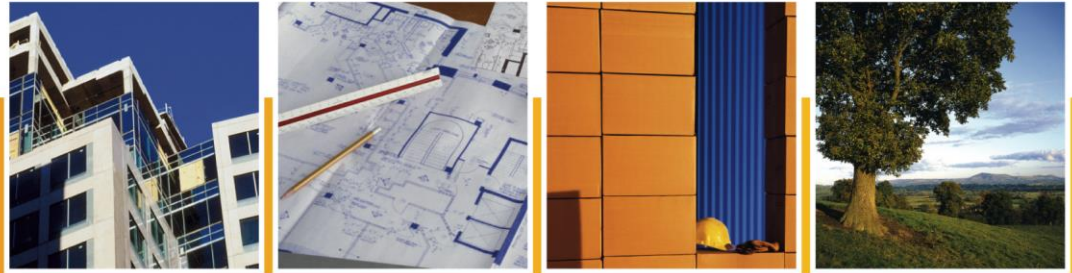


STATEMENT OF ENVIRONMENTAL EFFECTS



For
Caravan Park/Manufactured Home Estate

At
**Lot 7 & Lot 8 DP 810442 and Lot 11 DP597659
27, 29 & 33 Metford Road, Tenambit 2323**

Prepared for
Regal Hunter Properties Pty Ltd

June 2024
Report 23117 Rev A

Prepared by



hdb
planning > design > development

First Floor
44 Church Street
(PO Box 40)
Maitland NSW 2320

P : 02 4933 6682
F : 02 4933 6683

www.hdb.com.au



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**Hunter Development Brokerage Pty Ltd**

44 Church Street, Maitland NSW 2320

PO Box 40 Maitland NSW 2320

Tel: (02) 4933 6682 Fax: (02) 4933 6683 Email: admin@hdb.com.au

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 HDB Project Manager: Aprajita Gupta
 HDB Reference Number: 23117

Project Manager:**Date: 14.06.2024***This document is for discussion purposes only, unless signed and dated by the person identified.***DISCLAIMER:**

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1.0 EXECUTIVE SUMMARY

This Statement of Environmental Effects (SEE) has been prepared by HDB Town Planning and Design on Regal Hunter Properties Pty Ltd. This SEE supports the lodgement of a Development Application seeking consent for a Manufactured Home Estate at 27, 29 & 33 Metford Road, Tenambit NSW 2323 (Lot 7 & 8 DP810442 and Lot 11 DP597659).

The SEE provides the following:

- Details of the application (Section 2)
- An extensive assessment/analysis of the existing site (Section 3)
- A detailed description of the proposed development (Section 4)
- An assessment of the proposed development against all the relevant planning controls and matters as outlined under Section 4.15 (Section 5)
- An assessment of the proposal with regard to the key planning and environmental issues identified (Section 6)
- Justification and Need for the Project (Section 7).

The subject site is a 6.61ha rural site zoned RU2 – Rural Landscape under Maitland Local Environmental Plan (MLEP) 2011. The site has two existing dwellings which will be demolished as part of the proposal. There is an existing Hotel on Lot 11 DP597659 which will be retained as it is. The primary access to the subject site is via Metford Road.

The proposal seeks consent for the development of a Manufactured Home Estate comprising 101 dwelling sites.

The estate will be restricted to residents aged 55 years or over. This will be regulated by the operators of the estate and enforced through the Residential Agreement.

In preparation for this report, the specific details regarding the bushfires, noise, and ecology have been considered. Additional required reports (where necessary) have been prepared to address any identified issues.

This application is submitted for the Council's consideration on behalf of our client. Based on the assessment undertaken we recommend approval of the application, subject to the recommendations of baseline studies.

2.0 INTRODUCTION

2.1 BACKGROUND

The SEE addresses the planning requirements associated with the proposed development and undertakes an assessment of the potential environmental impacts pursuant to the requirements of Section 4.15 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

The SEE has been prepared by HDB Town Planning and Design (HDB) on behalf of Regal Hunter Properties Pty Ltd. The application is lodged with the Maitland City Council pursuant to Section 4.12 of the EP&A Act.

2.2 SITE DESCRIPTION

Lot 7 & 8 DP 810442 and Lot 11 DP 597659,
27, 29, & 33 Metford Road, Tenambit 2323

2.3 APPLICATION DETAILS

2.3.1 APPLICANT DETAILS

Regal Hunter Properties Pty Ltd
C/- HDB Town Planning & Design
PO Box 40
MAITLAND NSW 2320

2.3.2 CONTACT DETAILS

Aprajita Gupta
HDB Town Planning & Design
PO Box 40
MAITLAND NSW 2320

PH: 02 4933 6682
FX: 02 4933 6683
E: Aprajita@hdb.com.au

2.3.3 OWNERSHIP DETAILS

Regal Hunter Properties Pty Ltd

2.4 DOCUMENT STRUCTURE

The SEE has been structured as follows:

- Section 1 - Executive summary - provides a general overview of the project its findings and conclusions
- Section 2 – Introduction - provides a general background of the project and defines the site, the current owner, and contact details
- Section 3 – Site Analysis – provides a detailed analysis of the site proposed for the development.
- Section 4 – Proposed Development – provides a detailed description of the proposal including its suitability for the site.
- Section 5 - Legislative Context – provides the legislative context of the development.
- Section 6 – Key Planning and Environmental Issues – provides details of any potential impacts of the project on the subject site and includes mitigation measures that are proposed to reduce and/or remove the potential impacts.
- Section 7 – Project Justification and Need – provides a summary of the project and a justification of the proposal concerning the principles of ecologically sustainable development and objectives of the Environmental Planning and Assessment Act, 1979.
- Section 8 – Conclusion – provides a conclusion and requests that Maitland City Council grant conditional consent to the proposed development.

3.0 SITE ANALYSIS

3.1 LOCATION

Address:	Lot 7 & 8 DP810442 and Lot 11 DP 597659 27, 29 & 33 Metford Road, Tenambit 2323
Local Government:	Maitland City Council
Locality:	Tenambit
Area of site:	6.61 ha
Zone:	RU2- Rural Landscape

