Comment	Compliance
A dwelling site must have vehicular access to an access road.	All sites have vehicular access.	Yes
17 Setbacks of community buildings		
Relevant Provision	Comment	Compliance
(1) A community building must not be located closer than 10 metres to the boundary of a manufactured home estate, or to the boundary of a dwelling site, unless the approval for the manufactured home estate so allows. (2) The approval for a manufactured home estate must not allow a lesser distance than 10 metres unless the council is satisfied that the community building has been or will be properly screened, fenced, enclosed or otherwise treated. (3) A community building must not in any case be located closer than 2 metres to the boundary of a manufactured home estate or to the boundary of a dwelling site.	The community building is setback significantly from the Site boundaries and dwelling sites and complies with this requirement.	Yes
18 Setbacks of dwelling sites from road frontages		
Relevant Provision	Comment	Compliance
(1) A dwelling site must not be located closer than 10 metres to a public road or 3 metres to any other boundary of the manufactured home estate unless the approval for the manufactured home estate so allows. (2) The approval for a manufactured home estate must not allow a lesser distance than 10 metres unless the council is satisfied that the dwelling site has been or will be properly screened, fenced, enclosed or otherwise treated.	The proposed plan has a 18m front setback to Wyndella Road and the setbacks to the north, south and east are well over the minimum 3m setback required.	Yes

19 Use of buffer zones		
Relevant Provision	Comment	Compliance
<p>Nothing in this Regulation prevents land within a buffer zone arising from the setbacks required by this Division from being used—</p> <p>(a) for community amenities, access roads, car parking spaces, footpaths or landscaping, or</p> <p>(b) for any similar purpose allowed by the approval for the caravan park or camping ground.</p>	Noted	Yes
20 Entrance and exit roads		
Relevant Provision	Comment	Compliance
<p>(1) A road that forms an entrance to or exit from a manufactured home estate must be at least 8 metres wide.</p> <p>(2) In the case of a divided road, the width of the sealed portion of the road on either side of the median strip must be at least 5 metres.</p> <p>(3) The arrangement for the width of an entrance or exit road to taper into or meet the width of the sealed portion of the access roads leading to the entrance or exit may be specified in the approval for the manufactured home estate.</p>	The entrance has a width of the sealed portion of the road on either side of the median strip is no less than 5 metres.	Yes
21 Width of roads		
Relevant Provision	Comment	Compliance
<p>(1) The width of the road reserve must be -</p> <p>(a) at least 8.5 metres for a major access road, and</p> <p>(b) at least 6 metres for a minor access road.</p> <p>(2) The width of the sealed portion of an access road must be—</p> <p>(a) at least 6 metres for a major access road, and</p> <p>(b) at least 4 metres for a minor access road.</p> <p>(3) If a minor access road exceeds 80 metres in length, a passing bay or bays must be provided within the road reserve.</p> <p>(4) Passing bays must be provided at intervals of not more than 100 metres.</p>	All road widths comply with these standards.	Yes

<p>(5) The width of the sealed portion of an access road at any point at which there is a passing or parking bay must be—</p> <p>(a) at least 8.5 metres for a major access road, and</p> <p>(b) at least 6 metres for a minor access road.</p>		
22 Speed restrictions as part of road design		
Relevant Provision	Comment	Compliance
<p>Access roads must be so designed as to limit the speed at which vehicles may travel on them to—</p> <p>(a) 30 kilometres per hour for major access roads, and</p> <p>(b) 15 kilometres per hour for minor access roads.</p>	Noted	Yes
23 Visitor Parking		
Relevant Provision	Comment	Compliance
<p>(1) A manufactured home estate must contain no fewer visitor parking spaces than the following—</p> <p>(a) 8 spaces for a manufactured home estate containing not more than 35 sites,</p> <p>(b) 12 spaces for a manufactured home estate containing more than 35 sites but not more than 70 sites,</p> <p>(c) 16 spaces for a manufactured home estate containing more than 70 sites but not more than 105 sites,</p> <p>(d) 20 spaces for a manufactured home estate containing more than 105 sites, plus one additional space for each additional 7 sites (or part of a site) over 140.</p> <p>(2) Each parking space is to have, at minimum, dimensions of—</p> <p>(a) 5.4 metres by 2.5 metres, in the case of angle parking, and</p> <p>(b) 6.1 metres by 2.5 metres, in any other case.</p> <p>(3) Visitor parking spaces must be clearly identified as such.</p>	The proposed development provides 47 visitor parking spaces which is well over the 30 required.	Yes