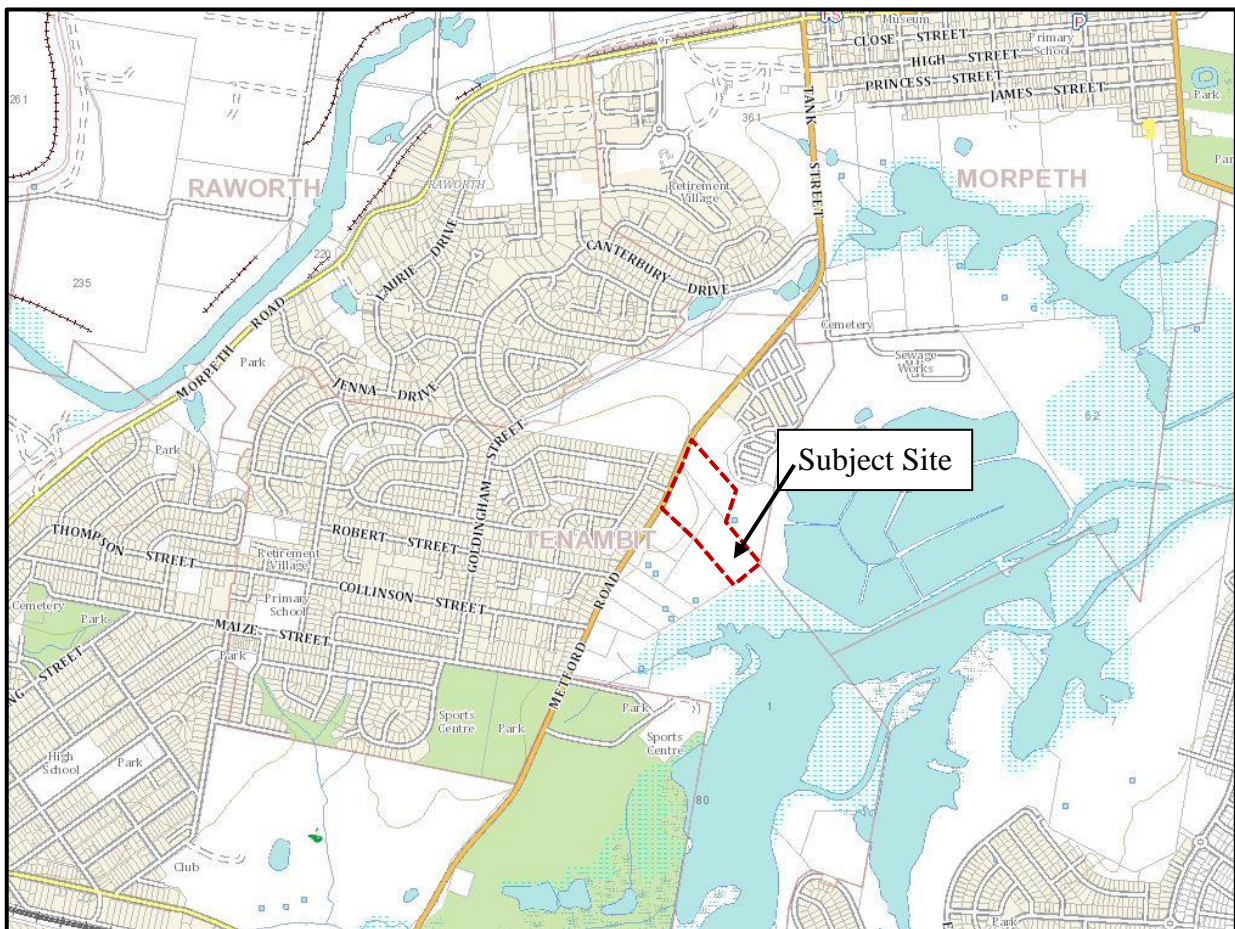


Figure 1: Location Plan

Source: NSW Planning Portal Spatial Viewer, accessed March 2024

3.2 EXISTING SITE

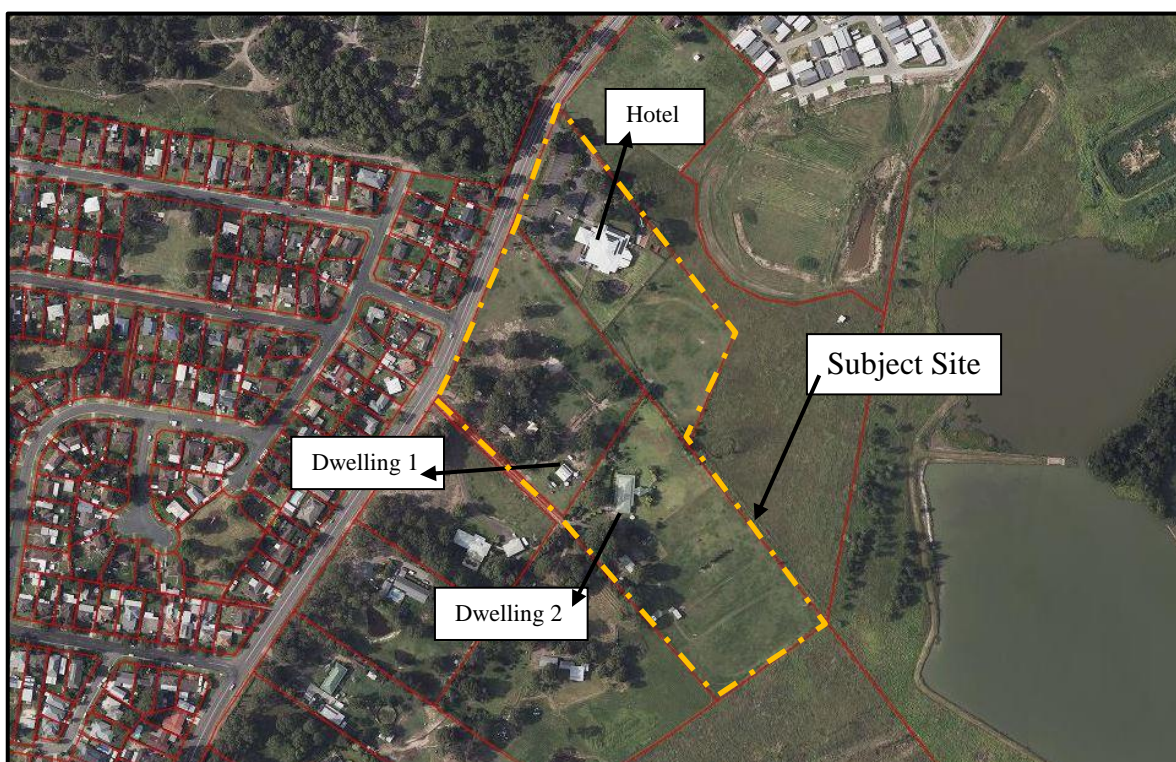


Figure 2: Site Plan

Source: NSW Planning Portal Spatial Viewer, accessed March 2024

The subject site is an irregularly shaped land located in the rural neighbourhood of Tenambit, see **Figure 2** above. It comprises three lots (Lot 7 & 8 DP 810442 and Lot 11 DP 597659) and has an area of approximately 6.61ha.

The site currently is serviced by rural residential gravel access off Metford Road at the southern boundary of the site. The site is mostly vacant with two existing single-dwelling houses. There is an existing Hotel as well on Lot 11 DP 597659 with separate access and parking area, see **Figure 2** above.

3.3 TOPOGRAPHY, VEGETATION & HYDROLOGY

The site has a gradual slope with the highest elevation point to the northwest (Metford Road) and the lowest to the southeast. Refer to the site survey attached as **Appendix A**.

The site has some clusters of vegetation on Lot 7 & Lot 8, as shown in **Figure 2** above.

No hydrolines are located within 40m of the subject site.

3.4 SURROUNDING LAND USE

The immediate surroundings to the north, east, and south comprise similar land use of Rural Landscape and other conservation and recreational uses. Beyond these uses there is the General Residential. There are urban residential uses to the west as well.

3.5 ARCHAEOLOGY AND HERITAGE

A desktop investigation of the Aboriginal Heritage Information Management System (AHIMS) was undertaken (refer to *Appendix B – AHIMS Report*), which confirmed that there are two (2) records of Aboriginal Heritage or archaeological items found within 200m of the site.

However, the site does not contain any development of local or European Heritage significance.

3.6 ACCESS

Currently, the site is serviced by rural residential gravel access off Metford Road at the southern boundary of the site.

3.7 ACID SULFATE SOILS

The site is mapped as being Class 5 Acid Sulfate Soil, see *Figure 3* below.

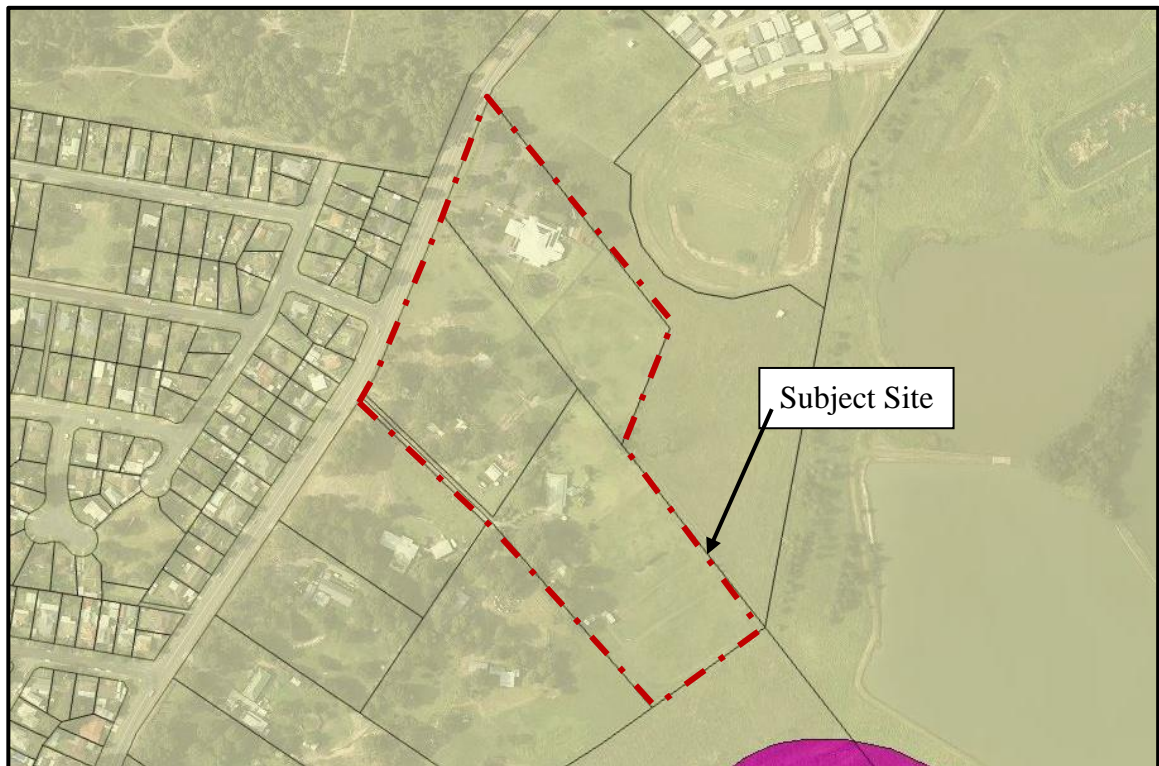


Figure 3: Acid Sulfate Soils

Source: NSW Planning Portal Spatial Viewer, accessed March 2024

3.8 FLOODING

The subject site is not mapped as a Flood Planning Area under the Maitland City Council, see **Figure 4**.

3.9 BUSHFIRE

The part of the subject site is mapped as a bushfire-prone land with Vegetation Category 3 and Vegetation Buffer, refer to **Figure 5** (page 14).

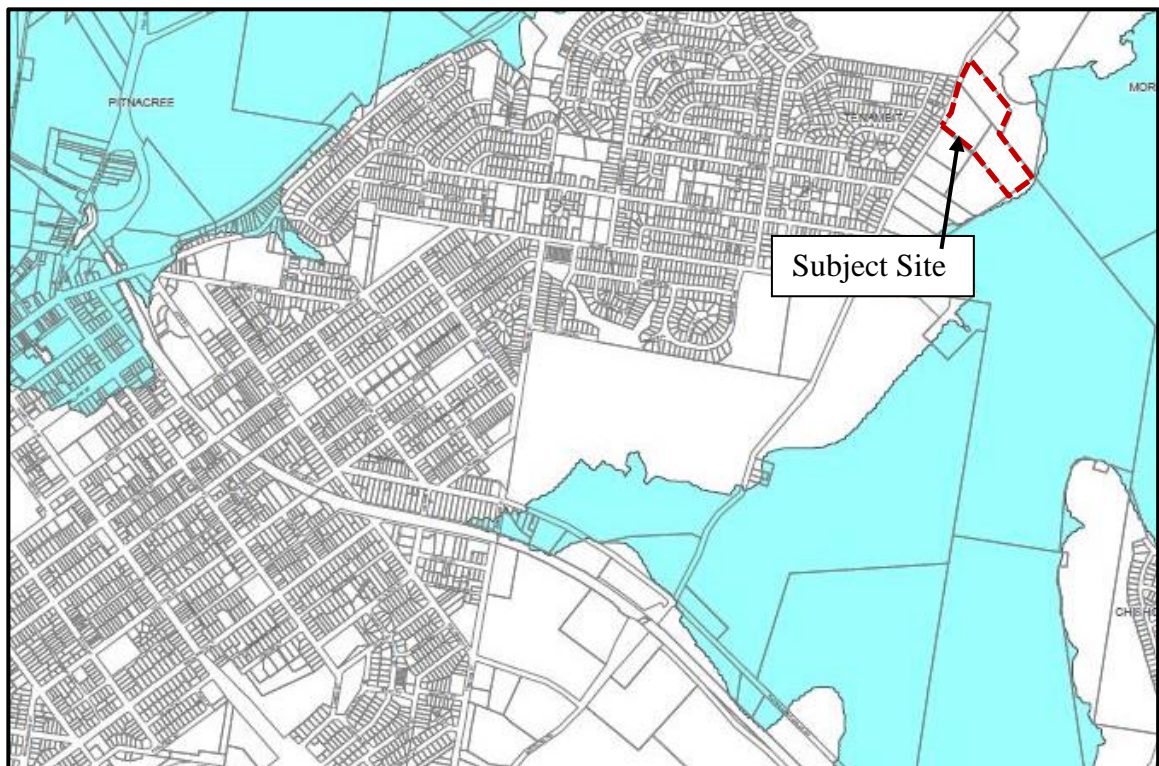


Figure 4: Flood Mapping

Source: Maitland City Council, accessed March 2024

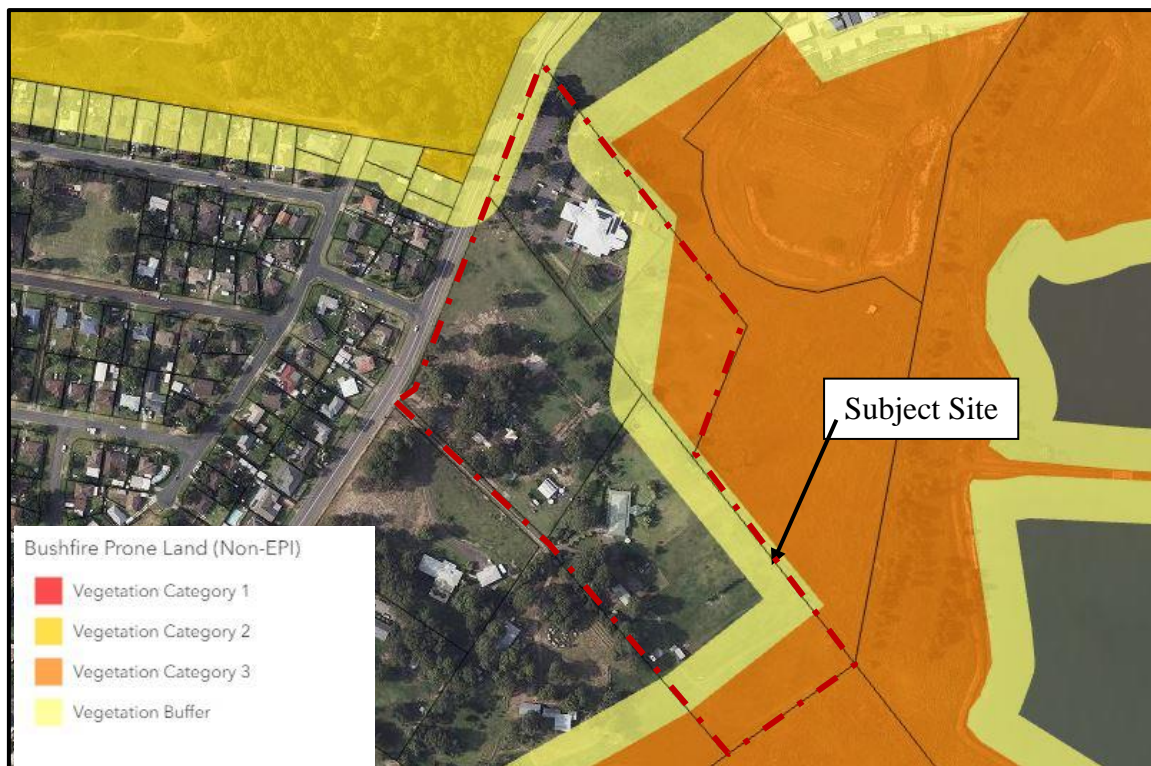


Figure 5: Bushfire Mapping

Source: NSW Planning Portal Spatial Viewer, accessed March 2024

3.10 SERVICES TO SITE

Being located in proximity to an established residential precinct, and rural properties, it has all the essential services of electricity, water and sewer, gas, and telecommunications in the vicinity.

4.0 PROPOSED DEVELOPMENT

4.1 SUMMARY

The applicant proposes the development of a Manufactured Home Estate (MHE) comprising 101 dwelling sites.

The existing dwelling and sheds are to be demolished as part of the proposal. The hotel located at the front of Lot 11 DP 597659 along with the access and car parking will be kept as it is.

The homes will be privately owned, and each dwelling site will be leased as per the Residential Agreement.

The village will be restricted to residents aged 55 years or over. This will be regulated by the operators of the estate and enforced through the Residential Agreement.

The proposed development is discussed further in below *section 4.2* and detailed in the Development Plans prepared by HDB included in *Appendix C – Development Plans*.

A numerical summary of the proposed senior housing development is provided in the following *Table 1*;

Component	Proposal
Number of Dwelling Sites	101
Site Area	54,064 m ²
Area for Recreation/Community Amenities	6,365 m ²
Car Parking	101 (within dwelling sites) and 23 (visitor car parks including 2 accessible spaces)

Table 1: Key Project Information

Source: HDB Town Planning & Design

The subject site has the capacity to support the proposal. Given its location closer to a residential area with a proximity to arterial roads, neighbourhood shops, schools, and other community facilities, the site is ideal to accommodate the proposed MHE without impacting the existing character of the locality.

4.2 DETAILS

The proposed development is identified as *Caravan Parks* according to *section 2.1* of the Maitland City Council LEP 2011.

4.2.1 MANUFACTURED HOME ESTATE

A total of 101 dwelling sites are proposed on the subject site as part of the proposed MHE. A separate Community building is proposed within the estate. Refer to *Appendix C – Development Plans* and *Appendix Q – Community Building Plans*.

The area of the dwelling sites ranges from 195.5 m² to 296 m². Each dwelling site is capable of accommodating a single-story manufactured (relocatable) home and carport, and private open space for residents.

All future dwellings will comply with the relevant regulations and construction industry standards for manufactured homes.

Refer to *Appendix C – Development Plans*.

Table 2 & Figure 6 below provides the area specifications and general layout of the proposed sites.

Site Area	Site Numbers
296 m ²	15
266.54 m ²	42
251.25 m ²	53, 59, 60, 66, 67, 73, 74, 80, 81, 87, 88 & 94
248 m ²	16, 23, 24, 37, 47, 38 & 46
236.54 m ²	1
224 m ²	2-8, 10-14, 17-22, 25-30, 32-36, 48-52, 39-41, 44 & 45
223 m ²	9
217.67 m ²	43
216.82 m ²	31

195.5 m²

54-58, 61-65, 68-72, 75-79, 82-86, 89-93, 95-101

Table 2: Area Specification

Source: HDB Town Planning & Design

**Figure 6: Proposed Layout**

Source: HDB Town Planning & Design

4.2.2 ACCESS

A new 8.5m wide perimeter road from Metford Road will provide access to the proposed MHE. The internal lanes are proposed to be 6m wide. Refer to **Appendix C – Development Plans**.