24 Visitor Parking for people with a disability		
Relevant Provision	Comment	Compliance
<p>(1) A manufactured home estate must contain at least one visitor parking space for people with disabilities.</p> <p>(2) A manufactured home estate that contains more than 100 sites must contain at least one visitor parking space for people with disabilities for each 100 sites or fraction of 100 sites.</p> <p>(3) Such parking is to be provided in accordance with AS/NZS 2890.1:2004, Parking facilities—Off street parking.</p> <p>(4) Visitor parking spaces for people with disabilities must be clearly identified as such.</p> <p>(5) Visitor parking spaces provided under this clause may be counted for the purposes of clause 23.</p>	The proposed development requires 3 spaces and provides 4 parking spaces for people with a disability.	Yes
25 Road surfaces		
Relevant Provision	Comment	Compliance
All access roads, including all passing and parking bays, must have an all-weather sealed or other surface finish specified in the approval for the manufactured home estate, and must be adapted to the topography to allow for adequate drainage and to eliminate excessive grades.	All proposed roads are to be sealed.	Yes
26 Lighting		
Relevant Provision	Comment	Compliance
All access roads must be adequately lit between sunset and sunrise.	Noted.	Yes
27 Water Supply		
Relevant Provision	Comment	Compliance
<p>(1) A manufactured home estate—</p> <p>(a) must be connected to a mains water supply, or</p> <p>(b) must be provided with an alternative water supply service as specified in the approval for the manufactured home estate.</p> <p>(2) A dwelling site—</p> <p>(a) must be connected to the water supply service for the manufactured home estate, and</p>	The proposed development can be adequately serviced as per the Servicing Strategy Report.	Yes

<p>(b) must be provided with a separate water meter and a separate water service isolating valve.</p> <p>(3) The water supply service must comply with—</p> <p>(a) the Plumbing and Drainage Act 2011 and any regulations under that Act, and</p> <p>(b) the requirements of any relevant statutory body.</p> <p>(4) The water supplied for human consumption or domestic purposes must comply with the Australian Drinking Water Guidelines published in 2004 by the National Health and Medical Research Council.</p>		
28 Sewerage		
Relevant Provision	Comment	Compliance
<p>(1) A manufactured home estate—</p> <p>(a) must be connected to a main sewer, or</p> <p>(b) must be provided with an alternative sewage disposal system as specified in the approval for the manufactured home estate.</p> <p>(2) A dwelling site must be connected to the sewage disposal system for the manufactured home estate.</p> <p>(3) The sewage disposal system must comply with—</p> <p>(a) the Plumbing and Drainage Act 2011 and any regulations under that Act, and</p> <p>(b) the requirements of any relevant statutory body.</p>	<p>The proposed development can be adequately serviced as per the Servicing Strategy Report included with this DA.</p>	<p>Yes</p>
29 Drainage		
Relevant Provision	Comment	Compliance
<p>(1) A manufactured home estate must be provided with a stormwater drainage system as specified in the approval for the manufactured home estate.</p> <p>(2) A dwelling site—</p> <p>(a) must be connected with the stormwater drainage system for the manufactured home estate, or</p>	<p>The proposed development will comply with this requirement as demonstrated in the Stormwater Management Plan included with this DA.</p>	<p>Yes</p>