A divided entry/exit is proposed with a small median to separate the entry and exit manoeuvres, the entry and exit accesses will both be 5m wide.

4.2.3 EARTHWORKS

Generally, the proposed road network has been designed to follow the existing ground levels. Part of Road 5 grades away from the main part of the development. To reduce the extent, it is proposed to provide approximately 1.6m of fill around chainage 220, in Road 5, and approximately 1.6m of cut at the intersection with Road 1 (Chainage 313.27 Road 5). The proposed earthworks are as follows; Cut – 9980m³, Fill – 7240m³ - Net Cut 2740m³. For further details refer to *sheet 11* on Concept Civil Plans (**Appendix D**).

4.2.4 STORMWATER MANAGEMENT

The road network has been designed to capture stormwater flows and direct them to a piped system. The road pavement will be graded to the center to create a large 'V' drain. The piped system will be installed under the road. Pits with trafficable 'V' grates will be installed at regular intervals to capture the stormwater flows. The piped system will be directed to the rear eastern corner of the site where a basin will be provided to control the discharge from the site and treat the quality of the water. Apart from part of Road 5, the road network will direct overland flows to the basin. The piped system under this section of Road 5 will capture stormwater flows and direct them to the basin.

4.2.5 LANDSCAPING

The existing trees are required to be removed to support the proposed development. An assessment of the existing vegetation has been undertaken by Wildthing, refer to *Appendix E – Ecological Report*.

Additional landscaping is proposed to be provided within the estate including a landscape buffer to the north-west of the site along Metford Road, street trees within the estate, and general landscaping within the community areas. Refer to *Appendix F– Landscape Plans*.

A 1.8m high acoustic fence barrier is also proposed to the northeast of the site boundary.

4.2.6 SERVICES TO THE SITE

All essential services are available to the site.

Relevant internal utilities will be provided to service the individual sites. Connections will be made to the existing Public Utilities in accordance with the relevant Authority's requirements.

5.0 LEGISLATIVE CONSIDERATION

5.1 STATUTORY PLANNING FRAMEWORK

5.1.1 INTRODUCTION

The statutory planning framework provides the legislative guidelines for regulating development at the state, regional, and local levels.

The statutory planning instruments applicable to the proposal are discussed below.

5.1.2 ENVIRONMENTAL PLANNING & ASSESSMENT ACT

The *Environmental Planning & Assessment Act* (EP&A Act) provides the overarching statutory framework for planning in NSW.

The objectives of this Act are:

- (a) *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) *to promote the orderly and economic use and development of land,*
- (d) *to promote the delivery and maintenance of affordable housing,*
- (e) *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) *to promote good design and amenity of the built environment,*
- (h) *to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) *to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) *to provide increased opportunity for community participation in environmental planning and assessment.*

Comment:

The proposal is consistent with the objectives of the Act in the following manner: -

- It promotes orderly and economic use and development, by optimizing the site's capacity and by using the existing infrastructure networks, services, and facilities efficiently;
- The proposal for MHE sits well with the context, amenities, and functions of the site and the surroundings;
- The proposal has given prime consideration to community participation; and

- It has been demonstrated that the proposal can be realized with minimal impact on the site and its surrounding environments.

5.1.3 LOCAL GOVERNMENT (MANUFACTURED HOME ESTATES, CARAVAN PARKS, CAMPING GROUNDS, AND MOVEABLE DWELLINGS) REGULATION 2021

Caravan Parks/ MHEs are regulated by the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*. This sets standards for the design, construction, and maintenance of the homes.

Approval from the Council is not required for the installation of the manufactured homes or associated structures on a dwelling site, providing the works are designed, constructed, and installed in accordance with *Division 4* of the Regulation.

The following summarises the assessment of the proposed MHE against the design requirement under *Division 3* of the Regulation;

LOCAL GOVERNMENT (MANUFACTURED HOME ESTATES, CARAVAN PARKS, CAMPING GROUNDS, AND MOVEABLE DWELLINGS) REGULATION 2021			
Division 3 Manufactured Home Estate			
Criteria	Requirement	Proposed	Compliance
Land and Dwelling site requirements			
Minimum size of estate	1 ha	5.406 ha	Yes
Community amenities	10% of the site area (= 5,406 m ²)	6,365 m ²	Yes
Size of dwelling sites	130 m ²	195.5 m ² - 296 m ²	Yes
Site identification	A dwelling site must be numbered or identified with its site boundaries clearly outlined.	This will be addressed as part of the Residential Agreement.	Yes
Setbacks			

Dwelling sites to have road frontage	A dwelling site must have vehicular access to an access road.	Access roads are provided to each of the dwellings.	Yes
Setbacks of community buildings	<p>A community building must not be located closer than 10 meters to the boundary of a manufactured home estate or dwelling site.</p> <p>The council may allow a lesser distance of at least 2 metres if satisfied the community building has been or will be properly screened, fenced, enclosed or otherwise treated.</p>	Community building has been sited to ensure compliance with the required setbacks.	Yes
Setbacks of dwelling sites from road frontages	<p>A dwelling site must not be located closer than—</p> <ul style="list-style-type: none"> - 10 metres to a public road, or - 3 metres to another boundary of the manufactured home estate. 	The dwelling sites are setback 18.5m from Metford Road and are at least 6m away from any other boundary/ surrounding development.	Yes
Use of buffer zones	Land within a required setback can being used for community amenities, access roads, car parking spaces, footpaths or landscaping or similar	Noted. The setbacks have been mostly utilised for landscaping and access roads.	Yes
Roads			
Entrance and exit roads	<p>(1) A road forming an entrance to or exit from a manufactured home estate must be at least 8 metres wide.</p> <p>(2) For 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>	The proposed road has a divided entry and exit with a minimum width of 5m on either side of the median strip.	Yes

<p>Width of roads</p>	<p>(1) The width of the road reserve must be at least—</p> <p>(a) 8.5 metres for a major access road, and</p> <p>(b) 6 metres for a minor access road.</p> <p>(2) The width of the sealed portion of an access road must be at least—</p> <p>(a) 6 metres for a major access road, and</p> <p>(b) 4 metres for a minor access road.</p> <p>(3) If a minor access road exceeds 80 metres in length, a passing bay must be provided within the road reserve.</p> <p>(4) Passing bays must be provided at intervals of no more than 100 metres.</p> <p>(5) The width of the sealed portion of an access road at a passing or parking bay must be at least—</p> <p>(a) 8.5 metres for a major access road, and</p> <p>(b) 6 metres for a minor access road.</p>	<p>A 8.5m wide perimeter (major access) road is provided.</p> <p>The other internal road width to access dwelling sites is 6m.</p>	<p>Yes</p>
<p>Speed restrictions as part of road design</p>	<p>(a) 30 kilometres per hour for major access roads, and</p> <p>(b) 15 kilometres per hour for minor access roads.</p>	<p>Noted.</p>	<p>Yes</p>
<p>Visitor parking</p>	<p>(1) A manufactured home estate must contain no fewer visitor parking spaces than the following—</p>	<p>A total of 23 car parking spaces are included as visitor parking.</p>	<p>Yes</p>

	<p>- 16 spaces for a manufactured home estate containing more than 70 sites but not more than 105 sites,</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>		
Visitor parking for people with disabilities	<p>(a) at least 1 visitor parking space for people with a disability (a disabled parking space), or</p> <p>(b) if the manufactured home estate contains 100 sites or more—at least 1 additional disabled parking space for—</p> <p>(i) the first 100 sites, and</p> <p>(ii) every further 100 sites, and</p> <p>(iii) a remaining part, if any, of 100 sites.</p>	Two(2) of the 23 visitor car parks are marked for people with disability, as required.	Yes
Road surfaces	<p>(a) have an all-weather sealed or other surface finish specified in the approval, and</p> <p>(b) be adapted to the land to enable adequate drainage and remove excessive grades.</p>	All access roads and parking areas shall be sealed to provide all-weather access.	Yes
Lighting	All access roads must be adequately lit between sunset and sunrise.	Noted.	Yes

Utility services			
Water supply, Sewerage, Drainage, Electricity supply, Telephone lines, and Common trenches	Services are to be provided to the MHE and to all dwelling sites in accordance with the relevant regulations.	Services will be provided as required.	Yes
General			
Garbage removal	Arrangements to be made for the removal of garbage, and to keep garbage receptacles in a clean and sanitary condition.	<p>Noted.</p> <p>Garbage bins and recycling bins will be provided within the dwelling sites as well as in the community area.</p> <p>Waste will be collected from the MHE by a private contractor.</p> <p>The estate manager will be responsible for the maintenance of the site including the keeping of garbage receptacles in a clean and sanitary condition. This will form part of the management agreement for the operation of the estate.</p>	Yes
Fire hydrants	No part of a dwelling site or community building within a manufactured home estate may be located more than 90 metres from a fire hydrant.	Fire Hydrants will be provided, as required.	Yes
Buildings	<p>An approval may allow only the following kinds of buildings to be erected on the manufactured home estate—</p> <p>(a) community buildings,</p>	Noted.	Yes

	<p>(b) brick or masonry walls to erect—</p> <p>(i) separating walls between adjoining manufactured homes, or</p> <p>(ii) external facades to manufactured homes.</p>		
Use of manufactured home estates	<p>(1) A manufactured home estate must not be used—</p> <p>(a) for a 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) A manufactured home may be used for exhibition purposes.</p> <p>(3) A manufactured home installed in a manufactured home estate may be renovated, maintained and repaired.</p>	<p>The proposed estate will be used as a private residential village for people over 55.</p> <p>The residential agreement will clearly articulate that the estate will not be used for any commercial purposes.</p>	Yes
Community map	<p>The holder of an approval must provide the council with a copy of the community map for the manufactured home estate—</p> <p>(a) as soon as practicable after an amendment is made to the map, and</p> <p>(b) at other times reasonably required by the council.</p>	<p>Noted.</p> <p>A copy of the Community Map will be provided to Council as required.</p>	Yes
Access to approval and community map	<p>The holder of an approval must ensure that copies of the following documents are available for inspection, free of charge, by an occupant of</p>	<p>Noted.</p>	Yes

	<p>the manufactured home estate—</p> <p>(a) the approval for the manufactured home estate,</p> <p>(b) the current community map,</p> <p>(c) this Regulation.</p>		
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Table 3: Compliance with Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021

Source: HDB Town Planning & Design

5.1.4 STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policy (Housing) 2021

Part 8 Manufactured Home Estates

118 Aims and strategies

(1) The aims of this Part are—

- (a) to facilitate the establishment of manufactured home estates as a contemporary form of medium density residential development that provides an alternative to traditional housing arrangements, and*
- (b) to provide immediate development opportunities for manufactured home estates on the commencement of this Part, and*
- (c) to encourage the provision of affordable housing in well designed estates, and*
- (d) to ensure that manufactured home estates are situated only in suitable locations and not on land having important resources or having landscape, scenic or ecological qualities that should be preserved, and*
- (e) to ensure that manufactured home estates are adequately serviced and have access to essential community facilities and services, and*
- (f) to protect the environment surrounding manufactured home estates, and*
- (g) to provide measures which will facilitate security of tenure for residents of manufactured home estates.*

125 Matters to be considered by councils

- (1) A council may grant a development consent pursuant to this Part 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.*

Comment:

The proposed MHE will be provided with all necessary services and utilities. The DA proposes that all dwelling sites will be provided with reticulated water, sewage, drainage, and electricity.

The site is located on the eastern side of Metford Road and about 60m north of Maize Street. It is in close proximity to Regal Hotel, Tenambit local shopping village, and Greenhills shopping center and is approachable by both car and public transport. Moreover, the Traffic Impact Assessment (**Appendix G**) has assessed the public transport in the area and considers it adequate to serve the proposed development.

Adequate community facilities are proposed to be provided within the estate including a community building, an indoor swimming pool, a BBQ area, and general recreational areas within the site. Community uses occupy more than 10% of the overall site area.

The land is not specified as a conservation area, or having any special landscape or scenic qualities. A due diligence assessment (**Appendix H**) for Aboriginal heritage significance was undertaken concluding No sites or Aboriginal Places are located in the project area.

An ecological assessment was also undertaken for the site. The assessment advises that the development is capable of being undertaken without any significant impact on the existing ecological values. Refer to **Appendix E**.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of land

4.1 Object of this Chapter

- (1) *The object of this Chapter is to provide for a Statewide planning approach to the remediation of contaminated land.*
- (2) *In particular, this Chapter aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment—*

- (a) *by specifying when consent is required, and when it is not required, for a remediation work, and*
- (b) *by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and*
- (c) *by requiring that a remediation work meet certain standards and notification requirements.*

4.6 Contamination and remediation to be considered in determining development application

- (1) *A consent authority must not consent to the carrying out of any development on land unless—*
 - (a) *it has considered whether the land is contaminated, and*
 - (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*
- (2) *Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.*
- (3) *The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.*
- (4) *The land concerned is—*
 - (a) *land that is within an investigation area,*
 - (b) *land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*
 - (c) *to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land—*
 - (i) *in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
 - (ii) *on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

4.7 Remediation work permissible

- (1) *A person may carry out a remediation work in accordance with this Chapter, despite any provision to the contrary in an environmental planning instrument, except as provided by section 4.16(3).*
- (2) *A person must not carry out a category 1 remediation work except with the consent of the consent authority.*
- (3) *A person may carry out a category 2 remediation work without the consent of the consent authority.*
- (4) *A person who carries out a remediation work must ensure that section 4.13 (if it applies) and sections 4.14 and 4.15 are complied with in relation to the work.*

Note—

See section 4.16 for the relationship of this Chapter to other environmental planning instruments.

Comment:

Douglas Partners have carried out a Preliminary Site Investigation(PSI) for the site, refer to **Appendix I**.

The assessment concluded that the potential for gross contamination at the site is considered to be low. The site is likely to be suitable for the proposed development.

5.1.5 MAITLAND LOCAL ENVIRONMENTAL PLAN (LEP) 2011

Land use Definition

The project is defined as a ‘caravan park’ under the MLEP 2011, consistent with the Standard Instrument. Specifically, the proposal seeks consent for the provision of ‘Manufactured Homes’, which is included in the definition of the caravan park and defined as follows:

caravan park means an area of land, with access to communal amenities, used for the installation or placement of caravans, or caravans and other **moveable dwellings**, but does not include farm stay accommodation.

moveable dwelling has the same meaning as in the Local Government Act 1993.

Note—

The term is defined as follows—

moveable dwelling means—

(a) *any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or*

(b) ***a manufactured home***, or

(c) *any conveyance, structure or thing of a class or description prescribed by the regulations (under the Local Government Act 1993) for the purposes of this definition.*

manufactured home has the same meaning as in the Local Government Act 1993.

Permissibility

Part 2.1 – Land Use Zones

The site is zoned R1 General Residential as indicated in **Figure 7** below.

Zone RU2 Rural Landscape

1 Objectives of zone

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *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.*

2 Permitted without consent

Extensive agriculture; Home occupations; Intensive plant agriculture

3 Permitted with consent

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

4 Prohibited

Intensive livestock agriculture; Livestock processing industries; Any other development not specified in item 2 or 3

Comment:

The subject is zoned RU2 – Rural Landscape, see **Figure 7**. As defined in the above section, manufactured homes can be categorised under Caravan Park, which is permissible with consent for the RU2 zone.

Consent is sought for the development of a manufactured home estate for residents over 55.

The subject site is predominantly surrounded by residential land uses including large rural residential lots and general residential uses to the west. The proposed development is a type of residential development and therefore, is a compatible land use. There are no major agricultural uses or activities in the immediate surroundings. The proposed development will not cause any conflict in land uses.

The subject site has existing dwellings and a hotel located on it. Moreover, it is in the vicinity of the existing residential suburb, and all the essential infrastructure and services will be easily extended to the proposed development.