<p>(b) must be provided with an on-site stormwater drainage system.</p> <p>(3) A stormwater drainage system must comply with—</p> <p>(a) the Plumbing Code of Australia, and</p> <p>(b) the requirements of any relevant statutory body.</p>		
30 Electricity Supply		
Relevant Provision	Comment	Compliance
<p>(1) A dwelling site must be supplied with electricity from a reticulated electricity service by means of an electrical circuit connected to a separate electricity meter.</p> <p>(2) Any such electrical circuit must be installed in accordance with the requirements of AS/NZS 3000:2000, Electrical Installations (known as the Australian/New Zealand Wiring Rules) as in force on 1 September 2005, except that the maximum capacity of the electrical circuit supplying a dwelling site need not be greater than 32 amperes if the site is provided with gas, whether by means of a reticulated gas service or by means of on-site gas containers.</p> <p>(3) If a dwelling site is provided with electricity otherwise than by way of direct connection to the local electricity supply authority's electricity main, the maximum amount that may be charged for the supply of electricity during a particular period is the amount that the standard retail electricity supplier for the relevant district would have charged under a standard form customer supply contract for that supply during that period.</p>	<p>The proposed development will be supplied with reticulated electricity.</p>	<p>Yes</p>
31 Telephone lines		
Relevant Provision	Comment	Compliance
<p>Telephone services, if available, must be provided in such a manner that a telephone connection is available to each dwelling site within the manufactured home estate.</p>	<p>The proposed development will be adequately serviced.</p>	<p>Yes</p>
32 Common Trenches		
Relevant Provision	Comment	Compliance
<p>A common trench may be used for the installation of services in accordance with guidelines provided in AMCORD.</p>	<p>Noted.</p>	<p>Yes</p>

33 Garbage removal		
Relevant Provision	Comment	Compliance
<p>Arrangements specified in the approval for the manufactured home estate must be instituted and maintained for the removal of garbage and for the maintenance of garbage receptacles in a clean and sanitary condition.</p>	<p>An Operational Waste Management Plan is provided with this DA.</p> <p>Garbage collection will be by private contractor. All dwelling sites will be serviced with garbage and recycling bin and will be picked up from the designated locations in front of each home.</p> <p>The site manager will be responsible for the maintenance of the site including the keeping of garbage receptacles in a clean and sanitary condition.</p> <p>Subject to approval, appropriate conditions can be imposed to ensure waste is adequately dealt with.</p>	Yes
34 Fire hydrants		
Relevant Provision	Comment	Compliance
<p>(1) No part of a dwelling site or community building within a manufactured home estate may be situated more than 90 metres from a fire hydrant.</p> <p>(2) Any fire hydrant located within a manufactured home estate must—</p> <p>(a) be a double-headed pillar-type fire hydrant, and</p> <p>(b) be maintained to the standard specified in the approval for the manufactured home estate.</p>	<p>The proposed development can comply with this requirement and may be subject to a Condition to that effect.</p>	Yes
35 Buildings		
Relevant Provision	Comment	Compliance
<p>(1) A building must not be erected on a manufactured home estate unless the approval for the manufactured home estate so allows.</p> <p>(2) The approval for the manufactured home estate is to allow only the following kinds of buildings to be erected on a manufactured home estate—</p> <p>(a) community buildings,</p> <p>(b) brick or masonry walls in the form of separating walls between adjoining manufactured homes or in the form of external facades to manufactured homes.</p>	Noted	Yes

<p>(3) The approval for a manufactured home estate is to allow the erection of a brick or masonry wall in the form of an external facade to a manufactured home only—</p> <p>(a) if the dwelling site on which the manufactured home is situated is a neighbourhood lot within the meaning of the Community Land Development Act 1989, and</p> <p>(b) the owner of the manufactured home is also the proprietor of the neighbourhood lot.</p>		
36 Use of Manufactured home estates		
Relevant Provision	Comment	Compliance
<p>(1) A manufactured home estate must not be used—</p> <p>(a) for any commercial purpose other than a manufactured home estate or an associated purpose, or</p> <p>(b) for the manufacture, construction or reconstruction of moveable dwellings.</p> <p>(2) Nothing in this clause prevents a manufactured home from being used for exhibition purposes.</p> <p>(3) This clause does not prevent the carrying out of work on a manufactured home that is installed in a manufactured home estate for the purpose of its renovation, maintenance or repair (such as painting, replacement of wall cladding or roof sheeting and the like).</p>	Noted	Yes
37 Community Map		
Relevant Provision	Comment	Compliance
<p>The person who holds the approval to operate a manufactured home estate must provide the council with a copy of the current community map—</p> <p>(a) as soon as practicable after any amendment is made to the map, and</p> <p>(b) at such other times as the council may reasonably require.</p>	Noted	Yes
38 Access to approval and community map		
Relevant Provision	Comment	Compliance
The holder of an approval to operate a manufactured home estate must	Noted	Yes

<p>ensure that copies of the following documents must be readily available for inspection without cost by any person in a location in the manufactured home estate specified in the approval for the manufactured home estate—</p> <p>(a) the approval for the manufactured home estate, (b) the current community map, (c) this Regulation.</p>		
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