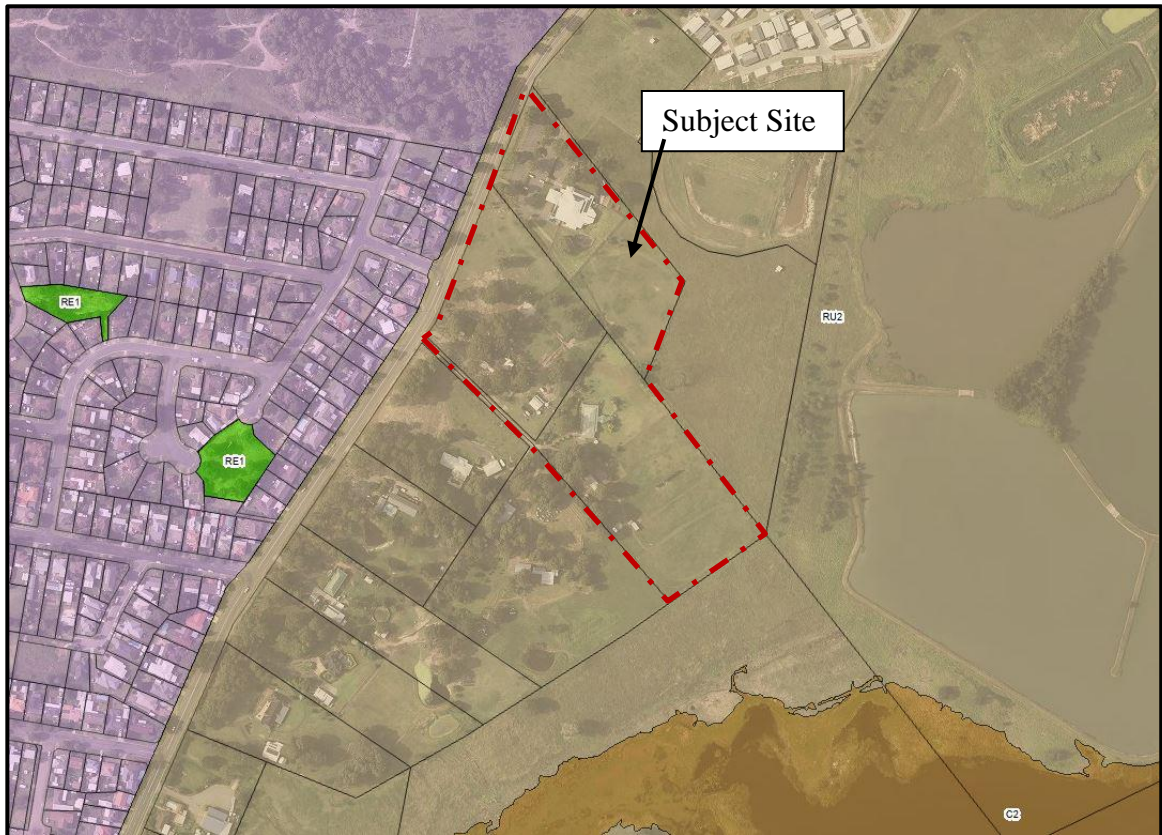


Figure 7: Land Zoning Map

Source: NSW Planning Portal Spatial Viewer, accessed April 2024

Heritage Conservation

Part 5.10 – Heritage Conservation

(8) Aboriginal places of heritage significance The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance—

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and*
- (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.*

Comment:

A Due Diligence Assessment was undertaken for the site, refer to **Appendix H**.

The report concludes that no sites or PADs are identified on the subject site and therefore, no further investigations or AHIP is required.

The report provides the following general recommendations, which are accepted and will be implemented as required;

- 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,*
- 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.*

Acid Sulfate Soils**7.1 Acid Sulfate Soils**

(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.

<i>Class of Land</i>	<i>Works</i>
<i>1</i>	<i>Any works.</i>
<i>2</i>	<i>Works below the natural ground surface. Works by which the watertable is likely to be lowered.</i>
<i>3</i>	<i>Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.</i>
<i>4</i>	<i>Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.</i>
<i>5</i>	<i>Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</i>

(3) *Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.*

(4) *Despite subclause (2), development consent is not required under this clause for the carrying out of works if—*

(a) *a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and*

(b) *the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.*

(5) *Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power)—*

(a) *emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,*

(b) *routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),*

(c) *minor work, being work that costs less than \$20,000 (other than drainage work).*

(6) *Despite subclause (2), development consent is not required under this clause to carry out any works if—*

(a) *the works involve the disturbance of less than 1 tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins), foundations or flood mitigation works, or*

(b) *the works are not likely to lower the watertable.*

Comment:

The subject site lies within an area mapped as Class 5 Acid Sulfate Soils. Acid sulfate soils are not typically found in Class 5 areas. Moreover, the subject site is not located in close proximity (within 500) to any land identified as class 1,2,3, or 4. A Geotechnical Investigation Report prepared by Douglas Partner is attached as **Appendix J**.

The report indicates that acid sulfate soils were not encountered during the investigation. Published acid sulfate soils (ASS) risk mapping indicates that the site is outside mapped ASS data. It is noted, however, that an area of mapped high probability of ASS occurring

within 1 m of the ground surface is located approximately 85 m southeast of the site.

Earthworks

7.2 Earthworks

(1) *The objectives of this clause are as follows—*

- (a) *to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,*
- (b) *to allow earthworks of a minor nature without requiring separate development consent.*

(2) *Development consent is required for earthworks unless—*

- (a) *the work is exempt development under this Plan or another applicable environmental planning instrument, or*
- (b) *the work is ancillary to other development for which development consent has been given.*

(3) *Before granting development consent for earthworks, the consent authority must consider the following matters—*

- (a) *the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,*
- (b) *the effect of the proposed development on the likely future use or redevelopment of the land,*
- (c) *the quality of the fill or the soil to be excavated, or both,*
- (d) *the effect of the proposed development on the existing and likely amenity of adjoining properties,*
- (e) *the source of any fill material and the destination of any excavated material,*
- (f) *the likelihood of disturbing relics,*
- (g) *the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.*

Comment:

Earthworks have been proposed to meet the above objectives.

They are considered minor with a maximum cut/fill of 1.6m (approximately). This will not have a detrimental impact on existing environments or surroundings.

Refer to *sheet 11* on Concept Civil Plans (**Appendix D**) for more details regarding earthworks.

5.2 DEVELOPMENT CONTROL PLANS

The following, **Table 4**, shows the relationship of the proposed development to the Council's guidelines in Maitland Development Control Plan 2011.

In reviewing the table, it should be noted that while 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 2021.

Item	DCP Requirements	Proposed	Comment
C.8 Residential Design			
2. Site Analysis & Context Analysis	<i>A detailed site analysis & context analysis shall be submitted with a development application for all residential development with the exception of a single detached dwelling.</i>	Refer to <i>section 3</i> of this report for a detailed Site/and Context analysis.	Complies
4. Bulk Earthworks and Retaining Walls	<i>A 'bulk earthworks plan (BEP)' shall be submitted with the development application for all forms of residential development showing the levels (relative to a datum benchmark at the site) of all finished ground levels for both the building platform and those areas of the site external to the building platform. The plan should also specify and show the extent and depth of cut/fill, and location of all retaining walls and/or battered slopes. The BEP shall also show existing ground levels adjoining the perimeter boundaries of the land.</i>	No retaining walls are proposed. Site regrading works will be undertaken in conjunction with the civil works for the development. Refer to Appendix D – Concept Civil Plans . Further details will be provided with the construction certificate following detailed design and servicing requirements.	Complies
5. Street Building Setbacks	<ul style="list-style-type: none"> <i>• To provide setbacks that complement the streetscape, allow flexibility in the siting of buildings and allow for landscape settings and open space requirements.</i> <i>• To ensure that new development establishes appropriate and attractive streetscapes which reinforce the function of the street and is sensitive</i> 	The proposed development is consistent with the setback requirements under <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021</i> , discussed in <i>section 5.1.3</i> of this report.	Complies

	<p><i>to the landscape and environmental conditions of the locality.</i></p> <ul style="list-style-type: none"> <i>• The minimum setback from the principal street frontage to the building line in an urban residential zone is 4.5 metres.</i> 		
<p>6. Side and Rear Setbacks</p>	<ul style="list-style-type: none"> <i>• To allow flexibility in the siting of buildings and the provision of side and rear setbacks.</i> <i>• To allow adequate building setbacks for landscaping, privacy, natural light and ventilation between buildings.</i> <i>• Minimum side and rear setbacks for residential buildings, including detached outbuildings such as garages, sheds, or carports, shall be as per follows:</i> <ol style="list-style-type: none"> <i>0.9m for walls up to 3.0m in height (to underside of eaves);</i> <i>0.9m plus 0.3m for every metre of wall height over 3.0m and less than 7.2m;</i> <i>For that part of a wall over 7.2m in height, the minimum setback should be increased by 1.0m for every metre of height over 7.2m.</i> 	<p>The proposed development is consistent with the setback requirements under <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021</i>, discussed in <i>section 5.1.3</i> of this report.</p>	<p>Complies</p>
<p>7. Site Coverage and Unbuilt Areas</p>	<ul style="list-style-type: none"> <i>• To promote on-site stormwater infiltration by restricting site coverage of buildings and hard surfaces.</i> <i>• To maximise opportunities for landscaping of the site which incorporate larger scale plantings</i> 	<p>This has been addressed as per the requirements of <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings)</i></p>	<p>Complies</p>

	<p><i>consistent with reducing the visual impact of hard building finishes and promoting improved amenity within the site and enhanced streetscapes .</i></p> <ul style="list-style-type: none"> • <i>To ensure that development maximises permeable surfaces and maintains a balance between the ‘built’ and ‘unbuilt’ areas.</i> • <i>To ensure that development provides for unbuilt areas that are of suitable size, dimension and slope that will:</i> <ul style="list-style-type: none"> <i>o Provide adequate solar access;</i> <i>o Assist in retaining existing vegetation;</i> <i>o Enhance the existing streetscape;</i> <i>o Enhance privacy and views between housing, other buildings and the street;</i> <i>o Accommodate private open space requirements that suit the anticipated needs of occupants;</i> <i>o Actively facilitate on-site stormwater infiltration;</i> <i>o Provide space for service functions including clothes drying.</i> 	<p><i>Regulation 2021, discussed in section 5.1.3 of this report.</i></p>	
<p>8. Building Height, Bulk and Scale</p>	<ul style="list-style-type: none"> • <i>To ensure that the height, scale, and length of new development is not excessive and relates well to the local context and overall site constraints.</i> • <i>To ensure that the amenity of surrounding properties is properly considered.</i> 	<p>It is proposed to demolish the existing dwellings.</p> <p>All future manufactured homes within the estate will be single-story developments. Please note that development consent is not</p>	<p>Complies</p>

	<ul style="list-style-type: none"> • <i>To minimise site disturbance and cut and fill.</i> • <i>Developments should be sited and be of a height and scale that cause no significant loss of amenity to adjacent dwellings and land. This can be achieved through:</i> <ul style="list-style-type: none"> <i>o Building siting and height that are related to landform with minimal cut and fill;</i> <i>o Building forms that enable a sharing of views with neighbours;</i> <i>o Building bulk that is distributed to reduce impact on neighbours and on the public street;</i> <i>o Building height similar to, but not necessarily the same as, those in the public streetscape;</i> <i>o Building to the side or rear boundary where privacy and solar access for neighbouring dwellings and their private open space is not compromised; and</i> <i>o The walls of a building, when located on a boundary, should be limited in length and height to minimise the impact on neighbours.</i> 	<p>required for the installation of any manufactured homes on the site as per <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.</i></p>	
<p>9. External Appearance</p>	<ul style="list-style-type: none"> • <i>To encourage the creation of attractive, well-designed residential development.</i> • <i>To allow flexibility in design and use of materials while encouraging high architectural standards.</i> 	<p>Adequate landscaping and fencing will be integrated with the development to screen it from the public roads, and adjoining developments and to compliment the rural character of the site.</p>	<p>Complies</p>

	<ul style="list-style-type: none"> • <i>To ensure good design which provides continuity of character between existing building forms, new development and surrounding landscape by using a selection and/or combination of characteristic elements and mass.</i> • <i>To ensure that new residential development in Heritage Conservation Areas or on identified heritage sites is designed having regard to the heritage significance of the area or item and compliments the character of these buildings, places and streetscapes.</i> 		
<p>10. Open Space</p>	<ul style="list-style-type: none"> • <i>To provide sufficient and accessible open space for the reasonable recreational needs of residents;</i> • <i>To ensure that private open space meets requirements for privacy of the residents and adjoining properties, safety, access to outdoor activities and landscaping.</i> • <i>To locate open space to take account of outlook, natural features of the site and neighbouring buildings or public open space.</i> 	<p>Open space has been provided in the form of community amenities and landscaping. This has been included as per the requirements of <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021</i>, discussed in <i>section 5.1.3</i> of this report.</p>	<p>Complies</p>
<p>12. Accessibility and Adaptable Housing</p>	<ul style="list-style-type: none"> • <i>To provide adaptable housing that helps sustain community and family networks by allowing people to stay in their houses over the whole of their life.</i> • <i>To ensure that new development is accessible and useable by people with disabilities and mobility impairment.</i> 	<p>While Development consent or a construction certificate is not required for the design and installation of any manufactured homes on the site, as per <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation</i></p>	<p>Complies</p>

	<ul style="list-style-type: none"> • <i>To provide an adequate supply of housing stock that is designed and constructed to be accessible or capable of being easily adapted for use by those in the community with a disability or mobility impairment.</i> 	<p>2021, however, the development will provide an adaptable and affordable housing stock that will cater to residents aged over 55 through a Residential Agreement. The homes will be designed to be accessible and useable by people with disabilities and mobility impairments.</p>	
<p>13. Landscape Design</p>	<ul style="list-style-type: none"> • <i>To enhance the appearance, amenity, and energy efficiency of new development for the benefit of users and the community in general.</i> • <i>To encourage the use of water efficient landscape systems embracing the principals of water sensitive urban design (WSUD).</i> • <i>To encourage the integration of building and landscape elements.</i> • <i>To protect existing landscape features including natural landforms, watercourses and native vegetation and integrate them, where possible, with new development.</i> • <i>To enhance the acoustic environment (eg: through fencing, blade walls and location of open space areas) of a development and provide visual privacy and shade.</i> 	<p>A landscape plan is included in Appendix F. Screen planting is proposed along Metford Road. Landscaping within the site is designed to provide amenity for the residents in communal areas. Street planting is included to enhance the walkability within the estate.</p>	<p>Complies</p>

	<ul style="list-style-type: none"> • <i>To blend new development into an established streetscape and neighbourhood.</i> • <i>To encourage the use of native plant species.</i> 		
14. Fencing and Walls	<ul style="list-style-type: none"> • <i>To ensure that all fences and walls provide privacy, security and noise attenuation without having a detrimental impact upon the streetscape, adjacent buildings, or the use of open spaces areas within the development or on adjoining land.</i> 	<p>Noted.</p> <p>The development will be fenced and integrated with adequate landscaping.</p>	Complies
15. Driveway, Access and Car Parking	<ul style="list-style-type: none"> • <i>To provide convenient, accessible and safe parking to meet the needs of residents and visitors which does not dominate the streetscape or cause congestion in nearby streets.</i> • <i>To ensure that parking areas are designed to accommodate the needs of those persons with a disability.</i> • <i>To encourage the design of access and parking as part of the overall landscape design.</i> 	<p>The proposed access/driveways have been designed as per the requirements under <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021</i>, discussed in <i>section 5.1.3</i> of this report.</p> <p>Car parking for each home will be provided within each dwelling site. Visitor parking will be provided within the estate to cater for the development.</p>	Complies
16. Views, and Visuals, and Acoustic Privacy	<ul style="list-style-type: none"> • <i>To encourage the sharing of views whilst not restricting the reasonable development potential of a site.</i> • <i>To site and design buildings to meet projected user requirements for visual and acoustic privacy.</i> • <i>To protect the visual and acoustic privacy of nearby buildings and private open space.</i> 	<p>Adequate landscaping and fencing will be included with the development to minimise any visual impacts.</p> <p>A 10m wide landscape buffer is proposed to the north-west boundary to hide any views of the development from Metford Road. Refer to</p>	Complies

		<p>Appendix F for further details regarding landscaping.</p> <p>A 1.8m high Acoustic Fence is proposed to the southwest and southeast of the Regal Inn to reduce the noise levels, as per the recommendations of the Noise Assessment (Appendix K).</p>	
<p>17. Water and Energy Conservation</p>	<ul style="list-style-type: none"> • <i>To reduce total water and energy use in residential buildings in accordance with the State Environmental Planning Policy – Building and Sustainability Index (SEPP BASIX) by promoting solar access and reducing heat loss and energy consumption for heating and cooling.</i> • <i>To provide dwellings with adequate solar access and ventilation to both internal habitable rooms and private outdoor open spaces.</i> • <i>To avoid the potential for significant overshadowing of habitable rooms and private open spaces within the development itself and also with respect to adjoining development.</i> • <i>To encourage the use of building materials that are energy efficient, nonharmful, and environmentally sound.</i> 	Not applicable.	Not applicable
<p>18. Stormwater Management</p>	<ul style="list-style-type: none"> • <i>To provide an effective stormwater management system which is sustainable and requires minimal maintenance.</i> 	A Stormwater Strategy report and plan have been prepared complying with the given requirements. Refer to Appendix L .	Complies

	<ul style="list-style-type: none"> • <i>To prevent erosion, sedimentation and other pollution.</i> • <i>To ensure that the rate of post-development stormwater discharge should be no greater than that of the pre-development stormwater discharge.</i> • <i>To ensure that control flowpaths (eg: spillways, swales) are provided to cater for stormwater overflows.</i> • <i>To cater for flows entering the site and to ensure that there are no adverse effects from flows leaving the site.</i> • <i>To encourage the use of rainwater tanks as a means of reducing separate stormwater detention requirements and achieving more sustainable water reuse within the dwelling and for landscaping purposes.</i> • <i>To ensure that drainage systems are designed for safety and that the systems avoid any potential for stormwater inundation of habitable floor areas.</i> 		
<p>19. Security, Site Facilities and Services</p>	<ul style="list-style-type: none"> • <i>To provide adequate personal and property security for residents via “Crime Prevention Through Environmental Design” principles – legibility, casual/natural surveillance, risk assessment and reinforcing territoriality.</i> • <i>To ensure that site facilities such as garbage bin enclosures, mailboxes, clothes drying areas,</i> 	<p>The development has been designed having regard to the principles of Crime Prevention Through Environmental Design. This has been discussed further in <i>section 6.13</i> of the report.</p> <p>The site will be provided with all the essential services. Site facilities will be provided as required by <i>Local Government (Manufactured</i></p>	<p>Complies</p>

	<p><i>external storage facilities, exterior lighting and signage are designed to be functional, visually attractive and easy to maintain.</i></p> <ul style="list-style-type: none"> • <i>To ensure that all developments are adequately serviced with essential services in a timely, cost effective and efficient manner.</i> • <i>To ensure that essential amenities and communication facilities are integrated within the residential design.</i> 	<p><i>Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021, discussed in section 5.1.3 of this report.</i></p>	
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Table 4: DCP Compliance Table

Source: HDB Town Planning & Design

6.0 KEY PLANNING/ENVIRONMENTAL ISSUES

6.1 CONTEXT AND SETTING

The proposal seeks approval to develop a Manufacture Home Estate with 101 dwelling sites.

The subject site is in an area in Tenambit with similar residential developments in its surroundings. The proposal would supply an alternative housing stock in the area while utilising the existing services.

6.2 ACCESS, AND TRAFFIC

A new 8.5m wide perimeter road from Metford Road will provide access to the proposed MHE. The internal lanes are proposed to be 6m wide. A divided entry/exit is proposed with a small median to separate the entry and exit manoeuvres, the entry and exit accesses will both be 5m wide. This is consistent with the requirements under *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*.

A Traffic Impact Assessment has been prepared for the development and is provided in *Appendix G*.

The existing road network is capable of accommodating the development. Sufficient on-site parking is proposed to be provided to accommodate the residents and visitors to the estate.

6.3 SERVICES

The services can be easily extended to the site to cater to the proposal.

Preliminary advice from Hunter Water Corporation (HWC) has confirmed that there is capacity in both the water and sewer system, please refer to *Attachment M*.

6.4 STORMWATER

The road network has been designed to capture stormwater flows and direct them to a piped system. The road pavement will be graded to the center to create a large 'V' drain. The piped system will be installed under the road. Pits with trafficable 'V' grates will be installed at regular intervals to capture the stormwater flows. The piped system will be directed to the rear eastern corner of the site where a basin will be provided to control the discharge from the site and treat the quality of the water. Apart from part of Road 5, the road network will direct overland flows to the basin. The piped system under this section of Road 5 will capture stormwater flows and direct them to the basin.

6.5 HERITAGE

The site does not contain items or places of Heritage significance.

Two (2) records of Aboriginal Heritage or archaeological items found within 200m of the site, as per the Aboriginal Heritage Information Management System (AHIMS). Refer to **Appendix B – AHIMS Report**.

A Due Diligence Assessment was undertaken for the site, which confirms that no sites or PADs are identified on the subject site and therefore, no further investigations or AHIP is required, refer to **Appendix H**.

The report provides the following general recommendations, which are accepted and will be implemented as required;

- 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,
- 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.

6.6 FLORA AND FAUNA

An Ecological Assessment Report was completed by Wildthing for the site.

As per the report, the proposal will result in the following direct and potential impacts/losses;

- Removal of up to 0.51ha of highly disturbed PCT 3433 - Hunter Coast Foothills Spotted Gum-Ironbark Grassy Forest;
- Removal of up to 0.51ha of highly disturbed example of the EEC Lower Hunter Spotted Gum Ironbark Forest in the Sydney Basin and NSW North Coast Bioregions;
- Removal of up to 1.47ha of Couch Grassland;
- Removal of up to 3.15ha of Grazed Exotic Groundcover with Planted Gardens;
- Removal of four hollow-bearing trees;
- Removal of 75 native trees (Appendix B);
- Removal of known hunting habitat for *Haliaeetus leucogaster* (White-bellied Sea-Eagle);
- Removal of known roosting and hunting habitat for *Miniopterus australis* (Little Bentwing Bat)
- Removal of known habitat for the threatened species *Pomatostomus temporalis temporalis* (Grey-crowned Babbler), including one unkempt Grey-crowned Babbler Nest (as of February 2024);
- Removal of known foraging habitat for the threatened species *Pteropus poliocephalus* (Grey-headed Flying Fox);
- Removal of known habitat for a number of the addressed threatened species.

Only Couch Grassland was assessed under the Streamlined Biodiversity Development Assessment Report – Planted Native Vegetation (SBDAR - Planted) Module. The remaining native vegetation within the subject land did not exceed the BOS clearing threshold.

The assessment concludes that the proposed development will result in an incremental reduction of remnant habitat, within the subject land and local area, however, is unlikely to have a significant impact on any addressed threatened species, endangered populations or threatened ecological communities considered within this report.

Mitigation measures have been specified to minimise the impact of the vegetation clearance to protect fauna species and habitat, which will be considered with the development.

Please refer to the detailed report in *Appendix E*.

6.7 BUSHFIRE

The site is mapped as a bushfire-prone land with Vegetation Category 3 and Vegetation Buffer. The bushfire report has been obtained from a qualified consultant to support the development. Please refer to *Appendix N – Bushfire Report*.

6.8 ODOUR ASSESSMENT

The Project is situated within the Hunter Water Wastewater 400m buffer zone for the Morpeth Wastewater Treatment Plant, located approximately 200m northeast of the Project site.

An odour assessment is completed for the site and is attached as *Appendix O*.

It has been concluded that the site is suitable for the proposed development, and overall, there is no adverse risk of odour impact from the Morpeth Wastewater Treatment plant on the proposed development at 27-31 Metford Road.

6.9 CONTAMINATION

A Preliminary Site Investigation was undertaken by Douglas Partners for the site. It has been concluded that the potential for gross contamination at the site is considered to be low and the site is suitable for the proposed development. Refer to *Appendix I*.

6.10 ACOUSTIC/NOISE ASSESSMENT

Muller Acoustic Consulting Pty Ltd (MAC) has completed a Noise Assessment to quantify noise impacts on the proposed development, refer to *Appendix K*.

The results indicated that proposed Lots within the MHE are not expected to encounter noise levels exceeding the measured existing ambient noise levels from The Regal Inn (including mechanical plant, onsite vehicles, patron noise, and amplified music) during the day, evening, and night periods.

Recommendations regarding the noise treatments have been included in the report which includes a 1.8m barrier fence along the southwestern and southeastern boundaries of The Regal Inn and other window treatments for future dwellings.

6.11 LANDSCAPING

A Landscape Plan has been included in *Appendix F*.

A 10m Landscape buffer is proposed to the north-west boundary along Metford Road. Street Trees will be integrated along the internal access road and general landscaping around the community facilities.

6.12 SOCIAL IMPACT ASSESSMENT

A Social Impact Assessment has been prepared for the proposed development and is attached as *Appendix P*.

The assessment indicated an overall positive benefit of the development of communities. It also concluded that the development would create a positive economic effect on the local community and would achieve the diversity of housing stock in the area which is required in Tenambit.

6.13 SAFETY AND SECURITY

The proposed development has been planned and designed around the principles of *Crime Prevention Through Environmental Design (CPTED)*. A brief assessment of CPTED has been included under *section 2.2* of the Social Impact Assessment (*Appendix P*).

All residents will be required to enter into a residential agreement committing to the community rules.

Surveillance cameras and other necessary security systems will be installed in the estate to ensure the safety of the residents. Screen landscaping and security fencing around the estate boundary will maintain privacy and restrict access to the site. Appropriate lighting and signage will be incorporated where required.

Moreover, the estate would consider the recommendations under *section 2.2.4* of SIA to ensure safer communities and minimise the incidence and fear of crime within the estate.

6.14 WASTE MANAGEMENT

The waste generated during the construction stage would be managed by the contractor in charge of the works.

All dwelling sites will be serviced with garbage and recycling bins. Waste will be collected and removed off-site by a private contractor.

7.0 PROJECT JUSTIFICATION AND NEED

The proposal seeks the development of a Manufactured Home Estate comprising 101 dwelling sites at 27, 29 & 33 Metford Road, Tenambit NSW 2323 (Lot 7 & 8 DP810442 and Lot 11 DP597659).

The development will provide a diverse and affordable housing option to the elderly population of the Maitland LGA. The site being located in access to the existing services, infrastructure, and transport facilities is considered suitable for the MHE development.

The proposal has shown compliance with relevant state and local policy, statutory and non-statutory planning provisions, objectives, and standards, refer to *section 5* of this report. It is anticipated that the proposal is consistent with the surrounding uses and character of the area.

Moreover, it can be implemented with minimum adverse impacts on the surrounding environment. Due to these reasons, the concept for the proposed subdivision is considered the most effective outcome and should, therefore, be supported.

8.0 CONCLUSION

This Statement of Environmental Effects has been prepared having regard to the requirements of clause 4.15 of the *Environmental Planning and Assessment Act 1979*. In reviewing the relevant statutory and non-statutory planning standards and objectives, it is concluded that the proposal presents:

- Minimal adverse impacts on the surrounding environment or land uses.
- A development to optimise the site's development potential, whilst utilising existing public infrastructure, services, and amenities; and
- In compliance with all relevant statutory and non-statutory planning provisions.

Maitland City Council is therefore respectfully requested to grant consent to this development application, with appropriate conditions.

APPENDIX A
SITE SURVEY

APPENDIX B
AHIMS REPORT

APPENDIX C

DEVELOPMENT PLANS

APPENDIX D

CONCEPT CIVIL PLANS

APPENDIX E

ECOLOGICAL ASSESSMENT

APPENDIX F

LANDSCAPE PLANS

APPENDIX G

TRAFFIC IMPACT ASSESSMENT

APPENDIX H

DUE DILIGENCE REPORT

APPENDIX I

PSI

APPENDIX J

PGI

APPENDIX K

NOISE ASSESSMENT

APPENDIX L

STORMWATER STRATEGY

APPENDIX M

HUNTER WATER CORPORATION ADVICE

APPENDIX N

BUSHFIRE REPORT

APPENDIX O

ODOUR ASSESSMENT

APPENDIX P

SOCIAL IMPACT ASSESSMENT

APPENDIX Q

COMMUNITY CENTER PLANS